

Title: chapter-169

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.015 - Short title.

This title may be known and cited as the Nevada Criminal Procedure Law. (Added to NRS by 1967, 1398)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.025 - Scope.

1. This title governs the procedure in the courts of the State of Nevada and before magistrates in all criminal proceedings. 2. Except as otherwise provided in NRS 62C.330, this title does not apply to proceedings against children conducted pursuant to title 5 of NRS. (Added to NRS by 1967, 1398; A 1981, 1195; 2003, 1118)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.035 - Purpose; construction.

This title is intended to provide for the just determination of every criminal proceeding. Its provisions shall be construed to secure simplicity in procedure, fairness in administration and the elimination of unjustifiable expense and delay. (Added to NRS by 1967, 1398)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.045 - Definitions.

As used in this title, unless the context otherwise requires, the words and terms defined in NRS 169.049 to 169.205, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1967, 1398; A 1977, 1571; 1997, 2364; 2021, 3454)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.049 - "Case in chief of the defendant" defined.

"Case in chief of the defendant" means the first opportunity of the defendant to present evidence after the close of the case in chief of the State. (Added to NRS by 1997, 2364)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.052 - "Crime of violence" defined.

"Crime of violence" has the meaning ascribed to it in NRS 200.408. (Added to NRS by 2021, 3454)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.055 - "Criminal action" defined.

"Criminal action" means the proceedings by which a party charged with a public offense is accused and brought to trial and punishment. A criminal action is prosecuted in the name of the State of Nevada, as plaintiff. (Added to NRS by 1967, 1398)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.065 - "Defendant" defined.

"Defendant" means the party prosecuted in a criminal action. (Added to NRS by 1967, 1398)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.075 - "District attorney" defined.

"District attorney" includes any deputy district attorney. (Added to NRS by 1967, 1398)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.085 - "Law" defined.

"Law" includes statutes and judicial decisions. (Added to NRS by 1967, 1398)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.095 - "Magistrate" defined.

"Magistrate" means an officer having power to issue a warrant for the arrest of a person charged with a public offense and includes: 1. Justices of the Supreme Court; 2. Judges of the Court of Appeals; 3. Judges of the district courts; 4. Justices of the peace; 5. Municipal judges; and 6. Others upon whom are conferred by law the powers of a justice of the peace in criminal cases. (Added to NRS by 1967, 1398; A 1983, 901; 2013, 1752)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.097 - "Master" defined.

"Master" means a person appointed by the district court to inform defendants of their rights, assign counsel for indigent defendants and perform other similar administrative duties assigned by the court. (Added to NRS by 1977, 1570)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.105 - "Month" defined.

"Month" means a calendar month unless otherwise expressed. (Added to NRS by 1967, 1398)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.115 - "Oath" defined.

"Oath" includes an affirmation. (Added to NRS by 1967, 1398)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.125 - "Peace officer" defined.

"Peace officer" includes any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150

to 289.360, inclusive. (Added to NRS by 1967, 1398; A 1969, 55, 1130, 1423; 1971, 255, 2077; 1973, 89, 922, 1583; 1975, 112, 989, 1344; 1977, 858, 1120, 1441; 1979, 127, 280, 902; 1981, 330, 1104, 2008; 1983, 854, 1242; 1985, 246; 1989, 889, 968; 1993, 2527)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.145 - "Personal property" defined.

"Personal property" includes money, goods, chattels, things in action and evidences of debt. (Added to NRS by 1967, 1399)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.151 - "Prohibited offense" defined.

1. "Prohibited offense" means: (a) A violation of a temporary order for protection; (b) A violation of NRS 200.575; (c) A crime of violence; (d) A violation of NRS 483.490; or (e) A violation of NRS 483.560. 2. As used in this section, "temporary order for protection" means an order for protection which may be issued by a court without affording the adverse party notice and an opportunity to be heard. (Added to NRS by 2021, 3454)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.155 - "Property" defined.

"Property" includes both real and personal property. (Added to NRS by 1967, 1399)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.164 - "Public officer" defined.

"Public officer" means a person elected or appointed to a position which: 1. Is established by the constitution or a statute of this State, or by a charter or ordinance of a political subdivision of this State; and 2. Involves the continuous exercise, as part of the regular and permanent administration of the government, of a public power, trust or duty. (Added to NRS by 1967, 1399)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.175 - "Real property" defined.

"Real property" is coextensive with lands, tenements and hereditaments. (Added to NRS by 1967, 1399)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.179 - "Repeat offense" defined.

"Repeat offense" means an offense for which the person has previously been arrested, convicted or issued a citation. (Added to NRS by 2021, 3454)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.185 - "State" defined.

"State," when applied to the different parts of the United States, includes the District of Columbia and the territories. (Added to NRS by 1967, 1399)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.195 - "Trial" defined.

1. "Trial" means that portion of a criminal action which: (a) If a jury is used, begins with the impaneling of the jury and ends with the return of the verdict, both inclusive. (b) If no jury is used, begins with the opening statement, or if there is no opening statement, when the first witness is sworn, and ends with the closing argument or upon submission of the cause to the court without argument, both inclusive. 2. "Trial" does not include any proceeding had upon a plea of guilty or guilty but mentally ill to determine the degree of guilt or to fix the punishment. (Added to NRS by 1967, 1399; A 1995, 2448; 2003, 1456; 2007, 1404)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.205 - "United States" defined.

"United States" may include the District of Columbia, Puerto Rico, territories or insular possessions. (Added to NRS by 1967, 1399)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.215 - Interpretation.

1. Writing includes printing and typewriting. 2. Every mode of oral statement, under oath or affirmation, is embraced by the term "testify," and every written one in the term "depose." (Added to NRS by 1967, 1399; A 1977, 186)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.225 - Signature by mark.

When a signature of a person is required by this title, the mark of a person, if the person cannot write, shall be deemed sufficient, the name of the person making the mark being written near it, and the mark being witnessed by a person who writes his or her own name as a witness. (Added to NRS by 1967, 1399)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.235 - Superseding of criminal law no bar to punishment unless specifically expressed.

The superseding of any law creating a criminal offense shall not be held to constitute a bar to the prosecution and punishment of a crime already committed, or to bar the trial and punishment of a crime where a prosecution has been already begun, for a violation of the law so superseded, unless the intention to bar such prosecution and punishment, or trial and punishment where a prosecution has been already begun is expressly declared in the superseding act. (Added to NRS by 1967, 1399)

2024 Nevada Revised Statutes Chapter 169 - Preliminary Provisions NRS 169.245 - Bonds and undertakings in criminal actions or proceedings: Approval by clerk.

1. In all criminal actions or proceedings where a bond or other undertaking is required by the provisions of this title or by the Nevada Rules of Civil Procedure or the Nevada Rules of Appellate Procedure, the bond or undertaking shall be presented to the clerk, of the court in which the action or proceeding is pending, for the clerk's approval before being filed or deposited. 2. The clerk of the court may refuse approval of a surety for any bond or other undertaking if a power of attorney-in-fact, which covers the agent whose signature appears on the bond or other undertaking, is not on file with the clerk of the court. (Added to NRS by 1975, 1196)

Title: chapter-170

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.040 - Intervention of officers of justice by requiring surety to keep peace.

Public offenses may be prevented by the intervention of the officers of justice by requiring surety to keep the peace. [1911 Cr. Prac. § 12; RL § 6862; NCL § 10661]—(NRS A 1967, 1400)

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.060 - Complaint for threatening offense against person or property; may be filed in municipal court.

1. A complaint may be filed and warrant issued, as in other criminal cases, for the arrest of any person who has threatened to commit an offense against the person or property of another. 2. Such a complaint may also be filed in a municipal court. The city attorney shall act as prosecutor, and the proceedings shall conform to the requirements of NRS 170.070 to 170.170, inclusive. [1911 Cr. Prac. § 14; A 1925, 9; NCL § 10663]—(NRS A 1967, 1400)

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.070 - Trial to proceed as in criminal cases.

When the person complained of is brought before the justice of the peace or magistrate, the trial on the charge shall proceed as in other criminal cases. [1911 Cr. Prac. § 17; A 1925, 9; NCL § 10664]

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.080 - Person complained of: When to be discharged.

If it appears that there is no just reason to fear the commission of the offense alleged to have been threatened, the person complained of must be discharged. [1911 Cr. Prac. § 18; RL § 6868; NCL § 10665]

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.090 - Security to keep peace.

1. If, however, there is a just reason to fear the commission of the offense, the person complained of may be required to enter into a bond, in such sum, not exceeding \$5,000, as the magistrate may direct, with one or more sufficient sureties, to keep the peace toward the people of this State, and particularly toward the complainant. 2. The bond shall be valid and binding for 6 months, and may, upon the renewal of the complaint, be extended for a longer period or a new bond may be required. [1911 Cr. Prac. § 19; RL § 6869; NCL § 10666]

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.100 - Effect of giving or refusing to give security.

1. If the bond required by NRS 170.090 is given, the person complained of shall be discharged. 2. If the person complained of does not give it, the magistrate must commit the person to prison until the person gives such bond, specifying in the warrant the requirement to give security, the amount thereof, and the omission to pay the same; but in no event shall the person complained of be confined in prison for a period of longer than 6 months for a failure or omission to give such bond. [1911 Cr. Prac. § 20; A 1915, 16; 1919 RL § 6870; NCL § 10667]

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.110 - Person committed may give security later.

If the person complained of is committed for not giving the bond required, the person complained of may be discharged by any magistrate upon giving the same. [1911 Cr. Prac. § 21; RL § 6871; NCL § 10668]

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.120 - Bond to be filed.

A bond given, as provided in NRS 170.090, must be filed by the magistrate in the office of the clerk of the county. [1911 Cr. Prac. § 22; RL § 6872; NCL § 10669]

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.130 - Breach of peace before magistrate; when security required.

Any person who, in the presence of a court or magistrate, assaults or threatens to assault another or to commit any offense against a person or property, or who shall contend with another with angry words, may be ordered by the court or magistrate to give security, as provided in NRS 170.090, or if the person refuses to do so, the person may be committed as provided in NRS 170.100. [1911 Cr. Prac. § 23; RL § 6873; NCL § 10670]

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.140 - Bond to keep peace: When broken.

A bond to keep the peace must be deemed broken when the person complained against is convicted of a breach of the peace. [1911 Cr. Prac. § 24; RL § 6874; NCL § 10671]

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.150 - Bond to keep peace: When and how prosecuted.

Upon the district attorney's producing evidence of such conviction to the district court of the county, the court must order the bond to be prosecuted, and the district attorney must thereupon commence an action on the same, in the name of the State. [1911 Cr. Prac. § 25; RL § 6875; NCL § 10672]

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.160 - Allegation and evidence of breach.

In the action, the offense stated in the record of conviction must be alleged as the breach of the bond, and such record is conclusive evidence of the breach. [1911 Cr. Prac. § 26; RL § 6876; NCL § 10673]

2024 Nevada Revised Statutes Chapter 170 - Prevention of Public Offenses NRS 170.170 - Security for peace or good behavior not required except in accordance with this chapter.

No security to keep the peace, or to be of good behavior, is required except as prescribed in this chapter. [1911 Cr. Prac. § 27; RL § 6877; NCL § 10674]

Title: chapter-171

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.010 - Jurisdiction of offense committed in State.

Every person, whether an inhabitant of this state, or any other state, or of a territory or district of the United States, is liable to punishment by the laws of this state for a public offense committed therein, except where it is by law cognizable exclusively in the courts of the United States. [1911 Cr. Prac. § 58; RL § 6908; NCL § 10705]

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.015 - Jurisdiction of offense commenced without, but consummated within, this State; consummation through agent.

When the commission of a public offense, commenced without the State, is consummated within its boundaries, the defendant is liable to punishment therefor in this State, though the defendant was out of the State at the time of the commission of the offense charged. If the defendant consummated it in this State, through the intervention of an innocent or guilty agent, or any other means proceeding directly from the defendant, in such case the jurisdiction is in the county in which the offense is consummated. [1911 Cr. Prac. § 59; RL § 6909; NCL § 10706]

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.020 - Act within this State culminating in crime in this or another state.

Whenever a person, with intent to commit a crime, does any act within this State in execution or part execution of such intent, which culminates in the commission of a crime, either within or without this State, such person is punishable for such crime in this State in the same manner as if the same had been committed entirely within this State. [1911 Cr. Prac. § 59a; added 1927, 87; NCL § 10707]

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.025 - Death by dueling.

When an inhabitant or resident of this state, by previous appointment or engagement, fights a duel or is concerned as second therein, out of the jurisdiction of this state, and in the duel a wound is inflicted upon a person, whereof the person dies in this state, the jurisdiction of the offense is in the county where the death happens. [1911 Cr. Prac. § 60; RL § 6910; NCL § 10708]

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.030 - Offense committed partly in one county and partly in another.

When a public offense is committed in part in one county and in part in another or the acts or effects thereof constituting or requisite to the consummation of the offense occur in two or more counties, the venue is in either county. [1911 Cr. Prac. § 61; RL § 6911; NCL § 10709]—(NRS A 1963, 47)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.035 - Offense committed on or near

boundary.

When an offense is committed on the boundary of two or more counties, or within 500 yards thereof, the venue is in either county. [1911 Cr. Prac. § 62; RL § 6912; NCL § 10710]—(NRS A 1963, 47)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.040 - Offense committed on vessel in state waters, common carrier or private motor vehicle or aircraft.

When an offense is committed in this state: 1. On board a vessel navigating a river, slough, lake or canal, or lying therein, in the prosecution of a voyage, the venue is in any county through which the vessel is navigated in the course of the voyage, or in the county where the voyage terminates; 2. On a railroad train, car, stage or other public conveyance, or on a private motor vehicle, prosecuting its trip, the venue is in any county through which the train, car, stage or other public conveyance, or private motor vehicle, passes in the course of its trip, or in the county where the trip terminates; or 3. On an aircraft prosecuting its trip, the venue is in any county over which the aircraft passes in the course of its trip, or in the county where the trip terminates. However, venue under this subsection shall be only in a county over or into which the aircraft passes prior to the first landing of such aircraft after the crime is discovered by or reported to the person in charge of such aircraft. [1911 Cr. Prac. § 63; RL § 6913; NCL § 10711]—(NRS A 1959, 215; 1963, 47)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.045 - Offenses concerning animals ranging in two or more counties.

When a public offense concerns any neat cattle, horse, mule or other animal running at large upon any range which extends into more than one county of this state, such offense may be prosecuted in either of the counties, and, upon the trial of any such offense, proof that such animal is the property of the owner, or person occupying the range, and was at the time the offense was committed running at large upon the range, shall be prima facie evidence that the offense was committed within the jurisdiction of the court. [1911 Cr. Prac. § 64; RL § 6914; NCL § 10712]

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.055 - Bigamy and incest.

When the offense, either of bigamy or incest, is committed in one county and the defendant is apprehended in another, the venue is in either county. [1911 Cr. Prac. § 66; RL § 6916; NCL § 10714]—(NRS A 1963, 47)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.060 - Burglary, robbery, larceny or embezzlement: Venue when property is taken in one county and brought into another.

When property taken in one county by burglary, robbery, larceny or embezzlement has been brought into another, the venue of the offense is in either county, but if, at any time before the conviction of the defendant in the latter, the defendant is indicted in the former county, the sheriff of the latter county must, upon demand, deliver the defendant to the sheriff of the former. [1911 Cr. Prac. § 67; RL § 6917; NCL § 10715]—(NRS A 1963, 47)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.065 - Accessory: Venue in either county where offense of accessory was committed or where principal offense committed.

In the case of an accessory in the commission of a public offense, the venue is in either the county where the offense of the accessory was committed, or where the principal offense was committed. [1911 Cr. Prac. § 68; RL § 6918; NCL § 10716]—(NRS A 1963, 48)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.070 - Conviction or acquittal in another state or territory is bar where jurisdiction is concurrent.

When an act charged as a public offense is within the jurisdiction of another state or territory, as well as of this state, a conviction or acquittal thereof in the former is a bar to the prosecution or indictment therefor in this state. [1911 Cr. Prac. § 69; RL § 6919; NCL § 10717]—(NRS A 2009, 2734)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.075 - Conviction or acquittal in another county is bar where venue is concurrent.

When an offense is within the venue of two or more counties, a conviction or acquittal thereof in one county is a bar to the prosecution or indictment therefor in another. [1911 Cr. Prac. § 70; RL § 6920; NCL § 10718]—(NRS A 1963, 48)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.076 - Enactment.

The California-Nevada Compact for Jurisdiction on Interstate Waters, set forth in full in NRS 171.077, is hereby enacted into law. (Added to NRS by 1987, 309)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.077 - Text of Compact. [Effective until proclamation by the Governor of this State of the enactment by the State of California of amendments that are substantially

similar to the Compact, as amended by section 2 of chapter 82, Statutes of Nevada 2019, at page 447.] Text of Compact. [Effective upon proclamation by the Governor of this State of the enactment by the State of California of amendments that are substantially similar to the Compact, as amended by this section.]

The California-Nevada Compact for Jurisdiction on Interstate Waters is as follows: ARTICLE I—Purpose and Policy 1. The Legislature finds that law enforcement has been impaired in sections of Lake Tahoe and Topaz Lake forming an interstate boundary between California and Nevada because of difficulty in determining precisely where a criminal act was committed. 2. The Legislature intends that a person committing an act which is illegal in both states not be freed merely because neither state could establish that a crime was committed within its boundaries. 3. The California-Nevada Compact for Jurisdiction on Interstate Waters is enacted to provide for enforcement of the laws of this state with regard to certain acts committed on Lake Tahoe or Topaz Lake, on either side of the boundary line between California and Nevada. ARTICLE II—Definitions As used in this compact, unless the context otherwise requires, "party state" means a state which has enacted this compact. ARTICLE III—Concurrent Jurisdiction 1. If conduct is prohibited by the party states, courts and law enforcement officers in either state who have jurisdiction over criminal offenses committed in a county where Lake Tahoe or Topaz Lake forms a common interstate boundary have concurrent jurisdiction to arrest, prosecute and try offenders for the prohibited conduct committed anywhere on the body of water forming a boundary between the two states. 2. This compact does not authorize: (a) Prosecution of any person for conduct which is lawful in the state where it was committed. (b) Any conduct prohibited by a party state. ARTICLE IV—Ratification This compact is ratified by enactment of the language of this compact, or substantially similar language expressing the same purpose, by the State of California and the State of Nevada. (Added to NRS by 1987, 309) The California-Nevada Compact for Jurisdiction on Interstate Waters is as follows: ARTICLE I—Purpose and Policy 1. The Legislature finds that law enforcement has been impaired in sections of Lake Tahoe and Topaz Lake forming an interstate boundary between California and Nevada because of difficulty in determining precisely where a criminal act was committed. 2. The Legislature declares that it is imperative for California and Nevada to maintain concurrent jurisdiction on Lake Tahoe and Topaz Lake to promote public safety. 3. The Legislature intends that a person committing an act which is illegal in both states not be freed merely because neither state could establish that a crime was committed within its boundaries. 4. The California-Nevada Compact for Jurisdiction on Interstate Waters is enacted to provide for enforcement of the laws of this state with regard to certain acts committed on Lake Tahoe or Topaz Lake, on either side of the boundary line between California and Nevada. ARTICLE II—Definitions As used in this compact, unless the context otherwise requires, "party state" means a state which has enacted this compact. ARTICLE III—Concurrent Jurisdiction 1. If conduct is prohibited by the party states, courts and law enforcement officers in either state who have jurisdiction over criminal offenses committed in a county where Lake Tahoe or Topaz Lake forms a common interstate boundary have concurrent jurisdiction to: (a) Arrest, prosecute and try offenders for the prohibited conduct committed anywhere on the body of water forming a boundary between the two states; and (b) Investigate and arrest offenders on any land mass not more than 5 air miles from Lake Tahoe or Topaz Lake for the prohibited conduct committed anywhere on the body of water forming a boundary between the two states. 2. This compact does not authorize: (a) Prosecution of any person for conduct which is lawful in the state where it was committed. (b) Any conduct prohibited by a party state. 3. If any claim, including, without limitation, a counterclaim or a cross-claim, is brought in a civil action which is filed in a party state and which is: (a) Brought against a present or former law enforcement officer or employee of the other party state or an agency or political subdivision of the other party state; and (b) Based on any alleged act or omission that is related to the official duties or employment of the present or former officer or employee and conducted under the authority of this compact, the claim is subject to the conditions and limitations on civil actions, including, without limitation, the provisions regarding sovereign immunity, established by the party state in which that officer or employee is or was an officer or employee. ARTICLE IV—Ratification This compact is ratified by enactment of the language of this compact, or substantially similar language expressing the same purpose, by the State of California and the State of Nevada. (Added to NRS by 1987, 309; A 2019, 447, effective upon proclamation by the Governor of this State of the enactment by the State of California of amendments that are substantially similar to the Compact, as amended by this section)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.078 - Enactment.

The Interstate Compact for Jurisdiction on the Colorado River, set forth in full in NRS 171.079, is hereby enacted into law. (Added to NRS by 1987, 378)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.079 - Text of Compact.

The Interstate Compact for Jurisdiction on the Colorado River is as follows: ARTICLE I—Purpose and Policy 1. The Legislature finds that law enforcement has been impaired in sections of the Colorado River forming an interstate boundary because of difficulty in determining precisely where a criminal act was committed. 2. The Legislature intends that a person committing an act which is illegal in both states not be freed merely because neither state could establish that a crime was committed within its boundaries. 3. The Interstate Compact for Jurisdiction on the Colorado River is enacted to provide for enforcement of the laws of this State with regard to certain acts committed on the Colorado River, or any lake formed by or a part of the Colorado River, on either side of the boundary line with an adjoining state. ARTICLE II—Definitions As used in this Compact, unless the context otherwise requires, "party state" means a state which has enacted this Compact. ARTICLE III—Concurrent Jurisdiction 1. If conduct is prohibited by two adjoining party states, courts and law enforcement officers in either state who have jurisdiction over criminal offenses

committed in a county where the Colorado River, or any lake formed by or a part of the Colorado River, forms a common interstate boundary have concurrent jurisdiction to arrest, prosecute and try offenders for the prohibited conduct committed anywhere on the body of water forming a boundary between the two states and concurrent jurisdiction to arrest offenders for the prohibited conduct committed on any land mass within 5 air miles of the Colorado River or any lake formed by or a part of the Colorado River. 2. This Compact does not authorize: (a) Prosecution of any person for conduct which is lawful in the state where it was committed. (b) Any conduct prohibited by a party state. 3. If any claim, including a counterclaim or cross-claim, is brought in a civil action which is filed in a party state and which is: (a) Brought against a present or former officer or employee of another party state or an agency or political subdivision of that other party state; and (b) Based on any alleged act or omission that is related to his or her official duties or employment and conducted under the authority of this Compact, the claim is subject to the conditions and limitations on civil actions, including, without limitation, the provisions regarding sovereign immunity, established by the party state in which that officer or employee is or was an officer or employee. ARTICLE IV—Ratification This Compact is ratified by enactment of the language of this Compact, or substantially similar language expressing the same purpose, by at least two states of which the Colorado River forms a common boundary. (Added to NRS by 1987, 378; A 2005, 303)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.080 - No statute of limitation for murder, sexual assault arising out of same facts and circumstances as murder or terrorism.

There is no limitation of the time within which a prosecution for: 1. Murder, or a sexual assault arising out of the same facts and circumstances as a murder, must be commenced. It may be commenced at any time after the death of the person killed. 2. A violation of NRS 202.445 must be commenced. It may be commenced at any time after the violation is committed. [1911 Cr. Prac. § 71; RL § 6921; NCL § 10719]—(NRS A 2003, 2952; 2019, 464)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.082 - No limitation for sexual assault if identity of accused person is established by conducting genetic marker analysis of biological specimen and obtaining DNA profile.

1. If the identity of a person who is accused of committing a sexual assault is established by conducting a genetic marker analysis of a biological specimen and obtaining a DNA profile, the period of limitation prescribed in NRS 171.085 is removed and there is no limitation of the time within which a prosecution for the sexual assault must be commenced. 2. As used in this section: (a) "Biological specimen" has the meaning ascribed to it in NRS 176.09112. (b) "DNA profile" has the meaning ascribed to it in NRS 176.09115. (c) "Genetic marker analysis" has the meaning ascribed to it in NRS 176.09118. (Added to NRS by 2019, 1498)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.083 - No limitation for sexual assault or sex trafficking if written report filed with law enforcement officer during period of limitation; effect of disability on period of limitation.

1. Except as otherwise provided in NRS 171.080, if, at any time during the period of limitation prescribed in NRS 171.085 and 171.095, a victim of a sexual assault, a person authorized to act on behalf of a victim of a sexual assault, or a victim of sex trafficking or a person authorized to act on behalf of a victim of sex trafficking, files with a law enforcement officer a written report concerning the sexual assault or sex trafficking, the period of limitation prescribed in NRS 171.085 and 171.095 is removed and there is no limitation of the time within which a prosecution for the sexual assault or sex trafficking must be commenced. 2. If a written report is filed with a law enforcement officer pursuant to subsection 1, the law enforcement officer shall provide a copy of the written report to the victim or the person authorized to act on behalf of the victim. 3. If a victim of a sexual assault or sex trafficking is under a disability during any part of the period of limitation prescribed in NRS 171.085 and 171.095 and a written report concerning the sexual assault or sex trafficking is not otherwise filed pursuant to subsection 1, the period during which the victim is under the disability must be excluded from any calculation of the period of limitation prescribed in NRS 171.085 and 171.095. 4. For the purposes of this section, a victim of a sexual assault or sex trafficking is under a disability if the victim is insane, intellectually disabled, mentally incompetent or in a medically comatose or vegetative state. 5. As used in this section, "law enforcement officer" means: (a) A prosecuting attorney; (b) A sheriff of a county or the sheriff's deputy; (c) An officer of a metropolitan police department or a police department of an incorporated city; or (d) Any other person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive. (Added to NRS by 1997, 890; A 2013, 683, 2418; 2019, 464)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.084 - Limitation for kidnapping or attempted murder extended if written report filed with law enforcement officer during period of limitation.

1. If, at any time during the period of limitation prescribed in NRS 171.085 and 171.095, a victim of kidnapping or attempted murder, or a person authorized to act on behalf of such a victim, files with a law enforcement officer a written report concerning the offense, the period of limitation prescribed in NRS 171.085 and 171.095 is extended for 5 years. 2. If a written report is filed with a law enforcement officer pursuant to subsection 1, the law enforcement officer shall provide a copy of the written report to the victim or the person authorized to act on behalf of the victim. 3. As used in this section, "law enforcement officer" has the meaning ascribed to it in NRS 171.083. (Added to NRS by 2001, 3031)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.085 - Limitations for felonies.

Except as otherwise provided in NRS 171.080 to 171.084, inclusive, and 171.095, an indictment for: 1. Theft, robbery, burglary, forgery, arson, a violation of NRS 90.570, a violation punishable pursuant to paragraphs (a) to (d), inclusive, of subsection 3 of NRS 598.0999 or a violation of NRS 205.377 must be found, or an information or complaint filed, within 4 years after the commission of the offense. 2. Sexual assault must be found, or an information or complaint filed, within 20 years after the commission of the offense. 3. Sex trafficking must be found, or an information or complaint filed, within 6 years after the commission of the offense. 4. Any felony other than the felonies listed in subsections 1, 2 and 3 must be found, or an information or complaint filed, within 3 years after the commission of the offense. [1911 Cr. Prac. § 72; RL § 6922; NCL § 10720]—(NRS A 1963, 371; 1977, 1630; 1985, 2167; 1997, 890; 2001, 3031; 2003, 20th Special Session, 273; 2005, 1426; 2009, 146; 2013, 2418; 2015, 583; 2019, 1498; 2021, 834; 2023, 1194)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.090 - Limitations for gross and simple misdemeanors.

Except as otherwise provided in NRS 171.095, 202.885 and 624.800, an indictment for: 1. A gross misdemeanor must be found, or an information or complaint filed, within 2 years after the commission of the offense. 2. Any other misdemeanor must be found, or an information or complaint filed, within 1 year after the commission of the offense. [1911 Cr. Prac. § 73; RL § 6923; NCL § 10721]—(NRS A 1981, 771; 1985, 2167; 1999, 3525; 2005, 1209)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.095 - Limitations for offenses committed in secret manner, offenses constituting sexual abuse or sex trafficking of child and offenses regarding personal identifying information.

1. Except as otherwise provided in subsection 2 and NRS 171.082, 171.083 and 171.084: (a) If a felony, gross misdemeanor or misdemeanor is committed in a secret manner, an indictment for the offense must be found, or an information or complaint filed, within the periods of limitation prescribed in NRS 171.085, 171.090 and 624.800 after the discovery of the offense, unless a longer period is allowed by paragraph (b) or (c) or the provisions of NRS 202.885. (b) An indictment must be found, or an information or complaint filed, for any offense constituting sexual abuse of a child as defined in NRS 432B.100 or sex trafficking of a child as defined in NRS 201.300, before the victim is: (1) Thirty-six years old if the victim discovers or reasonably should have discovered that he or she was a victim of the sexual abuse or sex trafficking by the date on which the victim reaches that age; or (2) Forty-three years old if the victim does not discover and reasonably should not have discovered that he or she was a victim of the sexual abuse or sex trafficking by the date on which the victim reaches 36 years of age. (c) If a felony is committed pursuant to NRS 205.461 to 205.4657, inclusive, against a victim who is less than 18 years of age at the time of the commission of the offense, an indictment for the offense must be found, or an information or complaint filed, within 4 years after the victim discovers or reasonably should have discovered the offense. 2. If any indictment found, or an information or complaint filed, within the time prescribed in subsection 1 is defective so that no judgment can be given thereon, another prosecution may be instituted for the same offense within 6 months after the first is abandoned. [1911 Cr. Prac. § 74; RL § 6924; NCL § 10722]—(NRS A 1981, 771; 1985, 2167; 1989, 1443; 1993, 305; 1997, 891; 1999, 3525; 2001, 3031; 2005, 1209; 2011, 131; 2013, 247, 2419; 2019, 1499)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.100 - Indictment found when it is presented and filed.

An indictment is found, within the meaning of this chapter, when it is presented by the grand jury in open court, and there received and filed. [1911 Cr. Prac. § 75; RL § 6925; NCL § 10723]

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.101 - "No-knock warrant" defined.

As used in NRS 171.101 to 171.122, inclusive, unless the context otherwise requires, "no-knock warrant" means a warrant for the arrest of a defendant which authorizes a peace officer to enter a premises without first: 1. Knocking on the door or ringing the doorbell and identifying the presence of the peace officer; or 2. Identifying the presence of the peace officer and stating the intended purpose of the peace officer for entering the premises. (Added to NRS by 2021, 192)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.102 - Complaint defined; oath or declaration required.

The complaint is a written statement of the essential facts constituting the public offense charged. It must be made upon: 1. Oath before a magistrate or a notary public; or 2. Declaration which is made subject to the penalty for perjury. (Added to NRS by 1967, 1400; A 1969, 387; 1983, 446)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.103 - Court clerk may accept complaint filed electronically; procedure; service.

1. A court clerk may accept a complaint filed pursuant to this chapter that is filed electronically. A complaint that is filed electronically must contain an image of the signature of the prosecuting attorney. 2. If a court clerk accepts a complaint that is filed

electronically pursuant to subsection 1, the court clerk shall acknowledge receipt of the complaint by an electronic time stamp and shall electronically return the complaint with the electronic time stamp to the prosecuting attorney. A complaint that is filed and time-stamped electronically pursuant to this section may be converted into a printed document and served upon a defendant in the same manner as a complaint that is not filed electronically. (Added to NRS by 1997, 892)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.104 - Arrest defined; by whom made.

An arrest is the taking of a person into custody, in a case and in the manner authorized by law. An arrest may be made by a peace officer or by a private person. (Added to NRS by 1967, 1400)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.106 - Issuance of warrant or summons upon application, complaint or citation; no-knock warrants.

1. If it appears from an affidavit or affidavits filed with an application for a warrant that there is probable cause to believe that an offense, triable within the county, has been committed and that the defendant has committed it, a warrant for the arrest of the defendant must be issued by the magistrate to any peace officer. Upon the request of the district attorney, a summons instead of a warrant must be issued. 2. If it appears from an affidavit or affidavits filed with a complaint or citation issued pursuant to NRS 484A.730, 488.920 or 501.386 that there is probable cause to believe that an offense, triable within the county, has been committed and that the defendant has committed it, the magistrate may issue to any peace officer: (a) A warrant; or (b) A summons. 3. A magistrate may not issue a warrant that is a no-knock warrant pursuant to subsection 1 or 2 unless an affidavit filed with the application, complaint or citation, as applicable: (a) Demonstrates that: (I) The underlying offense: (I) Is punishable as a felony; and (II) Involves a significant and imminent threat to public safety; and (2) Identifying the presence of the peace officer before entering the premises is likely to create an imminent threat of substantial bodily harm to the peace officer or another person; (b) Describes with specificity the factual circumstances as to why there are no reasonable alternatives to effectuate the arrest of the defendant other than in the manner prescribed by the no-knock warrant; (c) States whether the no-knock warrant can be executed during the day and, if it cannot, describes with specificity the factual circumstances that preclude the no-knock warrant from being executed during the day; and (d) Certifies that the no-knock warrant will be executed under the guidance of a peace officer who is trained in the execution of warrants. 4. More than one warrant or summons may be issued on the same application, complaint or citation. 5. If a defendant fails to appear in response to a summons, a warrant must be issued for the arrest of the defendant. 6. A no-knock warrant issued pursuant to subsection 3 is void if: (a) A peace officer deliberately misrepresents a material fact or deliberately omits material information in an affidavit in support of an application for the no-knock warrant; and (b) When the misrepresented material fact is excluded or the omitted material information is included, the affidavit does not meet the criteria set forth in paragraphs (a) to (d), inclusive, of subsection 3. (Added to NRS by 1967, 1400; A 1971, 830; 2021, 192)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.108 - Contents of warrant of arrest.

A warrant of arrest is an order in writing in the name of the State of Nevada which must: 1. Be signed by the magistrate with the magistrate's name of office; 2. Contain the name of the defendant or, if the defendant's name is unknown, any name or description by which the defendant can be identified with reasonable certainty; 3. State the date of its issuance, and the county, city or town where it was issued; 4. State the offense described in NRS 171.106; 5. Command that the defendant be arrested and brought before the nearest available magistrate; and 6. State whether the warrant is a no-knock warrant. (Added to NRS by 1967, 1400; A 2021, 193)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.112 - Contents of summons.

1. A summons is an order in writing in the name of the State of Nevada which must: (a) Include the information described in subsections 1 to 4, inclusive, of NRS 171.108; and (b) Summon the defendant to appear before a magistrate at a stated time and place. 2. Upon a complaint against a corporation, the magistrate must issue a summons, signed by the magistrate, with the magistrate's name of office, requiring the corporation to appear before the magistrate at a specified time and place to answer the charge, the time to be not less than 10 days after the issuing of the summons. (Added to NRS by 1967, 1400; A 2021, 193)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.114 - Execution of warrant and service of summons: By whom.

The warrant shall be directed to and executed by a peace officer. The summons may be served by any person authorized to serve a summons in a civil action. (Added to NRS by 1967, 1401)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.116 - When magistrate may depute person to act as constable.

A magistrate may depute in writing any suitable and discreet person to act as constable when no constable is at hand and the nature of the business requires immediate action. (Added to NRS by 1967, 1401)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.118 - Execution of warrant and service of

summons: Territorial limits.

The warrant may be executed or the summons may be served at any place within the jurisdiction of the State of Nevada. (Added to NRS by 1967, 1401)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.122 - Manner in which execution of warrant and service of summons are made; additional requirements for execution of no-knock warrant; issuance of citation in lieu of execution of warrant of arrest.

1. Except as otherwise provided in subsection 3, the warrant must be executed by the arrest of the defendant. The peace officer need not have the warrant in the peace officer's possession at the time of the arrest, but upon request the peace officer must show the warrant to the defendant as soon as possible. If the peace officer does not have a warrant in the peace officer's possession at the time of the arrest, the peace officer shall then inform the defendant of the peace officer's intention to arrest the defendant, of the offense charged, the authority to make it and of the fact that a warrant has or has not been issued. The defendant must not be subjected to any more restraint than is necessary for the defendant's arrest and detention. If the defendant either flees or forcibly resists, the peace officer may use only the amount of reasonable force necessary to effect the arrest as provided in NRS 171.1455 and 193.305.

2. In addition to the requirements described in subsection 1, if the warrant is a no-knock warrant, the peace officers involved in the execution of the no-knock warrant shall: (a) Before executing the no-knock warrant, determine whether the circumstances necessitate that the arrest of the defendant be effectuated in the manner prescribed by the no-knock warrant and, if they do not, the peace officers shall not effectuate the arrest of the defendant in such a manner; and (b) In executing the no-knock warrant: (1) Wear prominent insignia that renders the peace officers readily identifiable as peace officers; (2) Wear a portable event recording device in accordance with the requirements described in NRS 289.830; (3) Use only the amount of force reasonably necessary to enter the premises; and (4) As soon as practicable after entering the premises, identify the presence of the peace officers and state the purpose of the peace officers for entering the premises.

3. In lieu of executing a warrant by arresting the defendant, a peace officer may issue a citation as provided in NRS 171.1773 if: (a) The warrant is issued upon an offense punishable as a misdemeanor; (b) The peace officer has no indication that the defendant has previously failed to appear on the charge reflected in the warrant; (c) The defendant provides satisfactory evidence of his or her identity to the peace officer; (d) The defendant signs a written promise to appear in court for the misdemeanor offense; and (e) The peace officer has reasonable grounds to believe that the defendant will keep a written promise to appear in court.

4. A summons must be served upon a defendant by delivering a copy to the defendant personally, or by leaving it at the defendant's dwelling house or usual place of abode with some person then residing in the house or abode who is at least 16 years of age and is of suitable discretion, or by mailing it to the defendant's last known address. In the case of a corporation, the summons must be served at least 5 days before the day of appearance fixed in the summons, by delivering a copy to an officer or to a managing or general agent or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the corporation's last known address within the State of Nevada or at its principal place of business elsewhere in the United States. (Added to NRS by 1967, 1401; A 1985, 618; 1993, 143, 931, 932; 2020, 32nd Special Session, 69; 2021, 194, 2636)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1223 - Peace officer with limited jurisdiction must notify primary law enforcement agency of commission of certain felonies; transfer of investigation to primary law enforcement agency.

1. Except as otherwise provided in subsection 3, in a county whose population is 100,000 or more, a peace officer with limited jurisdiction who witnesses a category A felony being committed or attempted in the officer's presence, or has reasonable cause for believing a person has committed or attempted to commit a category A felony in an area that is within the officer's jurisdiction, shall immediately notify the primary law enforcement agency in the city or county, as appropriate, where the offense or attempted offense was committed.

2. Upon arrival of an officer from the primary law enforcement agency notified pursuant to subsection 1, a peace officer with limited jurisdiction shall immediately transfer the investigation of the offense or attempted offense to the primary law enforcement agency.

3. The provisions of subsection 1 do not: (a) Apply to an offense or attempted offense that is a misdemeanor, gross misdemeanor or felony other than a category A felony; (b) Apply to an officer of the Nevada Highway Patrol, a member of the police department of the Nevada System of Higher Education, an agent of the Investigation Division of the Department of Public Safety or a ranger of the Division of State Parks of the State Department of Conservation and Natural Resources; (c) Apply to a peace officer with limited jurisdiction if an interlocal agreement between the officer's employer and the primary law enforcement agency in the city or county in which a category A felony was committed or attempted authorizes the peace officer with limited jurisdiction to respond to and investigate the felony without immediately notifying the primary law enforcement agency; or (d) Prohibit a peace officer with limited jurisdiction from: (1) Contacting a primary law enforcement agency for assistance with an offense that is a misdemeanor, gross misdemeanor or felony that is not a category A felony; or (2) Responding to a category A felony until the appropriate primary law enforcement agency arrives at the location where the felony was allegedly committed or attempted, including, without limitation, taking any appropriate action to provide assistance to a victim of the felony, to apprehend the person suspected of committing or attempting to commit the felony, to secure the location where the felony was allegedly committed or attempted and to protect the life and safety of the peace officer and any other person present at that location.

4. As used in this section: (a) "Peace officer with limited jurisdiction" means: (1) A school police officer who is appointed or employed

pursuant to subsection 5 of NRS 391.281; (2) An airport guard or police officer who is appointed pursuant to NRS 496.130; (3) A person employed to provide police services for an airport authority created by a special act of the Legislature; and (4) A marshal or park ranger who is part of a unit of specialized law enforcement established pursuant to NRS 280.125. (b) "Primary law enforcement agency" means: (1) A police department of an incorporated city; (2) The sheriff's office of a county; or (3) If the county is within the jurisdiction of a metropolitan police department, the metropolitan police department. (Added to NRS by 2001, 1868; A 2003, 102; 2015, 3834; 2017, 2061, 3158)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1225 - Peace officer to provide information to suspected victims of domestic violence.

1. When investigating an act of domestic violence, a peace officer shall: (a) Make a good faith effort to explain the provisions of NRS 171.137 pertaining to domestic violence and advise victims of all reasonable means to prevent further abuse, including advising each person of the availability of a shelter or other services in the community. (b) Provide a person suspected of being the victim of an act of domestic violence with a written copy of the following statements: (1) My name is Officer (naming the investigating officer). Nevada law requires me to inform you of the following information. (2) If I have probable cause to believe that a battery has been committed against you, your minor child or the minor child of the person believed to have committed the battery in the last 24 hours by your spouse, your former spouse, any other person to whom you are related by blood or marriage, a person with whom you have had or are having a dating relationship or a person with whom you have a child in common, and if I had a face-to-face encounter with the person suspected of committing the battery that was of sufficient duration to determine whether probable cause existed while responding to the initial incident or call for service, I am required, unless mitigating circumstances exist, to arrest the person suspected of committing the battery. (3) If I have probable cause to believe that a battery has been committed against you, your minor child or the minor child of the person believed to have committed the battery in the last 7 days by your spouse, your former spouse, any other person to whom you are related by blood or marriage, a person with whom you have had or are having a dating relationship or a person with whom you have a child in common, and if I did not have a face-to-face encounter with the person suspected of committing the battery that was of sufficient duration to determine whether probable cause existed while responding to the initial incident or call for service, I am required, unless mitigating circumstances exist, to arrest the person suspected of committing the battery. (4) If I am unable to arrest the person suspected of committing the battery, you have the right to request that the prosecutor file a criminal complaint against the person. I can provide you with information on this procedure. If convicted, the person who committed the battery may be placed on probation, ordered to see a counselor, put in jail or fined. (5) The law provides that you may seek a court order for the protection of you, your minor children or any animal that is owned or kept by you, by the person who committed or threatened the act of domestic violence or by the minor child of either such person against further threats or acts of domestic violence. You do not need to hire a lawyer to obtain such an order for protection. (6) An order for protection may require the person who committed or threatened the act of domestic violence against you to: (I) Stop threatening, harassing or injuring you or your children; (II) Move out of your residence; (III) Stay away from your place of employment; (IV) Stay away from the school attended by your children; (V) Stay away from any place you or your children regularly go; (VI) Avoid or limit all communication with you or your children; (VII) Stop physically injuring, threatening to injure or taking possession of any animal that is owned or kept by you or your children, either directly or through an agent; and (VIII) Stop physically injuring or threatening to injure any animal that is owned or kept by the person who committed or threatened the act or his or her children, either directly or through an agent. (7) A court may make future orders for protection which award you custody of your children and require the person who committed or threatened the act of domestic violence against you to: (I) Pay the rent or mortgage due on the place in which you live; (II) Pay the amount of money necessary for the support of your children; (III) Pay part or all of the costs incurred by you in obtaining the order for protection; and (IV) Comply with the arrangements specified for the possession and care of any animal owned or kept by you or your children or by the person who committed or threatened the act or his or her children. (8) To get an order for protection, go to room number (state the room number of the office at the court) at the court, which is located at (state the address of the court). Ask the clerk of the court to provide you with the forms for an order of protection. (9) If the person who committed or threatened the act of domestic violence against you violates the terms of an order for protection, the person may be arrested and, if: (I) The arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm; (II) The person has previously violated a temporary or extended order for protection; or (III) At the time of the violation or within 2 hours after the violation, the person has a concentration of alcohol of 0.08 or more in the person's blood or breath or an amount of a prohibited substance in the person's blood or urine, as applicable, that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 484C.110, the person will not be admitted to bail sooner than 12 hours after arrest. (10) You may obtain emergency assistance or shelter by contacting your local program against domestic violence at (state name, address and telephone number of local program) or you may call, without charge to you, the Statewide Program Against Domestic Violence at (state toll-free telephone number of Statewide Program). 2. The failure of a peace officer to carry out the requirements set forth in subsection 1 is not a defense in a criminal prosecution for the commission of an act of domestic violence, nor may such an omission be considered as negligence or as causation in any civil action against the peace officer or the officer's employer. 3. As used in this section: (a) "Act of domestic violence" means any of the following acts committed by a person against his or her spouse, former spouse, any other person to whom he or she is related by blood or marriage, a person with whom he or she has had or is having a dating relationship, a person with whom he or she has a child in common, the minor child of any of those persons or his or her minor child: (1) A battery. (2) An assault. (3) Compelling the

other by force or threat of force to perform an act from which he or she has the right to refrain or to refrain from an act which he or she has the right to perform. (4) A sexual assault. (5) A knowing, purposeful or reckless course of conduct intended to harass the other. Such conduct may include, but is not limited to: (I) Stalking. (II) Arson. (III) Trespassing. (IV) Larceny. (V) Destruction of private property. (VI) Carrying a concealed weapon without a permit. (VII) Injuring or killing an animal. (6) False imprisonment. (7) Unlawful entry of the other's residence, or forcible entry against the other's will if there is a reasonably foreseeable risk of harm to the other from the entry. (b) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context. (Added to NRS by 1989, 64; A 1993, 2771; 1995, 899; 1997, 1800; 2001, 1221; 2007, 1015; 2013, 40; 2017, 316, 3180; 2023, 1601)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1227 - Peace officer to submit written report concerning suspected acts of domestic violence; information from reports to be aggregated and forwarded to Central Repository; content of report.

1. If a peace officer investigates an act that constitutes domestic violence pursuant to NRS 33.018, the peace officer shall prepare and submit a written report of the investigation to the peace officer's supervisor or to another person designated by the peace officer's supervisor, regardless of whether the peace officer makes an arrest. 2. If the peace officer investigates a mutual battery that constitutes domestic violence pursuant to NRS 33.018 and finds that one of the persons involved was the primary physical aggressor, the peace officer shall include in the report: (a) The name of the person who was the primary physical aggressor; and (b) A description of the evidence which supports the peace officer's finding. 3. If the peace officer does not make an arrest, the peace officer shall include in the report the reason the peace officer did not do so. 4. The information contained in a report made pursuant to subsections 1 and 2 must be: (a) Aggregated each month; and (b) Forwarded by each jurisdiction to the Central Repository for Nevada Records of Criminal History not later than the 15th day of the following month. 5. The Director of the Department of Public Safety shall prescribe the form on which the information described in subsection 4 must be reported to the Central Repository. In addition to the information required pursuant to subsections 1 and 2, the form must also require the inclusion of the following information from each report: (a) The gender, age and race of the persons involved; (b) The relationship of the persons involved; (c) The date and time of day of the offense; (d) The number of children present, if any, at the time of the offense; (e) Whether or not an order for protection against domestic violence was in effect at the time of the offense; (f) Whether or not any weapons were used during the commission of the offense; (g) Whether or not any person required medical attention; (h) Whether or not any person was given a domestic violence card that contains information about appropriate counseling or other supportive services available in the community in which that person resides; (i) Whether or not the primary physical aggressor, if identified, was arrested and, if not, any mitigating circumstances explaining why an arrest was not made; and (j) Whether or not any other person was arrested. (Added to NRS by 1997, 1533; A 2007, 2482)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1228 - Investigation of alleged sexual offense: Alleged victim not required to submit to polygraphic examination or other similar examination.

1. A law enforcement officer, prosecutor or other employee of a governmental entity shall not, as a condition of investigating an alleged sexual offense, request or require a victim of the alleged sexual offense to take or submit to a polygraphic examination or other similar examination that is used, or the results of which are used, for the purpose of rendering a diagnostic opinion regarding the honesty or dishonesty of a person. 2. As used in this section, "sexual offense" has the meaning ascribed to it in NRS 179D.097. (Added to NRS by 2007, 95)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1229 - Fingerprinting of persons detained and cited for committing suspected acts of domestic violence; fingerprints to be forwarded to Central Repository.

If a peace officer: 1. Detains a person for violating a county, city or town ordinance or state law that: (a) Is punishable as a misdemeanor; and (b) Constitutes domestic violence pursuant to NRS 33.018; and 2. Issues the person a citation in lieu of taking the person before a magistrate, the peace officer shall, in the manner prescribed by the Director of the Department of Public Safety, obtain a complete set of fingerprints of the person and forward those fingerprints and the report that the peace officer is required to prepare pursuant to NRS 171.1227 to the Central Repository for Nevada Records of Criminal History. (Added to NRS by 1997, 1533; A 2017, 258)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.123 - Temporary detention by peace officer of person suspected of crime or civil infraction or of violating conditions of parole or probation: Limitations.

1. Any peace officer may detain any person whom the officer encounters under circumstances which reasonably indicate that the person has committed, is committing or is about to commit a crime or civil infraction. 2. Any peace officer may detain any person the officer encounters under circumstances which reasonably indicate that the person has violated or is violating the conditions of the person's parole or probation. 3. The officer may detain the person pursuant to this section only to ascertain the person's identity and the suspicious circumstances surrounding the person's presence abroad. Any person so detained shall identify himself or herself, but may not be compelled to answer any other inquiry of any peace officer. 4. A person must not be detained longer than is

reasonably necessary to effect the purposes of this section, and in no event longer than 60 minutes. The detention must not extend beyond the place or the immediate vicinity of the place where the detention was first effected, unless the person is arrested. 5. As used in this section, "civil infraction" has the meaning ascribed to it in NRS 481.015. (Added to NRS by 1969, 535; A 1973, 597; 1975, 1200; 1987, 1172; 1995, 2068; 2021, 3353)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1231 - Arrest if probable cause appears.

At any time after the onset of the detention pursuant to NRS 171.123, the person so detained shall be arrested if probable cause for an arrest appears. If, after inquiry into the circumstances which prompted the detention, no probable cause for arrest appears, such person shall be released. (Added to NRS by 1969, 535)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1232 - Search to ascertain presence of dangerous weapon; seizure of weapon or evidence.

1. If any peace officer reasonably believes that any person whom the peace officer has detained or is about to detain pursuant to NRS 171.123 is armed with a dangerous weapon and is a threat to the safety of the peace officer or another, the peace officer may search such person to the extent reasonably necessary to ascertain the presence of such weapon. If the search discloses a weapon or any evidence of a crime, such weapon or evidence may be seized. 2. Nothing seized by a peace officer in any such search is admissible in any proceeding unless the search which disclosed the existence of such evidence is authorized by and conducted in compliance with this section. (Added to NRS by 1969, 535)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1233 - Recording of law enforcement activity.

1. A person who is not under arrest or in the custody of a peace officer may record a law enforcement activity and maintain custody and control of that recording and any property or instruments used by the person to record a law enforcement activity. A person who is under arrest or in the custody of a peace officer does not, by that status alone, forfeit the right to have any such recordings, property or instruments maintained and returned to him or her. This subsection must not be construed to authorize a person to engage in actions that interfere with or obstruct a law enforcement activity or otherwise violate any other law in an effort to record a law enforcement activity. 2. A peace officer shall not act to interfere with a person's recording of a law enforcement activity, including, without limitation, by: (a) Intentionally preventing or attempting to prevent the person from recording a law enforcement activity; (b) Threatening the person for recording a law enforcement activity; (c) Commanding that the person cease recording a law enforcement activity when the person was nevertheless authorized by law to record the law enforcement activity; (d) Stopping, seizing or searching the person because he or she recorded a law enforcement activity; or (e) Unlawfully seizing property or instruments used by the person to record a law enforcement activity, unlawfully destroying or seizing any recorded image of a law enforcement activity or copying such a recording of a law enforcement activity without the consent of the person who recorded it or obtaining approval from an appropriate court. 3. As used in this section: (a) "Law enforcement activity" means any activity by a peace officer acting under the color of law. (b) "Peace officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive. (c) "Record" means to capture or attempt to capture any moving or still image, sound or impression through the use of any recording device, camera or any other device capable of capturing audio or moving or still images, or by means of written notes or observations. The term includes, without limitation, the capturing of or the attempt to capture any moving or still image, sound or impression through the use of any such device for the purpose of broadcasting an event or occurrence in real time. (Added to NRS by 2020, 32nd Special Session, 68)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1235 - Gaming licensee may detain person suspected of having committed felony in gaming establishment.

1. As used in this section: (a) "Establishment" means any premises whereon any gaming is done or any premises owned or controlled by a licensee for the purpose of parking motor vehicles owned or operated by patrons of such licensee. (b) "Licensee" has the meaning ascribed to it in NRS 463.0171. 2. Any licensee or the licensee's officers, employees or agents may take into custody and detain any person when such licensee or the licensee's officers, employees or agents have reasonable cause to believe the person detained has committed a felony, whether or not in the presence of such licensee or the licensee's officers, employees or agents. 3. Detention pursuant to this section shall be in the establishment, in a reasonable manner, for a reasonable length of time and solely for the purpose of notifying a peace officer. Such taking into custody and detention shall not render the licensee or the licensee's officers, employees or agents criminally or civilly liable for false arrest, false imprisonment, slander or unlawful detention unless such taking into custody and detention are unreasonable under all the circumstances. 4. No licensee or the licensee's officers, employees or agents are entitled to the immunity from liability provided for in this section unless there is displayed in a conspicuous place in the establishment a notice in boldface type clearly legible and in substantially this form: Any gaming licensee or the licensee's officers, employees or agents who have reasonable cause to believe that any person has committed a felony may detain such person in the establishment for the purpose of notifying a peace officer. (Added to NRS by 1973, 1700; A 2003, 20th Special Session, 15)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1237 - Identification of suspect by live

lineup, photo lineup or show-up: Law enforcement agencies to adopt policies and procedures governing use.

1. Each law enforcement agency shall adopt policies and procedures governing the use of live lineups, photo lineups and show-ups. 2. As used in this section: (a) "Live lineup" means an identification procedure in which a group of persons, including the suspect, is displayed to an eyewitness to determine whether the eyewitness identifies the suspect as the perpetrator of a crime. (b) "Photo lineup" means an identification procedure in which an array of photographs, including a photograph of the suspect, is displayed to an eyewitness in hard copy or by digital image to determine whether the eyewitness identifies the suspect as the perpetrator of a crime. (c) "Show-up" means an identification procedure in which the suspect appears individually for possible identification by the eyewitness as the perpetrator of a crime. (Added to NRS by 2011, 325)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1239 - Electronic recording of custodial interrogations conducted in place of detention; adoption of policies by law enforcement agency.

1. Each law enforcement agency in this State shall adopt detailed, written policies regarding the electronic recording of custodial interrogations that are conducted in a place of detention. 2. Any policies adopted by a law enforcement agency pursuant to this section must be made available: (a) To all law enforcement officers employed by the law enforcement agency; and (b) For public inspection during normal business hours. 3. Any policies adopted by a law enforcement agency pursuant to this section must include, without limitation: (a) A requirement that, except as otherwise provided in any policy adopted pursuant to paragraph (c), an electronic recording must be made of an entire custodial interrogation which is conducted in a place of detention if the person being interrogated is suspected of committing homicide as described in NRS 200.010 to 200.260, inclusive, or sexual assault as defined in NRS 200.366. (b) A requirement that, except as otherwise provided in any policy adopted pursuant to paragraph (c), if a person being interrogated chooses to make or sign a written statement during the course of a custodial interrogation concerning a homicide as described in NRS 200.010 to 200.260, inclusive, or sexual assault as defined in NRS 200.366, the making and signing of the statement must be electronically recorded. (c) The circumstances in which all or a portion of a custodial interrogation is not required to be electronically recorded, including, without limitation, when: (1) An equipment malfunction prevents the electronic recording of the custodial interrogation in its entirety and replacement equipment is not immediately available. (2) The law enforcement officer conducting the custodial interrogation fails, in good faith, to record the interrogation because: (I) He or she inadvertently fails to operate the recording equipment properly; or (II) The recording equipment malfunctions or stops recording without the law enforcement officer's knowledge. (3) More than one custodial interrogation is being conducted simultaneously, thereby exceeding the available electronic recording capacity of the recording equipment. (4) The person who is being or will be interrogated: (I) Affirmatively asserts his or her desire to speak with law enforcement officers without being recorded; (II) Makes a statement spontaneously and not in response to a question asked during the custodial interrogation; (III) Makes a statement during routine questioning during the process of his or her arrest; or (IV) Makes a statement at a time when the law enforcement officer conducting the interrogation is, in good faith, unaware of the person's involvement in a homicide as described in NRS 200.010 to 200.060, inclusive, a sexual assault as defined in NRS 200.366 or an offense for which a custodial interrogation is otherwise required to be electronically recorded in accordance with the policies adopted pursuant to this section. (5) At the time of the custodial interrogation, the law enforcement officer conducting the interrogation is, in good faith, unaware that the type of offense involved is a homicide as described in NRS 200.010 to 200.060, inclusive, a sexual assault as defined in NRS 200.366 or an offense for which a custodial interrogation is otherwise required to be electronically recorded in accordance with the policies adopted pursuant to this section. (6) Exigent circumstances make recording impractical. (d) Requirements pertaining to the retention and storage of electronic recordings made pursuant to this section. (e) The circumstances in which all or a portion of an electronic recording is not required to be retained, including, without limitation, when the electronic recording is damaged or destroyed, without bad faith on the part of any person or entity in control of the electronic recording. 4. Each law enforcement agency in this State shall collaborate with the district attorney of the county in which the law enforcement agency is located regarding the contents of the policies required to be adopted pursuant to this section. 5. As used in this section: (a) "Custodial interrogation" means any interrogation of a person who is required to be advised of his or her rights pursuant to *Miranda v. Arizona*, 384 U.S. 436 (1966). (b) "Electronic recording" means an audio or audiovisual recording. (c) "Interrogation" means questioning which is initiated by a law enforcement officer or any words or actions on the part of a law enforcement officer, other than those which are ordinarily attendant to arrest and custody, that the officer should know are reasonably likely to elicit an incriminating response from the person who is being questioned. (d) "Law enforcement agency" means: (1) The sheriff's office of a county; (2) A metropolitan police department; or (3) A police department of an incorporated city. (e) "Place of detention" means a fixed location under the control of a law enforcement agency of this State where persons are questioned about alleged crimes. (Added to NRS by 2019, 794)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.124 - Arrest by peace officer or officer of Drug Enforcement Administration.

1. Except as otherwise provided in subsection 3 and NRS 33.070 and 33.320, a peace officer or an officer of the Drug Enforcement Administration designated by the Attorney General of the United States for that purpose may make an arrest in obedience to a warrant delivered to him or her, or may, without a warrant, arrest a person: (a) For a public offense committed or attempted in the officer's presence. (b) When a person arrested has committed a felony or gross misdemeanor, although not in the officer's presence. (c) When a felony or gross misdemeanor has in fact been committed, and the officer has reasonable cause for believing the person

arrested to have committed it. (d) On a charge made, upon a reasonable cause, of the commission of a felony or gross misdemeanor by the person arrested. (e) When a warrant has in fact been issued in this State for the arrest of a named or described person for a public offense, and the officer has reasonable cause to believe that the person arrested is the person so named or described. 2. A peace officer or an officer of the Drug Enforcement Administration designated by the Attorney General of the United States for that purpose may also, at night, without a warrant, arrest any person whom the officer has reasonable cause for believing to have committed a felony or gross misdemeanor, and is justified in making the arrest, though it afterward appears that a felony or gross misdemeanor has not been committed. 3. An officer of the Drug Enforcement Administration may only make an arrest pursuant to subsections 1 and 2 for a violation of chapter 453 of NRS. (Added to NRS by 1967, 1401; A 1975, 755; 1979, 834; 1983, 1651; 1985, 1171, 2022, 2170; 2001, 2850; 2003, 888; 2013, 2946; 2015, 2521)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1245 - Arrest by agent of Federal Bureau of Investigation or Secret Service.

An agent of the Federal Bureau of Investigation or Secret Service may, without a warrant, arrest a person: 1. For a public offense committed or attempted in the agent's presence. 2. When a person arrested has committed a felony or gross misdemeanor, although not in the agent's presence. 3. When a felony or gross misdemeanor has in fact been committed, and the agent has reasonable cause for believing the person arrested to have committed it. 4. On a charge made, upon a reasonable cause, of the commission of a felony or gross misdemeanor by the person arrested. 5. When a warrant has in fact been issued in this State for the arrest of a named or described person for a public offense, and the agent has reasonable cause to believe that the person arrested is the person so named or described. (Added to NRS by 1985, 451)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1255 - Arrest by officer or agent of Bureau of Indian Affairs or police officer employed by Indian tribe.

1. Except as otherwise provided in subsection 2, an officer or agent of the Bureau of Indian Affairs or a person employed as a police officer by an Indian tribe may make an arrest in obedience to a warrant delivered to him or her, or may, without a warrant, arrest a person: (a) For a public offense committed or attempted in the officer or agent's presence. (b) When a person arrested has committed a felony or gross misdemeanor, although not in the officer or agent's presence. (c) When a felony or gross misdemeanor has in fact been committed, and the officer or agent has reasonable cause for believing the person arrested to have committed it. (d) On a charge made, upon a reasonable cause, of the commission of a felony or gross misdemeanor by the person arrested. (e) When a warrant has in fact been issued in this State for the arrest of a named or described person for a public offense, and the officer or agent has reasonable cause to believe that the person arrested is the person so named or described. (f) When the peace officer has probable cause to believe that the person to be arrested has committed a battery upon that person's spouse and the peace officer finds evidence of bodily harm to the spouse. 2. Such an officer or agent may make an arrest pursuant to subsection 1 only: (a) Within the boundaries of an Indian reservation or Indian colony for an offense committed on that reservation or colony; or (b) Outside the boundaries of an Indian reservation or Indian colony if the officer or agent is: (1) Acting under an agreement pursuant to subsection 3 of NRS 289.152; or (2) In fresh pursuit of a person who is reasonably believed by the officer or agent to have committed a felony within the boundaries of the reservation or colony or has committed, or attempted to commit, any criminal offense within those boundaries in the presence of the officer or agent. For the purposes of this subsection, "fresh pursuit" has the meaning ascribed to it in NRS 171.156. (Added to NRS by 1985, 452; A 2019, 535)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1257 - Arrest by postal inspector of United States Postal Inspection Service.

1. A postal inspector of the United States Postal Inspection Service may make an arrest in obedience to a warrant delivered to him or her, or may, without a warrant, arrest a person: (a) For a public offense related to postal matters committed or attempted in the postal inspector's presence. (b) When the person arrested has committed a felony or gross misdemeanor related to postal matters, although not in the postal inspector's presence. (c) When a felony or gross misdemeanor related to postal matters has in fact been committed, and the postal inspector has reasonable cause for believing the person arrested to have committed it. (d) On a charge made, upon a reasonable cause, of the commission of a felony or gross misdemeanor related to postal matters by the person arrested. (e) When a warrant has in fact been issued in this State for the arrest of a named or described person for a public offense related to postal matters, and the postal inspector has reasonable cause to believe that the person arrested is the person so named or described. 2. As used in this section, "postal matters" means any act related to mail service, including, without limitation, delivering and collecting mail, mail theft and mail fraud. (Added to NRS by 2007, 2173)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.126 - Arrest by private person.

A private person may arrest another: 1. For a public offense committed or attempted in the person's presence. 2. When the person arrested has committed a felony, although not in the person's presence. 3. When a felony has been in fact committed, and the private person has reasonable cause for believing the person arrested to have committed it. (Added to NRS by 1967, 1402)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.128 - Magistrate may order arrest for committing or attempting to commit offense in magistrate's presence.

A magistrate may orally order a peace officer or private person to arrest anyone committing or attempting to commit a public offense in the presence of the magistrate, and may thereupon proceed as if the offender had been brought before the magistrate on a warrant of arrest. (Added to NRS by 1967, 1402)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.132 - Person making arrest may summon assistance.

Any person making an arrest may orally summon as many persons as the person making the arrest deems necessary to aid him or her therein. (Added to NRS by 1967, 1402)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.134 - Escape or rescue of arrested person: Pursuit and retaking at any time and place in State.

If a person arrested escapes or is rescued, the person from whose custody he or she escaped or was rescued may immediately pursue and retake the person at any time and in any place within the State. (Added to NRS by 1967, 1402)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.136 - When arrest may be made.

1. If the offense charged is a felony or gross misdemeanor, the arrest may be made on any day, and at any time of day or night. 2. If it is a misdemeanor, the arrest cannot be made between the hours of 7 p.m. and 7 a.m., except: (a) Upon the direction of a magistrate, endorsed upon the warrant; (b) When the offense is committed in the presence of the arresting officer; (c) When the person is found and the arrest is made in a public place or a place that is open to the public and: (1) There is a warrant of arrest against the person; and (2) The misdemeanor is discovered because there was probable cause for the arresting officer to stop, detain or arrest the person for another alleged violation or offense; (d) When the offense is committed in the presence of a private person and the person makes an arrest immediately after the offense is committed; (e) When the arrest is made in the manner provided in NRS 171.137 or 171.1375; (f) When the person is already in custody as a result of another lawful arrest; or (g) When the person voluntarily surrenders himself or herself in response to an outstanding warrant of arrest. (Added to NRS by 1967, 1402; A 1977, 874; 1985, 6, 2023; 1991, 331; 1993, 119; 2001, 1431; 2017, 3182; 2019, 1806, 2857)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.137 - Arrest required for suspected battery constituting domestic violence; exceptions.

1. Except as otherwise provided in subsection 2, whether or not a warrant has been issued, a peace officer shall, unless mitigating circumstances exist, arrest a person when the peace officer has probable cause to believe that the person to be arrested has committed a battery upon his or her spouse, former spouse, any other person to whom he or she is related by blood or marriage, a person with whom he or she has had or is having a dating relationship, a person with whom he or she has a child in common, the minor child of any of those persons, his or her minor child or a person who is the custodian or guardian of his or her minor child: (a) If the peace officer had a face-to-face encounter with the person to be arrested that was of sufficient duration to determine whether probable cause existed while responding to the initial incident or call for service, within the preceding 24 hours. (b) If the peace officer did not have a face-to-face encounter with the person to be arrested that was of sufficient duration to determine whether probable cause existed while responding to the initial incident or call for service, within the preceding 7 days. 2. If the peace officer has probable cause to believe that a battery described in subsection 1 was a mutual battery, the peace officer shall attempt to determine which person was the primary physical aggressor. If the peace officer determines that one of the persons who allegedly committed a battery was the primary physical aggressor involved in the incident, the peace officer is not required to arrest any other person believed to have committed a battery during the incident. In determining whether a person is a primary physical aggressor for the purposes of this subsection, the peace officer shall consider: (a) Prior domestic violence involving either person; (b) The relative severity of the injuries inflicted upon the persons involved; (c) The potential for future injury; (d) Whether one of the alleged batteries was committed in self-defense; and (e) Any other factor that may help the peace officer decide which person was the primary physical aggressor. 3. A peace officer shall not base a decision regarding whether to arrest a person pursuant to this section on the peace officer's perception of the willingness of a victim or a witness to the incident to testify or otherwise participate in related judicial proceedings. 4. Nothing in this section shall be construed to impose liability upon a peace officer or his or her employer for a determination made in good faith by the peace officer not to arrest a person pursuant to this section. 5. The provisions of this section do not apply to: (a) Siblings, except those siblings who are in a custodial or guardianship relationship with each other; or (b) Cousins, except those cousins who are in a custodial or guardianship relationship with each other. 6. As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context. (Added to NRS by 1985, 2170; A 1989, 23; 1995, 901; 1997, 1533, 1802; 1999, 486; 2019, 1806; 2023, 1604)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1375 - Arrest of person suspected of battery upon certain persons.

1. Whether or not a warrant has been issued, a peace officer may arrest a person if the peace officer: (a) Has probable cause to believe that the person to be arrested has, within the preceding 24 hours, committed a battery upon: (1) A person with whom he or

she is actually residing; (2) A sibling, if the person is not the custodian or guardian of the sibling; or (3) A cousin, if the person is not the custodian or guardian of the cousin; and (b) Had a face-to-face encounter with the person to be arrested that was of sufficient duration to determine whether probable cause existed while responding to the initial incident or call for service. 2. Whether or not a warrant has been issued, a peace officer may arrest a person if the peace officer: (a) Has probable cause to believe that the person to be arrested has, within the immediately preceding 7 days, committed a battery upon: (1) A person with whom he or she is actually residing; (2) A sibling, if the person is not the custodian or guardian of the sibling; or (3) A cousin, if the person is not the custodian or guardian of the cousin; and (b) Did not have a face-to-face encounter with the person to be arrested that was of sufficient duration to determine whether probable cause existed while responding to the initial incident or call for service. 3. Nothing in this section shall be construed to impose liability upon a peace officer or his or her employer for a determination made in good faith by the peace officer not to arrest a person pursuant to this section. (Added to NRS by 2019, 1805; A 2023, 1605)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.138 - Breaking open door or window: Making arrest.

To make an arrest, a private person, if the offense is a felony, and in all cases a peace officer, may break open a door or window of the house, structure or other place of concealment in which the person to be arrested is, or in which there is reasonable grounds for believing the person to be, after having demanded admittance and explained the purpose for which admittance is desired. (Added to NRS by 1967, 1402; A 1983, 244)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.142 - Breaking open door or window: Upon detention after making arrest.

Any person who has entered a house, structure or other place of concealment to make an arrest may break open a door or window if that is necessary to liberate himself or herself. An officer may do the same to liberate a person who, acting in the officer's aid, entered to make an arrest and is detained inside. (Added to NRS by 1967, 1402; A 1983, 244)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.144 - Breaking open door or window: Retaking person arrested.

To retake a person arrested who has escaped or been rescued, the person pursuing may break open an outer or inner door or window of a dwelling house, structure or other place of concealment, if, after notice of his or her intention, the person pursuing is refused admittance. (Added to NRS by 1967, 1402)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1455 - Use of deadly force to effect arrest: Limitations.

1. A peace officer shall use de-escalation techniques and alternatives to the use of force whenever possible or appropriate and consistent with his or her training, including, without limitation, advisements, warnings, verbal persuasion and other tactics. If it is necessary for the peace officer to use force, the peace officer must: (a) If it is possible to do so safely, identify himself or herself as a peace officer through verbal commands, visual identification, including, without limitation, a clearly marked uniform or vehicle, or other reasonable means; and (b) Use only the level of force that is objectively reasonable under the circumstances to bring an incident or person under control and safely accomplish a lawful purpose. The level of force used by the officer must, to the extent feasible: (1) Be balanced against the level of force or resistance exhibited by the person; and (2) Be carefully controlled. 2. A peace officer may, after giving a warning, if feasible, use deadly force to effect the arrest of a person only if there is probable cause to believe that the person: (a) Has committed a felony which involves the infliction or threat of serious bodily harm or the use of deadly force; or (b) Poses an imminent threat of serious bodily harm or death to the peace officer or to others. 3. Each law enforcement agency shall adopt a written policy and provide training to a peace officer regarding the potential threat of serious bodily harm or death to the peace officer or others from a person who: (a) Is known or reasonably believed not to be armed with a deadly weapon; and (b) Is known or reasonably believed by the peace officer to be: (1) Under 13 years of age; (2) Over 70 years of age; (3) Physically frail; (4) Mentally or physically disabled; (5) Pregnant; (6) Suffering from a mental or behavioral health issue; or (7) Experiencing a medical emergency. 4. The written policy adopted and training provided pursuant to subsection 3 must reflect the best practices with respect to the use of force on the persons described in that subsection. 5. In addition to any other information required pursuant to subsection 3, the written policy must include, without limitation: (a) Guidelines for the use of force; (b) Guidelines for the use of deadly force; (c) A requirement that peace officers utilize de-escalation techniques, crisis intervention and other alternatives to force when feasible; (d) A requirement that peace officers utilize de-escalation techniques for responding to persons with mental illness or experiencing a behavioral health crisis; (e) A requirement that the law enforcement agency, when feasible, send a peace officer who has been trained in crisis intervention to respond to an incident involving a person who has made suicidal statements; (f) Factors for evaluating and reviewing all incidents which require the use of force; and (g) The date on which the written policy was adopted by the law enforcement agency. 6. As used in this section, unless the context otherwise requires: (a) "Law enforcement agency" means: (1) A police department of an incorporated city; (2) The sheriff's office of a county; (3) A metropolitan police department; (4) The Department of Corrections; (5) The police department for the Nevada System of Higher Education; (6) Any political subdivision of this State employing park rangers to enforce laws within its jurisdiction; or (7) Any

political subdivision of this State which has as its primary duty the enforcement of law and which employs peace officers pursuant to NRS 289.150 to 289.360, inclusive, to fulfill its duty. (b) "Level of force" means an escalating series of actions a peace officer may use to resolve or control a situation or person depending on the intensity of the situation or resistance of the person that ranges from the use of no force to the use of deadly force. (Added to NRS by 1993, 931; A 2021, 1456, 2637)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.146 - Weapon may be taken from person arrested.

Any person making an arrest may take from the person arrested all dangerous and offensive weapons which the person arrested may have about his or her person. (Added to NRS by 1967, 1402)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.147 - Duties of arresting officer where person arrested appears to be intoxicated or not in control of the person's physical functions.

1. Every peace officer shall, when arresting any person who appears to be intoxicated or not in control of the person's physical functions, investigate in a reasonable manner to determine whether or not that person is wearing a bracelet, necklace, other visible device or other identification identifying a medical condition which might account for the actions of the person. 2. Any arresting officer who discovers identification of a medical condition during an investigation conducted pursuant to subsection 1 shall take reasonable steps to aid the afflicted person in receiving medication or other treatment for the medical condition. (Added to NRS by 1981, 781)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.148 - Warrant of arrest by telegram authorized.

1. A warrant of arrest may be transmitted by telegram. A copy of a warrant transmitted by telegram may be sent to one or more peace officers, and the copy is as effectual in the hands of any officer, and the officer must proceed in the same manner under it, as though the officer held an original warrant issued by the magistrate before whom the original complaint in the case was laid. 2. Every officer causing a warrant to be transmitted by telegram pursuant to subsection 1 must certify as correct a copy of the warrant and endorsement thereon, and must return the original with a statement of the officer's action thereunder. 3. As used in this section, "telegram" includes every method of electric or electronic communication by which a written as distinct from an oral message is transmitted. (Added to NRS by 1967, 1402; A 1973, 598; 2003, 984)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.152 - Return of warrant after execution by arrest or issuance of citation; return of summons after service; cancellation by district attorney before execution or service; reissuance.

1. The peace officer executing a warrant by arrest shall make return thereof to the magistrate before whom the defendant is brought pursuant to NRS 171.178 and 171.184. At the request of the district attorney any unexecuted warrant must be returned to the magistrate by whom it was issued and must be cancelled. 2. The peace officer executing a warrant by issuance of a citation pursuant to subsection 3 of NRS 171.122 shall: (a) Record on the warrant the number assigned to the citation issued thereon; (b) Attach the warrant to the citation issued thereon; and (c) Return the warrant and citation to the magistrate before whom the defendant is scheduled to appear. 3. On or before the return day the person to whom a summons was delivered for service shall make return thereof to the magistrate before whom the summons is returnable. 4. At the request of the district attorney made at any time while the complaint is pending, a warrant returned unexecuted and not cancelled or a summons returned unserved or a duplicate thereof may be delivered by the magistrate to a peace officer for execution or service. (Added to NRS by 1967, 1403; A 1993, 144; 2021, 195)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.153 - Right of person arrested to make telephone calls.

1. Any person arrested has the right to make a reasonable number of completed telephone calls from the police station or other place at which the person is booked immediately after the person is booked and, except where physically impossible, no later than 3 hours after the arrest. Such telephone calls may be limited to local calls, except that long distance calls may be made by the arrested person at his or her own expense. 2. A reasonable number of calls must include one completed call to a friend or bail agent and one completed call to an attorney. (Added to NRS by 1973, 724; A 1997, 3393)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1536 - Arrest of person with communications disability: Interpreter to be made available.

Upon the arrest of a person with a communications disability as defined in NRS 50.050, and before any interrogation or the taking of a statement, the peace officer in actual charge of the station, headquarters or other facility to which the person with a communications disability has been brought shall make an interpreter available at public expense to that person in accordance with the provisions of NRS 50.050 to 50.053, inclusive. (Added to NRS by 1975, 309; A 1979, 657; 2001, 1776; 2007, 170)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1537 - Arrest of person with disability: Right to communicate by mail or telephone.

When a person with a disability is detained in custody, the detaining authority shall make available a reasonable means of communication, at least pencil and paper, and at least two envelopes and first-class postage stamps. If the person with a disability so requests, the proper officer of the detaining authority shall make on the person's behalf the same number and kind of telephone calls which a person arrested is authorized by law or custom to make and shall mail any letters written by that person. (Added to NRS by 1975, 309; A 2001, 1776)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1538 - Arrest of person with communications disability: Waiver of right to interpretation or communication.

1. The rights to interpretation and communication provided in NRS 171.1536 and 171.1537 may not be waived except knowingly and voluntarily by the person with a communications disability by a written statement indicating a desire not to be so assisted. At any time after arrest but before the termination of any custody, the person may retract a waiver by indicating a desire to be so assisted. 2. Unless there is a waiver under this section, there must be no interrogation or taking of the statement of a person with a communications disability without the assistance of an interpreter in accordance with the provisions of NRS 50.050 to 50.053, inclusive. (Added to NRS by 1975, 309; A 2001, 1776; 2007, 170)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1539 - Transfer of impounded animal owned or possessed by arrested and detained person: Recovery for cost of care; lien.

1. Except as otherwise provided in NRS 574.201 to 574.204, inclusive, if a person is lawfully arrested and detained and any animal owned or possessed by the person is impounded by the county, city or other local government in which the person is arrested at the time of the arrest or after the arrest, the person may provide the name of any person who is authorized to care for the animal. The county, city or other local government or animal shelter must transfer the animal to such a person if the county, city or other local government determines that the person is able to provide adequate care and shelter to the animal. If within 10 days after the county, city or other local government impounds the animal no such authorized person is able to provide adequate care and shelter to the animal, the county, city or other local government or animal shelter: (a) May allow another person who is able to provide adequate care and shelter to care for the animal temporarily; or (b) May take possession of the animal. 2. The State shall create and maintain a written notice which must: (a) Inform the person or the public that an animal, owned or possessed by a person who has been arrested and detained, may have been impounded; (b) Include the current contact information of each animal shelter in each county, city or other local government responsible for: (1) Impounding an animal; and (2) Providing care and shelter to an animal; (c) Be available in English, Spanish, Tagalog and Standard Chinese; (d) Be provided to each county or city jail or detention facility; and (e) Be posted in a conspicuous place in each county or city jail or detention facility. 3. A person lawfully arrested and detained: (a) May make a reasonable number of completed telephone calls from a county or city jail or detention facility for the purpose of locating an animal impounded pursuant to this section; and (b) Shall not be charged for each completed call to an animal shelter listed in the written notice posted pursuant to subsection 2. 4. If a person is convicted of the crime for which he or she was lawfully arrested, the county, city or other local government or animal shelter may by appropriate legal action recover the reasonable cost of any care and shelter furnished to the animal by the county, city or other local government or animal shelter, including, without limitation, imposing a lien on the animal for the cost of such care and shelter. 5. The board of county commissioners of each county, if its jurisdiction to enact and enforce ordinances relating to animals is not limited by an interlocal agreement, may adopt an ordinance which provides for time of not less than 5 days to a person lawfully arrested or detained for the purpose of providing the person a reasonable opportunity to locate another person to take possession of an animal. Such a reasonable opportunity is provided upon assistance from a county, city or other local government or an animal shelter. 6. The city council or other governing body of each incorporated city, whether organized under general law or special charter, if its jurisdiction to enact and enforce ordinances relating to animals is not limited by an interlocal agreement, may adopt an ordinance which provides for time of not less than 5 days to a person lawfully arrested or detained for the purpose of providing the person a reasonable opportunity to locate another person to take possession of an animal. Such a reasonable opportunity is provided upon assistance from a county, city or other local government or an animal shelter. 7. As used in this section: (a) "Animal" means any dog, cat, horse, other domesticated animal or undomesticated animal which is maintained as a pet. The term: (1) Includes any chicken, pig, rabbit or other animal which is maintained as a pet whether or not the animal is domesticated. (2) Except as otherwise provided in subparagraph 1, does not include any cattle, sheep, goats, swine or poultry. (b) "Animal shelter" has the meaning ascribed to it in NRS 574.240. (Added to NRS by 2017, 1593; A 2019, 1774)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.154 - Short title.

NRS 171.154 to 171.164, inclusive, may be cited as the Uniform Act on Interstate Fresh Pursuit. (Added to NRS by 1967, 1403)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.156 - Definitions.

As used in NRS 171.154 to 171.164, inclusive, unless the context or subject matter otherwise requires: 1. "Fresh pursuit" includes fresh pursuit as defined by the common law and also the pursuit of a person who has committed a felony or who is reasonably

suspected of having committed a felony. It shall also include the pursuit of a person suspected of having committed a supposed felony, though no felony has actually been committed, if there is reasonable ground for believing that a felony has been committed. Fresh pursuit as used in NRS 171.154 to 171.164, inclusive, shall not necessarily imply instant pursuit, but pursuit without unreasonable delay. 2. "State" includes the District of Columbia for the purpose of NRS 171.154 to 171.164, inclusive. (Added to NRS by 1967, 1403)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.158 - Arrests within this State by foreign officers; hearing before magistrate.

1. Any member of a duly organized state, county or municipal peace unit of another state of the United States who enters this State in fresh pursuit, and continues within this State in fresh pursuit, of a person in order to arrest the person on the ground that the person is believed to have committed a felony in the other state, shall have the same authority to arrest and hold such person in custody, as has any member of any duly organized state, county or municipal peace unit of this State, to arrest and hold in custody a person on the ground that the person is believed to have committed a felony in this State. 2. The officer of another state making an arrest within this State shall take the person arrested before a magistrate of the county in which the arrest was made, without unnecessary delay. The magistrate shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the magistrate determines that the arrest was lawful, the magistrate shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the Governor of this State or admit the person to bail for such purpose. If the magistrate determines the arrest was unlawful the magistrate shall discharge the person arrested. 3. This section shall not be construed so as to make unlawful any arrest in this State which would otherwise be lawful. (Added to NRS by 1967, 1403)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.162 - Duty of Secretary of State.

On March 4, 1955, the Secretary of State shall certify a copy of NRS 171.154 to 171.164, inclusive, to the executive department of each of the states of the United States. (Added to NRS by 1967, 1404)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.164 - Severability.

If any part of NRS 171.154 to 171.164, inclusive, is for any reason declared void, it is declared to be the intent of NRS 171.154 to 171.164, inclusive, that such invalidity shall not affect the validity of the remaining portions of those sections. (Added to NRS by 1967, 1404)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.166 - Short title.

NRS 171.166 to 171.176, inclusive, may be cited as the Uniform Act on Intrastate Fresh Pursuit. (Added to NRS by 1967, 1404)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.168 - Definitions.

"Fresh pursuit" as used in NRS 171.166 to 171.176, inclusive, shall include fresh pursuit as defined by the common law and also the pursuit of a person who has committed a felony or is reasonably suspected of having committed a felony in this state, or who has committed or attempted to commit any criminal offense in this state in the presence of the arresting officer referred to in NRS 171.172 or for whom such officer holds a warrant of arrest for a criminal offense. It shall also include the pursuit of a person suspected of having committed a supposed felony in this state, though no felony has actually been committed, if there is reasonable ground for so believing. Fresh pursuit as used in NRS 171.166 to 171.176, inclusive, shall not necessarily imply instant pursuit, but pursuit without unreasonable delay. (Added to NRS by 1967, 1404)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.172 - When officer may arrest.

Any peace officer of this state in fresh pursuit of a person who is reasonably believed by the peace officer to have committed a felony in this state or has committed, or attempted to commit, any criminal offense in this state in the presence of such officer, or for whom such officer holds a warrant of arrest, may hold in custody such person anywhere in this state. (Added to NRS by 1967, 1404)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.174 - Procedure after arrest.

If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall be as in other cases of arrest under a warrant. If the arrest is without a warrant, the prisoner shall without unnecessary delay be taken before a municipal court or a justice of the peace or other magistrate of the county wherein such an arrest was made, and such court shall admit such person to bail, if the offense is bailable, by taking security by way of recognizance for the appearance of such prisoner before the court having jurisdiction of such criminal offense. (Added to NRS by 1967, 1404)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.176 - Limitation.

NRS 171.172 shall not make unlawful an arrest which would otherwise be lawful. (Added to NRS by 1967, 1404)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.177 - When person detained must be taken before magistrate.

Except as otherwise provided in NRS 171.122 and 171.178, whenever any person is detained by a peace officer for any violation of a county, city or town ordinance or a state law which is punishable as a misdemeanor, the person must be taken without unnecessary delay before the proper magistrate, as specified in NRS 171.178 and 171.184, in the following cases: 1. When the person demands an immediate appearance before a magistrate; 2. When the person is detained pursuant to a warrant for the person's arrest; 3. When the person is arrested by a peace officer; or 4. In any other event when the person is issued a misdemeanor citation by an authorized person and refuses to give a written promise to appear in court as provided in NRS 171.1773. (Added to NRS by 1973, 156; A 1975, 1200; 1993, 144)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1771 - Issuance of citation when person detained by peace officer.

1. Except as otherwise provided in subsection 2, whenever any person is detained by a peace officer for any violation of a county, city or town ordinance or a state law which is punishable as a misdemeanor and the person is not required to be taken before a magistrate, the person must be given a misdemeanor citation unless the violation constitutes a repeat offense or a prohibited offense, in which case the person may, in the discretion of the peace officer, either be given a misdemeanor citation or be taken without unnecessary delay before the proper magistrate. 2. A person described in subsection 1 must be taken before the proper magistrate when: (a) The person does not furnish satisfactory evidence of identity; or (b) The peace officer has reasonable grounds to believe that: (1) The person will disregard a written promise to appear in court; (2) The violation will continue; or (3) Another person or property is in imminent danger. (Added to NRS by 1973, 156; A 2021, 3454)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1772 - Issuance of citation after arrest by private person.

1. Whenever any person is arrested by a private person, as provided in NRS 171.126, for any violation of a county, city or town ordinance or state law which is punishable as a misdemeanor, such person arrested must be issued a misdemeanor citation by a peace officer in lieu of being immediately taken before a magistrate by the peace officer unless the violation constitutes a repeat offense or a prohibited offense, in which case the person arrested may be issued the misdemeanor citation or be immediately taken before a magistrate by the peace officer. 2. The citation described in subsection 1 must not be issued unless: (a) The person arrested furnishes satisfactory evidence of identity; and (b) The peace officer has reasonable grounds to believe that: (1) The person arrested will keep a written promise to appear in court; (2) The violation will cease; and (3) Another person or property is not in imminent danger. (Added to NRS by 1973, 1157; A 1975, 1201; 2001, 2023; 2021, 3454)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1773 - Form and contents of citation: When person detained by peace officer.

1. Whenever a person is detained by a peace officer for any violation of a county, city or town ordinance or a state law which is punishable as a misdemeanor and the person is not taken before a magistrate as required or permitted by NRS 171.177, 171.1771 or 171.1772, the peace officer must prepare a misdemeanor citation manually or electronically in the form of a complaint issuing in the name of "The State of Nevada" or in the name of the respective county, city or town, containing a notice to appear in court, the name and address of the person, the state registration number of the person's vehicle, if any, the offense charged, including a brief description of the offense and the NRS or ordinance citation, the time when and place where the person is required to appear in court, and such other pertinent information as may be necessary. The citation must be signed by the peace officer. If the citation is prepared electronically, the officer shall sign the copy of the citation that is delivered to the person charged with the violation. 2. The time specified in the notice to appear must be at least 5 days after the alleged violation unless the person charged with the violation demands an earlier hearing. 3. The place specified in the notice must be before a magistrate, as designated in NRS 171.178 and 171.184. 4. The person charged with the violation may give a written promise to appear in court by signing at least one copy of the misdemeanor citation prepared by the peace officer, in which event the peace officer shall deliver a copy of the citation to the person, and thereupon the peace officer shall not take the person into physical custody for the violation. If the citation is prepared electronically, the officer shall deliver the signed copy of the citation to the person and shall indicate on the electronic record of the citation whether the person charged gave a written promise to appear. A copy of the citation that is signed by the person charged or the electronic record of the citation which indicates that the person charged gave a written promise to appear suffices as proof of service. (Added to NRS by 1973, 156; A 1991, 16; 1999, 1141; 2021, 3455)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1774 - Form and contents of citation: When issued after arrest by private person.

1. In those instances described in NRS 171.1772, the peace officer summoned after the arrest shall prepare a misdemeanor citation manually or electronically in the form of a complaint issuing in the name of "The State of Nevada" or in the name of the respective county, city or town, and containing: (a) A notice to appear in court; (b) The name and address of the person; (c) The state registration number of the person's vehicle, if any; (d) The offense charged, including a brief description of the offense and the NRS or ordinance citation; (e) The time when and place where the person is required to appear in court; (f) Such other pertinent information as may be necessary; and (g) The signatures of the private person making the arrest and the peace officer preparing the

citation. 2. The time specified in the notice to appear must be at least 5 days after the alleged violation unless the person charged with the violation demands an earlier hearing. 3. The place specified in the notice must be before a magistrate, as designated in NRS 171.178 and 171.184. 4. The person charged with the violation may give a written promise to appear in court by signing at least one copy of the misdemeanor citation prepared by the peace officer, in which event the peace officer shall deliver a copy of the citation to the person, and thereupon the peace officer shall not take the person into physical custody for the violation. If the citation is prepared electronically, the officer shall deliver the signed copy of the citation to the person and shall indicate on the electronic record of the citation whether the person charged gave a written promise to appear. A copy of the citation that is signed by the person charged or the electronic record of the citation which indicates that the person charged gave a written promise to appear suffices as proof of service. (Added to NRS by 1973, 1157; A 1991, 16; 1999, 1142)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1775 - Preparation of citations: Use of citation book or electronic device; maintenance of records relating to citation book or electronic device.

1. Every county, city or town law enforcement agency in this state shall provide in appropriate form misdemeanor citations containing notices to appear which must meet the requirements of NRS 171.177 to 171.1779, inclusive, and be: (a) Issued in books; or (b) Available through an electronic device used to prepare the citations. 2. The chief administrative officer of each law enforcement agency is responsible for the issuance of such books and electronic devices and shall maintain a record of each book, each electronic device and each citation contained therein issued to individual members of the law enforcement agency. The chief administrative officer shall require and retain a receipt for every book and electronic device that is issued. (Added to NRS by 1973, 157, 1158; A 1991, 17; 1999, 1143)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.17751 - Designation of certain state, county and city officers to prepare, sign and serve citations.

1. Any board of county commissioners or governing body of a city may designate the chief officer of the organized fire department or any employees designated by the chief officer, and certain of its inspectors of solid waste management, building, housing and licensing inspectors, zoning enforcement officers, parking enforcement officers, animal control officers, traffic engineers, marshals and park rangers of units of specialized law enforcement established pursuant to NRS 280.125, and other persons charged with the enforcement of county or city ordinances, to prepare, sign and serve written citations on persons accused of violating a county or city ordinance. 2. The Chief Medical Officer and the health officer of each county, district and city may designate certain employees to prepare, sign and serve written citations on persons accused of violating any law, ordinance or regulation of a board of health that relates to public health. 3. The Administrator of the Housing Division of the Department of Business and Industry may designate certain employees to prepare, sign and serve written citations on persons accused of violating any law or regulation of the Division relating to the provisions of chapters 118B, 461, 461A and 489 of NRS. 4. The State Contractors' Board may designate certain of its employees to prepare, sign and serve written citations on persons pursuant to subsection 2 of NRS 624.115. 5. An employee designated pursuant to this section: (a) May exercise the authority to prepare, sign and serve citations only within the field of enforcement in which the employee works; (b) May, if employed by a city or county, prepare, sign and serve a citation only to enforce an ordinance of the city or county by which the employee is employed; and (c) Shall comply with the provisions of NRS 171.1773. (Added to NRS by 1979, 871; A 1981, 564, 858; 1987, 377; 1989, 279; 1993, 81, 1330, 1511, 2515; 1995, 583; 1999, 2966; 2005, 1382; 2017, 3613)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1776 - Issued citations: Filing with court; disposition of charges by court; unlawful acts; maintenance of records.

1. Every peace officer upon issuing a misdemeanor citation, pursuant to NRS 171.177 to 171.1779, inclusive, to an alleged violator of any provision of a county, city or town ordinance or of a state law which is punishable as a misdemeanor shall file manually or, if the provisions of subsection 2 are satisfied, file electronically the original or a copy of such misdemeanor citation with a court having jurisdiction over the alleged offense. 2. A copy of a misdemeanor citation that is prepared electronically may be filed electronically with a court having jurisdiction over the alleged offense if the court: (a) Authorizes such electronic filing; (b) Has the ability to receive and store the citation electronically; and (c) Has the ability to physically reproduce the citation upon request. 3. Upon the filing of the original or a copy of such misdemeanor citation with a court having jurisdiction over the alleged offense, such original or copy of such misdemeanor citation may be disposed of only by trial in such court or other official action by a judge of such court. 4. It is unlawful and official misconduct for any peace officer or other officer or public employee to dispose of a misdemeanor citation or copies thereof or of the record of the issuance of a misdemeanor citation in a manner other than as required in this section. 5. The chief administrative officer of every county, city or town law enforcement agency shall require the return of a physical copy or electronic record of every misdemeanor citation issued by an officer under the chief administrative officer's supervision to an alleged misdemeanant and of all physical copies or electronic records of every misdemeanor citation which has been spoiled or upon which any entry has been made and not issued to an alleged misdemeanant. 6. Such chief administrative officer shall also maintain or cause to be maintained in connection with every misdemeanor citation issued by an officer under the chief administrative officer's supervision a record of the disposition of the charge by the court in which the original or copy of the misdemeanor citation was filed. (Added to NRS by 1973, 157, 1158; A 1999, 1143)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1777 - Issued citations: Audit of records.

Every record of misdemeanor citations required by NRS 171.177 to 171.1779, inclusive, shall be audited at least semiannually by the appropriate fiscal officer of the governmental agency to which the law enforcement agency is responsible. (Added to NRS by 1973, 158, 1159)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1778 - Citation filed with court deemed complaint for purpose of prosecution.

If the form of citation: 1. Includes information whose truthfulness is attested as required for a complaint charging commission of the offense alleged in the citation to have been committed; or 2. Is prepared electronically, then the citation when filed with a court of competent jurisdiction shall be deemed to be a lawful complaint for the purpose of prosecution. (Added to NRS by 1973, 158, 1159; A 1983, 446; 1999, 1144)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.17785 - Effect of violation of written promise to appear; appearance by counsel in lieu of personal appearance authorized.

1. It is unlawful for a person to violate a written promise to appear given to a peace officer upon the issuance of a misdemeanor citation prepared manually or electronically, regardless of the disposition of the charge for which the citation was originally issued. 2. A person may comply with a written promise to appear in court by an appearance by counsel. 3. A warrant may issue upon a violation of a written promise to appear. (Added to NRS by 1999, 1141)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1779 - NRS 171.177 to 171.1779, inclusive, not applicable to violations of traffic laws.

The provisions of NRS 171.177 to 171.1779, inclusive, do not apply to those situations in which a person is detained by a peace officer for any violation of chapters 484A to 484E, inclusive, of NRS. (Added to NRS by 1973, 158, 1159)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.178 - Appearance before magistrate; release from custody by arresting officer.

1. Except as otherwise provided in subsections 5 and 6, a peace officer making an arrest under a warrant issued upon a complaint or without a warrant shall take the arrested person without unnecessary delay before the magistrate who issued the warrant or the nearest available magistrate empowered to commit persons charged with offenses against the laws of the State of Nevada. 2. A private person making an arrest without a warrant shall deliver the arrested person without unnecessary delay to a peace officer. Except as otherwise provided in subsections 5 and 6 and NRS 171.1772, the peace officer shall take the arrested person without unnecessary delay before the nearest available magistrate empowered to commit persons charged with offenses against the laws of the State of Nevada. 3. If an arrested person is not brought before a magistrate within 72 hours after arrest, excluding nonjudicial days, the magistrate: (a) Shall give the prosecuting attorney an opportunity to explain the circumstances leading to the delay; and (b) May release the arrested person if the magistrate determines that the person was not brought before a magistrate without unnecessary delay. 4. When a person arrested without a warrant is brought before a magistrate, a complaint must be filed forthwith. 5. Except as otherwise provided in NRS 178.484 and 178.487, where the defendant can be admitted to bail without appearing personally before a magistrate, the defendant must be so admitted with the least possible delay, and required to appear before a magistrate at the earliest convenient time thereafter. 6. A peace officer may immediately release from custody without any further proceedings any person the peace officer arrests without a warrant if the peace officer is satisfied that there are insufficient grounds for issuing a criminal complaint against the person arrested. Any record of the arrest of a person released pursuant to this subsection must also include a record of the release. A person so released shall be deemed not to have been arrested but only detained. (Added to NRS by 1967, 1404; A 1971, 574; 1975, 1201; 1979, 323, 1190; 1997, 3356; 2001, 2023)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.182 - Proceedings before another magistrate.

If the defendant is brought before a magistrate in the same county, other than the one who issued the warrant, the affidavits and depositions on which the warrant was granted, if the defendant insists upon an examination, must be sent to that magistrate, or, if they cannot be procured, the prosecutor and the prosecutor's witnesses must be summoned to give their testimony anew. (Added to NRS by 1967, 1405)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.184 - Proceedings upon complaint for offenses triable in another county.

1. When a complaint is laid before a magistrate of the commission of a public offense triable in another county of the State, but showing that the defendant is in the county where the complaint is laid, the same proceedings must be had as prescribed in this chapter except that the warrant must require the defendant to be taken before the nearest or most accessible magistrate of the county in which the offense is triable, and the depositions of the complainant or prosecutor, and of the witnesses who may have been produced, must be delivered by the magistrate to the officer to whom the warrant is delivered. 2. The officer who executed the

warrant must take the defendant before the nearest or most accessible magistrate of the county in which the offense is triable, and must deliver the depositions and the warrant, with the officer's return endorsed thereon, and the magistrate must then proceed in the same manner as upon a warrant issued by the magistrate. 3. If the offense charged in the warrant issued pursuant to subsection 1 is a misdemeanor, the officer must, upon being required by the defendant, take the defendant before a magistrate of the county in which the warrant was issued, who must admit the defendant to bail, and immediately transmit the warrant, depositions and undertaking to the justice of the peace or clerk of the court in which the defendant is required to appear. (Added to NRS by 1967, 1405)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1845 - Proceedings upon discovery of another arrest warrant outstanding in another county.

1. If a person is brought before a magistrate under the provisions of NRS 171.178 or 171.184, and it is discovered that there is a warrant for the person's arrest outstanding in another county of this State, the magistrate may release the person in accordance with the provisions of NRS 178.4851 if: (a) The warrant arises out of a public offense which constitutes a misdemeanor; and (b) The person provides a suitable address where the magistrate who issued the warrant in the other county can notify the person of a time and place to appear. 2. If a person is released under the provisions of this section, the magistrate who releases the person shall transmit the cash, bond, notes or agreement submitted under the provisions of NRS 178.502 or 178.4851, together with the person's address, to the magistrate who issued the warrant. Upon receipt of the cash, bonds, notes or agreement and address, the magistrate who issued the warrant shall notify the person of a time and place to appear. 3. Any bail set under the provisions of this section must be in addition to and apart from any bail set for any public offense with which a person is charged in the county in which a magistrate is setting bail. In setting bail under the provisions of this section, a magistrate shall set the bail in an amount which is sufficient to induce a reasonable person to travel to the county in which the warrant for the arrest is outstanding. 4. A person who fails to appear in the other county as ordered is guilty of failing to appear and shall be punished as provided in NRS 199.335. A sentence of imprisonment imposed for failing to appear in violation of this section must be imposed consecutively to a sentence of imprisonment for the offense out of which the warrant arises. (Added to NRS by 1973, 612; A 1981, 1583; 1999, 1844; 2021, 3575)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.186 - Rights of defendant before preliminary examination.

The magistrate or master shall inform the defendant of the complaint and of any affidavit filed therewith, of the right to retain counsel, of the right to request the assignment of counsel if the defendant is unable to obtain counsel, and of the right to have a preliminary examination. The magistrate or master shall also inform the defendant that the defendant is not required to make a statement and that any statement made may be used against him or her. The magistrate shall allow the defendant reasonable time and opportunity to consult counsel, and shall admit the defendant to bail as provided in this title. (Added to NRS by 1967, 1405; A 1977, 1571)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.188 - Procedure for appointment of attorney for indigent defendant.

1. Any defendant charged with a public offense who is an indigent may, by oral statement to the district judge, justice of the peace, municipal judge or master, request the appointment of an attorney to represent the defendant. The record in each such case must indicate that the defendant was provided an opportunity to make an oral statement and whether the defendant made such a statement or declined to request the appointment of an attorney. If the defendant declined to request the appointment of an attorney, the record must also indicate that the decision to decline was made knowingly and voluntarily and with an understanding of the consequences. 2. The request must be accompanied by the defendant's affidavit, which must state: (a) That the defendant is without means of employing an attorney; and (b) Facts with some particularity, definiteness and certainty concerning the defendant's financial disability. 3. The district judge, justice of the peace, municipal judge or master shall forthwith consider the application and shall make such further inquiry as he or she considers necessary. If the district judge, justice of the peace, municipal judge or master: (a) Finds that the defendant is without means of employing an attorney; and (b) Otherwise determines that representation is required, the judge, justice or master shall designate the public defender of the county or the State Public Defender, as appropriate, to represent the defendant. 4. If the appropriate public defender is unable to represent the defendant, or other good cause appears, the judge, justice or master shall order the appointment of another attorney and refer the selection of the attorney: (a) In a county whose population is less than 100,000, to the Department of Indigent Defense Services or its designee in compliance with the plan of the county for the provision of indigent defense services; or (b) In a county whose population is 100,000 or more, in compliance with the plan of the county for the provision of indigent defense services. 5. The county or State Public Defender must be reimbursed by the city for costs incurred in appearing in municipal court. The county shall reimburse the State Public Defender for costs incurred in appearing in Justice Court, unless the county has transferred the responsibility to provide all indigent defense services for the county to the State Public Defender pursuant to NRS 180.450. If a private attorney is appointed as provided in this section, the private attorney must be reimbursed by the county for appearance in Justice Court or the city for appearance in municipal court. (Added to NRS by 1967, 1405; A 1969, 478; 1971, 1412; 1973, 357; 1977, 1571; 1983, 901; 2019, 2879; 2021, 2266)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.192 - Certification of bail; discharge of defendant.

On admitting the defendant to bail, the magistrate shall certify on the warrant the fact of having done so, and deliver the warrant and recognizance to the officer having charge of the defendant. The officer shall forthwith discharge the defendant from arrest, and shall, without delay, deliver the warrant and recognizance to the justice of the peace, magistrate or clerk of the court at which the defendant is required to appear. (Added to NRS by 1967, 1406)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.194 - Procedure when arrest for capital offense.

The defendant, when arrested under a warrant for a capital offense, must be held in custody by the sheriff of the county in which the complaint is filed, unless admitted to bail after an examination or upon a writ of habeas corpus. (Added to NRS by 1967, 1406)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.196 - Preliminary examination: Waiver; time for conducting; postponement; introduction of evidence and cross-examination of witnesses by defendant; admissibility of hearsay evidence.

1. If an offense is not triable in the Justice Court, the defendant must not be called upon to plead. If the defendant waives preliminary examination, the magistrate shall immediately hold the defendant to answer in the district court. 2. If the defendant does not waive examination, the magistrate shall hear the evidence within 15 days, unless for good cause shown the magistrate extends such time. Unless the defendant waives counsel, reasonable time must be allowed for counsel to appear. 3. Except as otherwise provided in this subsection, if the magistrate postpones the examination at the request of a party, the magistrate may order that party to pay all or part of the costs and fees expended to have a witness attend the examination. The magistrate shall not require a party who requested the postponement of the examination to pay for the costs and fees of a witness if: (a) It was not reasonably necessary for the witness to attend the examination; or (b) The magistrate ordered the extension pursuant to subsection 4. 4. If application is made for the appointment of counsel for an indigent defendant, the magistrate shall postpone the examination until: (a) The application has been granted or denied; and (b) If the application is granted, the attorney appointed or the public defender has had reasonable time to appear. 5. The defendant may cross-examine witnesses against him or her and may introduce evidence in his or her own behalf. 6. Hearsay evidence consisting of a statement made by the alleged victim of the offense is admissible at a preliminary examination conducted pursuant to this section only if the defendant is charged with one or more of the following offenses: (a) A sexual offense committed against a child who is under the age of 16 years if the offense is punishable as a felony. As used in this paragraph, "sexual offense" has the meaning ascribed to it in NRS 179D.097. (b) Abuse of a child pursuant to NRS 200.508 if the offense is committed against a child who is under the age of 16 years and the offense is punishable as a felony. (c) An act which constitutes domestic violence pursuant to NRS 33.018, which is punishable as a felony and which resulted in substantial bodily harm to the alleged victim. (Added to NRS by 1967, 1406; A 1971, 159; 1997, 116; 2015, 576)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1965 - Discovery by defendant before preliminary examination; material subject to discovery; effect of failure to permit discovery.

1. At the time a person is brought before a magistrate pursuant to NRS 171.178, or as soon as practicable thereafter, but not less than 5 judicial days before a preliminary examination, the prosecuting attorney shall provide a defendant charged with a felony or a gross misdemeanor with copies of any: (a) Written or recorded statements or confessions made by the defendant, or any written or recorded statements made by a witness or witnesses, or any reports of statements or confessions, or copies thereof, within the possession or custody of the prosecuting attorney; (b) Results or reports of physical or mental examinations, scientific tests or scientific experiments made in connection with the particular case, or copies thereof, within the possession or custody of the prosecuting attorney; and (c) Books, papers, documents or tangible objects that the prosecuting attorney intends to introduce in evidence during the case in chief of the State, or copies thereof, within the possession or custody of the prosecuting attorney. 2. The defendant is not entitled, pursuant to the provisions of this section, to the discovery or inspection of: (a) An internal report, document or memorandum that is prepared by or on behalf of the prosecuting attorney in connection with the investigation or prosecution of the case. (b) A statement, report, book, paper, document, tangible object or any other type of item or information that is privileged or protected from disclosure or inspection pursuant to the Constitution or laws of this State or the Constitution of the United States. 3. The provisions of this section are not intended to affect any obligation placed upon the prosecuting attorney by the Constitution of this State or the Constitution of the United States to disclose exculpatory evidence to the defendant. 4. The magistrate shall not postpone a preliminary examination at the request of a party based solely on the failure of the prosecuting attorney to permit the defendant to inspect, copy or photograph material as required in this section, unless the court finds that the defendant has been prejudiced by such failure. (Added to NRS by 1997, 2364; A 2009, 486)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.197 - Use of affidavit at preliminary examination: When permitted; notice by district attorney; circumstances under which district attorney must produce person who signed affidavit; continuances.

1. If a witness resides outside this State or more than 100 miles from the place of a preliminary examination, the witness's affidavit may be used at the preliminary examination if it is necessary for the district attorney to establish as an element of any offense that: (a) The witness was the owner, possessor or occupant of real or personal property; and (b) The defendant did not have the

permission of the witness to enter, occupy, possess or control the real or personal property of the witness. 2. If a financial institution does not maintain any principal or branch office within this State or if a financial institution that maintains a principal or branch office within this State does not maintain any such office within 100 miles of the place of a preliminary examination, the affidavit of a custodian of the records of the financial institution or the affidavit of any other qualified person of the financial institution may be used at the preliminary examination if it is necessary for the district attorney to establish as an element of any offense that: (a) When a check or draft naming the financial institution as drawee was drawn or passed, the account or purported account upon which the check or draft was drawn did not exist, was closed or held insufficient money, property or credit to pay the check or draft in full upon its presentation; or (b) When a check or draft naming the financial institution as drawee was presented for payment to the financial institution, the account or purported account upon which the check or draft was drawn did not exist, was closed or held insufficient money, property or credit to pay the check or draft in full. 3. The district attorney shall provide either written or oral notice to the defendant, not less than 10 days before the scheduled preliminary examination, that the district attorney intends to use an affidavit described in this section at the preliminary examination. 4. If, at or before the time of the preliminary examination, the defendant establishes that: (a) There is a substantial and bona fide dispute as to the facts in an affidavit described in this section; and (b) It is in the best interests of justice that the person who signed the affidavit be cross-examined, the magistrate may order the district attorney to produce the person who signed the affidavit and may continue the examination for any time it deems reasonably necessary in order to receive such testimony. (Added to NRS by 1993, 548; A 1999, 163)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.1975 - Use of audiovisual technology to present live testimony at preliminary examination: Requirements.

1. If a witness resides more than 100 miles from the place of a preliminary examination or is unable to attend the preliminary examination because of a medical condition, or if good cause otherwise exists, the magistrate must allow the witness to testify at the preliminary examination through the use of audiovisual technology. 2. If a witness testifies at the preliminary examination through the use of audiovisual technology: (a) The testimony of the witness must be transcribed by a certified court reporter; and (b) Before giving testimony, the witness must be sworn and must sign a written declaration, on a form provided by the magistrate, which acknowledges that the witness understands that he or she is subject to the jurisdiction of the courts of this state and may be subject to criminal prosecution for the commission of any crime in connection with his or her testimony, including, without limitation, perjury, and that the witness consents to such jurisdiction. 3. Audiovisual technology used pursuant to this section must ensure that the witness may be: (a) Clearly heard and seen; and (b) Examined and cross-examined. 4. As used in this section, "audiovisual technology" includes, without limitation, closed-circuit video and videoconferencing. (Added to NRS by 2001, 543; A 2015, 577)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.198 - Reporting testimony of witnesses.

1. Except as otherwise provided in subsection 2, a magistrate shall employ a certified court reporter to take down all the testimony and the proceedings on the hearing or examination and, within such time as the court may designate, have such testimony and proceedings transcribed into typewritten transcript. 2. A magistrate who presides over a preliminary hearing in a justice court, in any case other than in a case in which the death penalty is sought, may employ a certified court reporter to take down all the testimony and the proceedings on the hearing or appoint a person to use sound recording equipment to record all the testimony and the proceedings on the hearing. If the magistrate appoints a person to use sound recording equipment to record the testimony and proceedings on the hearing, the testimony and proceedings must be recorded and transcribed in the same manner as set forth in NRS 4.390 to 4.420, inclusive. Any transcript of the testimony and proceedings produced from a recording conducted pursuant to this subsection is subject to the provisions of this section in the same manner as a transcript produced by a certified court reporter. 3. When the testimony of each witness is all taken and transcribed by the reporter, the reporter shall certify to the transcript in the same manner as for a transcript of testimony in the district court, which certificate authenticates the transcript for all purposes of this title. 4. Before the date set for trial, either party may move the court before which the case is pending to add to, delete from or otherwise correct the transcript to conform with the testimony as given and to settle the transcript so altered. 5. The compensation for the services of a reporter employed as provided in this section are the same as provided in NRS 3.370, to be paid out of the county treasury as other claims against the county are allowed and paid. 6. Testimony reduced to writing and authenticated according to the provisions of this section must be filed by the examining magistrate with the clerk of the district court of the magistrate's county, and if the prisoner is subsequently examined upon a writ of habeas corpus, such testimony must be considered as given before such judge or court. A copy of the transcript must be furnished to the defendant and to the district attorney. 7. The testimony so taken may be used: (a) By the defendant; or (b) By the State if the defendant was represented by counsel or affirmatively waived his or her right to counsel, upon the trial of the cause, and in all proceedings therein, when the witness is sick, out of the State, dead, or persistent in refusing to testify despite an order of the judge to do so, or when the witness's personal attendance cannot be had in court. (Added to NRS by 1967, 1406; A 1973, 1322; 1987, 911; 1989, 1272; 1993, 75, 1411, 2024; 1995, 570; 2009, 633)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.202 - District attorney to prosecute at preliminary examination where felony or gross misdemeanor charged.

The district attorney of the proper county shall be present at and conduct the prosecution in all preliminary examinations where a felony or gross misdemeanor is charged. (Added to NRS by 1967, 1407)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.204 - Exclusion of persons; exceptions.

1. Except as otherwise provided in subsection 2, the magistrate may, if good cause is shown and upon the request of any party or on the magistrate's own motion, exclude from the examination every person except: (a) The magistrate's clerk; (b) The Attorney General; (c) The prosecuting attorney; (d) An investigating officer, after the investigating officer has testified as a prosecuting witness and the investigating officer's cross-examination has been completed; (e) Any counsel for the victim; (f) The victim, after the victim has testified as a prosecuting witness and the victim's cross-examination has been completed; (g) The defendant and the defendant's counsel; (h) The witness who is testifying; (i) The officer having the defendant or a witness in the officer's custody; (j) An attendant to a witness designated pursuant to NRS 178.571; and (k) Any other person whose presence is found by the magistrate to be necessary for the proper conduct of the examination. 2. A person who is called as a witness primarily for the purpose of identifying the victim may not be excluded from the examination except in the discretion of the magistrate. 3. As used in this section, "victim" includes any person described in NRS 178.569. (Added to NRS by 1967, 1407; A 1969, 628; 1983, 891; 1995, 72, 996; 1997, 72, 513)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.206 - Procedure following preliminary examination.

If from the evidence it appears to the magistrate that there is probable cause to believe that an offense has been committed and that the defendant has committed it, the magistrate shall forthwith hold the defendant to answer in the district court; otherwise the magistrate shall discharge the defendant. The magistrate shall admit the defendant to bail as provided in this title. After concluding the proceeding the magistrate shall transmit forthwith to the clerk of the district court all papers in the proceeding and any bail. (Added to NRS by 1967, 1407)

2024 Nevada Revised Statutes Chapter 171 - Proceedings to Commitment NRS 171.208 - Remand for preliminary examination.

If a preliminary examination has not been had and the defendant has not unconditionally waived the examination, the district court may for good cause shown at any time before a plea has been entered or an indictment found remand the defendant for preliminary examination to the appropriate justice of the peace or other magistrate, and the justice or other magistrate shall then proceed with the preliminary examination as provided in this chapter. (Added to NRS by 1967, 1407; A 1987, 1188)

Title: chapter-172

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.005 - Definitions.

As used in this chapter, unless the context otherwise requires: 1. An indictment is an accusation in writing, presented by a grand jury to a competent court, charging a person with a public offense. 2. A presentment is an informal statement in writing, by the grand jury, representing to the court that a public offense has been committed, which is triable within the district, and that there is reasonable ground for believing that a particular person, named or described, has committed it. (Added to NRS by 1967, 1409)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.015 - Prosecution of public offenses.

Every public offense must be prosecuted by indictment or information, except: 1. Where proceedings are had for the removal of a civil officer. 2. Offenses arising in the militia when in actual service in time of war, or which this State may keep, with the consent of Congress, in time of peace. 3. Offenses tried in municipal or Justice Courts, which shall be prosecuted by complaint. (Added to NRS by 1967, 1407; A 1969, 20)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.025 - Prosecution by accusation.

When proceedings are had for the removal of district, county, municipal or township officers, they may be commenced by accusation, in writing, as provided in chapter 283 of NRS. (Added to NRS by 1967, 1407)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.035 - Accusations, indictments and informations to be found or filed in district court.

All accusations, informations and indictments against district, county, municipal and township officers must be found or filed in the district court. (Added to NRS by 1967, 1408)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.045 - Impaneling grand juries.

Grand juries shall be impaneled as provided in chapter 6 of NRS. (Added to NRS by 1967, 1408)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.047 - Grand jury impaneled for specific limited purpose.

A district judge may impanel a grand jury to inquire into a specific limited matter among those set forth in NRS 172.175. In that case, the judge shall charge the grand jury as to its limited duties and give it such information as the judge deems necessary. A grand jury that is impaneled for a specific limited purpose shall not inquire into matters not related to that purpose. A grand jury impaneled for a specific limited purpose may be discharged after the grand jury completes its investigation and submits its report. If the grand jury has not completed its investigation and submitted its report within 1 year after it was impaneled, it shall, in a closed hearing, show cause to the judge why it should not be discharged. If the judge determines that it is in the public interest for the grand jury to continue its investigation, the grand jury may continue for a period which does not exceed 1 year. (Added to NRS by 1985, 556)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.055 - Challenges to grand jury and to grand jurors: How made and tried.

The district attorney or a defendant who has been held to answer in the district court may challenge the array of jurors on the ground that the grand jury was not selected, drawn or summoned in accordance with law, and may challenge an individual juror on the ground that the juror is not legally qualified. Challenges may be oral or in writing and shall be tried by the court. (Added to NRS by 1967, 1408)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.065 - Motion to dismiss presentment or indictment based on objections to grand jurors.

A motion to dismiss the presentment or indictment may be based on objections to the array or on the lack of legal qualification of an individual juror, if not previously determined upon challenge. A presentment or indictment shall not be dismissed on the ground that one or more members of the grand jury were not legally qualified if it appears from the record kept pursuant to NRS 172.075 that 12 or more jurors, after deducting the number not legally qualified, concurred in finding the presentment or indictment. (Added to NRS by 1967, 1408)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.075 - Officers of grand jury.

The jury shall elect one of its members to be foreman, another to be deputy foreman and a third to be secretary. The foreman shall have power to administer oaths and affirmations and shall sign all presentments and indictments. The secretary shall keep a record of the number of jurors concurring in the finding of every presentment or indictment and shall file the record with the clerk of the court, but the record shall not be made public except on order of the court. During the absence of the foreman, the deputy foreman shall act as foreman, and if both are absent, the jury shall elect a temporary foreman. (Added to NRS by 1967, 1408)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.085 - Oath of grand jurors.

The following oath must be administered to the grand jury: You, as grand jurors, will diligently inquire into, and true presentment make, of all offenses against the State of Nevada committed or triable within this county, (or city, in the case of Carson City) of which you shall have or can obtain legal evidence. You will keep your own counsel, and that of your fellows and the Government, and will not, except when required in the due course of judicial proceedings, disclose the testimony of any witness examined before you, nor anything which you or any other grand juror may have said, nor the manner in which you or any other grand juror may have voted on any matter before you. You will present no person through malice, hatred, or ill will, nor leave any unrepresented through fear, favor, or affection, or for any reward, or the promise or hope thereof; but in all your presentments you will present the truth, the whole truth, and nothing but the truth, according to the best of your skill and understanding, so help you God. (Added to NRS by 1967, 1408; A 1969, 316)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.095 - Charges to be given to grand jury by court; district attorney to inform grand jury of specific elements of public offense considered as basis of indictment.

1. The grand jury being impaneled and sworn, must be charged by the court. In doing so, the court shall: (a) Give the grand jurors such information as is required by law and any other information it deems proper regarding their duties and any charges for public offenses returned to the court or likely to come before the grand jury. (b) Inform the grand jurors of the provisions of NRS 172.245 and the penalties for its violation. (c) Give each regular and alternate grand juror a copy of the charges. (d) Inform the grand jurors that the failure of a person to exercise the right to testify as provided in NRS 172.241 must not be considered in their decision of whether or not to return an indictment. 2. Before seeking an indictment, or a series of similar indictments, the district attorney shall inform the grand jurors of the specific elements of any public offense which they may consider as the basis of the indictment or indictments. (Added to NRS by 1967, 1408; A 1985, 554, 1028)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.097 -

Supervision of grand jury by impaneling judge; limitations on and review of expenditures; monthly statement by county treasurer.

1. The district judge impaneling a grand jury shall supervise its proceedings. 2. The grand jury shall submit an itemized list of its expenditures no less often than every 3 months or a fraction thereof to the judge who impaneled it. 3. The grand jury shall not spend money or incur a debt exceeding the amount of money budgeted for its use unless it first obtains the approval of the judge who impaneled it. The judge shall inform the board of county commissioners of any expenditure or indebtedness the judge so approves. 4. The county treasurer shall provide to the grand jury a monthly statement of its expenditures for the preceding month and the balance remaining of the money appropriated for its use. (Added to NRS by 1985, 556)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.105 - Powers.

The grand jury may inquire into all public offenses triable in the district court or in a Justice Court, committed within the territorial jurisdiction of the district court for which it is impaneled. (Added to NRS by 1967, 1408)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.107 - Limitations on use of grand jury.

A district attorney shall not use a grand jury to discover tangible, documentary or testimonial evidence to assist in the prosecution of a defendant who has already been charged with the public offense by indictment or information. (Added to NRS by 1985, 1028)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.135 - Evidence receivable before grand jury.

1. In the investigation of a charge, for the purpose of either presentment or indictment, the grand jury can receive no other evidence than such as is given by witnesses produced and sworn before them or furnished by legal documentary evidence or by the deposition of witnesses taken as provided in this title, except that the grand jury may receive any of the following: (a) An affidavit or declaration from an expert witness or other person described in NRS 50.315 in lieu of personal testimony or a deposition. (b) An affidavit of an owner, possessor or occupant of real or personal property or other person described in NRS 172.137 in lieu of personal testimony or a deposition. 2. Except as otherwise provided in this subsection, the grand jury can receive none but legal evidence, and the best evidence in degree, to the exclusion of hearsay or secondary evidence. The grand jury can receive hearsay evidence consisting of a statement made by the alleged victim of an offense if the defendant is alleged to have committed one or more of the following offenses: (a) A sexual offense committed against a child who is under the age of 16 years if the offense is punishable as a felony. As used in this paragraph, "sexual offense" has the meaning ascribed to it in NRS 179D.097. (b) Abuse of a child pursuant to NRS 200.508 if the offense is committed against a child who is under the age of 16 years and the offense is punishable as a felony. (c) An act which constitutes domestic violence pursuant to NRS 33.018, which is punishable as a felony and which resulted in substantial bodily harm to the alleged victim. 3. A statement made by a witness at any time that is inconsistent with the testimony of the witness before the grand jury may be presented to the grand jury as evidence. (Added to NRS by 1967, 1409; A 1975, 649; 1983, 1917; 1993, 86, 549; 1999, 164; 2015, 578)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.137 - Use of affidavit before grand jury: When permitted; notice by district attorney; circumstances under which district attorney must produce person who signed affidavit; continuances.

1. If a witness resides outside this State or more than 100 miles from the place of a grand jury proceeding, the witness's affidavit may be used at the proceeding if it is necessary for the district attorney to establish as an element of any offense that: (a) The witness was the owner, possessor or occupant of real or personal property; and (b) The defendant did not have the permission of the witness to enter, occupy, possess or control the real or personal property of the witness. 2. If a financial institution does not maintain any principal or branch office within this State or if a financial institution that maintains a principal or branch office within this State does not maintain any such office within 100 miles of the place of a grand jury proceeding, the affidavit of a custodian of the records of the financial institution or the affidavit of any other qualified person of the financial institution may be used at the proceeding if it is necessary for the district attorney to establish as an element of any offense that: (a) When a check or draft naming the financial institution as drawee was drawn or passed, the account or purported account upon which the check or draft was drawn did not exist, was closed or held insufficient money, property or credit to pay the check or draft in full upon its presentation; or (b) When a check or draft naming the financial institution as drawee was presented for payment to the financial institution, the account or purported account upon which the check or draft was drawn did not exist, was closed or held insufficient money, property or credit to pay the check or draft in full. 3. If the defendant has been subpoenaed to appear before the grand jury or if the defendant has requested to testify pursuant to NRS 172.241, the district attorney shall provide either written or oral notice to the defendant, within a reasonable time before the scheduled proceeding of the grand jury, that an affidavit described in this section will be used at the proceeding. 4. If, at or before the time of the proceeding, the defendant establishes that: (a) There is a substantial and bona fide dispute as to the facts in an affidavit described in this section; and (b) It is in the best interests of justice that the person who signed the affidavit be examined or cross-examined, the grand jury may request that the district attorney produce the person who signed the affidavit and may continue the proceeding for any time it deems reasonably necessary in order to receive such testimony. (Added to NRS by

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.138 - Use of audiovisual technology to present live testimony before grand jury: Requirements.

1. If a witness resides more than 100 miles from the place of a grand jury proceeding or is unable to attend the grand jury proceeding because of a medical condition, or if good cause otherwise exists, the district judge supervising the proceedings of the grand jury must allow a witness to testify before the grand jury through the use of audiovisual technology. 2. If a witness testifies at the grand jury proceeding through the use of audiovisual technology: (a) The testimony of the witness must be transcribed by a certified court reporter appointed pursuant to NRS 172.215 in accordance with the provisions of NRS 172.225; and (b) Before giving testimony, the witness must be sworn and must sign a written declaration, on a form provided by the district judge, which acknowledges that the witness understands that he or she is subject to the jurisdiction of the courts of this state and may be subject to criminal prosecution for the commission of any crime in connection with his or her testimony, including, without limitation, perjury, and that the witness consents to such jurisdiction. 3. Audiovisual technology used pursuant to this section must ensure that the witness may be: (a) Clearly heard and seen; and (b) Examined. 4. As used in this section, "audiovisual technology" includes, without limitation, closed-circuit video and videoconferencing. (Added to NRS by 2001, 545; A 2015, 579)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.139 - District attorney and grand jury prohibited from questioning attorney regarding matters learned for client or issuing subpoena for work done by attorney for client.

During a grand jury proceeding, the district attorney and the grand jurors shall not: 1. Question an attorney or an attorney's employee regarding matters which were learned during a legitimate investigation for a client. 2. Issue a subpoena for the production of the private notes or other matters representing work done by the attorney or the attorney's employee regarding the legal services which the attorney provided for a client. (Added to NRS by 1985, 1028)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.145 - Defendant entitled to submit statement regarding preliminary hearing which grand jury must receive; grand jury required to hear and district attorney required to submit known evidence which will explain away charge; invitations and issuance of process for witnesses.

1. The grand jury is not bound to hear evidence for the defendant, except that the defendant is entitled to submit a statement which the grand jury must receive providing whether a preliminary hearing was held concerning the matter and, if so, that the evidence presented at the preliminary hearing was considered insufficient to warrant holding the defendant for trial. It is their duty, however, to weigh all evidence submitted to them, and when they have reason to believe that other evidence within their reach will explain away the charge, they shall order that evidence to be produced, and for that purpose may require the district attorney to issue process for the witnesses. 2. If the district attorney is aware of any evidence which will explain away the charge, the district attorney shall submit it to the grand jury. 3. The grand jury may invite any person, without process, to appear before the grand jury to testify. (Added to NRS by 1967, 1409; A 1985, 555; 2011, 287)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.155 - Degree of evidence to warrant indictment; objection.

1. The grand jury ought to find an indictment when all the evidence before them, taken together, establishes probable cause to believe that an offense has been committed and that the defendant has committed it. 2. The defendant may object to the sufficiency of the evidence to sustain the indictment only by application for a writ of habeas corpus. (Added to NRS by 1967, 1409; A 1979, 331)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.165 - Grand juror must declare knowledge as to commission of public offense; investigation.

If a member of the grand jury knows or has reason to believe that a public offense has been committed, which is triable within the jurisdiction of the district court which has impaneled such grand jury, the member must declare such knowledge or belief to the member's fellow jurors, who shall thereupon investigate the alleged offense. (Added to NRS by 1967, 1409; A 1969, 6)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.175 - Matters into which grand jury shall and may inquire.

1. Each grand jury that is not impaneled for a specific limited purpose shall inquire into: (a) The case of every person imprisoned in the jail of the county, on a criminal charge, against whom an indictment has not been found or an information or complaint filed. (b) The condition and management of any public prison located within the county. (c) The misconduct in office of public officers of every description within the county which may constitute a violation of a provision of chapter 197 of NRS. 2. A grand jury that is not impaneled for another specific limited purpose may inquire into any and all matters affecting the morals, health and general welfare of the inhabitants of the county, or of any administrative division thereof, or of any township, incorporated city, irrigation

district or town therein. (Added to NRS by 1967, 1409; A 1973, 1274; 1985, 556, 701)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.185 - Grand jury entitled to enter jails and examine records.

The grand jury shall be entitled to free access, at all reasonable times, to all public prisons and to the examination without charge of all public records within its district. (Added to NRS by 1967, 1409)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.195 - Issuance of subpoenas by grand jury; subpoenaed witnesses must be informed of general nature of inquiry.

1. Except as otherwise provided in NRS 172.139, the grand jury may issue subpoenas, subscribed by the foreman or by the deputy or temporary foreman when acting for the foreman, for witnesses within the State and for the production of books, papers or documents. 2. The grand jury shall orally inform any witness so subpoenaed of the general nature of the grand jury's inquiry before the witness testifies. Such a statement must be included in the transcript of the proceedings. (Added to NRS by 1967, 1409; A 1985, 573, 1029)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.197 - Procedure when person subpoenaed to appear before grand jury intends to assert constitutional privilege against self-incrimination.

1. If a person who has been subpoenaed to appear before a grand jury informs the district attorney that the person intends to refuse to testify and to assert the person's constitutional privilege against self-incrimination, the district attorney shall: (a) Move for an order of immunity pursuant to NRS 178.572; (b) Challenge the existence of a valid privilege by filing in any court of record a motion to compel the testimony of the person; or (c) Withdraw the subpoena. 2. All proceedings which are held on a motion filed pursuant to subsection 1 must be closed. 3. If the existence of the privilege is challenged, the court shall hear the evidence of both parties and determine whether or not a valid privilege exists and to which matters, if any, it extends. 4. The district attorney shall not call a person to testify before a grand jury regarding matters which have been so determined to be within the person's constitutional privilege against self-incrimination. (Added to NRS by 1985, 554)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.205 - Power to engage services of skilled persons.

The grand jury shall have the power, with the consent of the board of county commissioners, to engage the services of an attorney other than and in addition to the district attorney, certified public accountants, and such other skilled persons as may be necessary in the performance of its inquisitorial powers. (Added to NRS by 1967, 1410; A 2017, 3485)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.215 - Certified court reporter: Appointment; compensation; material required for and prohibited from inclusion in notes.

1. Whenever criminal causes are being investigated by the grand jury, it shall appoint a certified court reporter. If the certified court reporter is not an official reporter of the district court, the certified court reporter shall, before entering upon his or her duties, take and subscribe the constitutional oath of office. The certified court reporter is entitled to receive the same compensation for services as an official reporter of the district court. 2. Except as otherwise provided in subsection 3, the certified court reporter shall include in the notes taken of a grand jury proceeding all criminal matters which come before the grand jury including: (a) The charge by the impaneling judge; (b) Any subsequent instructions or statements made by the judge; (c) Each statement made by the district attorney; (d) Each question asked of and response given by the witnesses who appear before the grand jury; and (e) Any statements made by the grand jurors during the proceeding. 3. The certified court reporter shall not include in his or her notes: (a) Any confidential communication between a witness and the witness's legal counsel, if the legal counsel is allowed to accompany the witness before the grand jury; or (b) The deliberations and voting of the grand jury. (Added to NRS by 1967, 1410; A 1973, 1323; 1985, 1029; 1993, 1411)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.225 - Transcripts: Preparation; public record.

1. If an indictment has been found or accusation presented against a defendant, the stenographic reporter shall certify and file with the county clerk an original transcription of his or her notes and a copy thereof and as many additional copies as there are defendants. 2. The reporter shall complete the certification and filing within 10 days after the indictment has been found or the accusation presented unless the court for good cause makes an order extending the time. 3. The county clerk shall: (a) Deliver a copy of the transcript so filed with the county clerk to the district attorney immediately upon receipt thereof; (b) Retain one copy for use only by judges in proceedings relating to the indictment or accusation; and (c) Deliver a copy of the transcript to each defendant who is in custody or has given bail or to the defendant's attorney. 4. Any defendant to whom a copy has not been delivered is entitled upon motion to a continuance of the defendant's arraignment until a date 10 days after the defendant actually receives a copy. 5. If several criminal charges against a defendant are investigated on one investigation and thereafter separate indictments are returned or accusations presented upon the several charges, the delivery to the defendant or his or her attorney of one copy of the

transcript of the investigation is a compliance with this section as to all of the indictments or accusations. 6. Upon the filing of such a transcript with the county clerk, the transcript and any related physical evidence exhibited to the grand jury become a matter of public record unless the court: (a) Orders that the presentment or indictment remain secret until the defendant is in custody or has been given bail; or (b) Upon motion, orders the transcript and evidence to remain secret until further order of the court. (Added to NRS by 1967, 1410; A 1975, 910; 1983, 359)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.235 - Who may be present when grand jury is in session.

1. Except as otherwise provided in subsection 2, the following persons may be present while the grand jury is in session: (a) The district attorney; (b) A witness who is testifying; (c) An attorney who is accompanying a witness pursuant to NRS 172.239; (d) Any interpreter who is needed; (e) The certified court reporter who is taking stenographic notes of the proceeding; (f) Any person who is engaged by the grand jury pursuant to NRS 172.205; and (g) Any other person requested by the grand jury to be present. 2. No person other than the jurors may be present while the grand jury is deliberating or voting. (Added to NRS by 1967, 1410; A 1985, 555; 1993, 1412)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.239 - Legal counsel for certain persons who appear before grand jury.

1. A person whose indictment the district attorney intends to seek or the grand jury on its own motion intends to return may be accompanied by legal counsel during any appearance before the grand jury. 2. The legal counsel who accompanies a person pursuant to subsection 1 may advise his or her client but shall not: (a) Address directly the members of the grand jury; (b) Speak in such a manner as to be heard by the members of the grand jury; or (c) In any other way participate in the proceedings of the grand jury. 3. The court or the foreman of the grand jury may have the legal counsel removed if the legal counsel violates any of the provisions of subsection 2 or in any other way disrupts the proceedings of the grand jury. 4. The district attorney or the foreman of the grand jury shall give a person entitled to legal counsel notice of the provisions of this section at the time the person is served with a subpoena to appear before the grand jury. If such a person is invited without process to appear, the grand jury shall include with the invitation notice of the provisions of this section. (Added to NRS by 1985, 554)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.241 - Right of certain persons to appear before grand jury; notice of consideration of indictment; withholding of notice; effect of inadequate notice.

1. A person whose indictment the district attorney intends to seek or the grand jury on its own motion intends to return, but who has not been subpoenaed to appear before the grand jury, may testify before the grand jury if the person requests to do so and executes a valid waiver in writing of the person's constitutional privilege against self-incrimination. 2. A district attorney or a peace officer shall serve reasonable notice upon a person whose indictment is being considered by a grand jury unless the court determines that adequate cause exists to withhold notice. The notice is adequate if it: (a) Is given to the person, the person's attorney of record or an attorney who claims to represent the person and gives the person not less than 5 judicial days to submit a request to testify to the district attorney; and (b) Advises the person that the person may testify before the grand jury only if the person submits a written request to the district attorney and includes an address where the district attorney may send a notice of the date, time and place of the scheduled proceeding of the grand jury. 3. The district attorney may apply to the court for a determination that adequate cause exists to withhold notice if the district attorney: (a) Determines that the notice may result in the flight of the person whose indictment is being considered, on the basis of: (1) A previous failure of the person to appear in matters arising out of the subject matter of the proposed indictment; (2) The fact that the person is a fugitive from justice arising from charges in another jurisdiction; (3) Outstanding local warrants pending against the person; or (4) Any other objective factor; (b) Determines that the notice may endanger the life or property of other persons; or (c) Is unable, after reasonable diligence, to notify the person. 4. If a district attorney applies to the court for a determination that adequate cause exists to withhold notice, the court shall hold a closed hearing on the matter. Upon a finding of adequate cause, the court may order that no notice be given. 5. If notice required to be served upon a person pursuant to subsection 2 is not adequate, the person must be given the opportunity to testify before the grand jury. If the person testifies pursuant to this subsection, the grand jury must be instructed to deliberate again on all the charges contained in the indictment following such testimony. (Added to NRS by 1985, 554; A 1991, 1063; 1997, 188; 2015, 580)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.245 - Secrecy of proceedings of grand jury; permitted disclosures; penalty.

1. The disclosure of: (a) Evidence presented to the grand jury; (b) Information obtained by the grand jury; (c) The results of an investigation made by the grand jury; and (d) An event occurring or a statement made in the presence of the grand jury other than its deliberations and the vote of a juror, may be made to the district attorney for use in the performance of the district attorney's duties. 2. Except as otherwise provided in subsection 3, the Attorney General or a member of the Attorney General's staff, a grand juror, district attorney or member of the district attorney's staff, peace officer, clerk, stenographer, interpreter, witness or other person invited or allowed to attend the proceedings of a grand jury shall not disclose: (a) Evidence presented to the grand jury; (b) An event

occurring or a statement made in the presence of the grand jury; (c) Information obtained by the grand jury; or (d) The results of an investigation made by the grand jury. 3. A person may disclose his or her knowledge concerning the proceedings of a grand jury: (a) When so directed by the court preliminary to or in connection with a judicial proceeding; (b) When permitted by the court at the request of the defendant upon a showing that grounds may exist for a motion to dismiss the presentment or indictment because of matters occurring before the grand jury; (c) If the person was a witness before the grand jury and is disclosing his or her knowledge of the proceedings to the person's own attorney; or (d) As provided in NRS 172.225. 4. No obligation of secrecy may be imposed upon any person except in accordance with this section. The court may direct that a presentment or indictment be kept secret until the defendant is in custody or has been given bail, and the clerk shall seal the presentment or indictment. It is unlawful for any person to disclose the finding of the secret presentment or indictment except when necessary for the issuance and execution of a warrant or summons. 5. A person who violates any of the provisions of this section is guilty of a gross misdemeanor and contempt of court. 6. The Attorney General or district attorney shall investigate and prosecute a violation of this section. 7. The grand jury shall inform each person who appears before the grand jury of the provisions of this section and the penalties for its violation. (Added to NRS by 1967, 1410; A 1985, 552)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.255 - Finding and return of presentment or indictment; effect of failure to indict.

1. A presentment or indictment may be found only upon the concurrence of 12 or more jurors. 2. The jurors shall vote separately on each person and each count included in a presentment or indictment. 3. The presentment or indictment must be returned by the grand jury to a judge in open court or, in the absence of the judge, to the clerk of the court in open court, who shall determine that 12 or more jurors concurred in finding a presentment or indictment. If the defendant has been held to answer and 12 jurors do not concur in finding a presentment or indictment, the foreman shall so report to the court in writing forthwith. 4. The failure to indict does not prevent the same charge from being again submitted to a grand jury if resubmission is approved by the court. (Added to NRS by 1967, 1411; A 1971, 208; 1985, 1030)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.259 - Publication of fact that no indictment was issued by grand jury.

After a grand jury investigation is concluded: 1. A person who was the subject of the investigation but against whom an indictment was not returned; or 2. A district attorney, with the permission of that person, may make public the fact that no indictment was issued as a result of the grand jury's investigation. (Added to NRS by 1985, 1028)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.265 - Names of witnesses inserted or endorsed at foot of indictment.

When an indictment is found, the names of the witnesses examined before the grand jury shall be inserted at the foot of the indictment, or endorsed thereon before it is presented to the court. (Added to NRS by 1967, 1411)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.267 - Report of grand jury: Scope; purpose; limitations.

1. A grand jury may issue a report concerning a matter into which it may lawfully inquire. 2. The report must be issued for the sole purpose of reporting on the matter. The report must not: (a) Contain material the sole effect of which is to ridicule or abuse a person or otherwise subject the person to public disgrace or embarrassment; (b) Contain material which is personal in nature and does not relate to any lawful inquiry; or (c) Accuse a named or unnamed person directly or by innuendo, imputation or otherwise of an act that, if true, constitutes an indictable offense unless the report is accompanied by a presentment or an indictment of the person for the offense mentioned in the report. 3. The judge impaneling a grand jury shall include the provisions of this section in the judge's charge to the grand jury. (Added to NRS by 1985, 700)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.269 - Report of grand jury: Inclusion of recommendations to public officers or agencies; criticism must be constructive; positive statement of no indictable activity required, if applicable.

A grand jury may include in its report recommendations to a public officer or agency for actions which will reduce costs, increase efficiency or result in better service to the public. Any criticism made therein must be constructive and made in support of the recommendations. If such recommendations and criticism are included in a report and the report is not accompanied by a related indictment or presentment, the report must include a positive statement that no indictable criminal activity was found. (Added to NRS by 1985, 701)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.271 - Report of grand jury: Preliminary review by court; notification of identified persons; procedure to expunge improper material; filing and distribution.

1. The grand jury shall submit a draft of the report that it wishes to make to the court which impaneled it. 2. The court shall review

its contents and, if it contains any material which violates paragraph (a) of subsection 2 of NRS 172.267, require the grand jury to expunge that material from the draft. 3. The court shall send to any person identified in the draft in violation of paragraph (b) of subsection 2 of NRS 172.267 the pertinent part of the draft and notify the person that the person has been identified in the draft of the report of the grand jury in connection with possible criminal conduct. The person may, within 5 days after receiving the notice and the portion of the draft, submit a written request to the court for a hearing in chambers to consider a motion to expunge that portion of the draft from the final report. 4. The court shall rule on any such motion to expunge material within 20 days after the completion of the hearing on the motion. 5. If the court determines that the draft: (a) Violates in its entirety a provision of NRS 172.267; or (b) After the removal of a portion pursuant to NRS 172.267, is so incomplete that it is meaningless, it shall not file the report with the clerk of the district court but shall file instead a written statement describing, generally, its action and the basis for it. 6. The court shall file either the draft, the draft as corrected or the statement with the clerk of the district court within 60 days after receiving the draft from the grand jury. Upon filing, the draft becomes the final report of the grand jury. 7. Within 5 days after the report is filed, the clerk shall mail a copy of the pertinent portion of the report to each person or governmental entity mentioned in the report. (Added to NRS by 1985, 701)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.275 - Discharge of grand jury; discharge or excuse of juror.

1. A grand jury shall serve until discharged by the court and may be so discharged at any time after the expiration of 1 year. At any time for cause shown the court may excuse a juror either temporarily or permanently, and in the latter event the court may impanel an alternate grand juror in place of the juror excused. 2. Where the court is composed of more than one judge, any judge may discharge or excuse a juror; but if any other judge notifies the judge so acting, in writing within 24 hours after the action is taken, that the judge objects, the action stands rescinded and is not effective unless the concurrence of a majority of the judges composing the court is obtained. (Added to NRS by 1967, 1411; A 1985, 557)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.285 - Warrant on presentment.

1. If the court deems that the facts stated in a presentment constitute a public offense triable: (a) In the district court of the county, it shall direct the clerk to issue a warrant for the arrest of the defendant. (b) In another court of the county, it shall forward the presentment to such court. 2. The clerk, or justice of the peace in a case forwarded to the justice of the peace, may accordingly at any time thereafter issue a warrant under the signature and seal of the court, if it has a seal. 3. The magistrate before whom the defendant is brought shall proceed to examine the charge contained in the presentment and hold the defendant to answer such charge, or discharge the defendant, in the same manner as upon a warrant of arrest on complaint. (Added to NRS by 1967, 1411)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.295 - Review by person of person's prior testimony before testifying before grand jury again.

A person who: 1. Is called to testify before a grand jury; and 2. Has testified regarding the same matter at another time before the same or another grand jury, may, upon request, review the transcript or recording of the person's prior testimony before testifying again. (Added to NRS by 1985, 1028)

2024 Nevada Revised Statutes Chapter 172 - Proceedings After Commitment and Before Indictment NRS 172.305 - Failure to disclose subject of grand jury's inquiry to defendant not cause for dismissal of subsequent presentment or indictment.

A presentment or indictment may not be dismissed on the ground that the specific subject of the inquiry was not disclosed to the defendant pursuant to NRS 172.195 or subsection 5 of NRS 174.315. (Added to NRS by 1985, 572; A 1993, 118; 2013, 1202)

Title: chapter-173

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.015 - First pleading by State.

The first pleading on the part of the State is the indictment or information. (Added to NRS by 1967, 1411)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.025 - Courts may act upon information for all offenses.

The several courts of this state shall have and may exercise the same power and jurisdiction to try and determine prosecutions upon information for crimes, misdemeanors and offenses, to issue writs and process and do all other acts therein as in cases of like prosecution under indictment. (Added to NRS by 1967, 1412)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.035 - Information may be filed following preliminary examination when accused is bound over or when preliminary examination is waived; when information is filed on affidavit; limitation of time; amended information may include additional charges if plea agreement is rejected or withdrawn.

1. An information may be filed against any person for any offense when the person: (a) Has had a preliminary examination as provided by law before a justice of the peace, or other examining officer or magistrate, and has been bound over to appear at the court having jurisdiction; or (b) Has waived the right to a preliminary examination. 2. If, however, upon the preliminary examination the accused has been discharged, or the affidavit or complaint upon which the examination has been held has not been delivered to the clerk of the proper court, the Attorney General when acting pursuant to a specific statute or the district attorney may, upon affidavit of any person who has knowledge of the commission of an offense, and who is a competent witness to testify in the case, setting forth the offense and the name of the person or persons charged with the commission thereof, upon being furnished with the names of the witnesses for the prosecution, by leave of the court first had, file an information, and process must forthwith be issued thereon. The affidavit need not be filed in cases where the defendant has waived a preliminary examination, or upon a preliminary examination has been bound over to appear at the court having jurisdiction. 3. The information must be filed within 15 days after the holding or waiver of the preliminary examination. Each information must set forth the crime committed according to the facts. 4. If, with the consent of the prosecuting attorney, a defendant waives the right to a preliminary examination in accordance with an agreement by the defendant to plead guilty, guilty but mentally ill or nolo contendere to a lesser charge or to at least one, but not all, of the initial charges, the information filed against the defendant pursuant to this section may contain only the offense or offenses to which the defendant has agreed to enter a plea of guilty, guilty but mentally ill or nolo contendere. If, for any reason, the agreement is rejected by the district court or withdrawn by the defendant, the prosecuting attorney may file an amended information charging all of the offenses which were in the criminal complaint upon which the preliminary examination was waived. The defendant must then be arraigned in accordance with the amended information. (Added to NRS by 1967, 1412; A 1975, 654; 1979, 1093; 1989, 163; 1993, 82; 1995, 2448; 2003, 1456; 2007, 1404)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.045 - District attorney or Attorney General to be informant; endorsement of names of witnesses; affidavits.

1. All informations must be filed in the court having jurisdiction of the offenses specified therein, by the Attorney General when acting pursuant to a specific statute or by the district attorney of the proper county as informant, and his or her name must be subscribed thereto by him or her or by his or her deputy. 2. The district attorney or the Attorney General shall endorse thereon the names of such witnesses as are known at the time of filing the information. The district attorney or Attorney General shall not endorse the name of any witness whom he or she does not reasonably expect to call. 3. In all cases in which the defendant has not had or waived a preliminary examination there must be filed with the information the affidavit of some credible person verifying the information upon the personal knowledge of affiant that the offense was committed. (Added to NRS by 1967, 1412; A 1975, 655; 1989, 163; 1997, 2365)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.049 - Court clerk may accept information filed electronically; procedure; service.

1. A court clerk may accept an information filed pursuant to this chapter that is filed electronically. An information that is filed electronically must contain an image of the signature of the prosecuting attorney. 2. If a court clerk accepts an information that is filed electronically pursuant to subsection 1, the court clerk shall acknowledge receipt of the information by an electronic time stamp and shall electronically return the information with the electronic time stamp to the prosecuting attorney. An information that is filed and time-stamped electronically pursuant to this section may be converted into a printed document and served upon a defendant in the same manner as an information that is not filed electronically. (Added to NRS by 1997, 892)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.055 - Duties of district attorney or Attorney General; written statement containing reasons why information not filed.

1. The Attorney General when acting pursuant to a specific statute or the district attorney of the proper county shall inquire into all cases of preliminary examinations as provided by law, concerning the commission of any offense, whether the offenders are committed to jail, recognized or held to bail. 2. If the district attorney or the Attorney General determines in any such case that an information ought not to be filed, the district attorney or Attorney General shall file with the clerk of the court having jurisdiction of the supposed offense a written statement containing the reasons, in fact and in law, for not filing any information in the case. The statement must be filed within 15 days after the holding of the preliminary examination. (Added to NRS by 1967, 1412; A 1975, 655; 1979, 1093; 1989, 164)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.065 - Judge may require Attorney General to prosecute if district attorney refuses.

The judge of the court having jurisdiction may in extreme cases, upon affidavit filed with the judge of the commission of a crime, require all available evidence to be delivered to the Attorney General for prosecution, if the district attorney refuses to prosecute any person for such crime. (Added to NRS by 1967, 1413)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.075 - Nature and contents generally.

1. The indictment or the information must be a plain, concise and definite written statement of the essential facts constituting the

offense charged. It must be signed by the Attorney General acting pursuant to a specific statute or the district attorney. It need not contain a formal commencement, a formal conclusion or any other matter not necessary to the statement. 2. Allegations made in one count may be incorporated by reference in another count. It may be alleged in a single count that the means by which the defendant committed the offense are unknown or that the defendant committed it by one or more specified means. 3. The indictment or information must state for each count the official or customary citation of the statute, rule, regulation or other provision of law which the defendant is alleged therein to have violated. Error in the citation or its omission is not a ground for dismissal of the indictment or information or for reversal of a conviction if the error or omission did not mislead the defendant to the defendant's prejudice. (Added to NRS by 1967, 1413; A 1975, 655; 1989, 164)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.085 - Surplusage.

The court on motion of the defendant may strike surplusage from the indictment or information. (Added to NRS by 1967, 1413)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.095 - Amendment; notice of habitual criminality, habitually fraudulent felon or habitual felon.

1. The court may permit an indictment or information to be amended at any time before verdict or finding if no additional or different offense is charged and if substantial rights of the defendant are not prejudiced. 2. If an indictment is found charging a primary offense upon which a charge of habitual criminality may be based, the prosecuting attorney may file a notice of habitual criminality with the court. If an indictment is found charging a primary offense upon which a charge of: (a) Habitually fraudulent felon may be based, the prosecuting attorney shall file a notice of habitually fraudulent felon with the court. (b) Habitual felon may be based, the prosecuting attorney shall file a notice of habitual felon with the court. 3. The court shall permit an information to be amended pursuant to subsection 4 of NRS 173.035. (Added to NRS by 1967, 1413; A 1985, 1026; 1993, 82; 1995, 857, 1245)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.105 - Charging defendant by fictitious or erroneous name: Insertion of true name.

When a defendant is charged by a fictitious or erroneous name, and in any stage of the proceedings the defendant's true name is discovered, it must be inserted in the subsequent proceedings referring to the fact of the defendant's being charged by the name mentioned in the indictment or information. (Added to NRS by 1967, 1413)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.115 - Joinder of offenses.

1. Two or more offenses may be charged in the same indictment or information in a separate count for each offense if the offenses charged, whether felonies or gross misdemeanors or both, are: (a) Based on the same act or transaction; or (b) Based on two or more acts or transactions connected together or constituting parts of a common scheme or plan. 2. Except as otherwise provided in subsection 3: (a) A misdemeanor which was committed within the boundaries of a city and which would otherwise be within the jurisdiction of the municipal court must be charged in the same criminal complaint as a felony or gross misdemeanor or both if the misdemeanor is based on the same act or transaction as the felony or gross misdemeanor. A charge of a misdemeanor which meets the requirements of this subsection and which is erroneously included in a criminal complaint that is filed in the municipal court shall be deemed to be void ab initio and must be stricken. (b) A battery which constitutes domestic violence that is punishable as a misdemeanor pursuant to NRS 200.485 must be charged in the same indictment or information in district court as a felony or gross misdemeanor or both if the battery is based on the same act or transaction as the felony or gross misdemeanor. 3. The provisions of subsection 2 do not apply: (a) To a misdemeanor based solely upon an alleged violation of a municipal ordinance. (b) If an indictment is brought or an information is filed in the district court for a felony or gross misdemeanor or both after the convening of a grand jury. (Added to NRS by 1967, 1413; A 2017, 1242; 2021, 1311)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.125 - Prosecution not required to elect between different offenses or counts; plea of guilty or guilty but mentally ill to one offense does not preclude prosecution for other offenses.

The prosecution is not required to elect between the different offenses or counts set forth in the indictment or information, and a plea of guilty or guilty but mentally ill to one or more offenses charged in the indictment or information does not preclude prosecution for the other offenses. (Added to NRS by 1967, 1413; A 1995, 2449; 2003, 1457; 2007, 1404)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.135 - Joinder of defendants.

Two or more defendants may be charged in the same indictment or information if they are alleged to have participated in the same act or transaction or in the same series of acts or transactions constituting an offense or offenses. Such defendants may be charged in one or more counts together or separately and all of the defendants need not be charged in each count. (Added to NRS by 1967, 1413)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.145 - Issuance of warrant or summons.

1. Upon the request of the Attorney General acting pursuant to a specific statute or the district attorney, the court shall issue a

warrant for each defendant named in the indictment or information. 2. The clerk shall issue a summons instead of a warrant upon the request of the district attorney, the Attorney General or by direction of the court. 3. Upon like request or direction the clerk shall issue more than one warrant or summons for the same defendant. 4. The clerk shall deliver the warrant or summons to the peace officer or other person authorized by law to execute or serve it. 5. If a defendant fails to appear in response to the summons, a warrant must be issued. (Added to NRS by 1967, 1413; A 1975, 656; 1989, 164)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.155 - Form of warrant; fixing and endorsement of amount of bail.

The form of the warrant shall be as provided in NRS 171.108 except that it shall be signed by the clerk, it shall describe the offense charged in the indictment or information and it shall command that the defendant be arrested and brought before the court. The amount of bail may be fixed by the court and endorsed on the warrant. (Added to NRS by 1967, 1414)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.165 - Manner of proceeding on giving bail in another county.

If the offense charged in the warrant is bailable, and the defendant is arrested in another county, the officer must, upon being required by the defendant, take the defendant before the most convenient magistrate in that or any adjoining county, who must admit the defendant to bail in the amount fixed in the warrant and take bail from the defendant accordingly, naming therein a time, not more than 10 days after the time of taking such bail, for the defendant to appear before the court in which the warrant was issued; or, in case the court is not in session at the time so fixed for the defendant to appear, for the defendant to appear before the court in which the warrant was issued at the first time it is in session thereafter. (Added to NRS by 1967, 1414)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.175 - Ordering defendant charged with felony into custody unless increased bail is given.

When the indictment or information is for a felony and the defendant before the filing thereof has given bail for the defendant's appearance to answer the charge, the court in which the indictment or information is presented, or in which it is pending, may order the defendant to be committed to actual custody unless the defendant gives bail in an increased amount, to be specified in the order. (Added to NRS by 1967, 1414)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.185 - Form of summons.

The summons shall be in the same form as the warrant except that it shall summon the defendant to appear before the court at a stated time and place. (Added to NRS by 1967, 1414)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.195 - Execution of warrant and service of summons.

The warrant shall be executed or the summons served as provided in NRS 171.114, 171.118 and 171.122. A summons to a corporation shall be served as provided in NRS 171.122. The officer executing the warrant shall bring the arrested person promptly before the court or, for the purpose of admission to bail, before a magistrate. (Added to NRS by 1967, 1414)

2024 Nevada Revised Statutes Chapter 173 - Indictment and Information NRS 173.205 - Return of warrant and summons; reissuance.

1. The peace officer executing a warrant shall make return thereof to the court. At the request of the Attorney General acting pursuant to a specific statute or the district attorney any unexecuted warrant must be returned and cancelled. 2. On or before the return day the person to whom a summons was delivered for service shall make return thereof. 3. At the request of the Attorney General acting pursuant to a specific statute or the district attorney, made at any time while the indictment or information is pending, a warrant returned unexecuted and not cancelled or a summons returned unserved or a duplicate thereof may be delivered by the clerk to a peace officer or other authorized person for execution or service. (Added to NRS by 1967, 1414; A 1975, 656; 1989, 165)

Title: chapter-174

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.015 - Conduct of arraignment.

1. Except as otherwise provided in subsection 3, arraignment shall be conducted in open court and shall consist of reading the indictment or information to the defendant or stating the substance of the charge and calling on the defendant to plead thereto. The defendant shall be given a copy of the indictment or information before the defendant is called upon to plead. 2. In justice court or municipal court, before the trial commences, the complaint must be distinctly read to the defendant before the defendant is called upon to plead. 3. In justice court or municipal court, before the defendant is called upon to plead, the court shall determine whether the defendant is eligible for assignment to a preprosecution diversion program pursuant to NRS 174.031. (Added to NRS by 1967, 1414; A 2017, 3013)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.025 - Proceedings respecting

name of defendant; entry of true name in minutes; subsequent proceedings in true name.

When the defendant is arraigned, the defendant must be informed that if the name by which the defendant is prosecuted is not his or her true name the defendant must then declare his or her true name, or be proceeded against by the name in the indictment, information or complaint. If the defendant gives no other name, the court may proceed accordingly; but, if the defendant alleges that another name is his or her true name, the court must direct an entry thereof in the minutes of the arraignment, and the subsequent proceedings on the information, indictment or complaint may be had against the defendant by that name, referring also to the name by which the defendant was first charged therein. (Added to NRS by 1967, 1415)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.031 - Determination of eligibility; court may order defendant to complete program.

1. At the arraignment of a defendant in justice court or municipal court, but before the entry of a plea, the court may determine whether the defendant is eligible for assignment to a preprosecution diversion program established pursuant to NRS 174.032. The court shall receive input from the prosecuting attorney and the attorney for the defendant, if any, whether the defendant would benefit from and is eligible for assignment to the program. 2. A defendant may be determined to be eligible by the court for assignment to a preprosecution diversion program if the defendant: (a) Is charged with a misdemeanor other than: (1) A crime of violence; (2) Vehicular manslaughter as described in NRS 484B.657; (3) Driving under the influence of intoxicating liquor or a controlled substance in violation of NRS 484C.110, 484C.120 or 484C.130; or (4) A minor traffic offense; and (b) Has not previously been: (1) Convicted of violating any criminal law other than a minor traffic offense; or (2) Ordered by a court to complete a preprosecution diversion program in this State. 3. If a defendant is determined to be eligible for assignment to a preprosecution diversion program pursuant to subsection 2, the justice court or municipal court may order the defendant to complete the program pursuant to subsection 5 of NRS 174.032. 4. A defendant has no right to complete a preprosecution diversion program or to appeal the decision of the justice court or municipal court relating to the participation of the defendant in such a program. (Added to NRS by 2017, 3010; A 2021, 3455)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.032 - Establishment of program; terms and conditions.

1. A justice court or municipal court may establish a preprosecution diversion program to which it may assign a defendant if he or she is determined to be eligible pursuant to NRS 174.031. 2. If a defendant is determined to be eligible for assignment to a preprosecution diversion program pursuant to NRS 174.031, the justice or municipal court must receive input from the prosecuting attorney, the attorney for the defendant, if any, and the defendant relating to the terms and conditions for the defendant's participation in the program. 3. A preprosecution diversion program established by a justice court or municipal court pursuant to this section may include, without limitation: (a) A program of treatment which may rehabilitate a defendant, including, without limitation, educational programs, participation in a support group, anger management therapy, counseling, a program of treatment for veterans and members of the military, mental illness or intellectual disabilities or the use of alcohol or other substances or a program of treatment to assist homeless persons; (b) Any appropriate sanctions to impose on a defendant, which may include, without limitation, community service, restitution, prohibiting contact with certain persons or the imposition of a curfew; and (c) Any other factor which may be relevant to determining an appropriate program of treatment or sanctions to require for participation of a defendant in the preprosecution diversion program. 4. If the justice court or municipal court determines that a defendant may be rehabilitated by a program of treatment for veterans and members of the military, persons with mental illness or intellectual disabilities or the use of alcohol or other substances, the court may refer the defendant to an appropriate program of treatment established pursuant to NRS 176.016, 176A.230, 176A.250 or 176A.280. The court shall retain jurisdiction over the defendant while the defendant completes such a program of treatment. 5. The justice court or municipal court shall, when assigning a defendant to a preprosecution diversion program, issue an order setting forth the terms and conditions for successful completion of the preprosecution diversion program, which may include, without limitation: (a) Any program of treatment the defendant is required to complete; (b) Any sanctions and the manner in which they must be carried out by the defendant; (c) The date by which the terms and conditions must be completed by the defendant, which must not be more than 18 months after the date of the order; (d) A requirement that the defendant appear before the court at least one time every 3 months for a status hearing on the progress of the defendant toward completion of the terms and conditions set forth in the order; and (e) A notice relating to the provisions of subsection 3 of NRS 174.033. 6. A defendant assigned to a preprosecution diversion program shall pay the cost of any program of treatment required by this section to the extent of his or her financial resources. The court shall not refuse to place a defendant in a program of treatment if the defendant does not have the financial resources to pay any or all of the costs of such program. 7. If restitution is ordered to be paid pursuant to subsection 5, the defendant must make a good faith effort to pay the required amount of restitution in full. If the justice court or municipal court determines that a defendant is unable to pay such restitution, the court must require the defendant to enter into a judgment by confession for the amount of restitution. 8. As used in this section, "homeless person" has the meaning ascribed to it in NRS 176.016. (Added to NRS by 2017, 3011; A 2023, 1794)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.033 - Discharge of defendant upon fulfillment of terms and conditions; termination of participation of defendant and order to appear for arraignment.

1. If the justice court or municipal court determines that a defendant has successfully completed the terms and conditions of a preprosecution diversion program ordered pursuant to subsection 5 of NRS 174.032, the court must discharge the defendant and dismiss the indictment, information, complaint or citation. 2. Discharge and dismissal pursuant to subsection 1 is without adjudication of guilt and is not a conviction for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose. Discharge and dismissal restores the defendant, in the contemplation of the law, to the status occupied before the indictment, information, complaint or citation. The defendant may not be held thereafter under any law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge the indictment, information, complaint or citation in response to an inquiry made of the defendant for any purpose. 3. If the justice court or municipal court determines that a defendant has not successfully completed the terms or conditions of a preprosecution diversion program ordered pursuant to subsection 5 of NRS 174.032, the court must issue an order terminating the participation of the defendant in the preprosecution diversion program and order the defendant to appear for an arraignment to enter a plea based on the original indictment, information, complaint or citation pursuant to NRS 174.015. (Added to NRS by 2017, 3012)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.034 - Sealing of records after discharge.

1. If the defendant is discharged and the indictment, information, complaint or citation is dismissed pursuant to NRS 174.033, the justice court or municipal court must order sealed all documents, papers and exhibits in the record of the defendant, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the order of the court. The court shall order those records sealed without a hearing unless the district attorney petitions the court, for good cause shown, not to seal the records and requests a hearing thereon. 2. If the justice court or municipal court orders the record of a defendant sealed, the defendant must send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order. (Added to NRS by 2017, 3013)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.035 - Types of pleas; procedure for entering plea.

1. A defendant may plead not guilty, guilty, guilty but mentally ill or, with the consent of the court, nolo contendere. The court may refuse to accept a plea of guilty or guilty but mentally ill. 2. If a plea of guilty or guilty but mentally ill is made in a written plea agreement, the agreement must be in substantially the form prescribed in NRS 174.063. If a plea of guilty or guilty but mentally ill is made orally, the court shall not accept such a plea or a plea of nolo contendere without first addressing the defendant personally and determining that the plea is made voluntarily with understanding of the nature of the charge and consequences of the plea. 3. With the consent of the court and the district attorney, a defendant may enter a conditional plea of guilty, guilty but mentally ill or nolo contendere, reserving in writing the right, on appeal from the judgment, to a review of the adverse determination of any specified pretrial motion. A defendant who prevails on appeal must be allowed to withdraw the plea. 4. Upon an unconditional waiver of a preliminary hearing, a defendant and the district attorney may enter into a written conditional plea agreement, subject to the court accepting the recommended sentence pursuant to the agreement. 5. A plea of guilty but mentally ill must be entered not less than 21 days before the date set for trial. A defendant who has entered a plea of guilty but mentally ill has the burden of establishing the defendant's mental illness by a preponderance of the evidence. Except as otherwise provided by specific statute, a defendant who enters such a plea is subject to the same criminal, civil and administrative penalties and procedures as a defendant who pleads guilty. 6. The defendant may, in the alternative or in addition to any one of the pleas permitted by subsection 1, plead not guilty by reason of insanity. A plea of not guilty by reason of insanity must be entered not less than 21 days before the date set for trial. A defendant who has not so pleaded may offer the defense of insanity during trial upon good cause shown. Under such a plea or defense, the burden of proof is upon the defendant to establish by a preponderance of the evidence that: (a) Due to a disease or defect of the mind, the defendant was in a delusional state at the time of the alleged offense; and (b) Due to the delusional state, the defendant either did not: (1) Know or understand the nature and capacity of his or her act; or (2) Appreciate that his or her conduct was wrong, meaning not authorized by law. 7. If a defendant refuses to plead or if the court refuses to accept a plea of guilty or guilty but mentally ill or if a defendant corporation fails to appear, the court shall enter a plea of not guilty. 8. A defendant may not enter a plea of guilty or guilty but mentally ill pursuant to a plea bargain for an offense punishable as a felony for which: (a) Probation is not allowed; or (b) The maximum prison sentence is more than 10 years, unless the plea bargain is set forth in writing and signed by the defendant, the defendant's attorney, if the defendant is represented by counsel, and the prosecuting attorney. 9. If the court accepts a plea of guilty but mentally ill pursuant to this section, the court shall cause, within 5 business days after acceptance of the plea, on a form prescribed by the Department of Public Safety, a record of that plea to be transmitted to the Central Repository for Nevada Records of Criminal History along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the National Instant Criminal Background Check System. 10. As used in this section: (a) "Disease or defect of the mind" does not include a disease or defect which is caused solely by voluntary intoxication. (b) "National Instant Criminal Background Check System" has the meaning ascribed to it in NRS 179A.062. (Added to NRS by 1967, 1415; A 1991, 301, 1062; 1995, 1534, 2450; 1997, 641; 2003, 1457; 2007, 1405; 2009, 2484; 2015, 1795; 2017, 1246)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.055 - Proceedings on plea of guilty or guilty but mentally ill in justice court.

In a justice court, if the defendant pleads guilty or guilty but mentally ill, the court may, before entering such a plea or pronouncing judgment, examine witnesses to ascertain the gravity of the offense committed. If it appears to the court that a higher offense has been committed than the offense charged in the complaint, the court may order the defendant to be committed or admitted to bail or to answer any indictment that may be found against the defendant or any information which may be filed by the district attorney. (Added to NRS by 1967, 1415; A 1995, 2450; 2003, 1458; 2007, 1406)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.061 - Plea bargaining: General requirements; prohibited agreements.

1. If a prosecuting attorney enters into an agreement with a defendant in which the defendant agrees to testify against another defendant in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for a recommendation of a reduced sentence, the agreement: (a) Is void if the defendant's testimony is false. (b) Must be in writing and include a statement that the agreement is void if the defendant's testimony is false. 2. A prosecuting attorney shall not enter into an agreement with a defendant which: (a) Limits the testimony of the defendant to a predetermined formula. (b) Is contingent on the testimony of the defendant contributing to a specified conclusion. (Added to NRS by 1991, 291; A 1995, 2450; 2003, 1458; 2007, 1406)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.063 - Written plea agreement for plea of guilty or guilty but mentally ill: Form; contents.

1. If a plea of guilty or guilty but mentally ill is made in a written plea agreement, the agreement must be substantially in the following form: Case No. Dept. No. IN THE JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF....., The State of Nevada, PLAINTIFF, v. (Name of defendant), DEFENDANT. GUILTY OR GUILTY BUT MENTALLY ILL PLEA AGREEMENT I hereby agree to plead guilty or guilty but mentally ill to: (List charges to which defendant is pleading guilty or guilty but mentally ill), as more fully alleged in the charging document attached hereto as Exhibit 1. My decision to plead guilty or guilty but mentally ill is based upon the plea agreement in this case which is as follows: (State the terms of the agreement.) CONSEQUENCES OF THE PLEA I understand that by pleading guilty or guilty but mentally ill I admit the facts which support all the elements of the offenses to which I now plead as set forth in Exhibit 1. I understand that as a consequence of my plea of guilty or guilty but mentally ill I may be imprisoned for a period of not more than (maximum term of imprisonment) and that I (may or will) be fined up to (maximum amount of fine). I understand that the law requires me to pay an administrative assessment fee. I understand that, if appropriate, I will be ordered to make restitution to the victim of the offenses to which I am pleading guilty or guilty but mentally ill and to the victim of any related offense which is being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for expenses relating to my extradition, if any. I understand that I (am or am not) eligible for probation for the offense to which I am pleading guilty or guilty but mentally ill. (I understand that, except as otherwise provided by statute, the question of whether I receive probation is in the discretion of the sentencing judge, or I understand that I must serve a mandatory minimum term of (term of imprisonment) or pay a minimum mandatory fine of (amount of fine) or serve a mandatory minimum term (term of imprisonment) and pay a minimum mandatory fine of (amount of fine).) I understand that if more than one sentence of imprisonment is imposed and I am eligible to serve the sentences concurrently, the sentencing judge has the discretion to order the sentences served concurrently or consecutively. I understand that information regarding charges not filed, dismissed charges or charges to be dismissed pursuant to this agreement may be considered by the judge at sentencing. I have not been promised or guaranteed any particular sentence by anyone. I know that my sentence is to be determined by the court within the limits prescribed by statute. I understand that if my attorney or the State of Nevada or both recommend any specific punishment to the court, the court is not obligated to accept the recommendation. I understand that the Division of Parole and Probation of the Department of Public Safety may or will prepare a report for the sentencing judge before sentencing. This report will include matters relevant to the issue of sentencing, including my criminal history. I understand that this report may contain hearsay information regarding my background and criminal history. My attorney (if represented by counsel) and I will each have the opportunity to comment on the information contained in the report at the time of sentencing. WAIVER OF RIGHTS By entering my plea of guilty or guilty but mentally ill, I understand that I have waived the following rights and privileges: 1. The constitutional privilege against self-incrimination, including the right to refuse to testify at trial, in which event the prosecution would not be allowed to comment to the jury about my refusal to testify. 2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial, the State would bear the burden of proving beyond a reasonable doubt each element of the offense charged. 3. The constitutional right to confront and cross-examine any witnesses who would testify against me. 4. The constitutional right to subpoena witnesses to testify on my behalf. 5. The constitutional right to testify in my own defense. 6. The right to appeal the conviction, with the assistance of an attorney, either appointed or retained, unless the appeal is based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings and except as otherwise provided in subsection 3 of NRS 174.035. VOLUNTARINESS OF PLEA I have discussed the elements of all the original charges against me with my attorney (if represented by counsel) and I understand the nature of these charges against me. I understand that the State would have to prove each element of the charge against me at trial. I have discussed with my attorney (if represented by counsel) any possible defenses and circumstances which might be in my favor. All of the foregoing elements, consequences, rights and waiver of rights have been thoroughly explained to me by my attorney (if represented by counsel). I

believe that pleading guilty or guilty but mentally ill and accepting this plea bargain is in my best interest and that a trial would be contrary to my best interest. I am signing this agreement voluntarily, after consultation with my attorney (if represented by counsel) and I am not acting under duress or coercion or by virtue of any promises of leniency, except for those set forth in this agreement. I am not now under the influence of intoxicating liquor, a controlled substance or other drug which would in any manner impair my ability to comprehend or understand this agreement or the proceedings surrounding my entry of this plea. My attorney (if represented by counsel) has answered all my questions regarding this guilty or guilty but mentally ill plea agreement and its consequences to my satisfaction and I am satisfied with the services provided by my attorney. Dated: This day of the month of of the year Defendant. Agreed to on this day of the month of of the year Deputy District Attorney. 2. If the defendant is represented by counsel, the written plea agreement must also include a certificate of counsel that is substantially in the following form: CERTIFICATE OF COUNSEL I, the undersigned, as the attorney for the defendant named herein and as an officer of the court hereby certify that: 1. I have fully explained to the defendant the allegations contained in the charges to which guilty or guilty but mentally ill pleas are being entered. 2. I have advised the defendant of the penalties for each charge and the restitution that the defendant may be ordered to pay. 3. All pleas of guilty or guilty but mentally ill offered by the defendant pursuant to this agreement are consistent with all the facts known to me and are made with my advice to the defendant and are in the best interest of the defendant. 4. To the best of my knowledge and belief, the defendant: (a) Is competent and understands the charges and the consequences of pleading guilty or guilty but mentally ill as provided in this agreement. (b) Executed this agreement and will enter all guilty or guilty but mentally ill pleas pursuant hereto voluntarily. (c) Was not under the influence of intoxicating liquor, a controlled substance or other drug at the time of the execution of this agreement. Dated: This day of the month of of the year Attorney for defendant. (Added to NRS by 1995, 1531; A 2001, 36, 2565; 2007, 1406)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.065 - When plea may specify degree of crime or punishment.

Except as otherwise provided in NRS 174.061: 1. On a plea of guilty or guilty but mentally ill to an information or indictment accusing a defendant of a crime divided into degrees, when consented to by the prosecuting attorney in open court and approved by the court, the plea may specify the degree, and in such event the defendant shall not be punished for a higher degree than that specified in the plea. 2. On a plea of guilty or guilty but mentally ill to an indictment or information for murder of the first degree, when consented to by the prosecuting attorney in open court and approved by the court, the plea may specify a punishment less than death. The specified punishment, or any lesser punishment, may be imposed by a single judge. (Added to NRS by 1967, 1416; A 1973, 1801; 1977, 1543; 1991, 291, 651; 1993, 828; 1995, 2451; 2003, 1458; 2007, 1409)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.075 - Pleadings and motions.

1. Pleadings in criminal proceedings are the indictment, the information and, in justice court, the complaint, and the pleas of guilty, guilty but mentally ill, not guilty, not guilty by reason of insanity and nolo contendere. 2. All other pleas, demurrers and motions to quash are abolished, and defenses and objections raised before trial which could have been raised by one or more of them may be raised only by motion to dismiss or to grant appropriate relief, as provided in this title. (Added to NRS by 1967, 1416; A 1995, 2451; 2003, 1459; 2007, 1409)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.085 - Proceedings not constituting acquittal; effect of acquittal on merits; proceedings constituting bar to another prosecution; retrial after discharge of jury; effect of voluntary dismissal.

1. If a defendant was formerly acquitted on the ground of a variance between the indictment, information or complaint and proof, or the indictment, information, or complaint was dismissed upon an objection to its form or substance, or in order to hold a defendant for a higher offense without a judgment of acquittal, it is not an acquittal of the same offense. 2. If a defendant is acquitted on the merits, the defendant is acquitted of the same offense, notwithstanding a defect in the form or substance in the indictment, information, or complaint on which the trial was had. 3. When a defendant is convicted or acquitted, or has been once placed in jeopardy upon an indictment, information or complaint, except as otherwise provided in subsections 5 and 6, the conviction, acquittal or jeopardy is a bar to another indictment, information or complaint for the offense charged in the former, or for an attempt to commit the same, or for an offense necessarily included therein, of which the defendant might have been convicted under that indictment, information or complaint. 4. In all cases where a jury is discharged or prevented from giving a verdict by reason of an accident or other cause, except where the defendant is discharged during the progress of the trial or after the cause is submitted to them, the cause may be again tried. 5. The prosecuting attorney, in a case that the prosecuting attorney has initiated, may voluntarily dismiss a complaint: (a) Before a preliminary hearing if the crime with which the defendant is charged is a felony or gross misdemeanor; or (b) Before trial if the crime with which the defendant is charged is a misdemeanor, without prejudice to the right to file another complaint, unless the State of Nevada has previously filed a complaint against the defendant which was dismissed at the request of the prosecuting attorney. After the dismissal, the court shall order the defendant released from custody or, if the defendant is released on bail, exonerate the obligors and release any bail. 6. If a prosecuting attorney files a subsequent complaint after a complaint concerning the same matter has been filed and dismissed against the defendant: (a) The case must be assigned to the same

judge to whom the initial complaint was assigned; and (b) A court shall not issue a warrant for the arrest of a defendant who was released from custody pursuant to subsection 5 or require a defendant whose bail has been exonerated pursuant to subsection 5 to give bail unless the defendant does not appear in court in response to a properly issued summons in connection with the complaint. 7. The prosecuting attorney, in a case that the prosecuting attorney has initiated, may voluntarily dismiss an indictment or information before the actual arrest or incarceration of the defendant without prejudice to the right to bring another indictment or information. After the arrest or incarceration of the defendant, the prosecuting attorney may voluntarily dismiss an indictment or information without prejudice to the right to bring another indictment or information only upon good cause shown to the court and upon written findings and a court order to that effect. (Added to NRS by 1967, 1416; A 1971, 596; 1997, 2391)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.095 - Defenses and objections which may be raised by motion.

Any defense or objection which is capable of determination without the trial of the general issue may be raised before trial by motion. (Added to NRS by 1967, 1416)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.098 - Motion to declare that defendant is intellectually disabled: When authorized; procedure.

1. A defendant who is charged with murder of the first degree in a case in which the death penalty is sought may, not less than 10 days before the date set for trial, file a motion to declare that the defendant is intellectually disabled. 2. If a defendant files a motion pursuant to this section, the court must: (a) Stay the proceedings pending a decision on the issue of intellectual disability; and (b) Hold a hearing within a reasonable time before the trial to determine whether the defendant is intellectually disabled. 3. The court shall order the defendant to: (a) Provide evidence which demonstrates that the defendant is intellectually disabled not less than 30 days before the date set for a hearing conducted pursuant to subsection 2; and (b) Undergo an examination by an expert selected by the prosecution on the issue of whether the defendant is intellectually disabled at least 15 days before the date set for a hearing pursuant to subsection 2. 4. For the purpose of the hearing conducted pursuant to subsection 2, there is no privilege for any information or evidence provided to the prosecution or obtained by the prosecution pursuant to subsection 3. 5. At a hearing conducted pursuant to subsection 2: (a) The court must allow the defendant and the prosecution to present evidence and conduct a cross-examination of any witness concerning whether the defendant is intellectually disabled; and (b) The defendant has the burden of proving by a preponderance of the evidence that the defendant is intellectually disabled. 6. If the court determines based on the evidence presented at a hearing conducted pursuant to subsection 2 that the defendant is intellectually disabled, the court must make such a finding in the record and strike the notice of intent to seek the death penalty. Such a finding may be appealed pursuant to NRS 177.015. 7. For the purposes of this section, "intellectually disabled" means significant subaverage general intellectual functioning which exists concurrently with deficits in adaptive behavior and manifested during the developmental period. (Added to NRS by 2003, 766; A 2013, 684, 1752)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.105 - Defenses and objections which must be raised by motion.

1. Defenses and objections based on defects in the institution of the prosecution, other than insufficiency of the evidence to warrant an indictment, or in the indictment, information or complaint, other than that it fails to show jurisdiction in the court or to charge an offense, may be raised only by motion before trial. The motion shall include all such defenses and objections then available to the defendant. 2. Failure to present any such defense or objection as herein provided constitutes a waiver thereof, but the court for cause shown may grant relief from the waiver. 3. Lack of jurisdiction or the failure of the indictment, information or complaint to charge an offense shall be noticed by the court at any time during the pendency of the proceeding. (Added to NRS by 1967, 1416)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.115 - Time of making motion.

The motion shall be made before the plea is entered, but the court may permit it to be made within a reasonable time thereafter. (Added to NRS by 1967, 1417)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.125 - Certain motions required to be made before trial.

1. All motions in a criminal prosecution to suppress evidence, for a transcript of former proceedings, for a preliminary hearing, for severance of joint defendants, for withdrawal of counsel, and all other motions which by their nature, if granted, delay or postpone the time of trial must be made before trial, unless an opportunity to make such a motion before trial did not exist or the moving party was not aware of the grounds for the motion before trial. 2. In any judicial district in which a single judge is provided: (a) All motions subject to the provisions of subsection 1 must be made in writing, with not less than 10 days' notice to the opposite party unless good cause is shown to the court at the time of trial why the motion could not have been made in writing upon the required notice. (b) The court may, by written order, shorten the notice required to be given to the opposite party. 3. In any judicial district in which two or more judges are provided: (a) All motions subject to the provisions of subsection 1 must be made in writing not less than 15 days before the date set for trial, except that if less than 15 days intervene between entry of a plea and the date set for trial,

such a motion may be made within 5 days after entry of the plea. (b) The court may, if a defendant waives hearing on the motion or for other good cause shown, permit the motion to be made at a later date. 4. Grounds for making such a motion after the time provided or at the trial must be shown by affidavit. (Added to NRS by 1967, 1417; A 1981, 1955)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.135 - Hearing on motion.

1. A motion before trial raising defenses or objections shall be determined before trial unless the court orders that it be deferred for determination at the trial of the general issue. 2. An issue of fact shall be tried by a jury if a jury trial is required under the Constitution of the United States or of the State of Nevada or by statute. 3. All other issues of fact shall be determined by the court with or without a jury or on affidavits or in such other manner as the court may direct. (Added to NRS by 1967, 1417)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.145 - Effect of determination.

1. If a motion is determined adversely to the defendant, the defendant shall be permitted to plead if the defendant had not previously pleaded. A plea previously entered shall stand. 2. If the court grants a motion based on a defect in the institution of the prosecution or in the indictment, information or complaint, it may also order that the defendant be held in custody or that the defendant's bail be continued for a specified time pending the filing of a new indictment, information or complaint. 3. Nothing in this section shall affect the provisions of any statute relating to periods of limitations. (Added to NRS by 1967, 1417)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.155 - Trial together of indictments or informations.

The court may order two or more indictments or informations or both to be tried together if the offenses, and the defendants if there is more than one, could have been joined in a single indictment or information. The procedure shall be the same as if the prosecution were under such single indictment or information. (Added to NRS by 1967, 1418)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.165 - Relief from prejudicial joinder.

1. If it appears that a defendant or the State of Nevada is prejudiced by a joinder of offenses or of defendants in an indictment or information, or by such joinder for trial together, the court may order an election or separate trials of counts, grant a severance of defendants or provide whatever other relief justice requires. 2. In ruling on a motion by a defendant for severance the court may order the district attorney to deliver to the court for inspection in chambers any statements or confessions made by the defendants which the State intends to introduce in evidence at the trial. (Added to NRS by 1967, 1418)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.171 - Applicability.

The provisions of NRS 174.171 to 174.225, inclusive, do not apply to a deposition taken pursuant to NRS 174.227 or used pursuant to NRS 174.228, or both. (Added to NRS by 1985, 1423; A 1993, 252)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.175 - When taken.

1. If it appears that a prospective witness is an older person or a vulnerable person or may be unable to attend or prevented from attending a trial or hearing, that the witness's testimony is material and that it is necessary to take the witness's deposition in order to prevent a failure of justice, the court at any time after the filing of an indictment, information or complaint may, upon motion of a defendant or of the State and notice to the parties, order that the witness's testimony be taken by deposition and that any designated books, papers, documents or tangible objects, not privileged, be produced at the same time and place. If the motion is for the deposition of an older person or a vulnerable person, the court may enter an order to take the deposition only upon good cause shown to the court. If the deposition is taken upon motion of the State, the court shall order that it be taken under such conditions as will afford to each defendant the opportunity to confront the witnesses against him or her. 2. If a witness is committed for failure to give bail to appear to testify at a trial or hearing, the court, on written motion of the witness and upon notice to the parties, may direct that the witness's deposition be taken. After the deposition has been subscribed, the court may discharge the witness. 3. This section does not apply to the prosecutor, or to an accomplice in the commission of the offense charged. 4. As used in this section: (a) "Older person" means a person who is 70 years of age or older. (b) "Vulnerable person" has the meaning ascribed to it in NRS 200.5092. (Added to NRS by 1967, 1418; A 2009, 2552; 2015, 825)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.185 - Notice of taking.

The party at whose instance a deposition is to be taken shall give to every other party reasonable written notice of the time and place for taking the deposition. The notice shall state the name and address of each person to be examined. On motion of a party upon whom the notice is served, the court for cause shown may extend or shorten the time. (Added to NRS by 1967, 1418)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.195 - Defendant's counsel and payment of expenses.

If a defendant is without counsel the court shall advise the defendant of his or her right and assign counsel to represent the defendant

unless the defendant elects to proceed without counsel or is able to obtain counsel. If it appears that a defendant at whose instance a deposition is to be taken cannot bear the expense thereof, the court may direct that the expenses of the court reporter and of travel and subsistence of the defendant's attorney for attendance at the examination must be paid as provided in NRS 7.135. (Added to NRS by 1967, 1418; A 1987, 1301)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.205 - How taken.

A deposition shall be taken in the manner provided in civil actions. The court at the request of a defendant may direct that a deposition be taken on written interrogatories in the manner provided in civil actions. (Added to NRS by 1967, 1418)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.215 - Use of deposition.

1. At the trial or upon any hearing, a part or all of a deposition, so far as otherwise admissible under the rules of evidence, may be used if it appears: (a) That the witness is dead; (b) That the witness is out of the State of Nevada, unless it appears that the absence of the witness was procured by the party offering the deposition; (c) That the witness cannot attend or testify because of sickness or infirmity; (d) That the witness has become of unsound mind; or (e) That the party offering the deposition could not procure the attendance of the witness by subpoena. 2. Any deposition may also be used by any party to contradict or impeach the testimony of the deponent as a witness. 3. If only a part of a deposition is offered in evidence by a party, an adverse party may require the party to offer all of it which is relevant to the part offered and any party may offer other parts. (Added to NRS by 1967, 1418; A 1989, 588)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.225 - Objections to admissibility.

Objections to receiving in evidence a deposition or part thereof may be made as provided in civil actions. (Added to NRS by 1967, 1419)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.227 - Videotaped depositions: Order of court; notice to parties; cross-examination; use.

1. A court on its own motion or on the motion of the district attorney may, for good cause shown, order the taking of a videotaped deposition of: (a) A victim of sexual abuse as that term is defined in NRS 432B.100; (b) A prospective witness in any criminal prosecution if the witness is less than 14 years of age; (c) A victim of sex trafficking as that term is defined in subsection 2 of NRS 201.300; or (d) A victim of facilitating sex trafficking as that term is defined in subsection 1 of NRS 201.301. There is a rebuttable presumption that good cause exists where the district attorney seeks to take the deposition of a person alleged to be the victim of sex trafficking. The court may specify the time and place for taking the deposition and the persons who may be present when it is taken. 2. The district attorney shall give every other party reasonable written notice of the time and place for taking the deposition. The notice must include the name of the person to be examined. On the motion of a party upon whom the notice is served, the court: (a) For good cause shown may release the address of the person to be examined; and (b) For cause shown may extend or shorten the time. 3. If at the time such a deposition is taken, the district attorney anticipates using the deposition at trial, the court shall so state in the order for the deposition and the accused must be given the opportunity to cross-examine the deponent in the same manner as permitted at trial. 4. Except as limited by NRS 174.228, the court may allow the videotaped deposition to be used at any proceeding in addition to or in lieu of the direct testimony of the deponent. It may also be used by any party to contradict or impeach the testimony of the deponent as a witness. If only a part of the deposition is offered in evidence by a party, an adverse party may require the party to offer all of it which is relevant to the part offered and any party may offer other parts. (Added to NRS by 1985, 1423; A 1993, 252; 2013, 2419; 2019, 1807)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.228 - Videotaped depositions: Use.

A court may allow a videotaped deposition to be used instead of the deponent's testimony at trial only if: 1. In the case of a victim of sexual abuse, as that term is defined in NRS 432B.100: (a) Before the deposition is taken, a hearing is held by a justice of the peace or district judge who finds that: (1) The use of the videotaped deposition in lieu of testimony at trial is necessary to protect the welfare of the victim; and (2) The presence of the accused at trial would inflict trauma, more than minimal in degree, upon the victim; and (b) At the time a party seeks to use the deposition, the court determines that the conditions set forth in subparagraphs (1) and (2) of paragraph (a) continue to exist. The court may hold a hearing before the use of the deposition to make its determination. 2. In the case of a victim of sex trafficking as that term is defined in subsection 2 of NRS 201.300 or a victim of facilitating sex trafficking as that term is defined in subsection 1 of NRS 201.301: (a) Before the deposition is taken, a hearing is held by a justice of the peace or district judge and the justice or judge finds that cause exists pursuant to paragraph (c) of subsection 1 of NRS 174.227; and (b) Before allowing the videotaped deposition to be used at trial, the court finds that the victim is unavailable as a witness. 3. In all cases: (a) A justice of the peace or district judge presides over the taking of the deposition; (b) The accused is able to hear and see the proceedings; (c) The accused is represented by counsel who, if physically separated from the accused, is able to communicate orally with the accused by electronic means; (d) The accused is given an adequate opportunity to cross-examine the deponent subject to the protection of the deponent deemed necessary by the court; and (e) The deponent testifies under oath. (Added

to NRS by 1993, 251; A 2013, 2420; 2019, 1808)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.229 - Videotaped testimony.

If a prospective witness who is scheduled to testify before a grand jury or at a preliminary hearing is less than 14 years of age, the court shall, upon the motion of the district attorney, and may, upon its own motion, order the child's testimony to be videotaped at the time it is given. (Added to NRS by 1985, 1424)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.231 - Effect of NRS 174.227, 174.228 and 174.229.

The provisions of NRS 174.227, 174.228 and 174.229 do not preclude: 1. The submission of videotaped depositions or testimony which are otherwise admissible as evidence in court. 2. A victim or prospective witness from testifying at a proceeding without the use of his or her videotaped deposition or testimony. (Added to NRS by 1985, 1424; A 1993, 252)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.233 - Disclosure by defendant of intent to claim alibi; defendant to disclose list of alibi witnesses; prosecuting attorney to disclose list of rebuttal witnesses; continuing duty to disclose; sanctions.

1. In addition to the written notice required by NRS 174.234, a defendant in a criminal case who intends to offer evidence of an alibi in his or her defense shall, not less than 10 days before trial or at such other time as the court may direct, file and serve upon the prosecuting attorney a written notice of the defendant's intention to claim the alibi. The notice must contain specific information as to the place at which the defendant claims to have been at the time of the alleged offense and, as particularly as are known to defendant or the defendant's attorney, the names and last known addresses of the witnesses by whom the defendant proposes to establish the alibi. 2. Not less than 10 days after receipt of the defendant's list of witnesses, or at such other time as the court may direct, the prosecuting attorney shall file and serve upon the defendant the names and last known addresses, as particularly as are known to the prosecuting attorney, of the witnesses the State proposes to offer in rebuttal to discredit the defendant's alibi at the trial of the cause. 3. Both the defendant and the prosecuting attorney have a continuing duty to disclose promptly the names and last known addresses of additional witnesses which come to the attention of either party after filing their respective lists. 4. If a defendant fails to file and serve a copy of the notice required by this section, the court may exclude evidence offered by the defendant to prove an alibi, except the testimony of the defendant. If the notice is given by a defendant, the court may exclude the testimony of any witness offered by the defendant to prove an alibi if the name and last known address of the witness, as particularly as are known to the defendant or the defendant's attorney, are not stated in the notice. 5. If the prosecuting attorney fails to file and serve a copy on the defendant of a list of witnesses as required by this section, the court may exclude evidence offered by the State in rebuttal to the defendant's evidence of alibi. If the list is filed and served by the prosecuting attorney, the court may exclude the testimony of any witness offered by the prosecuting attorney for the purpose of rebutting the evidence of alibi if the name and last known address of the witness, as particularly as are known to the prosecuting attorney, are not stated in the notice. For good cause shown the court may waive the requirements of this section. (Added to NRS by 1969, 350; A 1971, 283; 1991, 301; 1995, 263; 1997, 2365)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.234 - Reciprocal disclosure of lists of witnesses and information relating to expert testimony; continuing duty to disclose; protective orders; sanctions.

1. Except as otherwise provided in this section, not less than 5 judicial days before trial or at such other time as the court directs: (a) If the defendant will be tried for one or more offenses that are punishable as a gross misdemeanor or felony: (1) The defendant shall file and serve upon the prosecuting attorney a written notice containing the names and last known addresses of all witnesses the defendant intends to call during the case in chief of the defendant; and (2) The prosecuting attorney shall file and serve upon the defendant a written notice containing the names and last known addresses of all witnesses the prosecuting attorney intends to call during the case in chief of the State. (b) If the defendant will not be tried for any offenses that are punishable as a gross misdemeanor or felony: (1) The defendant shall file and serve upon the prosecuting attorney a written notice containing the name and last known address of any witness the defendant intends to call during the case in chief of the defendant whose name and last known address have not otherwise been provided to the prosecuting attorney pursuant to NRS 174.245; and (2) The prosecuting attorney shall file and serve upon the defendant a written notice containing the name and last known address or place of employment of any witness the prosecuting attorney intends to call during the case in chief of the State whose name and last known address or place of employment have not otherwise been provided to the defendant pursuant to NRS 171.1965 or 174.235. 2. If the defendant will be tried for one or more offenses that are punishable as a gross misdemeanor or felony and a witness that a party intends to call during the case in chief of the State or during the case in chief of the defendant is expected to offer testimony as an expert witness, the party who intends to call that witness shall file and serve upon the opposing party, not less than 21 days before trial or at such other time as the court directs, a written notice containing: (a) A brief statement regarding the subject matter on which the expert witness is expected to testify and the substance of the testimony; (b) A copy of the curriculum vitae of the expert witness; and (c) A copy of all reports made by or at the direction of the expert witness. 3. After complying with the provisions of subsections 1 and 2, each party has a continuing duty to file and serve upon the opposing party: (a) Written notice of the names and last known addresses

of any additional witnesses that the party intends to call during the case in chief of the State or during the case in chief of the defendant. A party shall file and serve written notice pursuant to this paragraph as soon as practicable after the party determines that the party intends to call an additional witness during the case in chief of the State or during the case in chief of the defendant. The court shall prohibit an additional witness from testifying if the court determines that the party acted in bad faith by not including the witness on the written notice required pursuant to subsection 1. (b) Any information relating to an expert witness that is required to be disclosed pursuant to subsection 2. A party shall provide information pursuant to this paragraph as soon as practicable after the party obtains that information. The court shall prohibit the party from introducing that information in evidence or shall prohibit the expert witness from testifying if the court determines that the party acted in bad faith by not timely disclosing that information pursuant to subsection 2. 4. Each party has a continuing duty to file and serve upon the opposing party any change in the last known address, or, if applicable, last known place of employment, of any witness that the party intends to call during the case in chief of the State or during the case in chief of the defendant as soon as practicable after the party obtains that information. 5. Upon a motion by either party or the witness, the court shall prohibit disclosure to the other party of the address of the witness if the court determines that disclosure of the address would create a substantial threat to the witness of bodily harm, intimidation, coercion or harassment. If the court prohibits disclosure of an address pursuant to this subsection, the court shall, upon the request of a party, provide the party or the party's attorney or agent with an opportunity to interview the witness in an environment that provides for protection of the witness. 6. In addition to the sanctions and protective orders otherwise provided in subsections 3 and 5, the court may upon the request of a party: (a) Order that disclosure pursuant to this section be denied, restricted or deferred pursuant to the provisions of NRS 174.275; or (b) Impose sanctions pursuant to subsection 2 of NRS 174.295 for the failure to comply with the provisions of this section. 7. A party is not entitled, pursuant to the provisions of this section, to the disclosure of the name or address of a witness or any other type of item or information that is privileged or protected from disclosure or inspection pursuant to the Constitution or laws of this state or the Constitution of the United States. (Added to NRS by 1995, 263; A 1997, 2366; 1999, 152)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.235 - Disclosure by prosecuting attorney of evidence relating to prosecution; limitations.

1. Except as otherwise provided in NRS 174.233 to 174.295, inclusive, at the request of a defendant, the prosecuting attorney shall permit the defendant to inspect and to copy or photograph any: (a) Written or recorded statements or confessions made by the defendant, or any written or recorded statements made by a witness the prosecuting attorney intends to call during the case in chief of the State, or copies thereof, within the possession, custody or control of the State, the existence of which is known, or by the exercise of due diligence may become known, to the prosecuting attorney; (b) Results or reports of physical or mental examinations, scientific tests or scientific experiments made in connection with the particular case, or copies thereof, within the possession, custody or control of the State, the existence of which is known, or by the exercise of due diligence may become known, to the prosecuting attorney; and (c) Books, papers, documents, tangible objects, or copies thereof, which the prosecuting attorney intends to introduce during the case in chief of the State and which are within the possession, custody or control of the State, the existence of which is known, or by the exercise of due diligence may become known, to the prosecuting attorney. 2. The defendant is not entitled, pursuant to the provisions of this section, to the discovery or inspection of: (a) An internal report, document or memorandum that is prepared by or on behalf of the prosecuting attorney in connection with the investigation or prosecution of the case. (b) A statement, report, book, paper, document, tangible object or any other type of item or information that is privileged or protected from disclosure or inspection pursuant to the Constitution or laws of this state or the Constitution of the United States. 3. The provisions of this section are not intended to affect any obligation placed upon the prosecuting attorney by the Constitution of this state or the Constitution of the United States to disclose exculpatory evidence to the defendant. (Added to NRS by 1967, 1419; A 1995, 264; 1997, 2367)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.245 - Disclosure by defendant of evidence relating to defense; limitations.

1. Except as otherwise provided in NRS 174.233 to 174.295, inclusive, at the request of the prosecuting attorney, the defendant shall permit the prosecuting attorney to inspect and to copy or photograph any: (a) Written or recorded statements made by a witness the defendant intends to call during the case in chief of the defendant, or copies thereof, within the possession, custody or control of the defendant, the existence of which is known, or by the exercise of due diligence may become known, to the defendant; (b) Results or reports of physical or mental examinations, scientific tests or scientific experiments that the defendant intends to introduce in evidence during the case in chief of the defendant, or copies thereof, within the possession, custody or control of the defendant, the existence of which is known, or by the exercise of due diligence may become known, to the defendant; and (c) Books, papers, documents or tangible objects that the defendant intends to introduce in evidence during the case in chief of the defendant, or copies thereof, within the possession, custody or control of the defendant, the existence of which is known, or by the exercise of due diligence may become known, to the defendant. 2. The prosecuting attorney is not entitled, pursuant to the provisions of this section, to the discovery or inspection of: (a) An internal report, document or memorandum that is prepared by or on behalf of the defendant or the defendant's attorney in connection with the investigation or defense of the case. (b) A statement, report, book, paper, document, tangible object or any other type of item or information that is privileged or protected from disclosure or inspection pursuant to the Constitution or laws of this state or the Constitution of the United States. (Added to NRS by 1967, 1419; A 1969, 350; 1995, 265; 1997, 2368)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.275 - Protective orders.

Upon a sufficient showing, the court may at any time order that discovery or inspection pursuant to NRS 174.234 to 174.295, inclusive, be denied, restricted or deferred, or make such other order as is appropriate. Upon motion by the defendant or prosecuting attorney, the court may permit the defendant or prosecuting attorney to make such showing, in whole or in part, in the form of a written statement to be inspected by the court in chambers. If the court enters an order granting relief following a showing in chambers, the entire text of the written statement must be sealed and preserved in the records of the court to be made available to the appellate court in the event of an appeal. (Added to NRS by 1967, 1420; A 1995, 265; 1997, 2369)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.285 - Time limits.

1. A request made pursuant to NRS 174.235 or 174.245 may be made only within 30 days after arraignment or at such reasonable later time as the court may permit. A subsequent request may be made only upon a showing of cause why the request would be in the interest of justice. 2. A party shall comply with a request made pursuant to NRS 174.235 or 174.245 not less than 30 days before trial or at such reasonable later time as the court may permit. (Added to NRS by 1967, 1420; A 1995, 265; 1997, 2369)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.295 - Continuing duty to disclose; failure to comply; sanctions.

1. If, after complying with the provisions of NRS 174.235 to 174.295, inclusive, and before or during trial, a party discovers additional material previously requested which is subject to discovery or inspection under those sections, the party shall promptly notify the other party or the other party's attorney or the court of the existence of the additional material. 2. If at any time during the course of the proceedings it is brought to the attention of the court that a party has failed to comply with the provisions of NRS 174.234 to 174.295, inclusive, the court may order the party to permit the discovery or inspection of materials not previously disclosed, grant a continuance, or prohibit the party from introducing in evidence the material not disclosed, or it may enter such other order as it deems just under the circumstances. (Added to NRS by 1967, 1420; A 1995, 265; 1997, 2370)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.305 - Subpoena for attendance of witnesses; form; issuance.

Except as provided in NRS 172.195 and 174.315: 1. A subpoena must be issued by the clerk under the seal of the court. It must state the name of the court and the title, if any, of the proceeding, and must command each person to whom it is directed to attend and give testimony at the time and place specified therein. The clerk shall issue a subpoena, signed and sealed but otherwise in blank, to a party requesting it, who shall fill in the blanks before it is served. 2. A subpoena must be issued by a justice of the peace in a proceeding before the justice of the peace under the seal of the court. (Added to NRS by 1967, 1420; A 1967, 1367; 1987, 124)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.315 - Issuance of subpoena by prosecuting attorney or attorney for defendant; promise to appear; informing witness of general nature of grand jury's inquiry; calendaring of certain subpoenas.

1. A prosecuting attorney may issue subpoenas subscribed by the prosecuting attorney for witnesses within the State, in support of the prosecution or whom a grand jury may direct to appear before it, upon any investigation pending before the grand jury. 2. A prosecuting attorney or an attorney for a defendant may issue subpoenas subscribed by the issuer for: (a) Witnesses within the State to appear before the court at which a preliminary hearing is to be held or an indictment, information or criminal complaint is to be tried. (b) Witnesses already subpoenaed who are required to reappear in any Justice Court at any time the court is to reconvene in the same case within 60 days, and the time may be extended beyond 60 days upon good cause being shown for its extension. 3. Witnesses, whether within or outside of the State, may accept delivery of a subpoena in lieu of service, by a written or oral promise to appear given by the witness. Any person who accepts an oral promise to appear shall: (a) Identify himself or herself to the witness by name and occupation; (b) Make a written notation of the date when the oral promise to appear was given and the information given by the person making the oral promise to appear identifying the person as the witness subpoenaed; and (c) Execute a certificate of service containing the information set forth in paragraphs (a) and (b). 4. A peace officer may accept delivery of a subpoena in lieu of service, via electronic means, by providing a written promise to appear that is transmitted electronically by any appropriate means, including, without limitation, by electronic mail transmitted through the official electronic mail system of the law enforcement agency which employs the peace officer. 5. A prosecuting attorney shall orally inform any witness subpoenaed as provided in subsection 1 of the general nature of the grand jury's inquiry before the witness testifies. Such a statement must be included in the transcript of the proceedings. 6. Any subpoena issued by an attorney for a defendant for a witness to appear before the court at which a preliminary hearing is to be held must be calendared by filing a motion that includes a notice of hearing setting the matter for hearing not less than 2 full judicial days after the date on which the motion is filed. A prosecuting attorney may oppose the motion orally in open court. A subpoena that is properly calendared pursuant to this subsection may be served on the witness unless the court quashes the subpoena. (Added to NRS by 1967, 1368; A 1979, 130; 1985, 573; 1989, 685; 1991, 302; 1993, 118; 2013, 1202)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.325 - Production of prisoner as

witness.

1. When it is necessary to have a person imprisoned in the state prison brought before any district court, or a person imprisoned in the county jail brought before a district court sitting in another county, an order for that purpose may be made by the district court or district judge, at chambers, and executed by the sheriff of the county when it is made. The order can only be made upon motion of a party upon affidavit showing the nature of the action or proceeding, the testimony expected from the witness, and its materiality. 2. When a person required as a witness before a district court is imprisoned, the judge thereof may order the sheriff to bring the prisoner before the court at the expense of the State or, in the judge's discretion, at the expense of the defendant. (Added to NRS by 1967, 1420)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.335 - Subpoena for production of documentary evidence and of objects.

1. Except as otherwise provided in NRS 172.139, a subpoena may also command the person to whom it is directed to produce the books, papers, documents or other objects designated therein. 2. The court on motion made promptly may quash or modify the subpoena if compliance would be unreasonable or oppressive. 3. The court may direct that books, papers, documents or objects designated in the subpoena be produced before the court at a time before the trial or before the time when they are to be offered in evidence and may, upon their production, permit the books, papers, documents or objects or portions thereof to be inspected by the parties and their attorneys. (Added to NRS by 1967, 1421; A 1985, 1030)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.345 - Service of subpoena.

1. Except as otherwise provided in NRS 174.315 and subsection 2, a subpoena may be served by a peace officer or by any other person who is not a party and who is not less than 18 years of age. Except as otherwise provided in NRS 289.027, service of a subpoena must be made by delivering a copy thereof to the person named. 2. Except as otherwise provided in NRS 174.315, a subpoena to attend a misdemeanor trial may be served by mailing the subpoena to the person to be served by registered or certified mail, return receipt requested from that person, in a sealed postpaid envelope, addressed to the person's last known address, not less than 10 days before the trial which the subpoena commands the person to attend. 3. If a subpoena is served by mail, a certificate of the mailing must be filed with the court within 2 days after the subpoena is mailed. (Added to NRS by 1967, 1421; A 1977, 638; 1989, 685; 2007, 2816)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.365 - Place of service.

A subpoena requiring the attendance of a witness at a hearing or trial may be served at any place within the State of Nevada. (Added to NRS by 1967, 1421)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.375 - Subpoena for taking depositions; place of examination.

1. An order to take a deposition authorizes the issuance by the clerk of the court for the county in which the deposition is to be taken of subpoenas for the persons named or described therein. 2. A resident of this state may be required to attend an examination only in the county wherein the resident resides or is employed or transacts business in person. A nonresident of this state may be required to attend only in the county where the nonresident is served with a subpoena or within 40 miles from the place of service or at such other place as is fixed by the court. (Added to NRS by 1967, 1421)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.385 - Contempt.

Failure by any person without an adequate excuse to obey a subpoena of a court, a prosecuting attorney or an attorney for a defendant served upon the person or, in the case of a subpoena issued by a prosecuting attorney or an attorney for a defendant, delivered to the person and accepted, shall be deemed a contempt of the court from which the subpoena issued or, in the case of a subpoena issued by a prosecuting attorney or an attorney for a defendant, of the court in which a preliminary hearing is to be held, an investigation is pending or an indictment, information or complaint is to be tried. (Added to NRS by 1967, 1421; A 1979, 130; 1995, 1082; 2013, 1203)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.395 - Short title.

NRS 174.395 to 174.445, inclusive, may be cited as the Uniform Act To Secure the Attendance of Witnesses From Without a State in Criminal Proceedings. (Added to NRS by 1967, 1421)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.405 - Definitions.

As used in NRS 174.395 to 174.445, inclusive: 1. "State" shall include any territory of the United States and the District of Columbia. 2. "Summons" shall include a subpoena, order or other notice requiring the appearance of a witness. 3. "Witness" shall include a person whose testimony is desired in any proceeding or investigation by a grand jury or in a criminal action, prosecution or proceeding. (Added to NRS by 1967, 1421)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.415 - Summoning witness in this State to testify in another state.

1. If a judge of a court of record in any state which by its laws has made provision for commanding persons within that state to attend and testify in this State certifies under the seal of such court that there is a criminal prosecution pending in such court, or that a grand jury investigation has commenced or is about to commence, that a person being within this State is a material witness in such prosecution, or grand jury investigation, and that the person's presence will be required for a specified number of days, upon presentation of such certificate to any judge of a court of record in the county in which such person is, such judge shall fix a time and place for a hearing, and shall make an order directing the witness to appear at a time and place certain for the hearing. 2. If at a hearing the judge determines that the witness is material and necessary, that it will not cause undue hardship to the witness to be compelled to attend and testify in the prosecution or a grand jury investigation in the other state, and that the laws of the state in which the prosecution is pending, or grand jury investigation has commenced or is about to commence (and of any other state through which the witness may be required to pass by ordinary course of travel), will give the witness protection from arrest and the service of civil and criminal process, the judge shall issue a summons, with a copy of the certificate attached, directing the witness to attend and testify in the court where the prosecution is pending, or where a grand jury investigation has commenced or is about to commence at a time and place specified in the summons. In any such hearing the certificate shall be prima facie evidence of all the facts stated therein. 3. If the certificate recommends that the witness be taken into immediate custody and delivered to an officer of the requesting state to assure the witness's attendance in the requesting state, such judge may, in lieu of notification of the hearing, direct that such witness be forthwith brought before the judge for hearings; and the judge at the hearing being satisfied of the desirability of such custody and delivery, for which determination the certificate shall be prima facie proof of such desirability, may, in lieu of issuing subpoena or summons, order that the witness be forthwith taken into custody and delivered to an officer of the requesting state. 4. If the witness, who is summoned as above provided, after being paid or tendered by some properly authorized person the amount required by NRS 50.225 for subsistence and travel expenses, fails without good cause to attend and testify as directed in the summons, the witness shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this State. (Added to NRS by 1967, 1421; A 1987, 550)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.425 - Witness from another state summoned to testify in this State.

1. If a person in any state, which by its laws has made provision for commanding persons within its borders to attend and testify in criminal prosecutions, or grand jury investigations commenced or about to commence, in this State, is a material witness in a prosecution pending in a court of record in this State, or in a grand jury investigation which has commenced or is about to commence, a judge of such a court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required. The certificate may include a recommendation that the witness be taken into immediate custody and delivered to an officer of this State to ensure the witness's attendance in this State. This certificate must be presented to a judge of a court of record in the county in which the witness is found. 2. If the witness is summoned to attend and testify in this State the witness is entitled to receive the amount required by NRS 50.225 for subsistence and travel expenses. A witness who has appeared in accordance with the provisions of the summons shall not be required to remain within this State a longer period of time than the period mentioned in the certificate unless otherwise ordered by the court. If such witness, after coming into this State, fails without good cause to attend and testify as directed in the summons, the witness shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this State. (Added to NRS by 1967, 1422; A 1987, 551)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.435 - Exemption from arrest and service of process.

1. If a person comes into this state in obedience to a summons directing the person to attend and testify in this state the person shall not while in this state pursuant to such summons be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before the person's entrance into this state under the summons. 2. If a person passes through this state while going to another state in obedience to a summons to attend and testify in that state or while returning therefrom, the person shall not while so passing through this state be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before the person's entrance into this state under the summons. (Added to NRS by 1967, 1423)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.445 - Uniformity of interpretation.

NRS 174.395 to 174.445, inclusive, shall be so interpreted and construed as to effectuate their general purpose to make uniform the law of the states which enact them. (Added to NRS by 1967, 1423)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.455 - Ground for removal; application not to be granted until after voir dire examination; appeal of order changing or refusing to change place of trial.

1. A criminal action prosecuted by indictment, information or complaint may be removed from the court in which it is pending, on

application of the defendant or state, on the ground that a fair and impartial trial cannot be had in the county where the indictment, information or complaint is pending. 2. An application for removal of a criminal action shall not be granted by the court until after the voir dire examination has been conducted and it is apparent to the court that the selection of a fair and impartial jury cannot be had in the county where the indictment, information or complaint is pending. 3. An order in a criminal action changing or refusing to change the place of trial is appealable only on appeal from the final judgment. (Added to NRS by 1967, 1423; A 1969, 378; 1981, 1707)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.464 - Application for removal: Making and service; hearing and determination in absence of defendant.

1. The application for removal must be made in open court, and in writing, verified by the affidavit of the defendant or district attorney, and a copy of the affidavit must be served on the adverse party, at least 1 day prior to the hearing of the application. 2. The application may be supported or opposed by other affidavits or other evidence, or other witnesses may be examined in open court. 3. Whenever the affidavit of the defendant shows that the defendant cannot safely appear in person to make such application, because popular prejudice is so great as to endanger the defendant's personal safety, and such statement is sustained by other testimony, such application may be made by the defendant's attorney and must be heard and determined in the absence of the defendant, notwithstanding the charge then pending against the defendant be a felony, and the defendant has not, at the time of such application, been arrested or given bail, or been arraigned, or pleaded to the indictment or information. (Added to NRS by 1967, 1423)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.475 - Order transferring action: When to be made.

If the court is satisfied that the representations of the applicant are true, an order must be made transferring the action to the district court of some convenient county free from a like objection. (Added to NRS by 1967, 1423)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.485 - Entry of order of removal; transmittal of papers.

The order of removal must be entered on the minutes, and the clerk must immediately make out and transmit to the court to which the action is removed a certified copy of the order of removal, record, pleadings, and proceedings in the action, including the undertakings for the appearance of the defendant and of the witnesses. (Added to NRS by 1967, 1423)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.495 - Proceedings on removal when defendant is in custody.

If the defendant is in custody, the order must direct the defendant's removal and the defendant must be forthwith removed by the sheriff of the county where the defendant is imprisoned, to the custody of the sheriff of the county to which the action is removed. (Added to NRS by 1967, 1423)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.505 - Authority of court to which action is removed; transmission of original papers.

The court to which the action is removed must proceed to trial and judgment therein as if the action had been commenced in such court. If it is necessary to have any of the original pleadings or other papers before such court, the court from which the action is removed must, at any time, on the application of the district attorney or the defendant, order such papers or pleadings to be transmitted by the clerk, a certified copy thereof being retained. (Added to NRS by 1967, 1424)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.511 - Right of State to trial within 60 days after arraignment; exceptions.

The State, upon demand, has the right to a trial of the defendant within 60 days after arraignment. The court may postpone the trial if: 1. It finds that more time is needed by the defendant to prepare a defense; or 2. The number of other cases pending in the court prohibits the acceptance of the case for trial within that time. (Added to NRS by 1983, 1670)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.515 - Postponement: When and how ordered; court may require depositions of and undertakings by witnesses; court may consider adverse effect upon child who is victim or witness.

1. When an action is called for trial, or at any time previous thereto, the court may, upon sufficient cause shown by either party by affidavit, direct the trial to be postponed to another day. In all cases where a continuance is granted upon the application of either party the court may require, as a condition of granting such continuance, that the party applying therefor consent to taking, forthwith, or at any time to be fixed by the court, of the deposition of any witness summoned by the opposite party whose deposition has not previously been taken. 2. The court also may require all witnesses to enter into undertakings in such sum as the court may order, with or without sureties, to appear and testify on the day to which the case may be continued, but any witness who is unable

to procure sureties for the witness's attendance may be discharged on the witness's own recognizance, upon giving a deposition in the manner prescribed in NRS 174.175 and 174.205. 3. If the trial involves acts committed against a child less than 16 years of age or involving acts witnessed by a child less than 16 years of age, the court may consider any adverse effect a continuance or other postponement might have upon the mental or emotional health or well-being of the child. The court may deny a continuance or other postponement if the delay will adversely affect the mental or emotional health or well-being of the child. (Added to NRS by 1967, 1424; A 1989, 588; 1995, 400)

2024 Nevada Revised Statutes Chapter 174 - Arraignment and Preparation for Trial NRS 174.519 - Request for preference in setting date for trial where child is victim or witness; court may consider effect on child of delay in commencement of trial.

If the trial involves acts committed against a child less than 16 years of age or involving acts witnessed by a child less than 16 years of age, the prosecuting attorney shall request the court, in its discretion, to give preference in setting a date for the trial of the defendant. In making a ruling, the court may consider the effect a delay in the commencement of the trial might have on the mental or emotional health or well-being of the child. (Added to NRS by 1995, 400; A 1997, 511)

Title: chapter-175

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.011 - Trial by jury.

1. Cases required to be tried by jury must be so tried unless the defendant waives a jury trial in writing with the approval of the court and the consent of the prosecuting attorney. A defendant who pleads not guilty to the charge of a capital offense must be tried by jury. 2. Except as otherwise provided in subsection 1, in a justice court, a case must be tried by jury only if the defendant so demands in writing not less than 30 days before trial. Except as otherwise provided in NRS 4.390 and 4.400, if a case is tried by jury, a reporter must be present who is a certified court reporter and shall report the trial. (Added to NRS by 1967, 1424; A 1983, 749; 1987, 614; 1993, 1412; 2021, 1312)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.021 - Formation of jury; number of jurors.

1. Trial juries for criminal actions are formed in the same manner as trial juries in civil actions. 2. Juries must consist of 12 jurors, but at any time before jury selection, the parties may stipulate in writing with the approval of the court that the jury consist of any number less than 12 but not less than six. (Added to NRS by 1967, 1424; A 1983, 749; 2021, 1312)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.031 - Examination of trial jurors.

The court shall conduct the initial examination of prospective jurors, and defendant or the defendant's attorney and the district attorney are entitled to supplement the examination by such further inquiry as the court deems proper. Any supplemental examination must not be unreasonably restricted. (Added to NRS by 1967, 1424; A 1971, 246; 1979, 213)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.036 - Challenges for cause for individual jurors: Grounds; trial of challenge.

1. Either side may challenge an individual juror for disqualification or for any cause or favor which would prevent the juror from adjudicating the facts fairly. 2. Challenges for cause shall be tried by the court. The juror challenged and any other person may be examined as a witness on the trial of the challenge. (Added to NRS by 1968, 45)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.041 - Limitation of defendants' right to sever in challenges.

When several defendants are tried together, they cannot sever their peremptory challenges, but must join therein. (Added to NRS by 1967, 1425)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.051 - Number of peremptory challenges.

1. If the offense charged is punishable by death or by imprisonment for life, each side is entitled to eight peremptory challenges. 2. If the offense charged is punishable by imprisonment for any other term or by fine or by both fine and imprisonment, each side is entitled to four peremptory challenges. 3. The prosecuting attorney and the defendant shall exercise their challenges alternately, in that order. Any challenge not exercised in its proper order is waived. (Added to NRS by 1967, 1425; A 2021, 1312)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.061 - Alternate jurors.

1. The court may direct that not more than six jurors in addition to the regular jury be called and impaneled to sit as alternate jurors. 2. Alternate jurors, in the order in which they were called, shall replace jurors who become unable or disqualified to perform their duties. 3. Alternate jurors shall: (a) Be drawn in the same manner; (b) Have the same qualifications; (c) Be subject to the same examination and challenges; (d) Take the same oath; and (e) Have the same functions, powers, facilities and privileges, as the regular jurors. 4. If an alternate juror is required to replace a regular juror after the jury has retired to consider its verdict, the judge shall recall the jury, seat the alternate and resubmit the case to the jury. 5. Each side is entitled to one peremptory challenge in addition to those otherwise allowed by law if one or two alternate jurors are to be impaneled, two peremptory challenges if three or

four alternate jurors are to be impaneled, and three peremptory challenges if five or six alternate jurors are to be impaneled. The additional peremptory challenges may be used against an alternate juror only, and the other peremptory challenges allowed by statute may not be used against an alternate juror. (Added to NRS by 1967, 1425; A 2005, 306)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.071 - Discharge of juror where juror dies or unable to perform duty.

If, before the conclusion of the trial, and there being no alternate juror called or available, a juror dies, or becomes disqualified or unable to perform the juror's duty, the court may duly order the juror to be discharged and a new juror may be sworn and the trial begun anew, or the jury may be discharged and a new jury then or afterward impaneled. (Added to NRS by 1967, 1425)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.081 - Discharge of jury after retirement upon accident or cause.

If, after the retirement of the jury, any accident or cause occurs to prevent their being kept for deliberation, the jury may be discharged. (Added to NRS by 1967, 1425)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.091 - Disability of judge during trial.

If by reason of death, sickness or other disability the judge before whom a jury trial has commenced is unable to proceed with the trial, any other judge regularly sitting in or assigned to the court, upon certifying that the judge has familiarized himself or herself with the record of the trial, may proceed with and finish the trial. (Added to NRS by 1967, 1425)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.101 - Disability of judge after verdict or finding of guilty or guilty but mentally ill.

If by reason of absence from the judicial district, death, sickness or other disability the judge before whom the defendant has been tried is unable to perform the duties to be performed by the court after a verdict or finding of guilty or guilty but mentally ill, any other judge regularly sitting in or assigned to the court may perform those duties, but if such other judge is satisfied that he or she cannot perform those duties because he or she did not preside at the trial or for any other reason, the judge may in his or her discretion grant a new trial. (Added to NRS by 1967, 1425; A 2007, 1410)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.111 - Oath of jurors.

When the jury has been impaneled, the court shall administer the following oath: Do you and each of you solemnly swear that you will well and truly try this case, now pending before this court, and a true verdict render according to the evidence given, so help you God. (Added to NRS by 1967, 1426)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.121 - Personal knowledge of jurors.

1. The judge shall then admonish the jury that: (a) No juror may declare to any fellow jurors any fact relating to the case as of the juror's own knowledge; and (b) If any juror discovers during the trial or after the jury has retired that he or she or any other juror has personal knowledge of any fact in controversy in the case, the juror shall disclose such situation to the judge out of the presence of the other jurors. 2. When any such disclosure is made, the judge shall examine the juror who admits or is alleged to have personal knowledge, under oath, in the presence of counsel for the parties, and may allow such counsel to examine the juror. 3. If the juror has disclosed the juror's own knowledge to the judge and it appears that the juror has not declared any fact relating to the case to any fellow jurors as of the juror's own knowledge, the judge shall after the examination decide whether the juror shall remain or shall be replaced by an alternate juror. 4. If it appears that the juror has declared any fact relating to the case to any fellow jurors as of the juror's own knowledge, or that the juror's vote was influenced by such knowledge undisclosed, the judge shall declare a mistrial. (Added to NRS by 1967, 1426)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.131 - Judge to inform jury of right to take notes.

Before any evidence has been introduced the judge may inform the jury they may individually take notes during the trial, but the judge shall further caution them not to rely upon their respective notes in case of conflict among them, because the reporter's notes contain the complete and authentic record of the trial. (Added to NRS by 1967, 1426)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.141 - Order of trial.

The jury having been impaneled and sworn, the trial shall proceed in the following order: 1. If the indictment or information be for a felony, the clerk must read it and state the plea of the defendant to the jury. In all other cases this formality may be dispensed with. 2. The prosecuting attorney must open the cause. The defendant or the defendant's counsel may then either make the defendant's opening statement or reserve it to be made immediately prior to the presentation of evidence in the defendant's behalf. 3. The prosecuting attorney must then offer its evidence in support of the charge, and the defendant may then offer evidence in his or her defense. 4. The parties may then respectively offer rebutting testimony only, unless the court, for good reasons, in furtherance of justice, permits them to offer evidence upon their original cause. 5. When the evidence is concluded, unless the case is submitted to the jury on either side, or on both sides, without argument, the prosecuting attorney must open and must conclude the argument.

(Added to NRS by 1967, 1426; A 2021, 1312)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.151 - Number of counsel who may argue case.

If the indictment or information be for an offense punishable with death, two counsel on each side may argue the case to the jury, but in such case, as well as in all others, the counsel for the State must open and conclude the argument. If it be for any other offense, the court may, in its discretion, restrict the argument to one counsel on each side. (Added to NRS by 1967, 1426)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.161 - Instructions.

1. Upon the close of the argument, the judge shall charge the jury. The judge may state the testimony and declare the law, but may not charge the jury in respect to matters of fact. The charge must be reduced to writing before it is given, and no charge or instructions may be given to the jury otherwise than in writing, unless by the mutual consent of the parties. If either party requests it, the court must settle and give the instructions to the jury before the argument begins, but this does not prevent the giving of further instructions which may become necessary by reason of the argument. 2. In charging the jury, the judge shall state to them all such matters of law the judge thinks necessary for their information in giving their verdict. 3. Either party may present to the court any written charge, and request that it be given. If the court believes that the charge is pertinent and an accurate statement of the law, whether or not the charge has been adopted as a model jury instruction, it must be given. If the court believes that the charge is not pertinent or not an accurate statement of law, then it must be refused. 4. An original and one copy of each instruction requested by any party must be tendered to the court. The copies must be numbered and indicate who tendered them. Copies of instructions given on the court's own motion or modified by the court must be so identified. When requested instructions are refused, the judge shall write on the margin of the original the word "refused" and initial or sign the notation. The instructions given to the jury must be firmly bound together and the judge shall write the word "given" at the conclusion thereof and sign the last of the instructions to signify that all have been given. After the instructions are given, the judge may not clarify, modify or in any manner explain them to the jury except in writing unless the parties agree to oral instructions. 5. After the jury has reached a verdict and been discharged, the originals of all instructions, whether given, modified or refused, must be preserved by the clerk as part of the proceedings. 6. Conferences with counsel to settle instructions must be held out of the presence of the jury and may be held in chambers at the option of the court. 7. When the offense charged carries a possible penalty of life without possibility of parole a charge to the jury that such penalty does not exclude executive clemency is a correct and pertinent charge, and must be given upon the request of either party. (Added to NRS by 1967, 1427; A 1969, 401; 1981, 410; 2017, 1707)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.171 - No special instructions to be given relating exclusively to defendant's testimony.

In the trial of all indictments, complaints and other proceedings against persons charged with the commission of crimes or offenses, the person so charged shall, at the person's own request, but not otherwise, be deemed a competent witness, the credit to be given the person's testimony being left solely to the jury, under the instructions of the court, but no special instruction shall be given relating exclusively to the testimony of the defendant. (Added to NRS by 1967, 1427)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.181 - Instruction not to be given relative to failure of defendant to testify.

1. No instruction shall be given relative to the failure of the person charged with the commission of crime or offense to testify, except, upon the request of the person so charged, the court shall instruct the jury that, in accordance with a right guaranteed by the Constitution, no person can be compelled, in a criminal action, to be a witness against himself or herself. 2. Nothing herein contained shall be construed as compelling any such person to testify. (Added to NRS by 1967, 1427)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.186 - Instructions in prosecution for sexual assault or statutory sexual seduction: Use of certain terms and instructions prohibited.

1. In any prosecution for sexual assault or statutory sexual seduction or for an attempt to commit or conspiracy to commit either crime, the term "unchaste character" may not be used with reference to the alleged victim of the crime in any instruction to the jury. 2. In a prosecution for sexual assault or statutory sexual seduction, the court may not give any instructions to the jury to the effect that it is difficult to prove or establish the crime beyond a reasonable doubt. (Added to NRS by 1975, 1132; A 1977, 1630; 1991, 126)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.191 - Presumption of innocence: Acquittal in case of reasonable doubt.

A defendant in a criminal action is presumed to be innocent until the contrary is proved; and in case of a reasonable doubt whether the defendant's guilt is satisfactorily shown, the defendant is entitled to be acquitted. (Added to NRS by 1967, 1427)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.201 - Presumption of innocence: Conviction of lowest degree of offense.

Every person charged with the commission of a crime shall be presumed innocent until the contrary is proved by competent evidence beyond a reasonable doubt; and when an offense has been proved against the person, and there exists a reasonable doubt as to which of two or more degrees the person is guilty, the person shall be convicted only of the lowest. (Added to NRS by 1967, 1427)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.211 - Definition of reasonable doubt; no other definition to be given to juries.

1. A reasonable doubt is one based on reason. It is not mere possible doubt, but is such a doubt as would govern or control a person in the more weighty affairs of life. If the minds of the jurors, after the entire comparison and consideration of all the evidence, are in such a condition that they can say they feel an abiding conviction of the truth of the charge, there is not a reasonable doubt. Doubt to be reasonable must be actual, not mere possibility or speculation. 2. No other definition of reasonable doubt may be given by the court to juries in criminal actions in this State. (Added to NRS by 1967, 1427; A 1991, 257)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.221 - Evidence.

1. In all trials the testimony of witnesses shall be taken orally in open court, unless otherwise provided by statute. 2. The admissibility of evidence and the competency and privileges of witnesses shall be governed by: (a) The general provisions of title 4 of NRS; (b) The specific provisions of any other applicable statute; and (c) Where no statute applies, the principles of the common law as they may be interpreted by the courts of the State of Nevada in the light of reason and experience. (Added to NRS by 1967, 1428; A 1971, 803)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.241 - Proof of corporate existence generally.

If, upon a trial or proceeding in a criminal case, the existence, constitution or powers of any corporation shall become material, or be in any way drawn in question, it is not necessary to produce a certified copy of the articles or acts of incorporation, but the same may be proved by general reputation, or by the printed statutes of the state, or government, or country by which such corporation was created. (Added to NRS by 1967, 1428)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.251 - Conspiracy: Allegation and proof of overt act; evidence of overt acts not alleged.

Upon a trial for conspiracy, in a case where an overt act shall be necessary to constitute the offense, the defendant shall not be convicted unless one or more overt acts shall be expressly alleged in the indictment or information, nor unless one of the acts alleged shall have been proved; but other overt acts not alleged may be given in evidence. (Added to NRS by 1967, 1428)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.261 - False pretenses: What evidence necessary.

Upon a trial for having, with an intent to cheat or defraud another designedly, by any false pretense, obtained the signature of any person, to a written instrument, or having obtained from any person any money, personal property, or valuable thing, the defendant shall not be convicted if the false pretense shall have been expressed in language, unaccompanied by a false token or writing, unless the pretense or some note or memorandum thereof be in writing, subscribed by or in the handwriting of the defendant, or unless the pretense be proved by the testimony of two witnesses, or that of one witness and corroborating circumstances; but this section shall not apply to a prosecution for falsely representing or personating another, and, in such assumed character, marrying, or receiving any money or property. (Added to NRS by 1967, 1428)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.271 - Expert witnesses.

1. The court may order the defendant or the State or both to show cause why expert witnesses should not be appointed, and may request the parties to submit nominations. 2. The court may appoint any expert witnesses agreed upon by the parties, and may appoint witnesses of its own selection. An expert witness shall not be appointed by the court unless the witness consents to act. 3. A witness so appointed shall be informed of the witness's duties by the court in writing, a copy of which shall be filed with the clerk, or at a conference in which the parties shall have the opportunity to participate. 4. A witness so appointed shall advise the parties of the witness's findings, if any, and may thereafter be called to testify by the court or by any party. The witness shall be subject to cross-examination by each party. 5. The court may determine the reasonable compensation of such a witness and direct its payment out of such funds as may be provided by law. 6. The parties also may call expert witnesses of their own selection. 7. An expert witness, whether appointed by the court or called by a party, may in the discretion of the judge be excluded from the courtroom during the testimony of other witnesses. (Added to NRS by 1967, 1428)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.282 - Plea bargain: Inspection by jury; instruction of jury; cross-examination of defendant.

If a prosecuting attorney enters into an agreement with a defendant in which the defendant agrees to testify against another defendant in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for a recommendation of a reduced sentence, the court shall: 1. After excising any portion it deems irrelevant or prejudicial, permit the jury to inspect the

agreement; 2. If the defendant who is testifying has not entered a plea or been sentenced pursuant to the agreement, instruct the jury regarding the possible related pressures on the defendant by providing the jury with an appropriate cautionary instruction; and 3. Allow the defense counsel to cross-examine fully the defendant who is testifying concerning the agreement. (Added to NRS by 1991, 291; A 1995, 2451; 2003, 1460; 2007, 1410)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.291 - Testimony of accomplice must be corroborated; sufficiency of corroboration; accomplice defined.

1. A conviction shall not be had on the testimony of an accomplice unless the accomplice is corroborated by other evidence which in itself, and without the aid of the testimony of the accomplice, tends to connect the defendant with the commission of the offense; and the corroboration shall not be sufficient if it merely shows the commission of the offense or the circumstances thereof. 2. An accomplice is hereby defined as one who is liable to prosecution, for the identical offense charged against the defendant on trial in the cause in which the testimony of the accomplice is given. (Added to NRS by 1967, 1429)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.301 - Testimony of person upon or with whom abortion was allegedly committed.

Upon a trial for procuring or attempting to procure an abortion, or aiding or assisting therein, the defendant must not be convicted upon the testimony of the person upon or with whom the offense has allegedly been committed, unless: 1. The testimony of that person is corroborated by other evidence; or 2. The person giving the testimony is, and was at the time the crime is alleged to have taken place, a police officer or deputy sheriff who was performing his or her duties as such. (Added to NRS by 1967, 1429; A 1979, 302; 1981, 1029; 2005, 308)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.311 - Procedure when higher offense is shown by evidence.

If it appears by the testimony that the facts proved constitute an offense of a higher nature than that charged in the indictment or information, the court may direct the jury to be discharged, and all proceedings on the indictment or information to be suspended, and may order the defendant to be committed, or continued on, or admitted to bail, to answer any new indictment or information which may be found or filed against the defendant for the higher offense. (Added to NRS by 1967, 1429)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.321 - Procedure if higher offense ignored.

If an indictment for the higher offense be dismissed by the grand jury, or be not found at its next session, or if an information be not filed before the next session of the grand jury, the court shall again proceed to try the defendant on the original indictment or information. (Added to NRS by 1967, 1429)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.331 - When defendant on bail appears for trial defendant may be committed and held.

When a defendant who has given bail appears for trial, the court may, in its discretion, at any time after the defendant's appearance for trial, order the defendant to be committed to the custody of the proper officer, to abide the judgment or further order of the court, and the defendant must be committed and held in custody accordingly. (Added to NRS by 1967, 1429)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.341 - Mistake in charging proper offense: Defendant not discharged; commitment or bail.

When it appears, at any time before verdict or judgment, that a mistake has been made in charging the proper offense, the defendant must not be discharged, if there appears good cause to detain the defendant in custody; but the court must commit the defendant, or require the defendant to give bail for his or her appearance to answer to the offense; and may also require the witnesses to give bail for their appearance. (Added to NRS by 1967, 1429)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.351 - Discharge of defendant when jury discharged for want of jurisdiction.

If the jury is discharged because the court has not jurisdiction of the offense charged, and it appears that it was committed out of the jurisdiction of this state, the defendant must be discharged, unless the court orders that the defendant be detained for a reasonable time, to be specified in the order, to enable the district attorney to communicate with the chief executive officer of the country, state, territory or district where the offense was committed. (Added to NRS by 1967, 1429)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.361 - Offense committed in other county: Commitment to await warrant; admission to bail; transmittal of papers to district attorney of proper county; expense of transmission.

If the offense was committed within the jurisdiction of another county of this state, the court may direct the defendant to be committed for such time as it deems reasonable, to await a warrant from the proper county for the defendant's arrest, or it may admit the defendant to bail in an undertaking, with sufficient sureties that the defendant will, within such time as the court may appoint, render himself or herself amenable to a warrant for arrest from the proper county; and, if not sooner arrested thereon, will attend at

the office of the sheriff of the county where the trial was had, at a certain time particularly specified in the undertaking, to surrender himself or herself upon the warrant, if issued, or that the defendant's bail will forfeit such sum as the court may fix, to be mentioned in the undertaking; and the clerk must forthwith transmit a certified copy of the indictment or information, and of all the papers filed in the action, to the district attorney of the proper county, the expenses of which transmission are chargeable to that county. (Added to NRS by 1967, 1430)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.371 - Discharge where defendant not arrested on warrant from other county; proceedings in case of arrest.

1. If the defendant is not arrested on a warrant from the proper county, as provided in NRS 175.361, the defendant must be discharged from custody, or the defendant's bail in the action is exonerated, or money deposited instead of bail must be refunded, as the case may be, and the sureties in the undertaking, as mentioned in that section, must be discharged. 2. If the defendant is arrested, the same proceedings must be had thereon as upon the arrest of a defendant in another county on a warrant issued by a magistrate. (Added to NRS by 1967, 1430)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.381 - Court may advise jury to acquit defendant when evidence on either side closed; motion for judgment of acquittal after verdict of guilty or guilty but mentally ill; subsequent motion for new trial.

1. If, at any time after the evidence on either side is closed, the court deems the evidence insufficient to warrant a conviction, it may advise the jury to acquit the defendant, but the jury is not bound by such advice. 2. The court may, on a motion of a defendant or on its own motion, which is made after the jury returns a verdict of guilty or guilty but mentally ill, set aside the verdict and enter a judgment of acquittal if the evidence is insufficient to sustain a conviction. The motion for a judgment of acquittal must be made within 7 days after the jury is discharged or within such further time as the court may fix during that period. 3. If a motion for a judgment of acquittal after a verdict of guilty or guilty but mentally ill pursuant to this section is granted, the court shall also determine whether any motion for a new trial should be granted if the judgment of acquittal is thereafter vacated or reversed. The court shall specify the grounds for that determination. If the motion for a new trial is granted conditionally, the order thereon does not affect the finality of the judgment. If the motion for a new trial is granted conditionally and the judgment is reversed on appeal, the new trial must proceed unless the appellate court has otherwise ordered. If the motion is denied conditionally, the defendant on appeal may assert error in that denial, and if the judgment is reversed on appeal, subsequent proceedings must be in accordance with the order of the appellate court. (Added to NRS by 1967, 1430; A 1991, 651; 2007, 1410)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.383 - Withdrawal, discharge or change of defense counsel; limitations.

If a counsel seeks to withdraw from the case or is discharged by the defendant for the purpose of delaying the trial, the court shall not allow the counsel to be changed. The counsel for a defendant may not be changed after a trial has commenced except upon good cause shown to the court. (Added to NRS by 1971, 596)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.387 - Misconduct of defendant; sanctions.

1. Whenever a defendant interferes with the orderly course of a trial by disruptive, disorderly or disrespectful conduct, the court may: (a) Order the defendant bound and gagged. (b) Cite the defendant for contempt. (c) Order the defendant removed from the courtroom and proceed with the trial. 2. No such order or citation shall issue except after the defendant has been fully and fairly informed that the defendant's conduct is wrong and intolerable and has been warned of the consequences of continued misconduct. 3. A defendant who has been removed from the courtroom may be returned upon the defendant's promise to discontinue such misconduct. If the defendant's misconduct continues after the defendant's return the court may proceed as provided in subsection 1. (Added to NRS by 1971, 847)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.391 - Separation or custody of jury before submission.

The jurors sworn to try a criminal action may, at any time before the submission of the case to the jury, in the discretion of the court, be permitted to separate, depart for home overnight or be kept in charge of a proper officer. Upon commencing deliberation, the jurors shall be kept in charge of a proper officer, unless at the discretion of the court they are permitted to depart for home overnight. When the jurors are kept together, the officer in charge shall keep the jurors in some private and convenient place and separate from other persons. The officer shall not permit any communication to be made to them, or make any personally, unless by order of the court, except to ask them if they have agreed upon their verdict. The officer shall not, before the verdict is rendered, communicate to any person the state of their deliberations or the verdict agreed upon. The officer shall return them into court when they have reached their verdict or when ordered by the court. (Added to NRS by 1967, 1430; A 1977, 882)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.401 - Jury to be admonished at each adjournment.

At each adjournment of the court, whether the jurors are permitted to separate or depart for home overnight, or are kept in charge of officers, they must be admonished by the judge or another officer of the court that it is their duty not to: 1. Converse among

themselves or with anyone else on any subject connected with the trial; 2. Read, watch or listen to any report of or commentary on the trial or any person connected with the trial by any medium of information, including without limitation newspapers, television and radio; or 3. If they have not been charged, form or express any opinion on any subject connected with the trial until the cause is finally submitted to them. (Added to NRS by 1967, 1430; A 1977, 883; 1981, 318)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.421 - Accommodations for jury upon retirement; power of court to furnish.

A room must be provided by the sheriff of each county, chief of police of each city or chief marshal, as applicable, for the use of the jury upon their retirement for deliberation, with suitable furniture, fuel, lights and stationery, unless such necessities have been already furnished by the county or city. The court may order the sheriff, chief of police or chief marshal to do so, and the expenses incurred by the sheriff, chief of police or chief marshal in carrying the order into effect, when certified by the court, are a county or city charge. (Added to NRS by 1967, 1431; A 2021, 1313)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.431 - Jury provided food and lodging when kept together.

While the jury are kept together, either during the progress of the trial or after their retirement for deliberation, they shall be provided, at the expense of the county, with suitable and sufficient food and lodging. (Added to NRS by 1967, 1431)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.441 - Jury may take written instructions, materials received in evidence, certain papers and own notes of trial on retiring for deliberation.

Upon retiring for deliberation, the jury may take with them: 1. All papers and all other items and materials which have been received as evidence in the case, except depositions or copies of such public records or private documents given in evidence as ought not, in the opinion of the court, to be taken from the person having them in possession. 2. The written instructions given, and notes of the testimony or other proceedings on the trial, taken by themselves or any of them, but none taken by any other person. (Added to NRS by 1967, 1431)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.451 - Return of jury for information.

After the jury have retired for deliberation, if there is any disagreement between them as to any part of the testimony, or if they desire to be informed on any point of law arising in the cause, they must require the officer to conduct them into court. Upon their being brought into court, the information required shall be given in the presence of, or after notice to, the district attorney and the defendant or the defendant's counsel. (Added to NRS by 1967, 1431)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.461 - Jury not to be discharged after cause submitted; exceptions.

Except as provided in NRS 175.081, the jury shall not be discharged after the cause is submitted to them, until they have agreed upon their verdict and rendered it in open court, unless by the consent of both parties, entered upon the minutes, or unless, at the expiration of such time as the court may deem proper, it satisfactorily appears that there is no reasonable probability that the jury can agree. (Added to NRS by 1967, 1431)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.471 - Adjournment of court during absence of jury.

While the jury are absent, the court may adjourn from time to time, as to other business, but it shall nevertheless be deemed to be open for every purpose connected with the cause submitted to the jury, until a verdict be rendered or the jury discharged. (Added to NRS by 1967, 1431)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.481 - Return.

The verdict shall be unanimous. It shall be returned by the jury to the judge in open court. (Added to NRS by 1967, 1431)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.491 - Verdict where there are several defendants.

If there are two or more defendants, the jury at any time during its deliberations may return a verdict or verdicts with respect to a defendant or defendants as to whom it has agreed; if the jury cannot agree with respect to all, the defendant or defendants as to whom it does not agree may be tried again. (Added to NRS by 1967, 1431)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.501 - Jury may convict of lesser included offense or attempt.

The defendant may be found guilty or guilty but mentally ill of an offense necessarily included in the offense charged or of an attempt to commit either the offense charged or an offense necessarily included therein if the attempt is an offense. (Added to NRS by 1967, 1431; A 2007, 1411)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.511 - When offenses to be stated separately.

When the defendant may be convicted of more than one offense charged, each offense of which the defendant is convicted must be stated in the verdict or the finding of the court. (Added to NRS by 1967, 1431)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.531 - Polling jury; further deliberation or discharge.

When a verdict is returned and before it is recorded the jury shall be polled at the request of any party or upon the court's own motion. If upon the poll there is not unanimous concurrence, the jury may be directed to retire for further deliberation or may be discharged. (Added to NRS by 1967, 1432)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.533 - Finding of guilty but mentally ill upon plea of not guilty by reason of insanity; required findings; effect of finding.

1. During a trial, upon a plea of not guilty by reason of insanity, the trier of fact may find the defendant guilty but mentally ill if the trier of fact finds all of the following: (a) The defendant is guilty beyond a reasonable doubt of an offense; (b) The defendant has established by a preponderance of the evidence that due to a disease or defect of the mind, the defendant was mentally ill at the time of the commission of the offense; and (c) The defendant has not established by a preponderance of the evidence that the defendant is not guilty by reason of insanity pursuant to subsection 6 of NRS 174.035. 2. Except as otherwise provided by specific statute, a defendant who is found guilty but mentally ill is subject to the same criminal, civil and administrative penalties and procedures as a defendant who is found guilty. 3. If the trier of fact finds a defendant guilty but mentally ill pursuant to subsection 1, the court shall cause, within 5 business days after the finding, on a form prescribed by the Department of Public Safety, a record of the finding to be transmitted to the Central Repository for Nevada Records of Criminal History, along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the National Instant Criminal Background Check System. 4. As used in this section: (a) "Disease or defect of the mind" does not include a disease or defect which is caused solely by voluntary intoxication. (b) "National Instant Criminal Background Check System" has the meaning ascribed to it in NRS 179A.062. (Added to NRS by 2007, 1410; A 2009, 2485; 2015, 1796; 2017, 1247)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.539 - Acquittal by reason of insanity: Defendant to be examined; hearing to be held to determine whether defendant is mentally ill; procedure for committing defendant to custody of Division of Public and Behavioral Health.

1. Where on a trial a defense of insanity is interposed by the defendant and the defendant is acquitted by reason of that defense, the finding of the jury pending the judicial determination pursuant to subsection 2 has the same effect as if the defendant were regularly adjudged insane, and the judge must: (a) Order a peace officer to take the person into protective custody and transport the person to a forensic facility for detention pending a hearing to determine the person's mental health; (b) Order the examination of the person by two psychiatrists, two psychologists, or one psychiatrist and one psychologist who are employed by a division facility; and (c) At a hearing in open court, receive the report of the examining advisers and allow counsel for the State and for the person to examine the advisers, introduce other evidence and cross-examine witnesses. 2. If the court finds, after the hearing: (a) That there is not clear and convincing evidence that the person is a person with mental illness, the court must order the person's discharge; or (b) That there is clear and convincing evidence that the person is a person with mental illness, the court must order that the person be committed to the custody of the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services until the person is discharged or conditionally released therefrom in accordance with NRS 178.467 to 178.471, inclusive. The court shall issue its finding within 90 days after the defendant is acquitted. 3. The Administrator shall make the reports and the court shall proceed in the manner provided in NRS 178.467 to 178.471, inclusive. 4. If the court accepts a verdict acquitting a defendant by reason of insanity pursuant to this section, the court shall cause, within 5 business days after accepting the verdict, on a form prescribed by the Department of Public Safety, a record of that verdict to be transmitted to the Central Repository for Nevada Records of Criminal History, along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the National Instant Criminal Background Check System. 5. As used in this section, unless the context otherwise requires: (a) "Division facility" has the meaning ascribed to it in NRS 433.094. (b) "Forensic facility" means a secure facility of the Division of Public and Behavioral Health of the Department of Health and Human Services or unit thereof, designated by the Division as appropriate for the evaluation and treatment of offenders and defendants with mental disorders as defined in NRS 178.3985. The term includes, without limitation, Lakes Crossing Center. (c) "National Instant Criminal Background Check System" has the meaning ascribed to it in NRS 179A.062. (d) "Person with mental illness" has the meaning ascribed to it in NRS 178.3986. (Added to NRS by 2003, 1459; A 2007, 1411; 2009, 2486; 2015, 1797; 2021, 294)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.541 - Discharge of defendant after acquittal.

If judgment of acquittal be given on a verdict, and the defendant be not detained for any other legal cause, the defendant must be discharged as soon as the verdict is given. (Added to NRS by 1967, 1432)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.543 - Notice to defendant of provisions concerning sealing of records of proceedings leading to acquittal.

Upon the entry of a judgment of acquittal, the court shall provide the defendant with a written notice of the provisions of NRS 179.255 which concern the sealing of records of the proceedings leading to the acquittal. (Added to NRS by 2001, 1690)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.547 - Notice of intent to request hearing; time of hearing;

evidence; court to enter finding; "sexually motivated" defined.

1. In any case in which a defendant pleads or is found guilty or guilty but mentally ill of murder in the first or second degree, kidnapping in the first or second degree, false imprisonment, burglary or invasion of the home, the court shall, at the request of the prosecuting attorney, conduct a separate hearing to determine whether the offense was sexually motivated. A request for such a hearing may not be submitted to the court unless the prosecuting attorney, before the commencement of the trial, files and serves upon the defendant a written notice of the prosecuting attorney's intention to request such a hearing. 2. A hearing requested pursuant to subsection 1 must be conducted before: (a) The court imposes its sentence; or (b) A separate penalty hearing is conducted. 3. At the hearing, only evidence concerning the question of whether the offense was sexually motivated may be presented. The prosecuting attorney must prove beyond a reasonable doubt that the offense was sexually motivated. 4. The court shall enter its finding in the record. 5. For the purposes of this section, an offense is "sexually motivated" if one of the purposes for which the person committed the offense was the person's sexual gratification. (Added to NRS by 1995, 413; A 1997, 1666; 2007, 1412)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.552 - When required; procedure; evidence.

1. Except as otherwise provided in subsection 2, in every case in which there is a finding that a defendant is guilty or guilty but mentally ill of murder of the first degree, whether or not the death penalty is sought, the court shall conduct a separate penalty hearing. The separate penalty hearing must be conducted as follows: (a) If the finding is made by a jury, the separate penalty hearing must be conducted in the trial court before the trial jury, as soon as practicable. (b) If the finding is made upon a plea of guilty or guilty but mentally ill or a trial without a jury and the death penalty is sought, the separate penalty hearing must be conducted before a jury impaneled for that purpose, as soon as practicable. (c) If the finding is made upon a plea of guilty or guilty but mentally ill or a trial without a jury and the death penalty is not sought, the separate penalty hearing must be conducted as soon as practicable before the judge who conducted the trial or who accepted the plea. 2. In a case in which the death penalty is not sought or in which a court has made a finding that the defendant is intellectually disabled and has stricken the notice of intent to seek the death penalty pursuant to NRS 174.098, the parties may by stipulation waive the separate penalty hearing required in subsection 1. When stipulating to such a waiver, the parties may also include an agreement to have the sentence, if any, imposed by the trial judge. Any stipulation pursuant to this subsection must be in writing and signed by the defendant, the defendant's attorney, if any, and the prosecuting attorney. 3. During the hearing, evidence may be presented concerning aggravating and mitigating circumstances relative to the offense, defendant or victim and on any other matter which the court deems relevant to the sentence, whether or not the evidence is ordinarily admissible. Evidence may be offered to refute hearsay matters. No evidence which was secured in violation of the Constitution of the United States or the Constitution of the State of Nevada may be introduced. The State may introduce evidence of additional aggravating circumstances as set forth in NRS 200.033, other than the aggravated nature of the offense itself, only if it has been disclosed to the defendant before the commencement of the penalty hearing. 4. In a case in which the death penalty is not sought or in which a court has found the defendant to be intellectually disabled and has stricken the notice of intent to seek the death penalty pursuant to NRS 174.098, the jury or the trial judge shall determine whether the defendant should be sentenced to life with the possibility of parole or life without the possibility of parole. (Added to NRS by 1977, 1543; A 1993, 322; 1995, 258, 2451; 2003, 767, 1460, 2082; 2007, 1412; 2013, 684)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.554 - Death penalty cases: Instructions to jury; determinations; findings and verdict; hearing to set aside sentence of defendant alleged to be intellectually disabled.

In cases in which the death penalty is sought: 1. The court shall instruct the jury at the end of the penalty hearing, and shall include in its instructions the aggravating circumstances alleged by the prosecution upon which evidence has been presented during the trial or at the hearing. The court shall also instruct the jury as to the mitigating circumstances alleged by the defense upon which evidence has been presented during the trial or at the hearing. 2. The jury shall determine: (a) Whether an aggravating circumstance or circumstances are found to exist; (b) Whether a mitigating circumstance or circumstances are found to exist; and (c) Based upon these findings, whether the defendant should be sentenced to imprisonment for a definite term of 50 years, life imprisonment with the possibility of parole, life imprisonment without the possibility of parole or death. 3. The jury may impose a sentence of death only if it finds at least one aggravating circumstance and further finds that there are no mitigating circumstances sufficient to outweigh the aggravating circumstance or circumstances found. 4. If a jury imposes a sentence of death, the jury shall render a written verdict signed by the foreman. The verdict must designate the aggravating circumstance or circumstances which were found beyond a reasonable doubt, and must state that there are no mitigating circumstances sufficient to outweigh the aggravating circumstance or circumstances found. 5. If a sentence of death is imposed and a prior determination regarding intellectual disability has not been made pursuant to NRS 174.098, the defendant may file a motion to set aside the penalty on the grounds that the defendant is intellectually disabled. If such a motion is filed, the court shall conduct a hearing on that issue in the manner set forth in NRS 174.098. If the court determines pursuant to such a hearing that the defendant is intellectually disabled, it shall set aside the sentence of death and order a new penalty hearing to be conducted. Either party may appeal such a determination pursuant to NRS 177.015. (Added to NRS by 1977, 1543; A 1993, 322; 1995, 258; 2003, 768, 2083; 2013, 685, 1752)

2024 Nevada Revised Statutes Chapter 175 - Trial NRS 175.556 - Procedure when jury unable to reach unanimous verdict.

1. In a case in which the death penalty is sought, if a jury is unable to reach a unanimous verdict upon the sentence to be imposed,

the district judge who conducted the trial or accepted the plea of guilty shall sentence the defendant to life imprisonment without the possibility of parole or impanel a new jury to determine the sentence. 2. In a case in which the death penalty is not sought, if a jury is unable to reach a unanimous verdict upon the sentence to be imposed, the trial judge shall impose the sentence. (Added to NRS by 1977, 1543; A 1995, 259; 2003, 2083)

Title: chapter-176

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.002 - "Division" defined.

As used in this chapter, unless the context otherwise requires, "Division" means the Division of Parole and Probation of the Department of Public Safety. (Added to NRS by 1993, 1512; A 2001, 2568)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0127 - Department of Corrections and Division of Parole and Probation to provide information to and assist Joint Interim Standing Committee on the Judiciary.

1. The Department of Corrections shall: (a) Provide the Joint Interim Standing Committee on the Judiciary with any available statistical information or research requested by the Committee and assist the Committee in the compilation and development of information requested by the Committee, including, but not limited to, information or research concerning the facilities and institutions of the Department of Corrections, the offenders who are or were within those facilities or institutions, rates of recidivism, the effectiveness of educational and vocational programs and the sentences which are being served or were served by those offenders; and (b) Provide the independent contractor retained pursuant to NRS 176.0129 with any available statistical information requested by the independent contractor for the purpose of performing the projections required by NRS 176.0129. 2. The Division shall: (a) Provide the Joint Interim Standing Committee on the Judiciary with any available statistical information or research requested by the Committee and assist the Committee in the compilation and development of information concerning sentencing, probation, parole and any offenders who are or were subject to supervision by the Division; and (b) Provide the independent contractor retained pursuant to NRS 176.0129 with any available statistical information requested by the independent contractor for the purpose of performing the projections required by NRS 176.0129. (Added to NRS by 1995, 1355; A 2001 Special Session, 214; 2009, 1352; 2017, 126; 2021, 2515)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0128 - Central Repository for Nevada Records of Criminal History to facilitate data collection and provide data and information to Joint Interim Standing Committee on the Judiciary.

The Central Repository for Nevada Records of Criminal History shall: 1. Facilitate the collection of statistical data in the manner approved by the Director of the Department of Public Safety and coordinate the exchange of such data with agencies of criminal justice within this State, including: (a) State and local law enforcement agencies; (b) The Office of the Attorney General; (c) The Court Administrator; (d) The Department of Corrections; and (e) The Division. 2. Provide the Joint Interim Standing Committee on the Judiciary with available statistical data and information requested by the Committee. (Added to NRS by 2009, 1351; A 2021, 2516)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0129 - Annual projections of persons imprisoned, on probation, on parole and in residential confinement.

The Office of Finance shall, on an annual basis, contract for the services of an independent contractor, in accordance with the provisions of NRS 333.700, to review sentences imposed in this State and the practices of the State Board of Parole Commissioners and project annually the number of persons who will be: 1. In a facility or institution of the Department of Corrections; 2. On probation; 3. On parole; and 4. Serving a term of residential confinement, during the 10 years immediately following the date of the projection. (Added to NRS by 1995, 1355; A 2001 Special Session, 215; 2009, 2231; 2017, 126; 2021, 2516)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0131 - Legislative findings and declarations.

The Legislature hereby finds, and declares to be the public policy of this State, that: 1. Sentencing and corrections policies should embody fairness, consistency, proportionality and opportunity. 2. The laws of this State should convey a clear and purposeful rationale regarding sentencing and corrections. The statutes governing criminal justice should articulate the purpose of sentencing, and related policies and practices should be logical, understandable and transparent to stakeholders and the public. 3. A continuum of sentencing and corrections options should be available, with imprisonment reserved for the most serious offenders and adequate community programs for diversion and supervision of other offenders. 4. Sentencing and corrections policies should be resource sensitive as those policies may impact costs, inmate populations and public safety. Criminal justice agencies should strive to effectively measure costs and benefits. 5. Criminal justice information should be a foundation for effective data driven sentencing and corrections policies. 6. Sentencing and corrections policies should reflect current circumstances and needs. 7. Strategies to reduce crime and victimization should involve prevention, treatment, health and labor and must endeavor to utilize all available federal, academic and private resources and expertise. (Added to NRS by 2017, 4187)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.01313 - Definitions.

As used in NRS 176.0131 to 176.014, inclusive, unless the context otherwise requires, the words and terms defined in NRS 176.01315 to 176.01322, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2019, 2871; A 2023, 1642, 2494)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.01315 - "Department" defined.

"Department" means the Department of Sentencing Policy created by NRS 176.01323. (Added to NRS by 2019, 2872)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.01317 - "Executive Director" defined.

"Executive Director" means the Executive Director of the Department. (Added to NRS by 2019, 2872)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0132 - "Sentencing Commission" defined.

"Sentencing Commission" means the Nevada Sentencing Commission created by NRS 176.0133. (Added to NRS by 2017, 4187; A 2019, 2872, 4380)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.01322 - "Subcommittee" defined.

"Subcommittee" means the Subcommittee on Misdemeanors of the Sentencing Commission. (Added to NRS by 2023, 2493)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.01323 - Department created; appointment and qualifications of Executive Director; employment of staff or consultants by Executive Director.

1. The Department of Sentencing Policy is hereby created. 2. The Executive Director of the Department must be appointed by the Governor from a list of three qualified persons recommended by the Sentencing Commission. 3. The Executive Director: (a) Is in the unclassified service of this State; (b) Serves at the pleasure of the Sentencing Commission, except that the Executive Director may only be removed upon a finding by the Sentencing Commission that his or her performance is unsatisfactory; and (c) Shall devote his or her entire time and attention to the duties of his or her office and shall not engage in any other gainful employment or occupation. 4. The Executive Director may, within the limits of money available for this purpose, employ or enter into a contract for the services of such employees or consultants as is necessary to carry out the provisions of NRS 176.0131 to 176.014, inclusive. (Added to NRS by 2019, 2872; A 2023, 1642)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.01327 - Duties of Executive Director.

The Executive Director appointed pursuant to NRS 176.01323 shall: 1. Oversee all of the functions of the Department. 2. Serve as Executive Secretary of the Sentencing Commission without additional compensation. 3. Report to the Sentencing Commission on sentencing and related issues regarding the functions of the Department and provide such information to the Sentencing Commission as requested. 4. Assist the Sentencing Commission in determining necessary and appropriate recommendations to assist in carrying out the responsibilities of the Department. 5. Establish the budget for the Department. 6. Facilitate the collection and aggregation of data from the courts, Department of Corrections, Division of Parole and Probation of the Department of Public Safety and any other agency of criminal justice. 7. Identify variables or sets of data concerning criminal justice that are not currently collected or shared across agencies of criminal justice within this State. 8. Assist in preparing and submitting the comprehensive report required to be prepared by the Sentencing Commission pursuant to subsection 5 of NRS 176.0134. 9. Assist the Sentencing Commission in carrying out its duties pursuant to subsections 2 and 3 of NRS 176.01347 relating to the calculation of the costs avoided by this State for the immediately preceding fiscal year because of the enactment of chapter 633, Statutes of Nevada 2019, and in preparing a report containing the projected amount of such costs for the next biennium and recommendations for the reinvestment of the amount of the costs. 10. Take any other actions necessary to carry out the powers and duties of the Sentencing Commission pursuant to NRS 176.0131 to 176.014, inclusive. (Added to NRS by 2019, 2872; A 2021, 2412; 2023, 2495)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0133 - Creation; membership; officers; terms; vacancies; meetings; alternates; quorum; compensation, allowances and expenses of members; authorization to establish working groups and task forces.

1. The Nevada Sentencing Commission is hereby created within the Department. The Sentencing Commission consists of: (a) One member who is an attorney and whose practice primarily consists of representing criminal defendants in a county whose population is less than 55,000, appointed by the Executive Director of the Department of Indigent Defense Services or his or her designee; (b) One member who is a justice of the Supreme Court of Nevada or a retired justice of the Supreme Court of Nevada, appointed by the Chief Justice of the Supreme Court of Nevada; (c) Two members who are judges appointed by the Chief Justice of the Supreme Court of Nevada; (d) One member who is a representative of the Administrative Office of the Courts appointed by the Chief Justice of the Supreme Court of Nevada; (e) The Director of the Department of Corrections; (f) One member who is a representative of the Office of the Attorney General, appointed by the Attorney General; (g) Two members appointed by the governing body of the Nevada District Attorneys Association, one of whom must be a district attorney in a county whose population is 100,000 or more and one of whom must be a district attorney in a county whose population is less than 100,000; (h) One member who is a representative of the Office of the Clark County Public Defender, appointed by the head of the Office of the Clark County Public

Defender; (i) One member who is a representative of the Office of the Washoe County Public Defender, appointed by the head of the Office of the Washoe County Public Defender; (j) One member who is an attorney in private practice, experienced in defending criminal actions, appointed by the governing body of the State Bar of Nevada; (k) One member who has been a victim of a crime or is a representative of an organization supporting the rights of victims of crime, appointed by the Governor; (l) One member who is a member of the State Board of Parole Commissioners, appointed by the State Board of Parole Commissioners; (m) One member who is: (1) The Chief Parole and Probation Officer; or (2) A representative of the Division of Parole and Probation of the Department of Public Safety, appointed by the Chief Parole and Probation Officer; (n) One member who is a representative of the Nevada Sheriffs' and Chiefs' Association, appointed by the Nevada Sheriffs' and Chiefs' Association; (o) One member who is a representative of the Las Vegas Metropolitan Police Department, appointed by the Sheriff of Clark County; (p) One member who is a representative of the Division of Public and Behavioral Health of the Department of Health and Human Services; (q) One member who is a representative of an organization that advocates on behalf of inmates, appointed by the Governor; (r) Two members who are Senators, one of whom is appointed by the Majority Leader of the Senate and one of whom is appointed by the Minority Leader of the Senate; (s) Two members who are members of the Assembly, one of whom is appointed by the Speaker of the Assembly and one of whom is appointed by the Minority Leader of the Assembly; (t) One member who is: (1) The Director of the Department of Employment, Training and Rehabilitation; or (2) A representative of the Department of Employment, Training and Rehabilitation, appointed by the Director of the Department of Employment, Training and Rehabilitation; (u) One member who is a representative of an organization that works with offenders upon release from incarceration to assist in reentry into the community appointed by the Chair of the Legislative Commission; (v) One member who is a representative of the Central Repository for Nevada Records of Criminal History, appointed by the Director of the Department of Public Safety; and (w) One member who is a faculty member of the Nevada System of Higher Education who teaches criminal justice, appointed by the Governor. 2. The Executive Director shall serve as the Executive Secretary of the Sentencing Commission. 3. If any organization listed in subsection 1 ceases to exist, the appointment required pursuant to that subsection must be made by the association's successor in interest, or, if there is no successor in interest, by the Governor. 4. Each appointed member serves a term of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the Sentencing Commission must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs. 5. The Legislators who are members of the Sentencing Commission are entitled to receive the salary provided for a majority of the members of the Legislature during the first 60 days of the preceding session for each day's attendance at a meeting of the Sentencing Commission. 6. At the first regular meeting of each odd-numbered year, the members of the Sentencing Commission shall elect a Chair by majority vote who shall serve until the next Chair is elected. 7. The Sentencing Commission shall: (a) Hold its first meeting on or before September 1 of each odd-numbered year; and (b) Meet at least once every 3 months and may meet at such further times as deemed necessary by the Chair. 8. A member of the Sentencing Commission may designate a nonvoting alternate to attend a meeting in his or her place. 9. A majority of the members of the Sentencing Commission constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Sentencing Commission. A nonvoting alternate designated by a member pursuant to subsection 8 who attends a meeting of the Sentencing Commission for which the alternate is designated shall be deemed to be a member of the Sentencing Commission for the purpose of determining whether a quorum exists. 10. While engaged in the business of the Sentencing Commission, to the extent of legislative appropriation, each member of the Sentencing Commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally. 11. The Sentencing Commission may establish such working groups, task forces and similar entities from within or outside its membership as necessary to address specific issues or otherwise to assist in its work. (Added to NRS by 2017, 4187; A 2019, 2873; 2023, 1642, 2495)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.01332 - Subcommittee on Misdemeanors: Creation; membership; Chair; meetings; quorum; service without compensation; duties.

1. There is hereby created the Subcommittee on Misdemeanors of the Sentencing Commission, consisting of members appointed by the Chair of the Sentencing Commission, who must include, without limitation: (a) One member who has expertise in: (1) Policies and practices regarding misdemeanor sentencing implemented in this State and other states; and (2) Administrative assessments, fines and fees related to the criminal justice system in this State and other states; (b) One member who is a city attorney; (c) One member who is an attorney, experienced in defending criminal actions; and (d) One member who serves as a court administrator for a justice or municipal court. 2. The Chair of the Sentencing Commission shall designate one of the members of the Subcommittee to serve as the Chair of the Subcommittee. 3. The Subcommittee shall meet at the times and places specified by a call of the Chair. A majority of the members of the Subcommittee constitutes a quorum, and a quorum may exercise all the power or authority conferred on the Subcommittee. Members of the Subcommittee shall serve without compensation. 4. The Subcommittee shall: (a) Study existing laws, policies and practices relating to misdemeanor offenses in this State and other states, including, without limitation, the sentences imposed for misdemeanor offenses in this State and other states; and (b) Submit a biennial report describing the findings, conclusions and recommendations of the subcommittee to the Sentencing Commission. (Added to NRS by 2023, 2494)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.01334 - Subcommittee on Misdemeanors: Appointment of working groups by Chair; confidentiality of information and materials; service without compensation.

1. The Chair of the Subcommittee may appoint working groups composed of persons with subject matter expertise, including,

without limitation, representations of criminal justice agencies in this State to aid in the work of the Subcommittee. 2. The Chair of the Subcommittee may appoint any person the Chair deems appropriate to serve on a working group, which may include, without limitation, representatives of criminal justice agencies within this State. 3. All information and materials received or prepared by a working group are confidential and not public record for purposes of chapter 239 of NRS. 4. The members of a working group serve without compensation. (Added to NRS by 2023, 2494)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0134 - Duties of Sentencing Commission.

The Sentencing Commission shall: 1. Evaluate and study the effectiveness and fiscal impact of various policies and practices regarding sentencing which are employed in this State and other states, including, without limitation, the use of plea bargaining, probation, programs of enhanced supervision, programs of regimental discipline, imprisonment, sentencing recommendations, mandatory and minimum sentencing, mandatory sentencing for crimes involving the possession, manufacture and distribution of controlled substances, enhanced penalties for habitual criminals, parole, credits against sentences, residential confinement and alternatives to incarceration. 2. Recommend changes in the structure of sentencing in this State which: (a) Are consistent with the public policy set forth in NRS 176.0131; and (b) To the extent practicable and with consideration for their fiscal impact, incorporate general objectives and goals for sentencing. 3. Facilitate the development and maintenance of a statewide sentencing database in collaboration with state and local agencies, using existing databases or resources where appropriate. 4. Provide recommendations and advice to the Executive Director concerning the administration of the Department, including, without limitation: (a) Receiving reports from the Executive Director and providing advice to the Executive Director concerning measures to be taken by the Department to ensure compliance with the duties of the Sentencing Commission. (b) Reviewing information from the Department regarding sentencing of offenders in this State. (c) Requesting any audit, investigation or review the Sentencing Commission deems necessary to carry out the duties of the Sentencing Commission. (d) Coordinating with the Executive Director regarding the procedures for the identification and collection of data concerning the sentencing of offenders in this State. (e) Advising the Executive Director concerning any required reports and reviewing drafts of such reports. (f) Making recommendations to the Executive Director concerning the budget for the Department, improvements to the criminal justice system and legislation related to the duties of the Sentencing Commission. (g) Providing advice and recommendations to the Executive Director on any other matter. 5. For each regular session of the Legislature, with the assistance of the Department, prepare a comprehensive report including the Sentencing Commission's: (a) Recommended changes pertaining to sentencing; (b) Findings; (c) Recommendations for proposed legislation; (d) Identification of outcomes resulting from the enactment of chapter 633, Statutes of Nevada 2019, that were tracked and assessed as required pursuant to paragraphs (a), (b) and (c) of subsection 1 of NRS 176.01343; (e) Identification of trends observed after the enactment of chapter 633, Statutes of Nevada 2019, that were tracked and assessed as required pursuant to paragraph (d) of subsection 1 of NRS 176.01343; (f) Identification of gaps in the State's data tracking capabilities related to the criminal justice system and recommendations for filling any such gaps as required pursuant to paragraph (e) of subsection 1 of NRS 176.01343; (g) Recommendations for improvements, changes and budgetary adjustments; and (h) Additional recommendations for future legislation and policy options to enhance public safety and control corrections costs. 6. Submit the report prepared pursuant to subsection 5 not later than January 15 of each odd-numbered year to: (a) The Office of the Governor; (b) The Director of the Legislative Counsel Bureau for distribution to the Legislature; and (c) The Chief Justice of the Nevada Supreme Court. (Added to NRS by 2017, 4189; A 2019, 2874; 2021, 2412, 2414; 2023, 2497)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.01343 - Tracking and assessment of outcomes resulting from enactment of chapter 633, Statutes of Nevada 2019.

1. The Sentencing Commission shall: (a) Track and assess outcomes resulting from the enactment of chapter 633, Statutes of Nevada 2019, including, without limitation, the following data from the Department of Corrections: (I) With respect to prison admissions: (I) The total number of persons admitted to prison by type of offense, type of admission, felony category, prior criminal history, gender identity or expression, race, ethnicity, sexual orientation, age, housing status and, if measured upon intake, risk score; (II) The average minimum and maximum sentence term by type of offense, type of admission, felony category, prior criminal history, gender identity or expression, race, ethnicity, sexual orientation, age, mental health status and, if measured upon intake, risk score; and (III) The number of persons who received a clinical assessment identifying a mental health or substance use disorder upon intake. (2) With respect to parole and release from prison: (I) The average length of stay in prison for each type of release by type of offense, felony category, prior criminal history, gender identity or expression, race, ethnicity, sexual orientation, age, mental health status, housing status and, if measured upon intake, risk score; (II) The total number of persons released from prison each year by type of release, type of admission, felony category, prior criminal history, gender identity or expression, race, ethnicity, sexual orientation, age, mental health status, housing status and, if measured upon intake, risk score; (III) The recidivism rate of persons released from prison by type of release; and (IV) The total number of persons released from prison each year who return to prison within 36 months by type of admission, type of release, type of return to prison, including, without limitation, whether such a subsequent prison admission was the result of a new felony conviction or a revocation of parole due to a technical violation, prior criminal history, gender identity or expression, race, ethnicity, sexual orientation, age, mental health status, housing status and, if measured upon intake, risk score. (3) With respect to the number of persons in prison: (I) The total number of persons held in prison on December 31 of each year, not including those persons released from a term of prison who reside in a parole housing unit, by type of offense, type of admission, felony category, prior criminal history, gender identity or expression, race, ethnicity, sexual

orientation, age, mental health status and, if measured upon intake, risk score; (II) The total number of persons held in prison on December 31 of each year who have been granted parole by the State Board of Parole Commissioners but remain in custody, and the reasons therefor; (III) The total number of persons held in prison on December 31 of each year who are serving a sentence of life with or without the possibility of parole or who have been sentenced to death; and (IV) The total number of persons as of December 31 of each year who have started a treatment program while in prison, have completed a treatment program while in prison and are awaiting a treatment program while in prison, by type of treatment program and type of offense. (b) Track and assess outcomes resulting from the enactment of chapter 633, Statutes of Nevada 2019, with respect to the following data, which the Division shall collect and report to the Sentencing Commission: (I) With respect to the number of persons on probation or parole: (I) The total number of supervision intakes by type of offense, felony category, prior criminal history, gender identity or expression, race, ethnicity, sexual orientation, age, mental health status and, if measured upon intake, risk score; (II) The average term of probation imposed for persons on probation by type of offense; (III) The average time served by persons on probation or parole by type of discharge, felony category and type of offense; (IV) The average time credited to a person's term of probation or parole as a result of successful compliance with supervision; (V) The total number of supervision discharges by type of discharge, including, without limitation, honorable discharges and dishonorable discharges, and cases resulting in a return to prison; (VI) The recidivism rate of persons discharged from supervision by type of discharge, according to the Division's internal definition of recidivism; (VII) The number of persons identified as having a mental health issue or a substance use disorder; and (VIII) The total number of persons on probation or parole who are located within this State on December 31 of each year, not including those persons who are under the custody of the Department of Corrections. (2) With respect to persons on probation or parole who violate a condition of supervision or commit a new offense: (I) The total number of revocations and the reasons therefor, including, without limitation, whether the revocation was the result of a mental health issue or substance use disorder; (II) The average amount of time credited to a person's suspended sentence or the remainder of the person's sentence from time spent on supervision; (III) The total number of persons receiving administrative or jail sanctions, by type of offense and felony category; and (IV) The median number of administrative sanctions issued by the Division to persons on supervision, by type of offense and felony category. (c) Track and assess outcomes resulting from the enactment of chapter 633, Statutes of Nevada 2019, with respect to savings and reinvestment, including, without limitation: (1) The total amount of annual savings resulting from the enactment of any legislation relating to the criminal justice system; (2) The total annual costs avoided by this State because of the enactment of chapter 633, Statutes of Nevada 2019, as calculated pursuant to NRS 176.01347; and (3) The entities that received reinvestment funds, the total amount directed to each such entity and a description of how the funds were used. (d) Track and assess trends observed after the enactment of chapter 633, Statutes of Nevada 2019, including, without limitation, the following data, which the Central Repository for Nevada Records of Criminal History shall collect and report to the Sentencing Commission as reported to the Federal Bureau of Investigation: (1) The uniform crime rates for this State and each county in this State by index crimes and type of crime; and (2) The percentage changes in uniform crime rates for this State and each county in this State over time by index crimes and type of crime. (e) Identify gaps in this State's data tracking capabilities related to the criminal justice system and make recommendations for filling any such gaps. (f) Employ and retain other professional staff as necessary to coordinate performance and outcome measurement and develop the report required pursuant to this section. 2. As used in this section: (a) "Technical violation" has the meaning ascribed to it in NRS 176A.510. (b) "Type of admission" means the manner in which a person entered into the custody of the Department of Corrections, according to the internal definitions used by the Department of Corrections. (c) "Type of offense" means an offense categorized by the Department of Corrections as a violent offense, sex offense, drug offense, property offense, DUI offense or other offense, consistent with the internal data systems used by the Department of Corrections. (Added to NRS by 2019, 4376; A 2021, 2416; 2023, 1644)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.01347 - Development of formula to calculate costs avoided by enactment of chapter 633, Statutes of Nevada 2019; submission of statements and reports regarding costs avoided.

1. The Sentencing Commission shall develop a formula to calculate for each fiscal year the amount of costs avoided by this State because of the enactment of chapter 633, Statutes of Nevada 2019. The formula must include, without limitation, a comparison of: (a) The annual projection of the number of persons who will be in a facility or institution of the Department of Corrections which was created by the Office of Finance pursuant to NRS 176.0129 for calendar year 2018; and (b) The actual number of persons who are in a facility or institution of the Department of Corrections during each year. 2. Not later than December 1 of each fiscal year, the Sentencing Commission shall, with the assistance of the Department, use the formula developed pursuant to subsection 1 to calculate the costs avoided by this State for the immediately preceding fiscal year because of the enactment of chapter 633, Statutes of Nevada 2019, and submit a statement of the amount of the costs avoided to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Interim Finance Committee. 3. Not later than August 1 of each even-numbered year, the Sentencing Commission shall, with the assistance of the Department, prepare a report containing the projected amount of costs avoided by this State for the next biennium because of the enactment of chapter 633, Statutes of Nevada 2019, and recommendations for the reinvestment of the amount of those costs to provide financial support to programs and services that address the behavioral health needs of persons involved in the criminal justice system in order to reduce recidivism. In preparing the report, the Sentencing Commission shall prioritize providing financial support to: (a) The Department of Corrections for programs for reentry of offenders and parolees into the community, programs for vocational training and employment of offenders,

educational programs for offenders and transitional work programs for offenders; (b) The Division for services for offenders reentering the community, the supervision of probationers and parolees and programs of treatment for probationers and parolees that are proven by scientific research to reduce recidivism; (c) Any behavioral health field response grant program developed and implemented pursuant to NRS 289.675; (d) The Housing Division of the Department of Business and Industry to create or provide transitional housing for probationers and parolees and offenders reentering the community; and (e) The Nevada Local Justice Reinvestment Coordinating Council created by NRS 176.014 for the purpose of making grants to counties for programs and treatment that reduce recidivism of persons involved in the criminal justice system. 4. Not later than August 1 of each even-numbered year, the Sentencing Commission shall submit the report prepared pursuant to subsection 3 to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature. (Added to NRS by 2019, 4379; A 2019, 2419)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0135 - Grants, bequests, devises, donations and gifts; Special Account for the Support of the Nevada Sentencing Commission.

1. The Chair of the Sentencing Commission may apply for and accept any available grants and may accept any bequests, devises, donations or gifts from any public or private source to carry out the provisions of NRS 176.0132 to 176.0139, inclusive. 2. Any money received pursuant to this section must be deposited in the Special Account for the Support of the Nevada Sentencing Commission, which is hereby created in the State General Fund. Interest and income earned on money in the Account must be credited to the Account. Money in the Account may only be used for the support of the Sentencing Commission and its activities pursuant to NRS 176.0132 to 176.0139, inclusive. (Added to NRS by 2017, 4190)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0136 - Subpoenas: Power to issue; compelling performance.

1. To carry out its powers and duties pursuant to NRS 176.0132 to 176.0139, inclusive, the Sentencing Commission, or any member thereof acting on behalf of the Sentencing Commission with a concurrence of a majority of the members of the Sentencing Commission, may issue subpoenas to compel the attendance of witnesses and the production of books, records, documents or other papers and testimony. 2. If any person fails to comply with a subpoena issued by the Sentencing Commission or any member thereof pursuant to this section within 20 days after the date of service of the subpoena, the Sentencing Commission may petition the district court for an order of the court compelling compliance with the subpoena. 3. Upon such a petition, the court shall enter an order directing the person subpoenaed to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 20 days after the date of service of the order, and show cause why the person has not complied with the subpoena. A certified copy of the order must be served upon the person subpoenaed. 4. If it appears to the court that the subpoena was regularly issued by the Sentencing Commission or a member thereof pursuant to this section, the court shall enter an order compelling compliance with the subpoena, and upon failure to obey the order the person shall be dealt with as for contempt of court. (Added to NRS by 2017, 4190)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0137 - Department of Corrections and Division of Parole and Probation to provide information to and assist Sentencing Commission.

1. The Department of Corrections shall: (a) Provide the Sentencing Commission with any available statistical information or research requested by the Sentencing Commission and assist the Sentencing Commission in the compilation and development of information requested by the Sentencing Commission, including, without limitation, information or research concerning the facilities and institutions of the Department of Corrections, the offenders who are or were within those facilities or institutions, rates of recidivism, the effectiveness of educational and vocational programs and the sentences which are being served or were served by those offenders; (b) If requested by the Sentencing Commission, make available to the Sentencing Commission the use of the computers and programs which are owned by the Department of Corrections; and (c) Provide the independent contractor retained pursuant to NRS 176.0129 with any available statistical information requested by the independent contractor for the purpose of performing the projections required by NRS 176.0129. 2. The Division shall: (a) Provide the Sentencing Commission with any available statistical information or research requested by the Sentencing Commission and assist the Sentencing Commission in the compilation and development of information concerning sentencing, probation, parole and any offenders who are or were subject to supervision by the Division; (b) If requested by the Sentencing Commission, make available to the Sentencing Commission the use of the computers and programs which are owned by the Division; and (c) Provide the independent contractor retained pursuant to NRS 176.0129 with any available statistical information requested by the independent contractor for the purpose of performing the projections required by NRS 176.0129. (Added to NRS by 2017, 4191)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0138 - Central Repository for Nevada Records of Criminal History to facilitate data collection and provide data and information to Sentencing Commission.

The Central Repository for Nevada Records of Criminal History shall provide the Sentencing Commission with any statistical data and information required to be collected pursuant to NRS 176.0128, as requested by the Sentencing Commission. (Added to NRS by 2017, 4191)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.01385 - Confidentiality of information collected or stored by Department.

Any information collected or stored by the Department for the purpose of analyzing and understanding the criminal justice system, including, without limitation, information from a database, interview or other source, is confidential and not a public record within the meaning of NRS 239.010. (Added to NRS by 2023, 1641)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0139 - Annual projections of persons imprisoned, on probation, on parole and in residential confinement.

The Office of Finance shall provide the Sentencing Commission with any projections on persons imprisoned, on probation, on parole and serving a term of residential confinement required pursuant to NRS 176.0129, as requested by the Sentencing Commission. (Added to NRS by 2017, 4192)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.014 - Creation; composition; Chair; duties; terms of members; per diem allowance and travel expenses; staff; acceptance of gifts, donations, bequests, grants and money.

1. The Nevada Local Justice Reinvestment Coordinating Council is hereby created. The Council consists of: (a) One member from each county in this State whose population is less than 100,000; and (b) Two members from each county in this State whose population is 100,000 or more. 2. Each member of the Council must be appointed by the governing body of the applicable county and must meet any qualifications adopted by the Sentencing Commission pursuant to subsection 8. The Chair of the Sentencing Commission shall appoint the Chair of the Council from among the members of the Council. 3. The Council shall: (a) Advise the Sentencing Commission on matters related to any legislation, regulations, rules, budgetary changes and all other actions needed to implement the provisions of chapter 633, Statutes of Nevada 2019, as they relate to local governments; (b) Identify county-level programming and treatment needs for persons involved in the criminal justice system for the purpose of reducing recidivism; (c) Make recommendations to the Sentencing Commission regarding grants to local governments, courts and nonprofit organizations from the State General Fund; (d) Oversee the implementation of local grants; (e) Create performance measures to assess the effectiveness of the grants; and (f) Identify opportunities for collaboration with the Department of Health and Human Services at the state and county level for treatment services and funding. 4. Each member of the Council serves a term of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the Council must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs. 5. While engaged in the business of the Council, to the extent of legislative appropriation, each member of the Council is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally. 6. The Council may accept any gift, donation, bequest, grant or other source of money for the purpose of carrying out its duties pursuant to this section. 7. To the extent of legislative appropriation, the Sentencing Commission shall provide the Council with such staff as is necessary to carry out the duties of the Council pursuant to this section. 8. The Sentencing Commission may adopt any qualifications that a person must meet before being appointed as a member of the Council. (Added to NRS by 2019, 4379; A 2021, 2420; 2023, 1647)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.015 - Prompt hearing; court may commit defendant or continue or alter bail before hearing; statement by defendant; presentation of mitigating evidence; rights of victim; notice of hearing.

1. Sentence must be imposed without unreasonable delay. Pending sentence, the court may commit the defendant or continue or alter the bail. 2. Before imposing sentence, the court shall: (a) Afford counsel an opportunity to speak on behalf of the defendant; and (b) Address the defendant personally and ask the defendant if: (1) The defendant wishes to make a statement in his or her own behalf and to present any information in mitigation of punishment; and (2) The defendant is a veteran or a member of the military. If the defendant meets the qualifications of subsection 1 of NRS 176A.280, the court may, if appropriate, assign the defendant to: (I) A program of treatment established pursuant to NRS 176A.280; or (II) If a program of treatment established pursuant to NRS 176A.280 is not available for the defendant, a program of treatment established pursuant to NRS 176A.230 or 176A.250. 3. After hearing any statements presented pursuant to subsection 2 and before imposing sentence, the court shall afford the victim an opportunity to: (a) Appear personally, by counsel or by personal representative; and (b) Reasonably express any views concerning the crime, the person responsible, the impact of the crime on the victim and the need for restitution. 4. The prosecutor shall give reasonable notice of the hearing to impose sentence to: (a) The person against whom the crime was committed; (b) A person who was injured as a direct result of the commission of the crime; (c) The surviving spouse, parents or children of a person who was killed as a direct result of the commission of the crime; and (d) Any other relative or victim who requests in writing to be notified of the hearing. Any defect in notice or failure of such persons to appear are not grounds for an appeal or the granting of a writ of habeas corpus. All personal information, including, but not limited to, a current or former address, which pertains to a victim or relative and which is received by the prosecutor pursuant to this subsection is confidential. 5. For the purposes of this section: (a) "Member of the military" has the meaning ascribed to it in NRS 176A.043. (b) "Relative" of a person includes: (1) A spouse, parent, grandparent or stepparent; (2) A natural born child, stepchild or adopted child; (3) A grandchild, brother, sister, half brother or half

sister; or (4) A parent of a spouse. (c) "Veteran" has the meaning ascribed to it in NRS 176A.090. (d) "Victim" includes: (1) A person, including a governmental entity, against whom a crime has been committed; (2) A person who has been injured or killed as a direct result of the commission of a crime; and (3) A relative of a person described in subparagraph (1) or (2). 6. This section does not restrict the authority of the court to consider any reliable and relevant evidence at the time of sentencing. (Added to NRS by 1967, 1432; A 1989, 1425; 1991, 90; 1995, 371; 1997, 3236; 2001, 889; 2009, 100; 2017, 3018; 2019, 4380)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.016 - Court may order certain homeless defendants to complete program; waiver or reduction of fines, administrative assessments and fees.

1. A justice court, municipal court or district court, as applicable, that has jurisdiction over an eligible defendant who is charged with or convicted of an eligible offense may order the eligible defendant to complete a program of treatment. 2. Notwithstanding any other provision of law, a court that orders an eligible defendant to complete a program of treatment pursuant to this section may waive or reduce any fine, administrative assessment or fee that would otherwise be imposed upon the eligible defendant for commission of the eligible offense pursuant to specific statute. 3. As used in this section: (a) "Eligible defendant" means a homeless person who is charged with or convicted of an eligible offense. (b) "Eligible offense" means a violation of any local ordinance prohibiting public urination or defecation or possession of an open container of an alcoholic beverage, or the same or similar conduct, or a violation of the following statutory provisions, or any local ordinance prohibiting the same or similar conduct, that is punishable as a misdemeanor: (1) NRS 202.450. (2) NRS 205.860. (3) NRS 206.010. (4) NRS 206.140. (5) NRS 206.310. (6) NRS 207.200. (c) "Homeless person" means a person: (1) Who lacks a fixed, regular and adequate residence; (2) With a primary residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including, without limitation, a car, a park, an abandoned building, a bus or train station, an airport or a camping ground; or (3) Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements, including, without limitation, transitional housing, hotels or motels paid for by any federal, state or local governmental program or any charitable organization. For the purpose of this paragraph, a person shall be deemed to be a homeless person if the person provides sufficient proof to the court that the person meets the criteria set forth in subparagraph (1), (2) or (3) or the person has recently used public services for homeless persons or if a public or private agency or entity that provides services to homeless persons provides sufficient proof to the court that the person is a homeless person. (d) "Program of treatment" means a preprosecution diversion program, specialty court program or other program designed to assist homeless persons that is established pursuant to NRS 174.032, 176A.230, 176A.250, 176A.280, 433A.335 or another specific statute or by court rule or court order. (Added to NRS by 2023, 1795)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.017 - Imposition of sentence on person convicted as adult for offense committed when person was under age of 18 years: Additional considerations; reduction of sentence.

1. If a person is convicted as an adult for an offense that the person committed when he or she was less than 18 years of age, in addition to any other factor that the court is required to consider before imposing a sentence upon such a person, the court shall consider the differences between juvenile and adult offenders, including, without limitation, the diminished culpability of juveniles as compared to that of adults and the typical characteristics of youth. 2. Notwithstanding any other provision of law, after considering the factors set forth in subsection 1, the court may, in its discretion, reduce any mandatory minimum period of incarceration that the person is required to serve by not more than 35 percent if the court determines that such a reduction is warranted given the age of the person and his or her prospects for rehabilitation. (Added to NRS by 2015, 618; A 2017, 1219)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.025 - Sentence of death or life imprisonment without possibility of parole not to be imposed on person under age of 18 years.

A sentence of death or life imprisonment without the possibility of parole must not be imposed or inflicted upon any person convicted of a crime now punishable by death or life imprisonment without the possibility of parole who at the time of the commission of the crime was less than 18 years of age. As to such a person, the maximum punishment that may be imposed is life imprisonment with the possibility of parole. (Added to NRS by 1967, 1432; A 2005, 63; 2011, 19; 2015, 618)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.033 - Sentence of imprisonment required or permitted by statute: Definite period for misdemeanor or gross misdemeanor; minimum and maximum term for felony unless definite term required by statute; restitution.

If a sentence of imprisonment is required or permitted by statute, the court shall: 1. If sentencing a person who has been found guilty of a misdemeanor or a gross misdemeanor, sentence the person to imprisonment for a definite period of time within the maximum limit or the minimum and maximum limits prescribed by the applicable statute, taking due account of the gravity of the particular offense and of the character of the individual defendant. 2. If sentencing a person who has been found guilty of a felony, sentence the person to a minimum term and a maximum term of imprisonment, unless a definite term of imprisonment is required by statute. 3. If restitution is appropriate, set an amount of restitution for each victim of the offense and for expenses related to extradition in accordance with NRS 179.225. (Added to NRS by 1967, 527; A 1973, 844; 1975, 652; 1977, 414; 1987, 395; 1989, 678; 1993, 934, 1512; 1995, 551, 1248; 2019, 4381)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.035 - Conviction of two or more offenses; concurrent and consecutive sentences; aggregating consecutive sentences and sentences for additional penalties.

1. Except as otherwise provided in subsection 3, whenever a person is convicted of two or more offenses, and sentence has been pronounced for one offense, the court in imposing any subsequent sentence may provide that the sentences subsequently pronounced run either concurrently or consecutively with the sentence first imposed. Except as otherwise provided in subsections 3 and 4, if the court makes no order with reference thereto, all such subsequent sentences run concurrently. For offenses committed on or after July 1, 2014, if the court imposes the sentences to run consecutively, the court must pronounce the minimum and maximum aggregate terms of imprisonment pursuant to subsection 2, unless the defendant is sentenced to life imprisonment without the possibility of parole or death. 2. When aggregating terms of imprisonment pursuant to subsection 1: (a) If at least one sentence imposes a maximum term of imprisonment for life with the possibility of parole, the court must aggregate the minimum terms of imprisonment to determine the minimum aggregate term of imprisonment, and the maximum aggregate term of imprisonment shall be deemed to be imprisonment in the state prison for life with the possibility of parole. (b) If all the sentences impose a minimum and maximum term of imprisonment, the court must aggregate the minimum terms of imprisonment to determine the minimum aggregate term of imprisonment and must aggregate the maximum terms of imprisonment to determine the maximum aggregate term of imprisonment. 3. Except as otherwise provided in this section, whenever a person under sentence of imprisonment for committing a felony commits another crime constituting a felony and is sentenced to another term of imprisonment for that felony, the latter term must not begin until the expiration of all prior terms, including the expiration of any prior aggregated terms. If the person is a probationer at the time the subsequent felony is committed, the court may provide that the latter term of imprisonment run concurrently with any prior terms or portions thereof. 4. Whenever a person under sentence of imprisonment commits another crime constituting a misdemeanor or gross misdemeanor, the court shall provide expressly whether the sentence subsequently pronounced runs concurrently or consecutively with the one first imposed. 5. Whenever a person under sentence of imprisonment commits another crime for which the punishment is death or imprisonment for life without the possibility of parole, the sentence must be executed without reference to the unexpired term of imprisonment. 6. Regardless of whether a person is under sentence of imprisonment, if the person commits another crime for which the punishment is death or imprisonment for life without the possibility of parole, the sentence must be executed without reference to eligibility for parole. 7. If a court imposes an additional penalty pursuant to NRS 193.161 to 193.1685, inclusive, the sentence imposed for the additional penalty must be aggregated with the sentence imposed for the underlying offense. A prisoner upon whom a sentence for an additional penalty is imposed pursuant to NRS 193.161 to 193.1685, inclusive, before October 1, 2019, may elect to have the sentence imposed for the additional penalty aggregated with the sentence imposed for the underlying offense in accordance with subsection 5 of NRS 213.1212. 8. This section does not prevent the State Board of Parole Commissioners from paroling a person under consecutive sentences of imprisonment from a current term of imprisonment to a subsequent term of imprisonment. 9. This section must not be construed to prohibit the aggregation of any sentences of imprisonment relating to different cases. (Added to NRS by 1967, 1432; A 1973, 181, 674; 1987, 591; 1997, 1187; 2001, 1936; 2013, 221; 2019, 233)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.045 - Imposition of concurrent or consecutive sentence on person under sentence in another jurisdiction.

1. Whenever a person convicted of a public offense in this State is under sentence of imprisonment pronounced by another jurisdiction, federal or state, whether or not the prior sentence is for the same offense, the court in imposing any sentence for the offense committed in this State may, in its discretion, provide that such sentence shall run either concurrently or consecutively with the prior sentence. 2. If the court provides that the sentence shall run concurrently, and the defendant is released by the other jurisdiction prior to the expiration of the sentence imposed in this State, the defendant shall be returned to the State of Nevada to serve out the balance of such sentence, unless the defendant is eligible for parole under the provisions of chapter 213 of NRS, and the Board of Parole Commissioners directs that the defendant be released on parole as provided in that chapter. 3. If the court makes an order pursuant to this section, the clerk of the court shall provide the Director of the Department of Corrections with a certified copy of judgment and notification of the place of out-of-state confinement. 4. If the court makes no order pursuant to this section, the sentence imposed in this State shall not begin until the expiration of all prior sentences imposed by other jurisdictions. (Added to NRS by 1967, 1432; A 1973, 180; 1977, 859; 2001 Special Session, 215)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.055 - Credit against sentence of imprisonment.

1. Except as otherwise provided in subsection 2, whenever a sentence of imprisonment in the county jail or state prison is imposed, the court may order that credit be allowed against the duration of the sentence, including any minimum term or minimum aggregate term, as applicable, thereof prescribed by law, for the amount of time which the defendant has actually spent in confinement before conviction, unless the defendant's confinement was pursuant to a judgment of conviction for another offense. Credit allowed pursuant to this subsection does not alter the date from which the term of imprisonment is computed. 2. A defendant who is convicted of a subsequent offense which was committed while the defendant was: (a) In custody on a prior charge is not eligible for any credit on the sentence for the subsequent offense for time the defendant has spent in confinement on the prior charge, unless the charge was dismissed or the defendant was acquitted. (b) Imprisoned in a county jail or state prison or on probation or parole from a

Nevada conviction is not eligible for any credit on the sentence for the subsequent offense for the time the defendant has spent in confinement which is within the period of the prior sentence, regardless of whether any probation or parole has been formally revoked. (Added to NRS by 1967, 1433; A 1971, 243; 1973, 161; 1981, 479; 2013, 222)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.057 - Effect of finding of guilty but mentally ill or acceptance of such plea.

1. If a defendant is found guilty but mentally ill pursuant to NRS 175.533 or the court accepts the defendant's plea of guilty but mentally ill entered pursuant to NRS 174.035, and the court finds by a preponderance of the evidence that: (a) The defendant is not mentally ill at the time of sentencing, the court shall impose any sentence that the court is authorized to impose upon a defendant who pleads or is found guilty of the same offense; or (b) The defendant is mentally ill at the time of sentencing, the court shall: (1) Impose any sentence that the court is authorized to impose upon a defendant who pleads or is found guilty of the same offense; and (2) Include in that sentence an order that the defendant, during the period of confinement or probation, be given or obtain such treatment as is medically indicated for the defendant's mental illness. 2. If the sentence of a defendant includes a period of confinement at a state correctional facility, the Department of Corrections shall separate such a person from the general population of the prison and shall not return the person to that population until a licensed psychiatrist or psychologist employed by the Department finds that the person no longer requires acute mental health care. If the person is returned to the general population, the person must continue to be given or obtain such treatment as is medically indicated for the person's mental illness. (Added to NRS by 2007, 1413)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.059 - Administrative assessment for misdemeanor: Collection; distribution; limitations on use.

1. Except as otherwise provided in subsection 2, when a defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a misdemeanor, including the violation of any municipal ordinance, the justice or judge shall include in the sentence the sum prescribed by the following schedule as an administrative assessment and render a judgment against the defendant for the assessment: Fine Assessment \$5 to \$49..... \$30 50 to 59..... 45 60 to 69..... 50 70 to 79..... 55 80 to 89..... 60 90 to 99..... 65 100 to 199..... 75 200 to 299..... 85 300 to 399..... 95 400 to 499..... 105 500 to 1,000..... 120 If the justice or judge sentences the defendant to perform community service in lieu of a fine, the justice or judge shall include in the sentence the amount of the administrative assessment that corresponds with the fine for which the defendant would have been responsible as prescribed by the schedule in this subsection. 2. The provisions of subsection 1 do not apply to: (a) An ordinance regulating metered parking; or (b) An ordinance which is specifically designated as imposing a civil penalty or liability pursuant to NRS 244.3575 or 268.019. 3. The money collected for an administrative assessment must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for an administrative assessment must be stated separately on the court's docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the amount posted for bail pursuant to this subsection must be disbursed in the manner set forth in subsection 5 or 6. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the justice or judge cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall be deemed to be uncollectible and the defendant is not required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of the fine or administrative assessment the defendant has paid and the justice or judge shall not recalculate the administrative assessment. 4. If the justice or judge permits the fine and administrative assessment to be paid in installments, the payments must be first applied to the unpaid balance of the administrative assessment. The city treasurer shall distribute partially collected administrative assessments in accordance with the requirements of subsection 5. The county treasurer shall distribute partially collected administrative assessments in accordance with the requirements of subsection 6. 5. The money collected for administrative assessments in municipal court must be paid by the clerk of the court to the city treasurer on or before the fifth day of each month for the preceding month. The city treasurer shall distribute, on or before the 15th day of that month, the money received in the following amounts for each assessment received: (a) Two dollars to the county treasurer for credit to a special account in the county general fund for the use of the county's juvenile court or for services to juvenile offenders. Any money remaining in the special account after 2 fiscal years must be deposited in the county general fund if it has not been committed for expenditure. The county treasurer shall provide, upon request by a juvenile court, monthly reports of the revenue credited to and expenditures made from the special account. (b) Seven dollars for credit to a special revenue fund for the use of the municipal courts. Any money remaining in the special revenue fund after 2 fiscal years must be deposited in the municipal general fund if it

has not been committed for expenditure. The city treasurer shall provide, upon request by a municipal court, monthly reports of the revenue credited to and expenditures made from the special revenue fund. (c) The remainder of each assessment to the State Controller for credit to the State General Fund. 6. The money collected for administrative assessments in justice courts must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. The county treasurer shall distribute, on or before the 15th day of that month, the money received in the following amounts for each assessment received: (a) Two dollars for credit to a special account in the county general fund for the use of the county's juvenile court or for services to juvenile offenders. Any money remaining in the special account after 2 fiscal years must be deposited in the county general fund if it has not been committed for expenditure. The county treasurer shall provide, upon request by a juvenile court, monthly reports of the revenue credited to and expenditures made from the special account. (b) Seven dollars for credit to a special revenue fund for the use of the justice courts. Any money remaining in the special revenue fund after 2 fiscal years must be deposited in the county general fund if it has not been committed for expenditure. The county treasurer shall provide, upon request by a justice court, monthly reports of the revenue credited to and expenditures made from the special revenue fund. (c) The remainder of each assessment to the State Controller for credit to the State General Fund. 7. The money apportioned to a juvenile court, a justice court or a municipal court pursuant to this section must be used, in addition to providing services to juvenile offenders in the juvenile court, to improve the operations of the court, or to acquire appropriate advanced technology or the use of such technology, or both. Money used to improve the operations of the court may include expenditures for: (a) Training and education of personnel; (b) Acquisition of capital goods; (c) Management and operational studies; or (d) Audits. 8. As used in this section, "juvenile court" has the meaning ascribed to it in NRS 62A.180. (Added to NRS by 1983, 907; A 1985, 907; 1987, 1417; 1989, 1058, 1980; 1991, 1554, 2181; 1993, 604, 867; 1995, 2453; 1997, 1508; 1999, 2426; 2001, 375, 2353, 2919; 2003, 1118, 1461, 2098; 2007, 40, 1413, 1741; 2009, 979; 2010, 26th Special Session, 81; 2013, 1753; 2019, 3301; 2023, 1960)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0611 - Additional administrative assessment for misdemeanor: Authorization; collection; distribution; limitations on use.

1. A county or a city, upon recommendation of the appropriate court, may, by ordinance, authorize the justices or judges of the justice or municipal courts within its jurisdiction to impose, in addition to the administrative assessments imposed pursuant to NRS 176.059, 176.0613 and 176.0623, an administrative assessment for the provision of court facilities. 2. Except as otherwise provided in subsection 3, in any jurisdiction in which an administrative assessment for the provision of court facilities has been authorized, when a defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a misdemeanor, including the violation of any municipal ordinance, the justice or judge shall include in the sentence the sum of \$10 as an administrative assessment for the provision of court facilities and render a judgment against the defendant for the assessment. If the justice or judge sentences the defendant to perform community service in lieu of a fine, the justice or judge shall include in the sentence the administrative assessment required pursuant to this subsection. 3. The provisions of subsection 2 do not apply to: (a) An ordinance regulating metered parking; or (b) An ordinance that is specifically designated as imposing a civil penalty or liability pursuant to NRS 244.3575 or 268.019. 4. The money collected for an administrative assessment for the provision of court facilities must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for such an administrative assessment must be stated separately on the court's docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the amount posted for bail pursuant to this subsection must be disbursed in the manner set forth in subsection 6 or 7. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the justice or judge cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall be deemed to be uncollectible and the defendant is not required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of the fine or administrative assessment the defendant has paid and the justice or judge shall not recalculate the administrative assessment. 5. If the justice or judge permits the fine and administrative assessment for the provision of court facilities to be paid in installments, the payments must be applied in the following order: (a) To pay the unpaid balance of an administrative assessment imposed pursuant to NRS 176.059; (b) To pay the unpaid balance of an administrative assessment for the provision of court facilities pursuant to this section; (c) To pay the unpaid balance of an administrative assessment for the provision of specialty court programs pursuant to NRS 176.0613; (d) To pay the unpaid balance of an administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis pursuant to NRS 176.0623; and (e) To pay the fine. 6. The money collected for administrative assessments for the provision of court facilities in municipal courts must be paid by the clerk of the court to the city treasurer on or before the fifth day of each month for the preceding month. The city treasurer shall deposit the money received in a special revenue fund. The city may use the money in the special revenue fund only to: (a) Acquire land on which to construct additional facilities for the municipal courts or a regional justice center that includes the municipal courts. (b) Construct or acquire additional facilities for the municipal courts or a regional justice center that includes the municipal courts. (c) Renovate or remodel existing facilities for the municipal courts. (d) Acquire furniture, fixtures and equipment necessitated by the construction or acquisition of additional facilities or the renovation of an existing facility for the municipal courts or a regional justice center that includes the municipal courts. This paragraph does not authorize the expenditure of money from the fund for furniture, fixtures or equipment for judicial chambers. (e) Acquire advanced technology for use in the additional or renovated facilities. (f) Pay debt service on any bonds issued pursuant to subsection 3 of NRS 350.020 for the acquisition of land or facilities or the construction or renovation of facilities for the municipal courts or a regional justice center that includes the municipal courts.

Any money remaining in the special revenue fund after 5 fiscal years must be deposited in the municipal general fund for the continued maintenance of court facilities if it has not been committed for expenditure pursuant to a plan for the construction or acquisition of court facilities or improvements to court facilities. The city treasurer shall provide, upon request by a municipal court, monthly reports of the revenue credited to and expenditures made from the special revenue fund. 7. The money collected for administrative assessments for the provision of court facilities in justice courts must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. The county treasurer shall deposit the money received to a special revenue fund. The county may use the money in the special revenue fund only to: (a) Acquire land on which to construct additional facilities for the justice courts or a regional justice center that includes the justice courts. (b) Construct or acquire additional facilities for the justice courts or a regional justice center that includes the justice courts. (c) Renovate or remodel existing facilities for the justice courts. (d) Acquire furniture, fixtures and equipment necessitated by the construction or acquisition of additional facilities or the renovation of an existing facility for the justice courts or a regional justice center that includes the justice courts. This paragraph does not authorize the expenditure of money from the fund for furniture, fixtures or equipment for judicial chambers. (e) Acquire advanced technology for use in the additional or renovated facilities. (f) Pay debt service on any bonds issued pursuant to subsection 3 of NRS 350.020 for the acquisition of land or facilities or the construction or renovation of facilities for the justice courts or a regional justice center that includes the justice courts. Any money remaining in the special revenue fund after 5 fiscal years must be deposited in the county general fund for the continued maintenance of court facilities if it has not been committed for expenditure pursuant to a plan for the construction or acquisition of court facilities or improvements to court facilities. The county treasurer shall provide, upon request by a justice court, monthly reports of the revenue credited to and expenditures made from the special revenue fund. 8. If money collected pursuant to this section is to be used to acquire land on which to construct a regional justice center, to construct a regional justice center or to pay debt service on bonds issued for these purposes, the county and the participating cities shall, by interlocal agreement, determine such issues as the size of the regional justice center, the manner in which the center will be used and the apportionment of fiscal responsibility for the center. (Added to NRS by 1995, 1024; A 1995, 2482; 1997, 140; 2003, 526, 1463, 2100; 2007, 1416; 2013, 1064, 1988, 3683; 2015, 2955; 2017, 2905; 2019, 384)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0613 - Additional administrative assessment for misdemeanor: Authorization; collection; distribution; limitations on use.

1. The justices or judges of the justice or municipal courts shall impose, in addition to an administrative assessment imposed pursuant to NRS 176.059, 176.0611 and 176.0623, an administrative assessment for the provision of specialty court programs. 2. Except as otherwise provided in subsection 3, when a defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a misdemeanor, including the violation of any municipal ordinance, the justice or judge shall include in the sentence the sum of \$7 as an administrative assessment for the provision of specialty court programs and render a judgment against the defendant for the assessment. If a defendant is sentenced to perform community service in lieu of a fine, the sentence must include the administrative assessment required pursuant to this subsection. 3. The provisions of subsection 2 do not apply to: (a) An ordinance regulating metered parking; or (b) An ordinance which is specifically designated as imposing a civil penalty or liability pursuant to NRS 244.3575 or 268.019. 4. The money collected for an administrative assessment for the provision of specialty court programs must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for such an administrative assessment must be stated separately on the court's docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the bail pursuant to this subsection must be disbursed pursuant to subsection 6 or 7. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the justice or judge cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall be deemed to be uncollectible and the defendant is not required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of the fine or administrative assessment the defendant has paid and the justice or judge shall not recalculate the administrative assessment. 5. If the justice or judge permits the fine and administrative assessment for the provision of specialty court programs to be paid in installments, the payments must be applied in the following order: (a) To pay the unpaid balance of an administrative assessment imposed pursuant to NRS 176.059; (b) To pay the unpaid balance of an administrative assessment for the provision of court facilities pursuant to NRS 176.0611; (c) To pay the unpaid balance of an administrative assessment for the provision of specialty court programs; (d) To pay the unpaid balance of an administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis pursuant to NRS 176.0623; and (e) To pay the fine. 6. The money collected for an administrative assessment for the provision of specialty court programs in municipal court must be paid by the clerk of the court to the city treasurer on or before the fifth day of each month for the preceding month. On or before the 15th day of that month, the city treasurer shall deposit the money received for each administrative assessment with the State Controller for credit to a special account in the State General Fund administered by the Office of Court Administrator. 7. The money collected for an administrative assessment for the provision of specialty court programs in justice courts must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. On or before the 15th day of that month, the county treasurer shall deposit the money received for each administrative assessment with the State Controller for credit to a special account in the State General Fund administered by the Office of Court Administrator. 8. The Office of Court Administrator shall allocate the money credited to the State General Fund pursuant to subsections 6 and 7 to courts to assist with the funding or establishment of

specialty court programs. 9. Money that is apportioned to a court from administrative assessments for the provision of specialty court programs must be used by the court to: (a) Pay for the treatment and testing of persons who participate in the program; and (b) Improve the operations of the specialty court program by any combination of: (1) Acquiring necessary capital goods; (2) Providing for personnel to staff and oversee the specialty court program; (3) Providing training and education to personnel; (4) Studying the management and operation of the program; (5) Conducting audits of the program; (6) Supplementing the funds used to pay for judges to oversee a specialty court program; or (7) Acquiring or using appropriate technology. 10. As used in this section: (a) "Office of Court Administrator" means the Office of Court Administrator created pursuant to NRS 1.320; and (b) "Specialty court program" means a program established by a court to facilitate testing, treatment and oversight of certain persons over whom the court has jurisdiction and who the court has determined suffer from a mental illness or uses alcohol or other substances. Such a program includes, without limitation, a program established pursuant to NRS 176A.230, 176A.250 or 176A.280. (Added to NRS by 2003, 2096; A 2007, 1418; 2009, 101; 2013, 1066, 1990, 3686; 2015, 2955; 2017, 2905; 2019, 4382)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.062 - Administrative assessment for felony or gross misdemeanor: Collection; distribution; limitations on use.

1. When a defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a felony or gross misdemeanor, the judge shall include in the sentence the sum of \$25 as an administrative assessment and render a judgment against the defendant for the assessment. 2. The money collected for an administrative assessment: (a) Must not be deducted from any fine imposed by the judge; (b) Must be taxed against the defendant in addition to the fine; and (c) Must be stated separately on the court's docket. 3. The money collected for administrative assessments in district courts must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. The county treasurer shall distribute, on or before the 15th day of that month, the money received in the following amounts for each assessment received: (a) Five dollars for credit to a special account in the county general fund for the use of the district court. (b) The remainder of each assessment to the State Controller. 4. The State Controller shall credit the money received pursuant to subsection 3 to a special account for the assistance of criminal justice in the State General Fund, and distribute the money from the account to the Attorney General as authorized by the Legislature. Any amount received in excess of the amount authorized by the Legislature for distribution must remain in the account. (Added to NRS by 1987, 846; A 1991, 1153; 1995, 2455; 2001, 2921; 2003, 1465; 2007, 1420)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0623 - Additional administrative assessment for felony, gross misdemeanor or misdemeanor: Authorization; collection; distribution; limitations on use.

1. In addition to any other administrative assessment imposed, when a defendant pleads guilty, is found guilty or enters a plea of nolo contendere to a misdemeanor, gross misdemeanor or felony, including the violation of any municipal ordinance, on or after July 1, 2013, the justice or judge of the justice, municipal or district court, as applicable, shall include in the sentence the sum of \$3 as an administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis and shall render a judgment against the defendant for the assessment. If a defendant is sentenced to perform community service in lieu of a fine, the sentence must include the administrative assessment required pursuant to this subsection. 2. The money collected for an administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for such an administrative assessment must be stated separately on the court's docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the bail pursuant to this subsection must be disbursed pursuant to subsection 4. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the justice or judge cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall be deemed to be uncollectible, and the defendant is not required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of the fine or administrative assessment he or she has paid, and the justice or judge shall not recalculate the administrative assessment. 3. If the justice or judge permits the fine and administrative assessment for the provision of genetic marker analysis to be paid in installments, the payments must be applied in the following order: (a) To pay the unpaid balance of an administrative assessment imposed pursuant to NRS 176.059; (b) To pay the unpaid balance of an administrative assessment for the provision of court facilities pursuant to NRS 176.0611; (c) To pay the unpaid balance of an administrative assessment for the provision of specialty court programs pursuant to NRS 176.0613; (d) To pay the unpaid balance of an administrative assessment for obtaining a biological specimen and conducting a genetic marker analysis pursuant to this section; and (e) To pay the fine. 4. The money collected for an administrative assessment for the provision of genetic marker analysis must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month for credit to the fund for genetic marker analysis pursuant to NRS 176.0915. (Added to NRS by 2013, 1062)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0625 - Administrative assessment, fine or fee for felony or gross misdemeanor: Collection by certain entities.

1. If a fine, administrative assessment or fee is imposed pursuant to this chapter upon a defendant who pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a felony or gross misdemeanor, the district court entering the judgment of conviction shall forward to the county treasurer or other office assigned by the county to make collections the information necessary to collect the fine, administrative assessment or fee. The county treasurer or other office assigned by the county to make collections

is responsible for such collection efforts and has the authority to collect the fine, administrative assessment or fee. 2. If the county treasurer or other office assigned by the county to make collections is unable to collect the fine, administrative assessment or fee after 60 days, the county treasurer may assign to the Office of the State Controller the responsibility for collection of the fine, administrative assessment or fee through a cooperative agreement pursuant to NRS 353.650, so long as the Office of the State Controller is willing and able to make such collection efforts. 3. If the county treasurer and the Office of the State Controller enter into a cooperative agreement pursuant to NRS 353.650, the county treasurer or other county office assigned by the county to make collections shall forward to the Office of the State Controller the necessary information. For the purposes of this section, the information necessary to collect the fine, administrative assessment or fee shall be considered and limited to: (a) The name of the defendant; (b) The date of birth of the defendant; (c) The social security number of the defendant; (d) The last known address of the defendant; and (e) The nature and the amount of money owed by the defendant. 4. If the Office of the State Controller is successful in collecting the fine, administrative assessment or fee, the money collected must be returned to the originating county, minus the costs and fees actually incurred in collecting the fine, administrative assessment or fee pursuant to NRS 176.0635. 5. Any money collected pursuant to subsection 4 must be deposited in the State Treasury, pursuant to NRS 176.265. 6. Any record created pursuant to subsection 3 that contains personal identifying information shall not be considered a public record pursuant to NRS 239.010 and must be treated pursuant to NRS 239.0105. 7. Unless otherwise prohibited by law, the entity responsible for collecting the fine, administrative assessment or fee pursuant to this section has the authority to compromise the amount to be collected for the purpose of satisfying the judgment. (Added to NRS by 2011, 909)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.063 - Administrative assessment, fine or fee for felony or gross misdemeanor: Court must advise defendant regarding lien.

If a district court imposes a fine, administrative assessment or fee upon a defendant who pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a felony or gross misdemeanor, the district court judge shall advise the defendant at the time of sentencing that: 1. The judgment constitutes a lien, pursuant to NRS 176.275; and 2. If the defendant does not satisfy the lien, collection efforts may be undertaken against the defendant pursuant to the laws of this State. (Added to NRS by 2011, 910)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0635 - Administrative assessment, fine or fee for felony or gross misdemeanor: Additional costs and fees for collection.

1. A defendant who pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill who owes a fine, administrative assessment or fee, pursuant to NRS 176.0625, must be assessed by and pay to the county treasurer or other office assigned by the county to make collections the following costs and fees if the county treasurer or other office assigned by the county to make collections is successful in collecting the fine, administrative assessment or fee: (a) The costs and fees actually incurred in collecting the fine, administrative assessment or fee; and (b) A fee payable to the county treasurer in the amount of 2 percent of the amount of the fine, administrative assessment or fee assigned to the county treasurer or other office assigned by the county to make collections. 2. The total amount of the costs and fees required to be collected pursuant to subsection 1 must not exceed 35 percent of the amount of the fine, administrative assessment or fee or \$50,000, whichever is less. (Added to NRS by 2011, 910)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.064 - Collection fee for unpaid administrative assessment, fine, fee or restitution; use of collection agency; civil judgment; attachment or garnishment; imprisonment.

1. If a fine, administrative assessment, fee or restitution is imposed upon a defendant pursuant to this chapter, whether or not the fine, administrative assessment, fee or restitution is in addition to any other punishment, and the fine, administrative assessment, fee or restitution or any part of it remains unpaid after the time established by the court for its payment, the defendant is liable for a collection fee, to be imposed by the court at the time it finds that the fine, administrative assessment, fee or restitution is delinquent, of: (a) Not more than \$100, if the amount of the delinquency is less than \$2,000. (b) Not more than \$500, if the amount of the delinquency is \$2,000 or greater, but is less than \$5,000. (c) Ten percent of the amount of the delinquency, if the amount of the delinquency is \$5,000 or greater. 2. A state or local entity that is responsible for collecting a delinquent fine, administrative assessment, fee or restitution may, in addition to attempting to collect the fine, administrative assessment, fee or restitution through any other lawful means, take the following actions: (a) Request that the court take appropriate action pursuant to subsection 3. (b) If the defendant has been found guilty of the offense for which the fine, administrative assessment, fee or restitution was imposed, contract with a collection agency licensed pursuant to NRS 649.075 to collect the delinquent amount and the collection fee. The collection agency must be paid as compensation for its services an amount not greater than the amount of the collection fee imposed pursuant to subsection 1, in accordance with the provisions of the contract. 3. The court may, on its own motion or at the request of a state or local entity that is responsible for collecting the delinquent fine, administrative assessment, fee or restitution, take the following actions: (a) Enter a civil judgment for the amount due in favor of the state or local entity that is responsible for collecting the delinquent fine, administrative assessment, fee or restitution. A civil judgment entered pursuant to this paragraph may be enforced and renewed in the manner provided by law for the enforcement and renewal of a judgment for money rendered in a civil action. If the court has entered a civil judgment pursuant to this paragraph and the person against whom the judgment is entered is not indigent and has not satisfied the judgment within the time established by the court, the person may be dealt with as for contempt of court. (b) If the court determines that the defendant has the ability to pay the amount due and is willfully avoiding payment, order the confinement of the defendant in the appropriate prison, jail or detention facility, as provided in NRS 176.065 and

176.075. 4. Money collected from a collection fee imposed pursuant to subsection 1 must be distributed in the following manner: (a) Except as otherwise provided in paragraph (d), if the money is collected by or on behalf of a municipal court, the money must be deposited in a special fund in the appropriate city treasury. The city may use the money in the fund only to develop and implement a program for the collection of fines, administrative assessments, fees and restitution and to hire additional personnel necessary for the success of such a program. (b) Except as otherwise provided in paragraph (d), if the money is collected by or on behalf of a justice court or district court, the money must be deposited in a special fund in the appropriate county treasury. The county may use the money in the special fund only to: (1) Develop and implement a program for the collection of fines, administrative assessments, fees and restitution and to hire additional personnel necessary for the success of such a program; or (2) Improve the operations of a court by providing funding for: (I) A civil law self-help center; or (II) Court security personnel and equipment for a regional justice center that includes the justice courts of that county. (c) Except as otherwise provided in paragraph (d), if the money is collected by a state entity, the money must be deposited in an account, which is hereby created in the State Treasury. The Court Administrator may use the money in the account only to develop and implement a program for the collection of fines, administrative assessments, fees and restitution in this State and to hire additional personnel necessary for the success of such a program. (d) If the money is collected by a collection agency, after the collection agency has been paid its fee pursuant to the terms of the contract, any remaining money must be deposited in the state, city or county treasury, whichever is appropriate, to be used only for the purposes set forth in paragraph (a), (b) or (c) of this subsection. 5. Any collection fee imposed pursuant to subsection 1 must be assessed on a per case basis and not on a per charge basis. The provisions of this subsection must not be construed to apply to any credit card processing fees that are assessed solely for the purpose of recouping any costs incurred to process a credit card payment. As used in this subsection, "case" means a single complaint, citation, information or indictment naming a single defendant that is based on the same act or transaction or based on two or more acts or transactions connected together or constituting parts of a common scheme or plan. (Added to NRS by 1997, 899; A 1999, 425; 2001, 2569; 2013, 530; 2019, 2273, 2452; 2021, 3292)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0643 - Circumstances under which person who commits minor traffic offense is presumed to be indigent and not to have ability to pay fine, administrative assessment or fee; "minor traffic offense" defined.

1. For the purposes of this chapter, a person who commits a minor traffic offense is presumed to be indigent and not to have the ability to pay a fine, administrative assessment or fee imposed pursuant to this chapter if the person: (a) Receives public assistance, as that term is defined in NRS 422A.065; (b) Resides in public housing, as that term is defined in NRS 315.021; or (c) Has a household income that is less than 200 percent of the federally designated level signifying poverty. 2. As used in this section, "minor traffic offense" means a violation of any state or local law or ordinance governing the operation of a motor vehicle upon any highway within this State other than: (a) A violation of chapters 484A to 484E, inclusive, or 706 of NRS that causes the death of a person; (b) A violation of NRS 484C.110 or 484C.120; or (c) A violation declared to be a felony. (Added to NRS by 2019, 2452)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0647 - Circumstances under which fine, administrative assessment or fee owed by defendant who commits minor traffic offense is deemed uncollectible.

Any delinquent fine, administrative assessment or fee owed by a defendant pursuant to NRS 176.064 who commits a minor traffic offense as defined in NRS 176.0643 is deemed to be uncollectible if after 10 years it remains impossible or impracticable to collect the delinquent amount. (Added to NRS by 2019, 2452; A 2021, 3353)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.065 - Rate of additional imprisonment in default of administrative assessment, fine or forfeiture.

1. Except as otherwise provided in subsection 2, when a person is sentenced to both fine and imprisonment, or to pay a forfeiture in addition to imprisonment, the court may, pursuant to NRS 62B.420 or 176.064, order that the person be confined in the state prison, the city or county jail or a detention facility, whichever is designated in the person's sentence of imprisonment, for an additional period of 1 day for each \$150 of the amount until the administrative assessment and the fine or forfeiture are satisfied or the maximum term of imprisonment prescribed by law for the offense committed has elapsed, whichever is earlier, but the person's eligibility for parole is governed only by the person's sentence of imprisonment. 2. The provisions of this section do not apply to indigent persons unless an indigent person has been provided with the opportunity to perform community service to satisfy the entire amount owed and has failed to perform such community service. For the purposes of this subsection, a person is indigent if the person: (a) Receives public assistance, as that term is defined in NRS 422A.065; (b) Resides in public housing, as that term is defined in NRS 315.021; or (c) Has a household income that is less than 200 percent of the federally designated level signifying poverty. (Added to NRS by 1967, 1433; A 1973, 32; 1983, 434, 908; 1989, 1178; 1997, 901; 2013, 532; 2019, 2275)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.075 - Rate of imprisonment in default of administrative assessment, fine or forfeiture.

1. Except as otherwise provided in subsection 2, when a person is sentenced to pay a fine or forfeiture without an accompanying sentence of imprisonment, the court may, pursuant to NRS 62B.420 or 176.064, order that the person be confined in the city or county jail or detention facility for a period of not more than 1 day for each \$150 of the amount until the administrative assessment

and the fine or forfeiture are satisfied. 2. The provisions of this section do not apply to indigent persons unless an indigent person has been provided with the opportunity to perform community service to satisfy the entire amount owed and has failed to perform such community service. For the purposes of this subsection, a person is indigent if the person: (a) Receives public assistance, as that term is defined in NRS 422A.065; (b) Resides in public housing, as that term is defined in NRS 315.021; or (c) Has a household income that is less than 200 percent of the federally designated level signifying poverty. (Added to NRS by 1967, 1433; A 1983, 434, 908; 1989, 1178; 1997, 901; 2013, 532; 2019, 2276)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.085 - Reduction of excessive fine or administrative assessment; payment in installments.

Whenever, after a fine and administrative assessment have been imposed but before they have been discharged by payment or confinement, it is made to appear to the judge or justice imposing the fine or administrative assessment or his or her successor: 1. That the fine or administrative assessment is excessive in relation to the financial resources of the defendant, the judge or justice or his or her successor may reduce the fine accordingly. 2. That the discharge of the fine or administrative assessment is not within the defendant's present financial ability to pay, the judge or justice or his or her successor may direct that the fine be paid in installments. (Added to NRS by 1967, 1433; A 1973, 388; 1983, 908)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.087 - Imposition of community service in lieu of fine, administrative assessment, fee or imprisonment or as condition of probation.

1. Except where the imposition of a specific criminal penalty is mandatory, a court may order a convicted person to perform supervised community service: (a) In lieu of all or a part of any fine, administrative assessment, fee or imprisonment that may be imposed for the commission of a misdemeanor; or (b) As a condition of probation granted for another offense. 2. The community service must be performed for and under the supervising authority of a county, city, town or other political subdivision or agency of the State of Nevada or a charitable organization that renders service to the community or its residents. 3. The court may require the convicted person to deposit with the court a reasonable sum of money to pay for the cost of policies of insurance against liability for personal injury and damage to property or for industrial insurance, or both, during those periods in which the person performs the community service, unless, in the case of industrial insurance, it is provided by the authority for which the person performs the community service. 4. The following conditions apply to any such community service imposed by the court: (a) The court must fix the period of community service that is imposed as punishment or a condition of probation and distribute the period over weekends or over other appropriate times that will allow the convicted person to continue employment and to care for the person's family. The period of community service fixed by the court must not exceed, for a: (1) Misdemeanor, 200 hours; (2) Gross misdemeanor, 600 hours; or (3) Felony, 1,000 hours. (b) A supervising authority listed in subsection 2 must agree to accept the convicted person for community service before the court may require the convicted person to perform community service for that supervising authority. The supervising authority must be located in or be the town or city of the convicted person's residence or, if that placement is not possible, one located within the jurisdiction of the court or, if that placement is not possible, the authority may be located outside the jurisdiction of the court. (c) Community service that a court requires pursuant to this section must be supervised by an official of the supervising authority or by a person designated by the authority. (d) The court may require the supervising authority to report periodically to the court or to a probation officer the convicted person's performance in carrying out the punishment or condition of probation. 5. For each hour of community service that is performed by a person pursuant to this section, the court must provide a credit of not less than the amount of the state minimum wage toward the payment of any fine that was imposed against the person for the commission of the offense for which the person was ordered to perform community service. (Added to NRS by 1981, 486; A 1991, 1930; 1997, 33; 2001 Special Session, 133; 2019, 2276, 2454; 2023, 163)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0911 - Definitions.

As used in NRS 176.0911 to 176.0919, inclusive, unless the context otherwise requires, the words and terms defined in NRS 176.09111 to 176.09119, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1997, 1668; A 2001, 3032; 2009, 1846; 2013, 1068)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09111 - "Agency of criminal justice" defined.

"Agency of criminal justice" has the meaning ascribed to it in NRS 179A.030. (Added to NRS by 2013, 1056)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09112 - "Biological specimen" defined.

"Biological specimen" means a biological sample, tissue, fluid or other bodily sample suitable for genetic marker analysis, obtained from a person or from physical evidence. (Added to NRS by 2013, 1056)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09113 - "CODIS" defined.

"CODIS" means the Federal Bureau of Investigation's Combined DNA Index System that allows for the storage and exchange of DNA records submitted by federal, state and local forensic DNA laboratories. The term includes the National DNA Index System administered and operated by the Federal Bureau of Investigation. (Added to NRS by 2013, 1056)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09114 - "DNA" defined.

"DNA" means deoxyribonucleic acid which is located in the cells of a person and which provides the genetic blueprint of a person. (Added to NRS by 2013, 1057)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09115 - "DNA profile" defined.

"DNA profile" means the genetic constitution of a person at defined locations in the DNA of the person. (Added to NRS by 2013, 1057)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09116 - "DNA record" defined.

"DNA record" means a database record, stored in the State DNA Database or CODIS, that includes the DNA profile of a person and data required to manage the record, including, without limitation, the identity of the agency submitting the database record, the identification number of the biological specimen and the names of personnel who conducted the genetic marker analysis. (Added to NRS by 2013, 1057)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09117 - "Forensic laboratory" defined.

"Forensic laboratory" means any laboratory designated pursuant to NRS 176.0917. (Added to NRS by 2013, 1057)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09118 - "Genetic marker analysis" defined.

"Genetic marker analysis" means the analytical testing process of a biological specimen that results in a DNA profile. (Added to NRS by 2013, 1057)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09119 - "State DNA Database" defined.

"State DNA Database" means the database established pursuant to NRS 176.09121. (Added to NRS by 2013, 1057)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0912 - Biological evidence secured in connection with investigation or prosecution; required preservation.

1. Except as otherwise provided in this section, upon the conviction of a defendant for a category A or B felony, an agency of criminal justice that has in its possession or custody any biological evidence secured in connection with the investigation or prosecution of the defendant shall preserve such evidence until the expiration of any sentence imposed on the defendant. 2. Biological evidence subject to the requirements of this section may be consumed for testing upon notice to the defendant. 3. An agency of criminal justice may establish procedures for: (a) Retaining probative samples of biological evidence subject to the requirements of this section; and (b) Disposing of bulk evidence that does not affect the suitability of such probative samples for testing. 4. The provisions of this section must not be construed to restrict or limit an agency of criminal justice from establishing procedures for the retention, preservation and disposal of biological evidence secured in connection with other criminal cases. 5. As used in this section, "biological evidence" means any semen, blood, saliva, hair, skin tissue or other identified biological material removed from physical evidence. (Added to NRS by 2009, 1845; A 2013, 1068)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09121 - State DNA Database: Establishment; duties.

1. The State DNA Database is hereby established to serve as this State's repository for DNA records and to provide DNA records to the Federal Bureau of Investigation. 2. The Forensic Science Division of the Washoe County Sheriff's Office shall oversee, manage and administer the State DNA Database and shall: (a) Implement policies for the management and administration of the State DNA Database, including, without limitation, any system for the identification of DNA profiles and DNA records that is necessary to support agencies of criminal justice. (b) Adopt policies and protocols and enter into any necessary agreements to implement the provisions of NRS 176.0911 to 176.0919, inclusive. (c) Ensure that all searches of the State DNA Database are performed in accordance with state and federal law. (d) Act as a liaison between the Federal Bureau of Investigation and other state agencies of criminal justice relating to this State's participation in CODIS. (Added to NRS by 2013, 1057)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09123 - Collection of biological specimen from persons arrested for felony; submission to forensic laboratory; identifying information submitted to Central Repository; genetic marker analysis; creation of DNA profile; information included in criminal history record.

1. If a person is arrested for a felony pursuant to a warrant, the law enforcement agency making the arrest shall: (a) Submit the name, date of birth, fingerprints and any other information identifying the person to the Central Repository for Nevada Records of Criminal History; (b) Upon booking the person into a city or county jail or detention facility, and before the person is released from custody, obtain a biological specimen from the person, through a cheek swab, pursuant to the provisions of this section; and (c) Submit the biological specimen to the appropriate forensic laboratory for genetic marker analysis in accordance with the provisions of this section. 2. If a person is arrested for a felony without a warrant, the law enforcement agency making the arrest shall: (a) Submit the name, date of birth, fingerprints and any other information identifying the person to the Central Repository for Nevada

Records of Criminal History; (b) Upon booking the person into a city or county jail or detention facility, and before the person is released from custody, obtain a biological specimen from the person, through a cheek swab, pursuant to the provisions of this section; (c) Submit the biological specimen to the appropriate forensic laboratory for genetic marker analysis in accordance with the provisions of this section after receiving notice that a court or magistrate has determined that probable cause existed for the person's arrest; and (d) If a court or magistrate determines that probable cause did not exist for the person's arrest, destroy the biological specimen within 5 business days after receiving notice of the determination by the court or magistrate. 3. A law enforcement agency shall not knowingly obtain a biological specimen from a person who has previously submitted such a specimen for an arrest or conviction of a prior offense unless the law enforcement agency or a court or magistrate determines that an additional specimen is necessary. 4. If a law enforcement agency has not already obtained a biological specimen from a person arrested for an offense for which a biological specimen must be obtained pursuant to this section at the time a court or magistrate sets bail or considers releasing a person on his or her own recognizance, the court or magistrate shall: (a) Require the person to provide a biological specimen as a condition of being admitted to bail or released on his or her own recognizance; and (b) Require the biological specimen to be provided to the appropriate forensic laboratory. 5. The Attorney General or a district attorney may petition a district court for an order requiring a person arrested for an offense for which a biological specimen must be obtained pursuant to this section to provide a biological specimen: (a) Through a cheek swab; or (b) By alternative means, if the person will not cooperate. Nothing in this subsection shall be construed to prevent the collection of a biological specimen by order of a court of competent jurisdiction or the collection of a biological specimen from a person who is required to provide such a specimen pursuant to this section. 6. Upon receipt of a biological specimen, the forensic laboratory shall proceed with a genetic marker analysis. If the forensic laboratory determines that the biological specimen is inadequate or otherwise unusable, the law enforcement agency may obtain an additional biological specimen from the person arrested unless the person arrested is eligible to request destruction of the biological specimen and purging of his or her DNA profile or DNA record pursuant to this section. 7. Upon completion of a genetic marker analysis of a person pursuant to this section, the forensic laboratory shall inform the Central Repository for Nevada Records of Criminal History that the forensic laboratory has created a DNA profile of the person and will be submitting the DNA profile of the person for inclusion in the State DNA Database and CODIS. The Central Repository for Nevada Records of Criminal History shall include an indication on the criminal history record of the person regarding the collection of a biological specimen and the creation of a DNA profile, but may not include, in its records, any other information relating to the biological specimen, DNA profile or DNA record of the person. (Added to NRS by 2013, 1058)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09125 - Destruction of biological specimen and purging of DNA record: Grounds; written request; duties of Central Repository, forensic laboratory and State DNA Database.

1. A person whose record of criminal history indicates the collection of a biological specimen and whose DNA profile and DNA record have been included in the State DNA Database and CODIS pursuant to NRS 176.09123 may make a written request to the Central Repository for Nevada Records of Criminal History, using the form created pursuant to NRS 176.09165, that the biological specimen be destroyed and the DNA profile and DNA record be purged from the forensic laboratory, the State DNA Database and CODIS on the grounds that: (a) The conviction on which the authority for keeping the biological specimen or the DNA profile or DNA record has been reversed and the case dismissed; or (b) The arrest which led to the inclusion of the biological specimen or the DNA profile or DNA record: (1) Has resulted in a felony charge that has been resolved by a dismissal, the successful completion of a preprosecution diversion program pursuant to NRS 174.033, a conditional discharge, an acquittal or an agreement entered into by a prosecuting attorney and a defendant in which the defendant, in exchange for a plea of guilty, guilty but mentally ill or nolo contendere, receives a charge other than a felony; or (2) Has not resulted in any additional criminal charge for a felony within 3 years after the date of the arrest. 2. Within 6 weeks after receiving a written request pursuant to subsection 1, the Central Repository for Nevada Records of Criminal History shall forward the request and all supporting documentation to the forensic laboratory holding the biological specimen. Except as otherwise provided in subsection 3, upon receipt of the written request, the forensic laboratory shall destroy any biological specimen from the person and purge the DNA profile of the person if the written request is accompanied by: (a) A certified copy of the court order reversing and dismissing the conviction; or (b) For any biological specimen obtained pursuant to an arrest for which a biological specimen must be provided pursuant to NRS 176.09123: (1) A certified copy of the dismissal, the successful completion of a preprosecution diversion program pursuant to NRS 174.033, a conditional discharge, an acquittal or the agreement entered into by the prosecuting attorney and the defendant in which the defendant, in exchange for a plea of guilty, guilty but mentally ill or nolo contendere, received a charge other than a felony; or (2) A sworn affidavit from the law enforcement agency which submitted the biological specimen that no felony charges arising from the arrest have been filed within 3 years after the date of the arrest. 3. The forensic laboratory shall not destroy a biological specimen or purge the DNA profile of a person if the forensic laboratory is notified by a law enforcement agency that the person has a prior felony, a new felony arrest or a pending felony charge for which collection of a biological specimen is authorized pursuant to NRS 176.09123. 4. If a forensic laboratory: (a) Determines that the requirements to destroy a biological specimen or purge a DNA profile or DNA record of a person have not been met, the forensic laboratory shall notify the Central Repository of Nevada Records of Criminal History of that fact. The Central Repository shall, as soon as reasonably practicable, notify the person that his or her request has been denied. (b) Destroys a biological specimen and purges a DNA profile pursuant to this section, the forensic laboratory shall take the following actions: (1) Notify the State DNA Database that the DNA profile and DNA record of the person must be purged from the State DNA

Database and from CODIS. Upon receipt of such notification, the DNA profile and DNA record of the person must be purged from the State DNA Database and CODIS. (2) Notify the Central Repository for Nevada Records of Criminal History that the forensic laboratory has destroyed the biological specimen and purged the DNA profile of the person and has notified the State DNA Database that the DNA profile and DNA record of the person must be purged from the State DNA Database and CODIS. Upon receipt of such notification, the Central Repository shall, as soon as reasonably practicable, notify the person that his or her request has been granted, his or her biological specimen has been destroyed by the forensic laboratory and his or her DNA profile and DNA record have been purged from the forensic laboratory, the State DNA Database and CODIS. (Added to NRS by 2013, 1058; A 2017, 3013)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09127 - Payment of costs for obtaining biological specimen, destroying biological specimen and purging DNA record.

Any cost that is incurred to obtain a biological specimen from a person pursuant to NRS 176.09123 or to destroy a biological specimen or to purge a DNA profile or DNA record from a forensic laboratory, the State DNA Database or CODIS pursuant to NRS 176.09125: 1. Is a charge against the county in which the person was arrested; and 2. Must be paid as provided in NRS 176.0915. (Added to NRS by 2013, 1058)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09129 - Storage and maintenance of biological specimen, DNA profile, DNA record and information; release of information; confidentiality; penalty for unauthorized disclosure of information.

1. The biological specimen, DNA profile, DNA record and any other information identifying or matching a biological specimen with a person must, at all times, be stored and maintained in the forensic laboratory, State DNA Database or CODIS, as applicable, and may only be made available in accordance with the provisions of this section. The biological specimen, DNA profile, DNA record, other information identifying or matching a biological specimen with a person and all computer software used by the forensic laboratory and the State DNA Database for the State DNA Database and for CODIS are confidential and are not public books or records within the meaning of NRS 239.010. 2. If any information related to a biological specimen, DNA profile or DNA record contained in CODIS is requested, the forensic laboratory shall comply with all applicable provisions of federal law and all applicable statutes and regulations governing the release of such information. All requests for any such information must be directed through the casework CODIS administrator of the forensic laboratory. To minimize duplication in the collection of a biological specimen and the conducting of a genetic marker analysis, a forensic laboratory may make information available to any agency of criminal justice to verify whether a biological specimen has been collected from a person and a genetic marker analysis has been conducted. 3. Except as otherwise authorized by this section or NRS 176.09123, 176.09125 or 176.09127, by federal law or by another specific statute, a biological specimen obtained pursuant to NRS 176.09123, a DNA profile, a DNA record and any other information identifying or matching a biological specimen with a person must not be shared with or disclosed to any person other than the authorized personnel who have possession and control of the biological specimen, DNA profile, DNA record or other information identifying or matching a biological specimen with a person, except pursuant to: (a) A court order; or (b) A request from a law enforcement agency during the course of an investigation. A person who violates any provision of this subsection is guilty of a category C felony and shall be punished as provided in NRS 193.130. (Added to NRS by 2013, 1058)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0913 - Biological specimen to be obtained from certain defendants; identifying information submitted to Central Repository; genetic marker analysis; release of information; costs.

1. If a defendant is convicted of an offense listed in subsection 4: (a) The name, social security number, date of birth, fingerprints and any other information identifying the defendant must be submitted to the Central Repository for Nevada Records of Criminal History; and (b) Unless a biological specimen was previously obtained upon arrest pursuant to NRS 176.09123, a biological specimen must be obtained from the defendant pursuant to the provisions of this section and the specimen must be used for a genetic marker analysis. If a biological specimen was previously obtained upon arrest pursuant to NRS 176.09123, the court shall notify the Central Repository for Nevada Records of Criminal History, who in turn shall notify the appropriate forensic laboratory. 2. If the defendant is committed to the custody of the Department of Corrections, the Department of Corrections shall arrange for the biological specimen to be obtained from the defendant. The Department of Corrections shall provide the specimen to the forensic laboratory that has been designated by the county in which the defendant was convicted to conduct or oversee genetic marker analysis for the county pursuant to NRS 176.0917. 3. If the defendant is not committed to the custody of the Department of Corrections, the Division shall arrange for the biological specimen to be obtained from the defendant. The Division shall provide the specimen to the forensic laboratory that has been designated by the county in which the defendant was convicted to conduct or oversee genetic marker analysis for the county pursuant to NRS 176.0917. Any cost that is incurred to obtain a biological specimen from a defendant pursuant to this subsection is a charge against the county in which the defendant was convicted and must be paid as provided in NRS 176.0915. 4. Except as otherwise provided in subsection 5, the provisions of subsection 1 apply to a defendant who is convicted of: (a) A felony; (b) A crime against a child as defined in NRS 179D.0357; (c) A sexual offense as defined in NRS 179D.097; (d) Abuse or neglect of an older person or a vulnerable person pursuant to NRS 200.5099; (e) A second or subsequent offense for stalking pursuant to NRS 200.575; (f) An attempt or conspiracy to commit an offense listed in paragraphs (a) to (e),

inclusive; (g) Failing to register with a local law enforcement agency as a convicted person as required pursuant to NRS 179C.100, if the defendant previously was: (1) Convicted in this State of committing an offense listed in paragraph (a), (d), (e) or (f); or (2) Convicted in another jurisdiction of committing an offense that would constitute an offense listed in paragraph (a), (d), (e) or (f) if committed in this State; (h) Failing to register with a local law enforcement agency after being convicted of a crime against a child as required pursuant to NRS 179D.450; or (i) Failing to register with a local law enforcement agency after being convicted of a sexual offense as required pursuant to NRS 179D.450. 5. If it is determined that a defendant's biological specimen has previously been submitted for conviction of a prior offense, an additional sample is not required. 6. Except as otherwise authorized by federal law or by specific statute, a biological specimen obtained pursuant to this section, the DNA profile, the DNA record and any other information identifying or matching a biological specimen with a person must not be shared with or disclosed to any person other than the authorized personnel who have possession and control of the biological specimen, the DNA profile, the DNA record or other information identifying or matching a biological specimen with a person, except pursuant to: (a) A court order; or (b) A request from a law enforcement agency during the course of an investigation. 7. A person who violates any provision of subsection 6 is guilty of a category C felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1989, 376; A 1995, 414; 1997, 1669; 2001, 1852, 3032, 3037; 2001 Special Session, 215; 2003, 289, 2684; 2005, 1115; 2007, 749, 2745; 2009, 80; 2013, 1068)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0915 - Fee for obtaining biological specimen and for analysis; inclusion in sentence; creation of county fund; use of money in fund.

1. If a biological specimen is obtained from a person pursuant to NRS 176.09123 or 176.0913, and the person is convicted of the offense for which the biological specimen was obtained, the court, in addition to any other penalty, shall order the person, to the extent of the person's financial ability, to pay the sum of \$150 as a fee for obtaining the specimen and for conducting the genetic marker analysis. The fee: (a) Must be stated separately in the judgment of the court or on the docket of the court; (b) Must be collected from the person before or at the same time that any fine imposed by the court is collected from the person; and (c) Must not be deducted from any fine imposed by the court. 2. All money that is collected pursuant to subsection 1 must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. 3. The board of county commissioners of each county shall by ordinance create in the county treasury a fund to be designated as the fund for genetic marker analysis. The county treasurer shall deposit money that is collected pursuant to subsection 2 in the fund for genetic marker analysis. The money must be accounted for separately within the fund. 4. Each month, the county treasurer shall use the money deposited in the fund for genetic marker analysis to pay for the actual amount charged to the county for obtaining a biological specimen from a person pursuant to NRS 176.09123 or 176.0913. 5. The board of county commissioners of each county may apply for and accept grants, gifts, donations, bequests or devises which the board of county commissioners shall deposit with the county treasurer for credit to the fund for genetic marker analysis. 6. If money remains in the fund after the county treasurer makes the payments required by subsection 4, the county treasurer shall pay the remaining money each month to the forensic laboratory that is designated by the county pursuant to NRS 176.0917 to conduct or oversee genetic marker analysis for the county. A forensic laboratory that receives money pursuant to this subsection shall use the money to cover any expense related to genetic marker analysis. (Added to NRS by 1997, 1668; A 2001, 3033; 2009, 82; 2013, 1070)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0916 - Biological specimen to be obtained from certain probationers and parolees; release of information; penalty; fee for obtaining and analyzing specimen; identifying information submitted to Central Repository; creation of Fund for Genetic Marker Analysis; use of money in Fund.

1. If the Division is supervising a probationer or parolee pursuant to an interstate compact and the probationer or parolee is or has been convicted in another jurisdiction of violating a law that prohibits the same or similar conduct as an offense listed in subsection 4 of NRS 176.0913, unless a biological specimen was previously obtained upon arrest pursuant to NRS 176.09123, the Division shall arrange for a biological specimen to be obtained from the probationer or parolee. 2. After a biological specimen is obtained from a probationer or parolee pursuant to this section, the Division shall: (a) Provide the biological specimen to the forensic laboratory that has been designated by the county in which the probationer or parolee is residing to conduct or oversee genetic marker analysis for the county pursuant to NRS 176.0917; and (b) Submit the name, social security number, date of birth, fingerprints and any other information identifying the probationer or parolee to the Central Repository. 3. Except as otherwise authorized by federal law or by specific statute, a biological specimen obtained pursuant to this section, the DNA profile, the DNA record and any other information identifying or matching a biological specimen with a person must not be shared with or disclosed to any person other than the authorized personnel who have possession and control of the biological specimen, the DNA profile, the DNA record or other information identifying or matching a biological specimen with a person, except pursuant to: (a) A court order; or (b) A request from a law enforcement agency during the course of an investigation. 4. A person who violates any provision of subsection 3 is guilty of a category C felony and shall be punished as provided in NRS 193.130. 5. A probationer or parolee, to the extent of his or her financial ability, shall pay the sum of \$150 to the Division as a fee for obtaining the biological specimen and for conducting the genetic marker analysis. Except as otherwise provided in subsection 6, the fee required pursuant to this subsection must be collected from a probationer or parolee at the time the biological specimen is obtained from the probationer or parolee. 6. A probationer or parolee may arrange to make monthly payments of the fee required pursuant to subsection 5. If such arrangements are

made, the Division shall provide a probationer or parolee with a monthly statement that specifies the date on which the next payment is due. 7. Any unpaid balance for a fee required pursuant to subsection 5 is a charge against the Division. 8. The Division shall deposit money that is collected pursuant to this section in the Fund for Genetic Marker Analysis, which is hereby created in the State General Fund. The money deposited in the Fund for Genetic Marker Analysis must be used to pay for the actual amount charged to the Division for obtaining biological specimens from probationers and parolees, and for conducting genetic marker analysis of the biological specimens. (Added to NRS by 2001, 3032; A 2007, 750; 2013, 1070)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09165 - Establishment of standard form concerning use and destruction of biological specimen and purging of DNA record; law enforcement to provide form to person in certain circumstances.

1. The Department of Public Safety shall establish a standard form for use by every law enforcement agency in this State that: (a) Sets forth the authorized use of a biological specimen pursuant to NRS 176.0911 to 176.0919, inclusive. (b) Identifies the circumstances and process under which a person may have his or her biological specimen destroyed and his or her DNA profile or DNA record purged from the forensic laboratory, the State DNA Database and CODIS. (c) May be completed and submitted to the Central Repository for Nevada Records of Criminal History by a person to request that his or her biological specimen be destroyed and his or her DNA profile or DNA record be purged from the forensic laboratory, the State DNA Database and CODIS. 2. A law enforcement agency shall provide the form to a person: (a) Before obtaining a biological specimen; (b) Upon release from custody if the person has submitted a biological specimen; or (c) At the request of the person, if the person believes that he or she is eligible to have his or her biological specimen destroyed and his or her DNA profile or DNA record purged from the forensic laboratory, the State DNA Database and CODIS. (Added to NRS by 2013, 1061)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0917 - County to designate forensic laboratory to conduct or oversee analysis; criteria.

1. The board of county commissioners of each county shall designate a forensic laboratory to conduct or oversee for the county any genetic marker analysis that is required pursuant to NRS 176.09123, 176.0913 or 176.0916. 2. The forensic laboratory designated by the board of county commissioners pursuant to subsection 1: (a) Must be operated by this State or one of its political subdivisions; and (b) Must satisfy or exceed the standards for quality assurance that are established by the Federal Bureau of Investigation for participation in CODIS. (Added to NRS by 1997, 1668; A 2001, 3034; 2013, 1071)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09173 - Powers and duties of forensic laboratory; prohibited use of biological specimen, DNA profile and DNA record.

1. A forensic laboratory shall: (a) Prescribe protocols and procedures for the collection, submission, identification, genetic marker analysis, storage, maintenance, uploading and disposition of biological specimens, DNA profiles and DNA records. (b) Securely upload DNA records to the State DNA Database. (c) Acquire and maintain computer hardware and software necessary to store, maintain and upload DNA profiles and DNA records relating to: (1) Crime scene evidence and forensic casework; (2) Persons arrested for a felony and persons convicted of an offense listed in subsection 4 of NRS 176.0913 who are required to provide a biological specimen; (3) Persons required to register as sex offenders pursuant to NRS 179D.445, 179D.460 or 179D.480; (4) Unidentified persons or body parts; (5) Missing persons; (6) Relatives of missing persons; (7) Anonymous DNA profiles used for forensic validation, forensic protocol development, quality control purposes or establishment of a population statistics database for use by criminal justice agencies; and (8) Voluntarily submitted DNA profiles. 2. A forensic laboratory may: (a) Use all or part of the remainder of any biological specimen stored in the forensic laboratory for: (1) Retesting to confirm or update the original genetic marker analysis; or (2) Quality control testing of new forensic methods for genetic marker analysis, provided that no personal identifying information is included. (b) Contract with providers of services to perform a genetic marker analysis or to carry out functions on behalf of the forensic laboratory. Any provider of services who contracts with a forensic laboratory to perform a genetic marker analysis or to carry out functions on behalf of the forensic laboratory is subject to the same restrictions and requirements as the forensic laboratory. 3. A forensic laboratory shall not use any biological specimen, DNA profile or DNA record for the purpose of identification of any medical or genetic disorder. (Added to NRS by 2013, 1057)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09177 - Limitation on civil and criminal liability for acts relating to collection of biological specimen.

Any person authorized to collect a biological specimen pursuant to NRS 176.0911 to 176.0919, inclusive, may not be held civilly or criminally liable for any act relating to the collection of a biological specimen if the person performed that act in good faith and in a reasonable manner. (Added to NRS by 2013, 1063)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0918 - Petition requesting genetic marker analysis by person convicted of felony; procedure; notice to victim.

1. A person convicted of a felony who otherwise meets the requirements of this section may file a postconviction petition requesting a genetic marker analysis of evidence within the possession or custody of the State which may contain genetic marker information

relating to the investigation or prosecution that resulted in the judgment of conviction. If the case involves a sentence of death, the petition must include, without limitation, the date scheduled for the execution, if it has been scheduled. 2. Such a petition must be filed with the clerk of the district court for the county in which the petitioner was convicted on a form prescribed by the Department of Corrections. A copy of the petition must be served by registered mail upon: (a) The Attorney General; and (b) The district attorney in the county in which the petitioner was convicted. 3. A petition filed pursuant to this section must be accompanied by a declaration under penalty of perjury attesting that the information contained in the petition does not contain any material misrepresentation of fact and that the petitioner has a good faith basis relying on particular facts for the request. The petition must include, without limitation: (a) Information identifying specific evidence either known or believed to be in the possession or custody of the State that can be subject to genetic marker analysis; (b) The rationale for why a reasonable possibility exists that the petitioner would not have been prosecuted or convicted if exculpatory results had been obtained through a genetic marker analysis of the evidence identified in paragraph (a); (c) An identification of the type of genetic marker analysis the petitioner is requesting to be conducted on the evidence identified in paragraph (a); (d) If applicable, the results of all prior genetic marker analysis performed on evidence in the trial which resulted in the petitioner's conviction; and (e) A statement that the type of genetic marker analysis the petitioner is requesting was not available at the time of trial or, if it was available, that the failure to request genetic marker analysis before the petitioner was convicted was not a result of a strategic or tactical decision as part of the representation of the petitioner at the trial. 4. If a petition is filed pursuant to this section, the court may: (a) Enter an order dismissing the petition without a hearing if the court determines, based on the information contained in the petition, that the petitioner does not meet the requirements set forth in this section; (b) After determining whether the petitioner is indigent pursuant to NRS 171.188 and whether counsel was appointed in the case which resulted in the conviction, appoint counsel for the limited purpose of reviewing, supplementing and presenting the petition to the court; or (c) Schedule a hearing on the petition. If the court schedules a hearing on the petition, the court shall determine which person or agency has possession or custody of the evidence and shall immediately issue an order requiring, during the pendency of the proceeding, each person or agency in possession or custody of the evidence to: (1) Preserve all evidence within the possession or custody of the person or agency that may be subjected to genetic marker analysis pursuant to this section; (2) Within 90 days, prepare an inventory of all evidence relevant to the claims in the petition within the possession or custody of the person or agency that may be subjected to genetic marker analysis pursuant to this section; and (3) Within 90 days, submit a copy of the inventory to the petitioner, the prosecuting attorney and the court. 5. Within 90 days after the inventory of all evidence is prepared pursuant to subsection 4, the prosecuting attorney may file a written response to the petition with the court. 6. If the court holds a hearing on a petition filed pursuant to this section, the hearing must be presided over by the judge who conducted the trial that resulted in the conviction of the petitioner, unless that judge is unavailable. Any evidence presented at the hearing by affidavit must be served on the opposing party at least 15 days before the hearing. 7. If a petitioner files a petition pursuant to this section, the court schedules a hearing on the petition and a victim of the crime for which the petitioner was convicted has requested notice pursuant to NRS 178.5698, the district attorney in the county in which the petitioner was convicted shall provide to the victim notice of: (a) The fact that the petitioner filed a petition pursuant to this section; (b) The time and place of the hearing scheduled by the court as a result of the petition; and (c) The outcome of any hearing on the petition. (Added to NRS by 2003, 1892; A 2009, 1197; 2013, 1409)—(Part substituted in revision by NRS 176.09183 and 176.09187)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09183 - Grounds for granting or dismissing petition; appeal.

1. The court shall order a genetic marker analysis, after considering the information contained in the petition pursuant to subsection 3 of NRS 176.0918 and any other evidence, if the court finds that: (a) The evidence to be analyzed exists; (b) Except as otherwise provided in subsection 2, the evidence was not previously subjected to a genetic marker analysis, including, without limitation, because such an analysis was not available at the time of trial; and (c) One or more of the following situations applies: (1) A reasonable possibility exists that the petitioner would not have been prosecuted or convicted if exculpatory results had been obtained through a genetic marker analysis of the evidence identified in the petition; (2) The petitioner alleges and supports with facts that he or she asked his or her attorney to request to have a genetic marker analysis conducted, but the attorney refused or neglected to do so; or (3) The court previously ordered a genetic marker analysis to be conducted, but an analysis was never conducted. 2. If the evidence was previously subjected to a genetic marker analysis, the court shall order a genetic marker analysis pursuant to subsection 1 if the court finds that: (a) The result of the previous analysis was inconclusive; (b) The evidence was not subjected to the type of analysis that is now requested and the requested analysis may resolve an issue not resolved by the previous analysis; or (c) The requested analysis would provide results that are significantly more accurate and probative of the identity of the perpetrator than the previous analysis. 3. If the court orders a genetic marker analysis pursuant to subsection 1 or 2, the court shall: (a) Order the analysis to be conducted promptly under reasonable conditions designed to protect the interest of the State and the petitioner in the integrity of the evidence and the analysis process. (b) Select a forensic laboratory to conduct or oversee the analysis. The forensic laboratory selected by the court must: (1) Be operated by this state or one of its political subdivisions, when possible; and (2) Satisfy the standards for quality assurance that are established for forensic laboratories by the Federal Bureau of Investigation. (c) Order the forensic laboratory selected pursuant to paragraph (b) to perform a genetic marker analysis of evidence. The analysis to be performed and evidence to be analyzed must: (1) Be specified in the order; and (2) Include such analysis, testing and comparison of genetic marker information contained in the evidence and the genetic marker information of the petitioner as the court determines appropriate under the circumstances. (d) Order the production of any reports that are prepared by a forensic laboratory in connection

with the analysis and any data and notes upon which the report is based. (e) Order the preservation of evidence used in a genetic marker analysis performed pursuant to this section and NRS 176.0918 and 176.09187 for purposes of a subsequent proceeding or analysis, if any. (f) Order the results of the genetic marker analysis performed pursuant to this section and NRS 176.0918 and 176.09187 to be sent to the State Board of Parole Commissioners if the results of the genetic marker analysis are not favorable to the petitioner. 4. If the court orders a genetic marker analysis pursuant to subsection 1 or 2, the State may appeal to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution within 30 days after the notice of the entry of the order by filing a notice of appeal with the clerk of the district court. 5. The court shall enter an order dismissing a petition filed pursuant to NRS 176.0918 if: (a) The requirements for ordering a genetic marker analysis pursuant to this section and NRS 176.0918 and 176.09187 are not satisfied; or (b) The results of a genetic marker analysis performed pursuant to this section and NRS 176.0918 and 176.09187 are not favorable to the petitioner. 6. If the court enters an order dismissing a petition filed pursuant to NRS 176.0918, the person aggrieved by the order may appeal to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution within 30 days after the notice of the entry of the order by filing a notice of appeal with the clerk of the district court. (Added to NRS by 2003, 1892; A 2009, 1197; 2013, 1409; 2017, 2988)—(Substituted in revision for part of NRS 176.0918)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.09187 - Genetic marker analysis: Motion for new trial authorized when results favorable to petitioner; petitioner deemed to consent to submission, release and use of certain information; costs; remedy not exclusive.

1. If the results of a genetic marker analysis performed pursuant to this section and NRS 176.0918 and 176.09183 are favorable to the petitioner: (a) The petitioner may bring a motion for a new trial based on the ground of newly discovered evidence pursuant to NRS 176.515; and (b) The restriction on the time for filing the motion set forth in subsection 3 of NRS 176.515 is not applicable. 2. For the purposes of a genetic marker analysis pursuant to this section and NRS 176.0918 and 176.09183, a person who files a petition pursuant to NRS 176.0918 shall be deemed to consent to the: (a) Submission of a biological specimen by the petitioner to determine genetic marker information; and (b) Release and use of genetic marker information concerning the petitioner. 3. The petitioner shall pay the cost of a genetic marker analysis performed pursuant to this section and NRS 176.0918 and 176.09183, unless the petitioner is incarcerated at the time the petitioner files the petition, found to be indigent pursuant to NRS 171.188 and the results of the genetic marker analysis are favorable to the petitioner. If the petitioner is not required to pay the cost of the analysis pursuant to this subsection, the expense of an analysis ordered pursuant to this section and NRS 176.0918 and 176.09183 is a charge against the Department of Corrections and must be paid upon approval by the Board of State Prison Commissioners as other claims against the State are paid. 4. The remedy provided by this section and NRS 176.0918 and 176.09183 is in addition to, is not a substitute for and is not exclusive of any other remedy, right of action or proceeding available to a person convicted of a crime. (Added to NRS by 2003, 1892; A 2009, 1197; 2013, 1409)—(Substituted in revision for part of NRS 176.0918)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0919 - Execution stayed pending results of genetic marker analysis.

1. After a judge grants a petition requesting a genetic marker analysis pursuant to NRS 176.0918, 176.09183 and 176.09187, if the case involves a sentence of death and a judge determines that the genetic marker analysis cannot be completed before the date of the execution of the petitioner, the judge shall stay the execution of the judgment of death pending the results of the analysis. 2. If the case involves a sentence of death and the results of an analysis ordered and conducted pursuant to NRS 176.0918, 176.09183 and 176.09187 are not favorable to the petitioner: (a) Except as otherwise provided in paragraph (b), the Director of the Department of Corrections shall, in due course, execute the judgment of death. (b) If the judgment of death has been stayed pursuant to subsection 1, the judge shall cause a certified copy of the order staying the execution of the judgment and a certified copy of the report of genetic marker analysis that indicates results which are not favorable to the petitioner to be immediately forwarded by the clerk of the court to the district attorney. Upon receipt, the district attorney shall pursue the issuance of a new warrant of execution of the judgment of death in the manner provided in NRS 176.495. (Added to NRS by 2003, 1894; A 2009, 1200)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0921 - Definitions.

As used in NRS 176.0921 to 176.0927, inclusive, unless the context otherwise requires, the words and terms defined in NRS 176.0922 to 176.0925, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1997, 1666)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0922 - "Central Repository" defined.

"Central Repository" means the Central Repository for Nevada Records of Criminal History. (Added to NRS by 1997, 1666)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0923 - "Crime against a child" defined.

"Crime against a child" has the meaning ascribed to it in NRS 179D.0357. (Added to NRS by 1997, 1666; A 2007, 2746)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0924 - "Record of registration" defined.

"Record of registration" has the meaning ascribed to it in NRS 179D.070. (Added to NRS by 1997, 1666)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0925 - "Sexual offense" defined.

"Sexual offense" has the meaning ascribed to it in NRS 179D.097. (Added to NRS by 1997, 1666; A 2007, 2746)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0926 - Crime against child: Notice of conviction to Central Repository; defendant to be informed of duty to register; effect of failure to inform.

1. If a defendant is convicted of a crime against a child, the court shall, following the imposition of a sentence: (a) Notify the Central Repository of the conviction of the defendant, so the Central Repository may carry out the provisions for registration of the defendant pursuant to NRS 179D.450. (b) Inform the defendant of the requirements for registration, including, but not limited to: (1) The duty to register initially pursuant to NRS 179D.445; (2) The duty to register in this State during any period in which the defendant is a resident of this State or a nonresident who is a student or worker within this State and the time within which the defendant is required to register pursuant to NRS 179D.450; (3) The duty to register in any other jurisdiction, including, without limitation, any jurisdiction outside the United States, during any period in which the defendant is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction; (4) If the defendant moves from this State to another jurisdiction, including, without limitation, any jurisdiction outside the United States, the duty to register with the appropriate law enforcement agency in the other jurisdiction; (5) The duty to notify the local law enforcement agency in whose jurisdiction the defendant formerly resided, in person or in writing, if the defendant changes the address at which the defendant resides, including if the defendant moves from this State to another jurisdiction, including, without limitation, any jurisdiction outside the United States, or changes the primary address at which the defendant is a student or worker; and (6) The duty to notify immediately the appropriate local law enforcement agency if the defendant is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of enrollment at an institution of higher education or if the defendant is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of the defendant's work at an institution of higher education. (c) Require the defendant to read and sign a form stating that the requirements for registration have been explained and that the defendant understands the requirements for registration. 2. The failure to provide the defendant with the information or confirmation form required by paragraphs (b) and (c) of subsection 1 does not affect the duty of the defendant to register and to comply with all other provisions for registration pursuant to NRS 179D.010 to 179D.550, inclusive. (Added to NRS by 1997, 1666; A 1999, 1284; 2001, 2050; 2003, 564; 2005, 2860; 2007, 2746, 3245)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0927 - Sexual offense: Notice of conviction to Central Repository; defendant to be informed of duty to register; effect of failure to inform.

1. If a defendant is convicted of a sexual offense, the court shall, following the imposition of a sentence: (a) Notify the Central Repository of the conviction of the defendant, so the Central Repository may carry out the provisions for registration of the defendant pursuant to NRS 179D.450. (b) Inform the defendant of the requirements for registration, including, without limitation: (1) The duty to register initially pursuant to NRS 179D.445; (2) The duty to register in this State during any period in which the defendant is a resident of this State or a nonresident who is a student or worker within this State and the time within which the defendant is required to register pursuant to NRS 179D.460; (3) The duty to register in any other jurisdiction during any period in which the defendant is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction; (4) If the defendant moves from this State to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction; (5) The duty to notify the local law enforcement agency in whose jurisdiction the defendant formerly resided, in person or in writing, if the defendant changes the address at which the defendant resides, including if the defendant moves from this State to another jurisdiction, or changes the primary address at which the defendant is a student or worker; and (6) The duty to notify immediately the appropriate local law enforcement agency if the defendant is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of enrollment at an institution of higher education or if the defendant is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of the defendant's work at an institution of higher education. (c) Require the defendant to read and sign a form stating that the requirements for registration have been explained and that the defendant understands the requirements for registration. 2. The failure to provide the defendant with the information or confirmation form required by paragraphs (b) and (c) of subsection 1 does not affect the duty of the defendant to register and to comply with all other provisions for registration pursuant to NRS 179D.010 to 179D.550, inclusive. (Added to NRS by 1997, 1667; A 1999, 1285; 2001, 2051; 2003, 565; 2005, 2861; 2007, 2747)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.0931 - Special sentence for sex offenders; petition for release from lifetime supervision.

1. If a defendant is convicted of a sexual offense, the court shall include in sentencing, in addition to any other penalties provided by law, a special sentence of lifetime supervision. 2. The special sentence of lifetime supervision commences after any period of probation or any term of imprisonment and any period of release on parole. 3. A person sentenced to lifetime supervision may petition the sentencing court or the State Board of Parole Commissioners for release from lifetime supervision. The sentencing court or the Board shall grant a petition for release from a special sentence of lifetime supervision if: (a) The person has complied with the requirements of the provisions of NRS 179D.010 to 179D.550, inclusive; (b) The person has not been convicted of an offense that

poses a threat to the safety or well-being of others for an interval of at least 10 consecutive years after the person's last conviction or release from incarceration, whichever occurs later; and (c) The person is not likely to pose a threat to the safety of others, as determined by a licensed, clinical professional who has received training in the treatment of sexual offenders, if released from lifetime supervision. 4. A person who is released from lifetime supervision pursuant to the provisions of subsection 3 remains subject to the provisions for registration as a sex offender and to the provisions for community notification, unless the person is otherwise relieved from the operation of those provisions pursuant to the provisions of NRS 179D.010 to 179D.550, inclusive. 5. As used in this section: (a) "Offense that poses a threat to the safety or well-being of others" includes, without limitation: (1) An offense that involves: (I) A victim less than 18 years of age; (II) A crime against a child as defined in NRS 179D.0357; (III) A sexual offense as defined in NRS 179D.097; (IV) A deadly weapon, explosives or a firearm; (V) The use or threatened use of force or violence; (VI) Physical or mental abuse; (VII) Death or bodily injury; (VIII) An act of domestic violence; (IX) Harassment, stalking, threats of any kind or other similar acts; (X) The forcible or unlawful entry of a home, building, structure, vehicle or other real or personal property; or (XI) The infliction or threatened infliction of damage or injury, in whole or in part, to real or personal property. (2) Any offense listed in subparagraph (1) that is committed in this State or another jurisdiction, including, without limitation, an offense prosecuted in: (I) A tribal court. (II) A court of the United States or the Armed Forces of the United States. (b) "Sexual offense" means: (1) A violation of NRS 200.366, subsection 4 of NRS 200.400, NRS 200.710, 200.720, subsection 2 of NRS 200.730, paragraph (a) of subsection 1 of NRS 200.975, NRS 201.180, 201.230, 201.450, 201.540 or 201.550 or paragraph (a) or (b) of subsection 4 or paragraph (a) or (b) of subsection 5 of NRS 201.560; (2) An attempt to commit an offense listed in subparagraph (1); or (3) An act of murder in the first or second degree, kidnapping in the first or second degree, false imprisonment, burglary or invasion of the home if the act is determined to be sexually motivated at a hearing conducted pursuant to NRS 175.547. (Added to NRS by 1995, 414; A 1997, 1671; 2001, 2789; 2003, 1381; 2005, 2862; 2007, 2748; 2013, 1160; 2015, 1436; 2021, 2421; 2023, 1417)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.094 - Finding of fact in judgment; imposition of fee; required counseling for first or second offense.

In addition to any other fine or penalty, if the court finds that a person is guilty of committing an act which constitutes domestic violence pursuant to NRS 33.018, the court shall: 1. Enter a finding of fact in the judgment of conviction. 2. Order the person to pay a fee of \$35. Any money so collected must be paid by the clerk of the court to the State Controller on or before the fifth day of each month for the preceding month for credit to the Account for Programs Related to Domestic Violence established pursuant to NRS 228.460. 3. Require for the: (a) First offense within 7 years of any act which constitutes domestic violence, the person to participate in weekly counseling sessions of not less than 1 1/2 hours per week for not less than 6 months, but not more than 12 months, at his or her expense, in a program for the treatment of persons who commit domestic violence that has been certified pursuant to NRS 439.258; or (b) Second offense within 7 years of any act which constitutes domestic violence, the person to participate in weekly counseling sessions of not less than 1 1/2 hours per week for 12 months, at his or her expense, in a program for the treatment of persons who commit domestic violence that has been certified pursuant to NRS 439.258. (Added to NRS by 2019, 1808)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.095 - State Board of Parole Commissioners may direct release of state prisoner on parole.

The State Board of Parole Commissioners may direct that any prisoner confined in the state prison, or confined in another jurisdiction as provided in NRS 176.045, shall be released on parole as provided in chapter 213 of NRS, if eligible for parole under the provisions of such chapter. (Added to NRS by 1967, 1433; A 1973, 180)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.105 - Judgment in criminal action generally.

1. If a defendant is found guilty and is sentenced as provided by law, the judgment of conviction must set forth: (a) The plea; (b) The verdict or finding; (c) The adjudication and sentence, including the date of the sentence, any term of imprisonment, the amount and terms of any fine, restitution or administrative assessment, a reference to the statute under which the defendant is sentenced and, if necessary to determine eligibility for parole, the applicable provision of the statute; and (d) The exact amount of credit granted for time spent in confinement before conviction, if any. 2. If the defendant is found not guilty, or for any other reason is entitled to be discharged, judgment must be entered accordingly. 3. The judgment must be signed by the judge and entered by the clerk. (Added to NRS by 1967, 1433; A 1973, 161; 1979, 1124; 1989, 938; 1993, 78; 1997, 905)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.115 - Judgment against complainant for malicious prosecution when defendant not found guilty; costs; enforcement of judgment.

1. In all cases of criminal prosecution where the defendant is not found guilty, the court may require the complainant, if it appears that the prosecution was malicious or without probable cause, to pay the costs of the action, or to give security to pay the same within 30 days. 2. If the complainant does not comply with the order of the court, judgment may be entered against the complainant for the amount thereof. 3. Such judgments may be enforced and appealed from in the same manner as those rendered in civil actions. (Added to NRS by 1967, 1433)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.125 - Entry of judgment of conviction; what

papers constitute record of action.

When judgment upon a conviction is rendered, the clerk shall, within 5 days, annex together and file the following papers, which shall constitute the record of the action: 1. A copy of the minutes of any challenge which may have been interposed by the defendant to the panel of the grand jury, or to any individual grand juror, and the proceedings thereon. 2. The indictment or information and a copy of the minutes of the plea. 3. A copy of the minutes of any challenge which may have been interposed to any juror, and the proceedings thereon. 4. A copy of the minutes of the trial. 5. A copy of the judgment. 6. The decision of the court upon matters of law deemed excepted to, if such decision is in writing, and a copy of the minutes showing any decision deemed excepted to. 7. Any written charges given or refused by the court, with the endorsements thereon. 8. The affidavits and counter-affidavits, if any, used on the hearing of a motion for a new trial. (Added to NRS by 1967, 1433)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.133 - Definitions.

As used in NRS 176.133 to 176.161, inclusive, unless the context otherwise requires: 1. "Person professionally qualified to conduct psychosexual evaluations" means a person who has received training in conducting psychosexual evaluations and is: (a) A psychiatrist licensed to practice medicine in this State and certified by the American Board of Psychiatry and Neurology, Inc.; (b) A psychologist licensed to practice in this State; (c) A social worker holding a master's degree in social work and licensed in this State as a clinical social worker; (d) A registered nurse holding a master's degree in the field of psychiatric nursing and licensed to practice professional nursing in this State; (e) A marriage and family therapist licensed in this State pursuant to chapter 641A of NRS; or (f) A clinical professional counselor licensed in this State pursuant to chapter 641A of NRS. 2. "Psychosexual evaluation" means an evaluation conducted pursuant to NRS 176.139. 3. "Sexual offense" means: (a) Sexual assault pursuant to NRS 200.366; (b) Statutory sexual seduction pursuant to NRS 200.368, if punished as a felony; (c) Battery with intent to commit sexual assault pursuant to NRS 200.400; (d) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation and is punished as a felony; (e) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive; (f) Fertility fraud pursuant to paragraph (a) of subsection 1 of NRS 200.975; (g) Incest pursuant to NRS 201.180; (h) Open or gross lewdness pursuant to NRS 201.210, if punished as a felony; (i) Indecent or obscene exposure pursuant to NRS 201.220, if punished as a felony; (j) Lewdness with a child pursuant to NRS 201.230; (k) Soliciting a child for prostitution pursuant to NRS 201.354; (l) Sexual penetration of a dead human body pursuant to NRS 201.450; (m) Sexual conduct between certain employees of a school or volunteers at a school and a pupil pursuant to NRS 201.540; (n) Sexual conduct between certain employees of a college or university and a student pursuant to NRS 201.550; (o) Luring a child or a person with mental illness pursuant to NRS 201.560, if punished as a felony; (p) An attempt to commit an offense listed in paragraphs (a) to (o), inclusive, if punished as a felony; or (q) An offense that is determined to be sexually motivated pursuant to NRS 175.547 or 207.193. (Added to NRS by 1997, 1637; A 1999, 1188; 2001, 2790; 2003, 1381; 2007, 3078; 2011, 2473; 2013, 1161, 2705; 2015, 1438; 2023, 1418, 1819)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.135 - Presentence investigation and report: When required; time for completing; training.

1. Except as otherwise provided in this section and NRS 176.151, the Division shall make a presentence investigation and report to the court on each defendant who pleads guilty, guilty but mentally ill or nolo contendere to, or is found guilty or guilty but mentally ill of, a felony. 2. If a defendant is convicted of a felony that is a sexual offense, the presentence investigation and report: (a) Must be made before the imposition of sentence or the granting of probation; and (b) If the sexual offense is an offense for which the suspension of sentence or the granting of probation is permitted, must include a psychosexual evaluation of the defendant. 3. Except as otherwise provided in subsection 5, if a defendant is convicted of a felony other than a sexual offense, the presentence investigation and report must be made before the imposition of sentence or the granting of probation unless: (a) A sentence is fixed by a jury; or (b) Such an investigation and report on the defendant has been made by the Division within the 5 years immediately preceding the date initially set for sentencing on the most recent offense. 4. Upon request of the court, the Division shall make presentence investigations and reports on defendants who plead guilty, guilty but mentally ill or nolo contendere to, or are found guilty or guilty but mentally ill of, gross misdemeanors. 5. If a defendant is convicted of a felony other than a sexual offense or of a gross misdemeanor and the conviction is of an offense for which the suspension of sentence or the granting of probation is permitted, the Division shall, before the imposition of sentence or the granting of probation, make a presentence investigation and report to the court that includes a psychosexual evaluation of the defendant if the defendant and the prosecuting attorney submit to the court a joint request for a presentence investigation and report that includes a psychosexual evaluation of the defendant. The provisions of this subsection apply only to a conviction where the original charge in the complaint, information or indictment was for a sexual offense, as defined in NRS 176.133 or 179D.097. 6. Each court in which a report of a presentence investigation can be made must ensure that each judge of the court receives training concerning the manner in which to use the information included in a report of a presentence investigation for the purpose of imposing a sentence. Such training must include, without limitation, education concerning behavioral health needs and intellectual or developmental disabilities. (Added to NRS by 1967, 1434; A 1969, 406; 1981, 369, 464; 1985, 148; 1987, 592; 1993, 1512; 1995, 2456; 1997, 642, 1639; 1999, 1189, 1285; 2001, 77; 2003, 1466; 2007, 1420; 2019, 4384; 2023, 1820)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.139 - Presentence investigation and report: Psychosexual evaluation of certain defendants required; standards and methods for conducting evaluation; access to

records; rights of confidentiality and privileges deemed waived; report of results; costs.

1. If a defendant is convicted of a sexual offense for which the suspension of sentence or the granting of probation is permitted or if a joint request is submitted to the Division pursuant to subsection 5 of NRS 176.135, the Division shall arrange for a psychosexual evaluation of the defendant as part of the Division's presentence investigation and report to the court. 2. The psychosexual evaluation of the defendant must be conducted by a person professionally qualified to conduct psychosexual evaluations. 3. The person who conducts the psychosexual evaluation of the defendant must use diagnostic tools that are generally accepted as being within the standard of care for the evaluation of sex offenders, and the psychosexual evaluation of the defendant must include: (a) A comprehensive clinical interview with the defendant; and (b) A review of all investigative reports relating to the defendant's sexual offense or other offense and all statements made by victims of that offense. 4. The psychosexual evaluation of the defendant may include: (a) A review of records relating to previous criminal offenses committed by the defendant; (b) A review of records relating to previous evaluations and treatment of the defendant; (c) A review of the defendant's records from school; (d) Interviews with the defendant's parents, the defendant's spouse or other persons who may be significantly involved with the defendant or who may have relevant information relating to the defendant's background; and (e) The use of psychological testing, polygraphic examinations and arousal assessment. 5. The person who conducts the psychosexual evaluation of the defendant must be given access to all records of the defendant that are necessary to conduct the evaluation, and the defendant shall be deemed to have waived all rights of confidentiality and all privileges relating to those records for the limited purpose of the evaluation. 6. The person who conducts the psychosexual evaluation of the defendant shall: (a) Prepare a comprehensive written report of the results of the evaluation; (b) Include in the report all information that is necessary to carry out the provisions of NRS 176A.110; and (c) Provide a copy of the report to the Division. 7. If a psychosexual evaluation is conducted pursuant to this section, the court shall: (a) Order the defendant, to the extent of the defendant's financial ability, to pay for the cost of the psychosexual evaluation; or (b) If the defendant was less than 18 years of age when the sexual offense or other offense was committed and the defendant was certified and convicted as an adult, order the parents or guardians of the defendant, to the extent of their financial ability, to pay for the cost of the psychosexual evaluation. For the purposes of this paragraph, the court has jurisdiction over the parents or guardians of the defendant to the extent that is necessary to carry out the provisions of this paragraph. (Added to NRS by 1997, 1638; A 1999, 1286; 2001, 1636; 2023, 1821)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.145 - Presentence investigation and report: Contents of report.

1. The report of any presentence investigation must contain: (a) Any: (1) Prior criminal convictions of the defendant; (2) Unresolved criminal cases involving the defendant; (3) Incidents in which the defendant has failed to appear in court when his or her presence was required; (4) Arrests during the 10 years immediately preceding the date of the offense for which the report is being prepared; and (5) Participation in any program in a specialty court or any diversionary program, including whether the defendant successfully completed the program; (b) Information concerning the characteristics of the defendant, the defendant's financial condition, including whether the information pertaining to the defendant's financial condition has been verified, the circumstances affecting the defendant's behavior and the circumstances of the defendant's offense that may be helpful in imposing sentence, in granting probation or in the correctional treatment of the defendant; (c) Information concerning the effect that the offense committed by the defendant has had upon the victim, including, without limitation, any physical or psychological harm or financial loss suffered by the victim, to the extent that such information is available from the victim or other sources, but the provisions of this paragraph do not require any particular examination or testing of the victim, and the extent of any investigation or examination is solely at the discretion of the court or the Division and the extent of the information to be included in the report is solely at the discretion of the Division; (d) Information concerning whether the defendant has an obligation for the support of a child, and if so, whether the defendant is in arrears in payment on that obligation; (e) Data or information concerning reports and investigations thereof made pursuant to chapter 432B of NRS and NRS 392.275 to 392.365, inclusive, that relate to the defendant and are made available pursuant to NRS 432B.290 or NRS 392.317 to 392.337, inclusive, as applicable; (f) The results of any evaluation or assessment of the defendant conducted pursuant to NRS 176A.240, 176A.260, 176A.280 or 484C.300; and (g) If a psychosexual evaluation of the defendant is required pursuant to NRS 176.139, a written report of the results of the psychosexual evaluation of the defendant and all information that is necessary to carry out the provisions of NRS 176A.110. 2. The Division shall include in the report the source of any information, as stated in the report, related to the defendant's offense, including, without limitation, information from: (a) A police report; (b) An investigative report filed with law enforcement; or (c) Any other source available to the Division. 3. The Division may include in the report any additional information that it believes may be helpful in imposing a sentence, in granting probation or in correctional treatment. (Added to NRS by 1967, 1434; A 1973, 178; 1981, 21, 1208; 1985, 148; 1989, 1853; 1993, 8, 1513, 2016; 1995, 667, 1248; 1997, 837, 1639; 1999, 1190, 1287; 2001, 77, 1637; 2017, 2062, 2839; 2019, 4384; 2021, 2422)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.151 - General investigation and report on defendant convicted of category E felony: When required; time for completing; contents of report.

1. If a defendant pleads guilty, guilty but mentally ill or nolo contendere to, or is found guilty or guilty but mentally ill of, one or more category E felonies, but no other felonies, the Division shall not make a presentence investigation and report on the defendant pursuant to NRS 176.135, unless the Division has not made a presentence investigation and report on the defendant pursuant to NRS

176.135 within the 5 years immediately preceding the date initially set for sentencing on the category E felony or felonies and: (a) The court requests a presentence investigation and report; or (b) The prosecuting attorney possesses evidence that would support a decision by the court to deny probation to the defendant pursuant to paragraph (b) of subsection 1 of NRS 176A.100. 2. If the Division does not make a presentence investigation and report on a defendant pursuant to subsection 1, the Division shall, not later than 45 days after the date on which the defendant is sentenced, make a general investigation and report on the defendant that contains: (a) Any prior criminal convictions of the defendant; (b) Information concerning the characteristics of the defendant, the circumstances affecting the defendant's behavior and the circumstances of the defendant's offense that may be helpful to persons responsible for the supervision or correctional treatment of the defendant; (c) Information concerning the effect that the offense committed by the defendant has had upon the victim, including, without limitation, any physical or psychological harm or financial loss suffered by the victim, to the extent that such information is available from the victim or other sources, but the provisions of this paragraph do not require any particular examination or testing of the victim, and the extent of any investigation or examination and the extent of the information included in the report is solely at the discretion of the Division; (d) Data or information concerning reports and investigations thereof made pursuant to chapter 432B of NRS and NRS 392.275 to 392.365, inclusive, that relate to the defendant and are made available pursuant to NRS 432B.290 or NRS 392.317 to 392.337, inclusive, as applicable; and (e) Any other information that the Division believes may be helpful to persons responsible for the supervision or correctional treatment of the defendant. (Added to NRS by 1999, 1188; A 2003, 1466; 2007, 1421; 2017, 2063, 2841)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.153 - Disclosure of report of presentence investigation: Report to include certain information relating to any gang affiliation of defendant.

1. Except as otherwise provided in subsection 3, the Division shall disclose to the prosecuting attorney, the counsel for the defendant, the defendant and the court, not later than 14 calendar days before the defendant will be sentenced, the factual content of the report of any presentence investigation made pursuant to NRS 176.135. 2. In addition to the disclosure requirements set forth in subsection 1, if the Division includes in the report of any presentence investigation made pursuant to NRS 176.135 any information relating to the defendant being affiliated with or a member of a criminal gang and the Division reasonably believes such information is disputed by the defendant, the Division shall provide with the information disclosed pursuant to subsection 1 copies of all documentation relied upon by the Division as a basis for including such information in the report, including, without limitation, any field interview cards. 3. The defendant may waive the minimum period required by subsection 1. 4. As used in this section, "criminal gang" has the meaning ascribed to it in NRS 193.168. (Added to NRS by 2013, 2704; A 2013, 2706; 2015, 540; 2017, 3961; 2019, 4385)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.156 - Disclosure of report of presentence or general investigation; corrections to report; persons entitled to use report; confidentiality of report.

1. The Division shall disclose to the prosecuting attorney, the counsel for the defendant and the defendant the factual content of the report of: (a) Any presentence investigation made pursuant to NRS 176.135 and, if applicable, provide the documentation required pursuant to subsection 2 of NRS 176.153, in the period provided in NRS 176.153. (b) Any general investigation made pursuant to NRS 176.151. The Division shall afford an opportunity to each party to object to factual errors in any such report. The court may order the Division to correct the contents of any such report following sentencing of the defendant if, within 180 days after the date on which the judgment of conviction was entered, the prosecuting attorney and the defendant stipulate to correcting the contents of any such report. 2. Unless otherwise ordered by a court, upon request, the Division shall disclose the content of a report of a presentence investigation or general investigation to a law enforcement agency of this State or a political subdivision thereof and to a law enforcement agency of the Federal Government for the limited purpose of performing their duties, including, without limitation, conducting hearings that are public in nature. 3. Unless otherwise ordered by a court, upon request, the Division shall disclose the content of a report of a presentence investigation or general investigation to the Division of Public and Behavioral Health of the Department of Health and Human Services for the limited purpose of performing its duties, including, without limitation, evaluating and providing any report or information to the Division concerning the mental health of: (a) A sex offender as defined in NRS 213.107; or (b) An offender who has been determined to be mentally ill. 4. Unless otherwise ordered by a court, upon request, the Division shall disclose the content of a report of a presentence investigation or general investigation to the Nevada Gaming Control Board for the limited purpose of performing its duties in the administration of the provisions of chapters 462 to 467, inclusive, of NRS. 5. Except for the disclosures required by subsections 1 to 4, inclusive, a report of a presentence investigation or general investigation and the sources of information for such a report are confidential and must not be made a part of any public record. (Added to NRS by 1967, 1434; A 1969, 405; 1975, 576; 1981, 1209; 1985, 149; 1993, 1513; 1995, 1057; 1997, 54; 1999, 103, 1190; 2013, 2705; 2017, 2841, 3962; 2019, 4386)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.159 - Delivery of report of presentence or general investigation to Director of Department of Corrections.

1. Except as otherwise provided in subsection 2, when a court imposes a sentence of imprisonment in the state prison or revokes a program of probation and orders a sentence of imprisonment to the state prison to be executed, the court shall cause a copy of the report of the presentence investigation to be delivered to the Director of the Department of Corrections, if such a report was made. The report must be delivered not later than when the judgment of imprisonment is delivered pursuant to NRS 176.335. Delivery of

the report may, at the court's discretion, also be accomplished by electronic transmission or by affording the Department of Corrections the required electronic access necessary to retrieve the report. 2. If a presentence investigation and report were not required pursuant to paragraph (b) of subsection 3 of NRS 176.135 or pursuant to subsection 1 of NRS 176.151, the court shall cause a copy of the previous report of the presentence investigation or a copy of the report of the general investigation, as appropriate, to be delivered to the Director of the Department of Corrections in the manner provided pursuant to subsection 1. (Added to NRS by 1969, 871; A 1973, 67; 1977, 859; 1997, 130; 1999, 1191; 2001, 217; 2013, 1369)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.161 - Portion of certain presentence or general investigations and reports to be paid by county in which indictment found or information filed.

1. Seventy percent of the expense of any presentence or general investigation and report made by the Division pursuant to NRS 176.135 or 176.151, other than the expense of a psychosexual evaluation conducted pursuant to NRS 176.139, must be paid by the county in which the indictment was found or the information filed. 2. Each county shall pay to the Division all expenses required pursuant to subsection 1 according to a schedule established by the Division, which must require payment on at least a quarterly basis. (Added to NRS by 2011, 2473)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.165 - When plea of guilty, guilty but mentally ill or nolo contendere may be withdrawn.

Except as otherwise provided in this section, a motion to withdraw a plea of guilty, guilty but mentally ill or nolo contendere may be made only before sentence is imposed or imposition of sentence is suspended. To correct manifest injustice, the court after sentence may set aside the judgment of conviction and permit the defendant to withdraw the plea. (Added to NRS by 1967, 1434; A 1989, 1983; 1995, 2456; 2003, 1467; 2007, 1421)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.211 - Eligibility; duration; terms and conditions; violation of term or condition; discharge and dismissal; sealing of records.

1. Except as otherwise provided in this subsection, upon a plea of guilty, guilty but mentally ill or nolo contendere, but before a judgment of guilt, the court may, without entering a judgment of guilt and with the consent of the defendant, defer judgment on the case to a specified future date and set forth specific terms and conditions for the defendant. The duration of the deferral period must not exceed the applicable period set forth in subsection 1 of NRS 176A.500 or the extension of the period pursuant to subsection 2 of NRS 176A.500. The court may not defer judgment pursuant to this subsection if the defendant has entered into a plea agreement with a prosecuting attorney unless the plea agreement allows the deferral. 2. The terms and conditions set forth for the defendant during the deferral period may include, without limitation, the: (a) Payment of restitution; (b) Payment of court costs; (c) Payment of an assessment in lieu of any fine authorized by law for the offense; (d) Payment of any other assessment or cost authorized by law; (e) Completion of a term of community service; (f) Placement on probation pursuant to NRS 176A.500 and the ordering of any conditions which can be imposed for probation pursuant to NRS 176A.400; or (g) Completion of a specialty court program. 3. The court: (a) Upon the consent of the defendant: (1) Shall defer judgment for any defendant who has entered a plea of guilty, guilty but mentally ill or nolo contendere to a violation of paragraph (a) of subsection 2 of NRS 453.336; or (2) May defer judgment for any defendant who is placed in a specialty court program. The court may extend any deferral period for not more than 12 months to allow for the completion of a specialty court program. (b) Shall not defer judgment for any defendant who has been convicted of a violent or sexual offense as defined in NRS 202.876, a crime against a child as defined in NRS 179D.0357, a violation of NRS 200.508 or a violation of NRS 574.100 that is punishable pursuant to subsection 6 of that section. 4. Upon violation of a term or condition: (a) Except as otherwise provided in paragraph (b): (1) The court may enter a judgment of conviction and proceed as provided in the section pursuant to which the defendant was charged. (2) Notwithstanding the provisions of paragraph (e) of subsection 2 of NRS 193.130, the court may order the defendant to the custody of the Department of Corrections if the offense is punishable by imprisonment in the state prison. (b) If the defendant has been placed in the program for a first or second violation of paragraph (a) of subsection 2 of NRS 453.336, the court may allow the defendant to continue to participate in the program or terminate the participation of the defendant in the program. If the court terminates the participation of the defendant in the program, the court shall allow the defendant to withdraw his or her plea. 5. Upon completion of the terms and conditions of the deferred judgment, and upon a finding by the court that the terms and conditions have been met, the court shall discharge the defendant and dismiss the proceedings. Discharge and dismissal pursuant to this section is without adjudication of guilt and is not a conviction for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose, but is a conviction for the purpose of additional penalties imposed for second or subsequent convictions or the setting of bail. Discharge and dismissal restores the defendant, in the contemplation of the law, to the status occupied before the arrest, indictment or information. 6. The court shall order sealed all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order if the defendant fulfills the terms and conditions imposed by the court and the Division. The court shall order those records sealed without a hearing unless the Division or the prosecutor petitions the court, for good cause shown, not to seal the records and requests a hearing thereon. 7. If the court orders sealed the record of a defendant discharged pursuant to this section, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order. 8. As used in this section: (a) "Court" means a district court of the State

of Nevada. (b) "Specialty court program" has the meaning ascribed to it in NRS 176A.065. (Added to NRS by 2019, 4388; A 2023, 709)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.265 - Fines to be paid into State Treasury.

The full amount of all fines imposed and collected under and for violation of any penal law of this State shall be paid into the State Treasury. (Added to NRS by 1967, 1437)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.275 - Judgment for fine, administrative assessment, payment of restitution or repayment of expenses is lien; additional provisions concerning judgment for payment of restitution.

1. A judgment which imposes a fine or administrative assessment or requires a defendant to pay restitution or repay the expenses of a defense constitutes a lien in like manner as a judgment for money rendered in a civil action. 2. A judgment which requires a defendant to pay restitution: (a) May be recorded, docketed and enforced as any other judgment for money rendered in a civil action. (b) Does not expire until the judgment is satisfied. 3. An independent action to enforce a judgment which requires a defendant to pay restitution may be commenced at any time. (Added to NRS by 1967, 1437; A 1975, 217; 1977, 337; 1983, 909; 1993, 149; 2015, 2573)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.278 - Payment of restitution from civil judgment or settlement in favor of defendant and against State, political subdivision, officer, employee or contractor.

1. Except as otherwise provided in subsection 4, if a person who is or was imprisoned in the state prison or a county or city jail or detention facility is awarded a judgment against: (a) The State of Nevada, a county or a city; (b) A department, commission, board or other agency of the State of Nevada, a county or a city; or (c) A current or former officer, employee or contractor of the State of Nevada, a county or a city, arising from a civil action that accrued while the person was imprisoned in the state prison or county or city jail or detention facility, the person or governmental entity that pays the judgment shall deposit the money for the judgment with the court. The court shall deduct from the money received from the judgment any amount of money owed by the person for restitution and send the money to the appropriate person, governmental agency or political subdivision of a governmental agency to whom restitution is owed. 2. Except as otherwise provided in subsection 4, if a person enters into a settlement for money in an action described in subsection 1, the person or governmental entity that pays the settlement shall deposit the money for the settlement with the court in which the action was filed or the district court of the county in which the person resides if no action was filed. The court shall deduct from the money deposited with the court any amount of money owed by the person for restitution and send the money to the appropriate person, governmental agency or political subdivision of a governmental agency to whom restitution is owed. 3. If any money remains after the court makes the deduction pursuant to subsection 1 or 2, the court shall forward the remaining money to the person who initiated the action. 4. The provisions of this section do not apply to a judgment or settlement in a case that involves the death of a person who was imprisoned. (Added to NRS by 1999, 67)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.285 - Fines in Justice Court to be paid to county treasurer; due date.

In Justice Court, when a fine is paid or bail is forfeited, the justice must pay the same to the county treasurer on or before the fifth day of the month immediately following the month in which the fine is paid or bail is forfeited. (Added to NRS by 1967, 1437; A 2015, 2566)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.295 - Costs when criminal action removed before trial; clerk to certify costs to auditor.

1. In every case where a criminal action may have been or shall be removed before trial, the costs accruing upon such removal and trial shall be a charge against the county in which the cause of the indictment or information occurred. 2. The clerk of the county to which such action is or may be removed shall certify the amount of the costs to the auditor of the county in which the indictment was found, or the information filed, which shall be examined, allowed and paid as other county charges. (Added to NRS by 1967, 1437)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.305 - Judgment for imprisonment or fine and imprisonment until satisfied: Commitment and detention.

If the judgment be imprisonment, or a fine and imprisonment until it is satisfied, the defendant must forthwith be committed to the custody of the proper officer, and detained until the judgment is complied with. (Added to NRS by 1967, 1437)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.315 - Judgment of imprisonment in county jail: How executed.

A judgment of imprisonment to be served in a county jail must be executed by delivering the defendant into the custody of the sheriff or other officer in charge of the county jail. A copy of the judgment of conviction, duly certified by the judge or justice, is a

sufficient warrant for the doing of every act necessary or proper in the due execution thereof. The officer shall, upon discharging the defendant, return such copy to the justice, with an account of the officer's doings endorsed thereon, and must at the same time pay over to the justice all money which the officer may have received from the defendant in payment of the fine. (Added to NRS by 1967, 1437; A 1999, 1047)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.325 - Judgment of imprisonment in state prison: How executed.

When a judgment of imprisonment to be served in the state prison has been pronounced, triplicate certified paper or electronic copies of the judgment of conviction, attested by the clerk under the seal of the court, must forthwith be furnished to the officers whose duty it is to execute the judgment, as provided by NRS 176.335, and no other warrant or authority is necessary to justify or require the execution thereof, except when a judgment of death is rendered. (Added to NRS by 1967, 1438; A 1973, 30; 1989, 938; 1993, 79; 1995, 1252; 1999, 1047; 2013, 1369)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.335 - Duty of sheriff on receiving copies of judgment of imprisonment; Director of Department of Corrections to receive prisoner from sheriff; when term of imprisonment begins.

1. If a judgment is for imprisonment in the state prison, the sheriff of the county shall, on receipt of the triplicate certified paper or electronic copies of the judgment of conviction, immediately notify the Director of the Department of Corrections and the Director shall, without delay, send some authorized person to the county where the prisoner is held for commitment to receive the prisoner. 2. When such an authorized person presents to the sheriff holding the prisoner an order for the delivery of the prisoner, the sheriff shall deliver to the authorized person two of the certified copies of the judgment of conviction and take from the person a receipt for the prisoner, and the sheriff shall make return upon the certified copy of the judgment of conviction, showing the sheriff's proceedings thereunder, and both that copy with the return affixed thereto and the receipt from the authorized person must be filed with the county clerk. 3. The term of imprisonment designated in the judgment of conviction must begin on the date of sentence of the prisoner by the court. (Added to NRS by 1967, 1438; A 1973, 30; 1977, 859; 1997, 130; 1999, 1047, 1191; 2001, 77; 2001 Special Session, 217; 2003, 668; 2013, 1369)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.337 - Court to notify defendant convicted of domestic violence concerning possession, shipment, transportation or receipt of firearm or ammunition.

If a defendant is convicted of a misdemeanor or felony that constitutes domestic violence pursuant to NRS 33.018, the court shall notify the defendant that possession, shipment, transportation or receipt of a firearm or ammunition by the defendant may constitute a felony pursuant to NRS 202.360 or federal law. (Added to NRS by 2007, 95)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.345 - Proceedings when conviction carries death penalty.

1. When a judgment of death has been pronounced, a certified copy of the judgment of conviction must be forthwith executed and attested in triplicate by the clerk under the seal of the court. There must be attached to the triplicate copies a warrant signed by the judge, attested by the clerk, under the seal of the court, which: (a) Recites the fact of the conviction and judgment; (b) Appoints a week, the first day being Monday and the last day being Sunday, within which the judgment is to be executed, which must not be less than 60 days nor more than 90 days from the time of judgment; and (c) Directs the sheriff to deliver the prisoner to such authorized person as the Director of the Department of Corrections designates to receive the prisoner, for execution. The prison must be designated in the warrant. 2. The original of the triplicate copies of the judgment of conviction and warrant must be filed in the office of the county clerk, and two of the triplicate copies must be immediately delivered by the clerk to the sheriff of the county. One of the triplicate copies must be delivered by the sheriff, with the prisoner, to such authorized person as the Director of the Department of Corrections designates, and is the warrant and authority of the Director for the imprisonment and execution of the prisoner, as therein provided and commanded. The Director shall return the certified copy of the judgment of conviction to the county clerk of the county in which it was issued. The other triplicate copy is the warrant and authority of the sheriff to deliver the prisoner to the authorized person designated by the Director. The final triplicate copy must be returned to the county clerk by the sheriff with the sheriff's proceedings endorsed thereon. (Added to NRS by 1967, 1438; A 1977, 860; 1989, 390; 1999, 1048; 2001 Special Session, 218)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.355 - Execution of death penalty: Method; time and place; witnesses.

1. The judgment of death must be inflicted by an injection of a lethal drug. 2. The Director of the Department of Corrections shall: (a) Execute a sentence of death within the week, the first day being Monday and the last day being Sunday, that the judgment is to be executed, as designated by the district court. The Director may execute the judgment at any time during that week if a stay of execution is not entered by a court of appropriate jurisdiction. (b) Select the drug or combination of drugs to be used for the execution after consulting with the Chief Medical Officer. (c) Be present at the execution. (d) Notify those members of the

immediate family of the victim who have, pursuant to NRS 176.357, requested to be informed of the time, date and place scheduled for the execution. (e) Invite a competent physician, the county coroner, a psychiatrist and not less than six reputable citizens over the age of 21 years to be present at the execution. The Director shall determine the maximum number of persons who may be present for the execution. The Director shall give preference to those eligible members or representatives of the immediate family of the victim who requested, pursuant to NRS 176.357, to attend the execution. 3. The execution must take place at the state prison. 4. A person who has not been invited by the Director may not witness the execution. (Added to NRS by 1967, 1439; A 1977, 860; 1983, 1937; 1989, 390; 1995, 381; 2001 Special Session, 218)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.357 - Request for notification of execution of death penalty; request to attend.

1. If after a conviction for murder a judgment of death has been pronounced, each member of the immediate family of the victim who is 21 years of age or older may submit a written request to the Director to be informed of the time, date and place scheduled for the execution of the sentence of death. The request for notification may be accompanied by a written request to attend or nominate a representative to attend the execution. 2. As used in this section, "immediate family" means persons who are related by blood, adoption or marriage, within the second degree of consanguinity or affinity. (Added to NRS by 1995, 381)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.365 - Director of Department of Corrections to make return on death warrant.

After the execution, the Director of the Department of Corrections must make a return upon the death warrant to the court by which the judgment was rendered, showing the time, place, mode and manner in which it was executed. (Added to NRS by 1967, 1439; A 1977, 860; 2001 Special Session, 219)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.415 - When execution of death penalty may be stayed.

The execution of a judgment of death must be stayed only: 1. By the State Board of Pardons Commissioners as authorized in Section 14 of Article 5 of the Constitution of the State of Nevada; 2. By the Governor if the Governor grants a reprieve pursuant to Section 13 of Article 5 of the Constitution of the State of Nevada; 3. When a direct appeal from the judgment of conviction and sentence is taken to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution; 4. By a judge of the district court of the county in which the state prison is situated, for the purpose of an investigation of sanity or pregnancy as provided in NRS 176.425 to 176.485, inclusive; 5. By a judge of the district court in which a motion is filed pursuant to subsection 5 of NRS 175.554, for the purpose of determining whether the defendant is intellectually disabled; or 6. Pursuant to the provisions of NRS 176.0919 or 176.486 to 176.492, inclusive. (Added to NRS by 1967, 1440; A 1987, 1221; 2003, 768; 2007, 25; 2013, 686, 1756)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.425 - Sanity investigation: Filing of petition; stay of execution.

1. If, after judgment of death, there is a good reason to believe that the defendant has become insane, the Director of the Department of Corrections to whom the convicted person has been delivered for execution may by a petition in writing, verified by a physician, petition a district judge of the district court of the county in which the state prison is situated, alleging the present insanity of such person, whereupon such judge shall: (a) Fix a day for a hearing to determine whether the convicted person is insane; (b) Appoint two psychiatrists, two psychologists, or one psychiatrist and one psychologist, to examine the convicted person; and (c) Give immediate notice of the hearing to the Attorney General and to the district attorney of the county in which the conviction was had. 2. If the judge determines that the hearing on and the determination of the sanity of the convicted person cannot be had before the date of the execution of such person, the judge may stay the execution of the judgment of death pending the determination of the sanity of the convicted person. (Added to NRS by 1967, 1440; A 1977, 861; 1991, 1002; 2001 Special Session, 219)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.435 - Sanity investigation: Conduct of hearing.

1. On the day fixed, the Director of the Department of Corrections shall bring the convicted person before the court, and the Attorney General or the Attorney General's deputy shall attend the hearing. The district attorney of the county in which the conviction was had, and an attorney for the convicted person, may attend the hearing. 2. The court shall receive the report of the examining physicians and may require the production of other evidence. The Attorney General or the Attorney General's deputy, the district attorney, and the attorney for the convicted person or such person if the convicted person is without counsel may introduce evidence and cross-examine any witness, including the examining physicians. 3. The court shall then make and enter its finding of sanity or insanity. (Added to NRS by 1967, 1440; A 1977, 861; 2001 Special Session, 219)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.445 - Execution of judgment when defendant found sane.

If it is found by the court that the convicted person is sane, the Director of the Department of Corrections must execute the judgment of death; but if the judgment has been stayed, as provided in NRS 176.425, the judge shall cause a certified copy of the order staying the execution of the judgment, together with a certified copy of the judge's finding that the convicted person is sane, to be immediately forwarded by the clerk of the court to the clerk of the district court of the county in which the conviction was had, who shall give notice thereof to the district attorney of such county. Proceedings shall then be instituted in the last mentioned district court for the issuance of a new warrant of execution of the judgment of death in the manner provided in NRS 176.495. (Added to NRS by 1967, 1441; A 1977, 861; 2001 Special Session, 219)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.455 - Suspension of execution when defendant found insane; proceedings on recovery of sanity.

1. If it is found by the court that the convicted person is insane, the judge shall make and enter an order staying the execution of the judgment of death until the convicted person becomes sane, and shall therein order the Director of the Department of Corrections to confine such person in a safe place of confinement until the convicted person's reason is restored. 2. The clerk of the court shall serve or cause to be served three certified copies of the order, one on the Director, one on the Governor, for the use of the State Board of Pardons Commissioners, and one on the clerk of the district court of the county in which the conviction was had. 3. If the convicted person thereafter becomes sane, notice of this fact shall be given by the Director to a judge of the court staying the execution of the judgment, and the judge, upon being satisfied that such person is then sane, shall enter an order vacating the order staying the execution of the judgment. 4. The clerk of the court shall immediately serve or cause to be served three certified copies of such vacating order as follows: One on the Director, one on the Governor, for the use of the State Board of Pardons Commissioners, and one on the clerk of the district court of the county in which the conviction was had, who shall give notice thereof to the district attorney of such county, whereupon proceedings shall be instituted in the last mentioned district court for the issuance of a new warrant of execution of the judgment of death in the manner provided in NRS 176.495. (Added to NRS by 1967, 1441; A 1977, 861; 2001 Special Session, 219)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.465 - Investigation of pregnancy: Procedure; hearing.

1. If there is good reason to believe that a female against whom a judgment of death has been rendered is pregnant, the Director of the Department of Corrections to whom she has been delivered for execution shall petition a judge of the district court of the county in which the state prison is situated, in writing, alleging such pregnancy, whereupon such judge shall summon a jury of three physicians to inquire into the alleged pregnancy and fix a day for the hearing thereon, and give immediate notice thereof to the Attorney General and to the district attorney of the county in which the conviction was had. 2. The provisions of NRS 176.425 and 176.435 apply to the proceedings upon the inquisition, except that three physicians shall be summoned. They shall certify in writing to the court their findings as to pregnancy. (Added to NRS by 1967, 1441; A 1977, 862; 2001 Special Session, 220)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.475 - Proceedings after investigation: Execution of judgment; suspension of execution; issuance of warrant on termination of pregnancy.

1. If it is found by the court that the female is not pregnant, the Director of the Department of Corrections must execute the judgment of death; but if a stay of execution has been granted pursuant to NRS 176.425 the procedure provided in NRS 176.445 is applicable. 2. If the female is found to be pregnant, the judge shall enter an order staying the execution of the judgment of death, and shall therein order the Director to confine such female in a safe place of confinement commensurate with her condition until further order of the court. 3. When such female is no longer pregnant, notice of this fact shall be given by the Director to a judge of the court staying the execution of the judgment. Thereupon the judge, upon being satisfied that the pregnancy no longer exists, shall enter an order vacating the order staying the execution of the judgment and shall direct the clerk of such court to serve or cause to be served three certified copies of such order, one on the Director, one on the Governor, for the use of the State Board of Pardons Commissioners, and one on the clerk of the district court of the county in which the conviction was had, who shall give notice thereof to the district attorney of such county, whereupon proceedings shall be instituted in the last mentioned district court for the issuance of a new warrant of execution of the judgment in the manner provided in NRS 176.495. (Added to NRS by 1967, 1442; A 1977, 862; 2001 Special Session, 220)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.485 - Costs of investigations borne by State; manner of payment.

The costs and expenses of the investigations provided in NRS 176.415 to 176.475, inclusive, must be borne by the State and paid in the following manner: The costs and expenses of an investigation must first be paid by county warrants drawn upon the order of the district judge. The county clerk shall then present a claim to the State Board of Examiners for the amount of such costs and expenses so ordered paid by the district judge. Upon approval of the claim by the State Board of Examiners, the State Controller shall draw a warrant for the payment thereof, and the State Treasurer shall pay the same from the Reserve for Statutory Contingency Account. (Added to NRS by 1967, 1442; A 1991, 1753)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.486 - Authority to enter stay of execution.

A district court having proper jurisdiction, the Court of Appeals or the Supreme Court, if it has proper jurisdiction, may stay the execution of a sentence of death when a postconviction petition for habeas corpus challenging a judgment of conviction or sentence has been filed only after appropriate notice has been given to the appropriate respondent in the case. (Added to NRS by 1987, 1220; A 1991, 90; 2013, 1756; 2023, 1637)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.487 - Determination of whether to enter stay of execution.

When a person under a sentence of death files a proper postconviction petition for habeas corpus challenging a judgment of conviction or sentence, a district court, the Court of Appeals or the Supreme Court on a subsequent appeal shall enter a stay of execution if the court finds a stay necessary for a proper consideration of the claims for relief. In making this determination, the court shall consider whether: 1. The petition is the first effort by the petitioner to raise constitutional claims for relief after a direct appeal from a conviction and the petition raises claims other than those which could have been raised at trial or on direct appeal. 2. The petition is timely filed and jurisdictionally appropriate and does not set forth conclusory claims only. 3. If the petition is not the first petition for postconviction relief, it raises constitutional claims which are not procedurally barred by laches, the law of the case, the doctrines of abuse of the writ or successive petition or any other procedural default. 4. If the petition is a second or successive petition, it presents substantial grounds upon which relief might be granted and valid justification for the claims not having been presented in a prior proceeding. 5. The petition asserts claims based upon specified facts or law which, if true, would entitle the petitioner to relief. 6. The court cannot decide legal claims which are properly raised or expeditiously hold an evidentiary hearing on factual claims which are properly raised before the execution of sentence. (Added to NRS by 1987, 1220; A 1991, 91; 2013, 1756; 2023, 1637)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.488 - Entry of stay of execution and necessary orders.

A stay of execution must be entered by the court in writing and copies sent as soon as practicable to the Director of the Department of Corrections, the warden of the institution in which the offender is imprisoned and the Office of the Attorney General in Carson City. The court shall also enter an order and take all necessary actions to expedite further proceeding before that court. (Added to NRS by 1987, 1221; A 2001 Special Session, 221)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.489 - Vacation of stay of execution.

Any stay of execution previously entered by the court must be vacated if the court denies the petition for habeas corpus. (Added to NRS by 1987, 1221; A 1991, 91)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.491 - Stay of execution following denial of appeal.

1. Upon the denial of any appeal pursuant to chapter 34 or 177 of NRS to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution, the appellate court of competent jurisdiction shall dissolve any stay of execution previously entered. No stay of such execution may be entered or continued by the appellate court of competent jurisdiction after the denial of an appeal pending the filing of a petition with a federal court or a petition for a writ of certiorari with the Supreme Court of the United States. 2. The entry of a stay of issuance of a remittitur in the appellate court of competent jurisdiction does not prohibit the application of or the issuance of a warrant of execution by the district court in which the conviction was obtained. 3. To stay the execution of a sentence of death following the denial of any appeal to the appellate court of competent jurisdiction pursuant to chapter 34 or 177 of NRS, a person under sentence of death must: (a) Apply for and obtain a stay in the federal court in which the person applies for a writ of certiorari or habeas corpus; or (b) Obtain a stay of execution pursuant to NRS 176.487. (Added to NRS by 1987, 1221; A 1989, 491; 2013, 1757)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.492 - Dissolution of stay of execution which was improperly entered.

The respondent may file a petition with the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution within 10 days after the entry of a stay of execution by a district court to dissolve a stay which was improperly entered. The filing of the petition does not divest the district court of jurisdiction to hear the claims raised by the petition and the district court shall not delay consideration of the claims because of the filing of such a petition with the appellate court of competent jurisdiction. (Added to NRS by 1987, 1221; A 2013, 1757)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.495 - New warrant generally.

1. If for any reason a judgment of death has not been executed, and it remains in force, the court in which the conviction was had must, upon the application of the Attorney General or the district attorney of the county in which the conviction was had, cause another warrant to be drawn, signed by the judge and attested by the clerk under the seal of the court, and delivered to the Director of the Department of Corrections. 2. The warrant must state the conviction and judgment and appoint a week, the first day being

Monday and the last day being Sunday, within which the judgment is to be executed. The first day of that week must be not less than 15 days nor more than 30 days after the date of the warrant. The Director shall execute a sentence of death within the week the judgment is to be executed, as designated by the district court. The Director may execute the judgment at any time during that week if a stay of execution is not entered by a court of appropriate jurisdiction. (Added to NRS by 1967, 1442; A 1977, 863; 1989, 391; 2001 Special Session, 221; 2003, 2083)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.505 - Order following appeal.

1. When a remittitur showing the affirmation of a judgment of death has been filed with the clerk of the court from which the appeal has been taken, the court in which the conviction was obtained shall inquire into the facts, and, if no legal reasons exist prohibiting the execution of the judgment, shall make and enter an order requiring the Director of the Department of Corrections to execute the judgment at a specified time. The presence of the defendant in the court at the time the order of execution is made and entered, or the warrant is issued, is not required. 2. When an opinion, order dismissing appeal or other order upholding a sentence of death is issued by the appellate court of competent jurisdiction pursuant to chapter 34 or 177 of NRS, the court in which the sentence of death was obtained shall inquire into the facts and, if no legal reason exists prohibiting the execution of the judgment, shall make and enter an order requiring the Director of the Department of Corrections to execute the judgment during a specified week. The presence of the defendant in the court when the order of execution is made and entered, or the warrant is issued, is not required. 3. Notwithstanding the entry of a stay of issuance of a remittitur in the appellate court of competent jurisdiction following denial of appellate relief in a proceeding brought pursuant to chapter 34 or 177 of NRS, the court in which the conviction was obtained shall, upon application of the Attorney General or the district attorney of the county in which the conviction was obtained, cause another warrant to be drawn, signed by the judge and attested by the clerk under the seal of the court, and delivered to the Director of the Department of Corrections. (Added to NRS by 1967, 1442; A 1977, 863; 1989, 491; 2001 Special Session, 221; 2013, 1758)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.515 - Court may grant new trial or vacate judgment in certain circumstances.

1. The court may grant a new trial to a defendant if required as a matter of law or on the ground of newly discovered evidence. 2. If trial was by the court without a jury, the court may vacate the judgment if entered, take additional testimony and direct the entry of a new judgment. 3. Except as otherwise provided in NRS 176.09187, a motion for a new trial based on the ground of newly discovered evidence may be made only within 2 years after the verdict or finding of guilt. 4. A motion for a new trial based on any other grounds must be made within 7 days after the verdict or finding of guilt or within such further time as the court may fix during the 7-day period. (Added to NRS by 1967, 1443; A 1983, 1671; 2003, 1894; 2011, 280; 2013, 1856; 2015, 785; 2017, 1480)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.525 - Arrest of judgment: When granted and time in which motion is to be made.

The court shall arrest judgment if the indictment, information or complaint does not charge an offense or if the court was without jurisdiction of the offense charged. The motion in arrest of judgment shall be made within 7 days after determination of guilt or within such further time as the court may fix during the 7-day period. (Added to NRS by 1967, 1443)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.535 - Effect of arresting judgment.

The effect of allowing a motion in arrest of judgment is to place the defendant in the same situation in which the defendant was before the indictment was found or information or complaint filed. (Added to NRS by 1967, 1443)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.545 - Procedure after allowance of arrest of judgment.

1. If, from the evidence on the trial, there is reasonable ground to believe the defendant guilty, and a new indictment, information or complaint can be framed upon which the defendant may be convicted, the court may order the defendant to be recommitted to the officers of the proper county, or admitted to bail anew to answer the new indictment, information or complaint. 2. If the evidence shows the defendant guilty of another offense, the defendant shall be committed or held thereon, and in neither case shall the verdict be a bar to another prosecution. 3. But if no evidence appear sufficient to charge the defendant with any offense, the defendant shall, if in custody, be discharged; or, if admitted to bail, the defendant's bail shall be exonerated; or, if money has been deposited instead of bail, it shall be refunded to the defendant, and the arrest of judgment shall operate as an acquittal of the charge upon which the indictment, information or complaint was founded. (Added to NRS by 1967, 1443)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.555 - Correction of illegal sentence.

The court may correct an illegal sentence at any time. (Added to NRS by 1967, 1443)

2024 Nevada Revised Statutes Chapter 176 - Judgment and Execution NRS 176.565 - Clerical mistakes.

Clerical mistakes in judgments, orders or other parts of the record and errors in the record arising from oversight or omission may be corrected by the court at any time and after such notice, if any, as the court orders. (Added to NRS by 1967, 1443)

Title: chapter-176a

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.010 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 176A.020 to 176A.090, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1967, 1434; A 1969, 181; 1975, 83; 1987, 2229; 1989, 1854, 1886, 1983; 1991, 2043; 1995, 25, 1249; 1997, 1671, 2505; 2001 Special Session, 260; 2003, 1946; 2009, 104; 2019, 4391)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.020 - "Board" defined.

"Board" means the State Board of Parole Commissioners. (Added to NRS by 1967, 1434; A 1969, 181; 1975, 83; 1987, 2229; 1989, 1854, 1886, 1983; 1991, 2043; 1995, 25, 1249; 1997, 1671, 2505)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.030 - "Court" defined.

"Court" means a district court of the State of Nevada. (Added to NRS by 1967, 1434; A 1969, 181; 1975, 83; 1987, 2229; 1989, 1854, 1886, 1983; 1991, 2043; 1995, 25, 1249; 1997, 1671, 2505)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.040 - "Division" defined.

"Division" means the Division of Parole and Probation of the Department of Public Safety. (Added to NRS by 1993, 1512; A 2001, 2570)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.043 - "Member of the military" defined.

"Member of the military" means a person who is presently serving in the Armed Forces of the United States, a reserve component thereof or the National Guard. (Added to NRS by 2009, 103)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.045 - "Mental illness" defined.

"Mental illness" has the meaning ascribed to it in NRS 433.164. The term includes hoarding disorder, as listed in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. (Added to NRS by 2001 Special Session, 258; A 2003, 1946; 2017, 471)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.047 - "Intellectual disability" defined.

"Intellectual disability" has the meaning ascribed to it in NRS 433.099. (Added to NRS by 2003, 1945; A 2013, 686)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.050 - "Parole and probation officer" defined.

"Parole and probation officer" means the Chief Parole and Probation Officer or an assistant parole and probation officer appointed in accordance with the provisions of chapter 213 of NRS. (Added to NRS by 1967, 1434; A 1969, 181; 1975, 83; 1987, 2229; 1989, 1854, 1886, 1983; 1991, 2043; 1995, 25, 1249; 1997, 1671, 2505)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.060 - "Residential confinement" defined.

"Residential confinement" means the confinement of a person convicted of a crime to the person's place of residence under the terms and conditions established by the sentencing court. (Added to NRS by 1967, 1434; A 1969, 181; 1975, 83; 1987, 2229; 1989, 1854, 1886, 1983; 1991, 2043; 1995, 25, 1249; 1997, 1671, 2505)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.065 - "Specialty court program" defined.

"Specialty court program" means a program established by a court to facilitate testing, treatment and oversight of certain persons over whom the court has jurisdiction and who the court has determined suffer from mental illnesses or use alcohol or drugs. Such a program includes, without limitation, a program established pursuant to NRS 176A.230, 176A.250 or 176A.280. (Added to NRS by 2019, 4386)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.070 - "Standards" defined.

"Standards" means the objective standards for granting or revoking parole or probation which are adopted by the Board or Chief Parole and Probation Officer. (Added to NRS by 1967, 1434; A 1969, 181; 1975, 83; 1987, 2229; 1989, 1854, 1886, 1983; 1991, 2043; 1995, 25, 1249; 1997, 1671, 2505)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.080 - "Surety bond" defined.

"Surety bond" means a written undertaking, executed by a surety, that a person will, as a result of the bond, participate in a program of probation and that in the event that the person violates a condition of the program of probation, the surety will pay the court the amount of money specified for the bond. (Added to NRS by 1967, 1434; A 1969, 181; 1975, 83; 1987, 2229; 1989, 1854, 1886, 1983; 1991, 2043; 1995, 25, 1249; 1997, 1671, 2505)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.090 - "Veteran" defined.

"Veteran" means a person who has served in the Armed Forces of the United States, a reserve component thereof or the National Guard and has been discharged or released therefrom. (Added to NRS by 2009, 103)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.100 - Authority and discretion of court to suspend sentence and grant probation; persons eligible; enhanced supervision; submission of report of presentence investigation.

1. Except as otherwise provided in this section and NRS 176A.110 and 176A.120, if a person is found guilty in a district court upon verdict or plea of: (a) Murder of the first or second degree, kidnapping in the first degree, sexual assault, attempted sexual assault of a child who is less than 16 years of age, lewdness with a child pursuant to NRS 201.230, an offense for which the suspension of sentence or the granting of probation is expressly forbidden, or if the person is found to be a habitual criminal pursuant to NRS 207.010, a habitually fraudulent felon pursuant to NRS 207.014 or a habitual felon pursuant to NRS 207.012, the court shall not suspend the execution of the sentence imposed or grant probation to the person. (b) A category E felony, except as otherwise provided in this paragraph, the court shall suspend the execution of the sentence imposed and grant probation to the person. The court may, as it deems advisable, decide not to suspend the execution of the sentence imposed and grant probation to the person if, at the time of sentencing, it is established that the person had previously been two times convicted, whether in this State or elsewhere, of a crime that under the laws of the situs of the crime or of this State would amount to a felony. If the person denies the existence of a previous conviction, the court shall determine the issue of the previous conviction after hearing all relevant evidence presented on the issue by the prosecution and the person. At such a hearing, the person may not challenge the validity of a previous conviction. For the purposes of this paragraph, a certified copy of a felony conviction is prima facie evidence of conviction of a prior felony. (c) Another felony, a gross misdemeanor or a misdemeanor, the court may suspend the execution of the sentence imposed and grant probation as the court deems advisable. 2. In determining whether to grant probation to a person, the court shall not consider whether the person has the financial ability to participate in a program of probation secured by a surety bond established pursuant to NRS 176A.300 to 176A.370, inclusive. 3. If the court determines that a person is otherwise eligible for probation but requires more supervision than would normally be provided to a person granted probation, the court may, in lieu of sentencing the person to a term of imprisonment, grant probation pursuant to the Program of Enhanced Supervision established pursuant to NRS 176A.440. 4. Except as otherwise provided in this subsection, if a person is convicted of a felony and the Division is required to make a presentence investigation and report to the court pursuant to NRS 176.135, the court shall not grant probation to the person until the court receives the report of the presentence investigation from the Chief Parole and Probation Officer. The Chief Parole and Probation Officer shall submit the report of the presentence investigation to the court not later than 45 days after receiving a request for a presentence investigation from the county clerk. If the report of the presentence investigation is not submitted by the Chief Parole and Probation Officer within 45 days, the court may grant probation without the report. 5. If the court determines that a person is otherwise eligible for probation, the court shall, when determining the conditions of that probation, consider the imposition of such conditions as would facilitate timely payments by the person of an obligation, if any, for the support of a child and the payment of any such obligation which is in arrears. (Added to NRS by 1967, 1434; A 1973, 68, 1802; 1975, 84; 1977, 289, 658, 1631; 1979, 1460; 1981, 369; 1989, 1887; 1991, 71, 1002, 2044, 2045, 2046; 1993, 9; 1995, 224, 857, 1249, 1328, 2388, 2389; 1997, 519, 1187, 2505, 2509; 1999, 565, 1192; 2003, 846, 2827; 2019, 4392; 2021, 2424)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.110 - Persons convicted of certain offenses required to be certified as not representing high risk to reoffend before court suspends sentence or grants probation; immunity.

1. The court shall not grant probation to or suspend the sentence of a person convicted of an offense listed in subsection 3 unless: (a) If a psychosexual evaluation of the person is required pursuant to NRS 176.139, the person who conducts the psychosexual evaluation certifies in the report prepared pursuant to NRS 176.139 that the person convicted of the offense does not represent a high risk to reoffend based upon a currently accepted standard of assessment; or (b) If a psychosexual evaluation of the person is not required pursuant to NRS 176.139, a psychologist licensed to practice in this State who is trained to conduct psychosexual evaluations or a psychiatrist licensed to practice medicine in this State who is certified by the American Board of Psychiatry and Neurology, Inc., and is trained to conduct psychosexual evaluations certifies in a written report to the court that the person convicted of the offense does not represent a high risk to reoffend based upon a currently accepted standard of assessment. 2. This section does not create a right in any person to be certified or to continue to be certified. No person may bring a cause of action against the State, its political subdivisions, or the agencies, boards, commissions, departments, officers or employees of the State or its political subdivisions for not certifying a person pursuant to this section or for refusing to consider a person for certification pursuant to this

section. 3. The provisions of this section apply to a person convicted of any of the following offenses: (a) Attempted sexual assault of a person who is 16 years of age or older pursuant to NRS 200.366. (b) Statutory sexual seduction pursuant to NRS 200.368. (c) Battery with intent to commit sexual assault pursuant to NRS 200.400. (d) Abuse or neglect of a child pursuant to NRS 200.508. (e) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive. (f) Fertility fraud pursuant to paragraph (a) of subsection 1 of NRS 200.975. (g) Incest pursuant to NRS 201.180. (h) Open or gross lewdness pursuant to NRS 201.210. (i) Indecent or obscene exposure pursuant to NRS 201.220. (j) Soliciting a child for prostitution pursuant to NRS 201.354. (k) Sexual penetration of a dead human body pursuant to NRS 201.450. (l) Sexual conduct between certain employees of a school or volunteers at a school and a pupil pursuant to NRS 201.540. (m) Sexual conduct between certain employees of a college or university and a student pursuant to NRS 201.550. (n) Luring a child or a person with mental illness pursuant to NRS 201.560, if punished as a felony. (o) A violation of NRS 207.180. (p) An attempt to commit an offense listed in paragraphs (b) to (o), inclusive. (q) Coercion or attempted coercion that is determined to be sexually motivated pursuant to NRS 207.193. (Added to NRS by 1997, 2504; A 2001, 1638, 2792; 2003, 67, 1382, 2828; 2013, 1162; 2015, 1439; 2023, 1419, 1822)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.120 - Persons convicted of certain offenses against elderly required to pay restitution before court suspends sentence or grants probation; exceptions.

1. Except as otherwise provided in subsection 2, the court shall not grant probation to a person whose conduct during the commission of the crime for which the person was convicted satisfies the requirements for imposing an additional term of imprisonment pursuant to paragraph (h) or (i) of subsection 1 of NRS 193.167 or subsection 2 of NRS 193.167, until the convicted person has paid to the victim of the offense at least 80 percent of the amount of restitution set by the court pursuant to NRS 176.033. 2. The court shall not deny probation to a person as provided in subsection 1 unless the court determines that the person has willfully failed to make restitution to the victim of the crime and the person has the ability to make restitution. (Added to NRS by 1997, 1031; A 1999, 43)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.200 - Investigation by Division.

The Division shall inquire into the circumstances of the offense, criminal record, social history and present condition of the defendant. Such an investigation may include a physical and mental examination of the defendant. The expense of any such examination must be paid by the county in which the indictment was found or the information filed. (Added to NRS by 1967, 1435; A 1997, 130; 2005, 81)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.210 - Promise to comply with conditions of probation; waiver of extradition.

Upon entry of an order of probation by the court, a person: 1. Shall be deemed accepted for probation for all purposes; and 2. Shall submit to the Division for filing with the clerk of the court of competent jurisdiction a signed document stating that: (a) The person will comply with the conditions which have been imposed by the court; and (b) If the person fails to comply with the conditions imposed by the court and is taken into custody outside of this State, the person waives all rights relating to extradition proceedings. (Added to NRS by 1995, 25; A 2005, 81; 2019, 4393)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.220 - Delivery of copy of records to Chief Parole and Probation Officer.

1. The court shall, upon the entering of an order of probation or suspension of sentence, as provided for in this chapter, direct the clerk of the court to deliver a copy of the records in the case to the Chief Parole and Probation Officer. 2. At the court's discretion, the court may direct the clerk of the court to deliver the copy of the records in the case in writing, by electronic means or by providing the Chief Parole and Probation Officer access to the electronic systems necessary to retrieve the records. (Added to NRS by 1991, 2043; A 1995, 26, 1250; 2015, 2566)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.230 - Establishment of program for treatment of alcohol or other substance use; assignment of defendant to program; progress reports.

A court may establish an appropriate program for the treatment of alcohol or other substance use disorders, to which it may assign a defendant pursuant to NRS 174.032, 176.015, 176.211, 176A.240, 176A.400, 453.336 or 453.3363. The assignment must include the terms and conditions for successful completion of the program and provide for progress reports at intervals set by the court to ensure that the defendant is making satisfactory progress towards completion of the program. (Added to NRS by 2019, 4389)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.235 - Transfer of jurisdiction from justice court or municipal court to district court for assignment of defendant to program.

1. A justice court or a municipal court may, upon approval of the district court, transfer original jurisdiction to the district court of a case involving an eligible defendant. 2. As used in this section, "eligible defendant" means a person who: (a) Has been diagnosed as having a substance use disorder after an in-person clinical assessment; and (b) Would benefit from assignment to a program

established pursuant to NRS 176A.230. (Added to NRS by 2019, 4390; A 2023, 1796)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.240 - Conditions and limitations on assignment of defendant to program; effect of violation of terms and conditions; discharge of defendant upon fulfillment of terms and conditions; effect of discharge; conditional dismissal of charges or setting aside of judgment of conviction for certain offenses; effect of conditional dismissal or setting aside of judgment of conviction.

1. Except as otherwise provided in subparagraph (1) of paragraph (a) of subsection 3 of NRS 176.211, if a defendant who suffers from a substance use disorder or any co-occurring disorder tenders a plea of guilty, guilty but mentally ill or nolo contendere to, or is found guilty or guilty but mentally ill of, any offense for which the suspension of sentence or the granting of probation is not prohibited by statute, the court may: (a) Without entering a judgment of conviction and with the consent of the defendant, suspend or defer further proceedings and place the defendant on probation upon terms and conditions that must include attendance and successful completion of a program established pursuant to NRS 176A.230 if the court determines that the defendant is eligible for participation in such a program; or (b) Enter a judgment of conviction and place the defendant on probation upon terms and conditions that must include attendance and successful completion of a program established pursuant to NRS 176A.230 if the court determines that the defendant is eligible for participation in such a program. 2. Except as otherwise provided in subsection 4, a defendant is eligible for participation in a program established pursuant to NRS 176A.230 if the defendant is diagnosed as having a substance use disorder or any co-occurring disorder: (a) After an in-person clinical assessment by: (1) A counselor who is licensed or certified to make such a diagnosis; or (2) A duly licensed physician qualified by the Board of Medical Examiners to make such a diagnosis; or (b) Pursuant to a substance use assessment. 3. A counselor or physician who diagnoses a defendant as having a substance use disorder shall submit a report and recommendation to the court concerning the length and type of treatment required for the defendant. 4. If the offense committed by the defendant is a category A felony or a sexual offense as defined in NRS 179D.097 that is punishable as a category B felony, the defendant is not eligible for assignment to the program. 5. Upon violation of a term or condition: (a) The court may enter a judgment of conviction, if applicable, and proceed as provided in the section pursuant to which the defendant was charged. (b) Notwithstanding the provisions of paragraph (e) of subsection 2 of NRS 193.130, the court may order the defendant to the custody of the Department of Corrections if the offense is punishable by imprisonment in the state prison. 6. Except as otherwise provided in subsection 8, upon fulfillment of the terms and conditions, the court: (a) Shall discharge the defendant and dismiss the proceedings or set aside the judgment of conviction, as applicable, unless the defendant: (1) Has been previously convicted in this State or in any other jurisdiction of a felony; or (2) Has previously failed to complete a specialty court program; or (b) May discharge the defendant and dismiss the proceedings or set aside the judgment of conviction, as applicable, if the defendant: (1) Has been previously convicted in this State or in any other jurisdiction of a felony; or (2) Has previously failed to complete a specialty court program. 7. Discharge and dismissal pursuant to this section is without adjudication of guilt and is not a conviction for purposes of this section or for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose, but is a conviction for the purpose of additional penalties imposed for second or subsequent convictions or the setting of bail. Discharge and dismissal restores the defendant, in the contemplation of the law, to the status occupied before the arrest, indictment or information. The defendant may not be held thereafter under any law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge that arrest, indictment, information or trial in response to an inquiry made of the defendant for any purpose. 8. If the defendant was charged with a violation of NRS 200.485, 484C.110 or 484C.120, upon fulfillment of the terms and conditions, the district court, justice court or municipal court, as applicable, may conditionally dismiss the charges or set aside the judgment of conviction, as applicable. If a court conditionally dismisses the charges or sets aside the judgment of conviction, the court shall notify the defendant that any conditionally dismissed charge or judgment of conviction that is set aside is a conviction for the purpose of additional penalties imposed for second or subsequent convictions or the setting of bail in a future case, but is not a conviction for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose. Conditional dismissal or having a judgment of conviction set aside restores the defendant, in the contemplation of the law, to the status occupied before the arrest, complaint, indictment or information. The defendant may not be held thereafter under any law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge that arrest, complaint, indictment, information or trial in response to an inquiry made of the defendant for any purpose. (Added to NRS by 2019, 4390; A 2021, 2474)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.245 - Sealing of records after discharge, dismissal, conditional dismissal or setting aside of judgment of conviction.

1. Except as otherwise provided in subsection 2, after a defendant is discharged from probation or a case is dismissed pursuant to NRS 176A.240, the court shall order sealed all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order if the defendant fulfills the terms and conditions imposed by the court and the Division. The court shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon. 2. If the defendant is charged with a violation of NRS 200.485, 484C.110 or 484C.210 and the charges are conditionally dismissed or the judgment of conviction is set aside as provided in NRS 176A.240, not sooner than 7 years after the charges are conditionally dismissed or the judgment of conviction is set aside and upon the filing of a petition by the defendant, the

justice court, municipal court or district court, as applicable, shall order that all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order be sealed. The justice court, municipal court or district court, as applicable, shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon. 3. If the court orders sealed the record of a defendant who is discharged from probation, whose case is dismissed, whose charges were conditionally dismissed or whose judgment of conviction was set aside pursuant to NRS 176A.240, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order. (Added to NRS by 2019, 4391; A 2021, 2476)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.250 - Establishment of program for treatment of mental illness or intellectual disabilities; assignment of defendant to program; progress reports.

A district court, justice court or municipal court may establish an appropriate program for the treatment of mental illness or intellectual disabilities to which it may assign a defendant pursuant to NRS 174.032, 176.211, 176A.260 or 176A.400. The assignment must include the terms and conditions for successful completion of the program and provide for progress reports at intervals set by the court to ensure that the defendant is making satisfactory progress towards completion of the program. (Added to NRS by 2001 Special Session, 259; A 2003, 1946; 2013, 686; 2017, 3014; 2019, 4393; 2023, 1738)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.255 - Transfer of jurisdiction from justice court or municipal court to district court for assignment of defendant to program or order requiring defendant to receive assisted outpatient treatment.

1. A justice court or a municipal court, as applicable, may, upon approval of the district court, transfer original jurisdiction to the district court of a case involving an eligible defendant if the justice court or municipal court, as applicable: (a) Has not established a program pursuant to NRS 176A.250; or (b) Determines that the transfer is appropriate and necessary. 2. As used in this section, "eligible defendant" means a person who: (a) Appears to suffer from mental illness or to be intellectually disabled; and (b) Would benefit from assignment to a program established pursuant to: (1) NRS 176A.250; or (2) NRS 433A.335, if the defendant is eligible to receive assisted outpatient treatment pursuant to that section. (Added to NRS by 2001 Special Session, 259; A 2003, 1467, 1946; 2007, 1422; 2013, 686; 2023, 1738, 1796)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.260 - Conditions and limitations on assignment of defendant to program; effect of violation of terms and conditions; discharge of defendant upon fulfillment of terms and conditions; effect of discharge; conditional dismissal of charges or setting aside of judgment of conviction for certain offenses; effect of conditional dismissal or setting aside of judgment of conviction.

1. Except as otherwise provided in subparagraph (1) of paragraph (a) of subsection 3 of NRS 176.211, if a defendant who suffers from mental illness or is intellectually disabled tenders a plea of guilty, guilty but mentally ill or nolo contendere to, or is found guilty or guilty but mentally ill of, any offense for which the suspension of sentence or the granting of probation is not prohibited by statute, the district court, justice court or municipal court, as applicable, may: (a) Without entering a judgment of conviction and with the consent of the defendant, suspend or defer further proceedings and place the defendant on probation upon terms and conditions that must include attendance and successful completion of a program established pursuant to NRS 176A.250 if the district court, justice court or municipal court determines that the defendant is eligible for participation in such a program; or (b) Enter a judgment of conviction and place the defendant on probation upon terms and conditions that must include attendance and successful completion of a program established pursuant to NRS 176A.250, if the district court, justice court or municipal court determines that the defendant is eligible for participation in such a program. 2. Except as otherwise provided in subsection 4, a defendant is eligible for participation in a program established pursuant to NRS 176A.250 if the defendant is diagnosed as having a mental illness or an intellectual disability: (a) After an in-person clinical assessment by: (1) A counselor who is licensed or certified to make such a diagnosis; or (2) A duly licensed physician qualified by the Board of Medical Examiners to make such a diagnosis; and (b) If the defendant appears to suffer from a mental illness, pursuant to a mental health screening that indicates the presence of a mental illness. 3. A counselor or physician who diagnoses a defendant as having a mental illness or intellectual disability shall submit a report and recommendation to the district court, justice court or municipal court concerning the length and type of treatment required for the defendant within the maximum probation terms applicable to the offense for which the defendant is convicted. 4. If the offense committed by the defendant is a category A felony or a sexual offense as defined in NRS 179D.097 that is punishable as a category B felony, the defendant is not eligible for assignment to the program. 5. Upon violation of a term or condition: (a) The district court, justice court or municipal court, as applicable, may impose sanctions against the defendant for the violation, but allow the defendant to remain in the program. Before imposing a sanction, the court shall notify the defendant of the violation and provide the defendant an opportunity to respond. Any sanction imposed pursuant to this paragraph: (1) Must be in accordance with any applicable guidelines for sanctions established by the National Association of Drug Court Professionals or any successor organization; and (2) May include, without limitation, imprisonment in a county or city jail or detention facility for a term set by the court, which must not exceed 25 days. (b) The district court, justice court or municipal court, as applicable, may enter a judgment of conviction, if applicable, and proceed as provided in the section pursuant to which the defendant was charged. (c) Notwithstanding the provisions of paragraph (e) of subsection 2 of NRS 193.130, the district court may order the defendant to the

custody of the Department of Corrections if the offense is punishable by imprisonment in the state prison. 6. Except as otherwise provided in subsection 8, upon fulfillment of the terms and conditions, the district court, justice court or municipal court, as applicable: (a) Shall discharge the defendant and dismiss the proceedings or set aside the judgment of conviction, as applicable, unless the defendant: (1) Has been previously convicted in this State or in any other jurisdiction of a felony; or (2) Has previously failed to complete a specialty court program; or (b) May discharge the defendant and dismiss the proceedings or set aside the judgment of conviction, as applicable, if the defendant: (1) Has been previously convicted in this State or in any other jurisdiction of a felony; or (2) Has previously failed to complete a specialty court program. 7. Discharge and dismissal pursuant to this section is without adjudication of guilt and is not a conviction for purposes of this section or for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose, but is a conviction for the purpose of additional penalties imposed for second or subsequent convictions or the setting of bail. Discharge and dismissal restores the defendant, in the contemplation of the law, to the status occupied before the arrest, indictment or information. The defendant may not be held thereafter under any law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge that arrest, indictment, information or trial in response to an inquiry made of the defendant for any purpose. 8. If the defendant was charged with a violation of NRS 200.485, 484C.110 or 484C.120, upon fulfillment of the terms and conditions, the district court, justice court or municipal court, as applicable, may conditionally dismiss the charges or set aside the judgment of conviction, as applicable. If a court conditionally dismisses the charges or sets aside the judgment of conviction, the court shall notify the defendant that any conditionally dismissed charge or judgment of conviction that is set aside is a conviction for the purpose of additional penalties imposed for second or subsequent convictions or the setting of bail in a future case, but is not a conviction for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose. Conditional dismissal or having a judgment of conviction set aside restores the defendant, in the contemplation of the law, to the status occupied before the arrest, complaint, indictment or information. The defendant may not be held thereafter under any law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge that arrest, complaint, indictment, information or trial in response to an inquiry made of the defendant for any purpose. (Added to NRS by 2001 Special Session, 259; A 2003, 1467, 1946; 2007, 1422; 2013, 687; 2019, 2444, 4393; 2021, 2476; 2023, 1739)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.265 - Sealing of records after discharge, dismissal, conditional dismissal or setting aside of judgment of conviction.

1. Except as otherwise provided in subsection 2, after a defendant is discharged from probation or a case is dismissed pursuant to NRS 176A.260, the district court, justice court or municipal court, as applicable, shall order sealed all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order if the defendant fulfills the terms and conditions imposed by the court and the Division. The district court, justice court or municipal court, as applicable, shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon. 2. If the defendant is charged with a violation of NRS 200.485, 484C.110 or 484C.120 and the charges are conditionally dismissed or the judgment of conviction is set aside as provided in NRS 176A.260, not sooner than 7 years after the charges are conditionally dismissed or the judgment of conviction is set aside and upon the filing of a petition by the defendant, the justice court, municipal court or district court, as applicable, shall order that all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order be sealed. The justice court, municipal court or district court, as applicable, shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon. 3. If the district court, justice court or municipal court, as applicable, orders sealed the record of a defendant who is discharged from probation, whose case is dismissed, whose charges were conditionally dismissed or whose judgment of conviction was set aside pursuant to NRS 176A.260, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the district court, justice court or municipal court, as applicable, in writing of its compliance with the order. (Added to NRS by 2001 Special Session, 260; A 2009, 417; 2019, 4395; 2021, 2478; 2023, 1741)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.280 - Establishment of program for treatment of veterans and members of military; qualifications; assignment of defendant to program; progress reports.

1. A district court, justice court or municipal court may establish an appropriate program for the treatment of veterans and members of the military to which it may assign a defendant pursuant to NRS 174.032, 176.211, 176A.290 or 176A.400 if the defendant is a veteran or member of the military and: (a) Is diagnosed after an in-person clinical assessment by a counselor who is licensed or certified to make such a diagnosis or a physician who is certified by the Board of Medical Examiners to make such a diagnosis, or by the results of a mental health or substance use screening, as suffering from: (1) Mental illness, alcohol or other substance use disorder, posttraumatic stress disorder or a traumatic brain injury, any of which appear to be related to military service, including, without limitation, any readjustment to civilian life which is necessary after combat service; or (2) Military sexual trauma; (b) Would benefit from assignment to the program; and (c) Is not ineligible for assignment to the program pursuant to NRS 176A.287 or any other provision of law. 2. The assignment of a defendant to a program pursuant to this section must: (a) Include the terms and conditions for successful completion of the program; and (b) Provide for progress reports at intervals set by the court to ensure that

the defendant is making satisfactory progress towards completion of the program. 3. As used in this section: (a) "Military sexual trauma" means psychological trauma that is the result of sexual harassment or an act of sexual assault that occurred while the veteran or member of the military was serving on active duty, active duty for training or inactive duty training. (b) "Sexual harassment" means repeated, unsolicited verbal or physical contact of a sexual nature that is threatening in character. (Added to NRS by 2009, 103; A 2017, 3015, 3020; 2019, 4395)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.285 - Transfer of jurisdiction from justice court or municipal court to district court for assignment of defendant to program.

If a justice court or municipal court has not established a program pursuant to NRS 176A.280, the justice court or municipal court, as applicable, may, upon approval of the district court, transfer original jurisdiction to the district court of a case involving a defendant who meets the qualifications of subsection 1 of NRS 176A.280. (Added to NRS by 2009, 103; A 2017, 3020; 2023, 1796)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.287 - Ineligibility for program: Exceptions.

1. Except as otherwise provided in subsection 2, a defendant is not eligible for assignment to a program of treatment established pursuant to NRS 176A.280 if: (a) The offense committed by the defendant was a category A felony or a sexual offense as defined in NRS 179D.097 that is punishable as a category B felony; or (b) The defendant was discharged or released from the Armed Forces of the United States, a reserve component thereof or the National Guard under dishonorable conditions. 2. A defendant described in paragraph (b) of subsection 1 may be assigned to a program of treatment established pursuant to NRS 176A.280 if a justice court, municipal court or district court, as applicable, determines that extraordinary circumstances exist which warrant the assignment of the defendant to the program. (Added to NRS by 2017, 3019; A 2019, 2445, 4396)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.290 - Conditions and limitations on assignment of defendant to program; sanctions and effect of violation of terms and conditions; discharge of defendant upon fulfillment of terms and conditions; effect of discharge; conditional dismissal or setting aside of judgment of conviction for certain offenses.

1. Except as otherwise provided in subparagraph (1) of paragraph (a) of subsection 3 of NRS 176.211 and NRS 176A.287, if a defendant described in NRS 176A.280 tenders a plea of guilty, guilty but mentally ill or nolo contendere to, or is found guilty or guilty but mentally ill of: (a) Any offense punishable as a felony or gross misdemeanor for which the suspension of sentence or the granting of probation is not prohibited by statute, the district court may: (1) Without entering a judgment of conviction and with the consent of the defendant, suspend or defer further proceedings and place the defendant on probation upon terms and conditions that must include attendance and successful completion of a program established pursuant to NRS 176A.280 if the court determines that the defendant is eligible for participation in such a program; or (2) Enter a judgment of conviction and place the defendant on probation upon terms and conditions that must include attendance and successful completion of a program established pursuant to NRS 176A.280 if the court determines that the defendant is eligible for participation in such a program; or (b) Any offense punishable as a misdemeanor for which the suspension of sentence is not prohibited by statute, the justice court or municipal court, as applicable, may, without entering a judgment of conviction and with the consent of the defendant, suspend further proceedings upon terms and conditions that must include attendance and successful completion of a program established pursuant to NRS 176A.280. 2. Upon violation of a term or condition: (a) The district court, justice court or municipal court, as applicable, may impose sanctions against the defendant for the violation, but allow the defendant to remain in the program. Before imposing a sanction, the court shall notify the defendant of the violation and provide the defendant an opportunity to respond. Any sanction imposed pursuant to this paragraph: (1) Must be in accordance with any applicable guidelines for sanctions established by the National Association of Drug Court Professionals or any successor organization; and (2) May include, without limitation, imprisonment in a county or city jail or detention facility for a term set by the court, which must not exceed 25 days. (b) The district court, justice court or municipal court, as applicable, may enter a judgment of conviction, if applicable, and proceed as provided in the section pursuant to which the defendant was charged. (c) Notwithstanding the provisions of paragraph (e) of subsection 2 of NRS 193.130, the district court may order the defendant to the custody of the Department of Corrections if the offense is punishable by imprisonment in the state prison. 3. Except as otherwise provided in subsection 5, upon fulfillment of the terms and conditions: (a) The district court: (1) Shall discharge the defendant and dismiss the proceedings or set aside the judgment of conviction, as applicable, unless the defendant: (I) Has been previously convicted in this State or in any other jurisdiction of a felony; or (II) Has previously failed to complete a specialty court program; or (2) May discharge the defendant and dismiss the proceedings or set aside the judgment of conviction, as applicable, if the defendant: (I) Has been previously convicted in this State or in any other jurisdiction of a felony; or (II) Has previously failed to complete a specialty court program; or (b) The justice court or municipal court, as applicable, shall discharge the defendant and dismiss the proceedings. 4. Discharge and dismissal pursuant to this section is without adjudication of guilt and is not a conviction for purposes of this section or for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose, but is a conviction for the purpose of additional penalties imposed for second or subsequent convictions or the setting of bail. Discharge and dismissal restores the defendant, in the contemplation of the law, to the status occupied before the arrest, complaint, indictment or information. The defendant may not be held thereafter under any law to be guilty of perjury or otherwise giving a false statement by reason of failure

to recite or acknowledge that arrest, complaint, indictment, information or trial in response to an inquiry made of the defendant for any purpose. 5. If the defendant was charged with a violation of NRS 200.485, 484C.110 or 484C.120, upon fulfillment of the terms and conditions, the district court, justice court or municipal court, as applicable, may conditionally dismiss the charges or set aside the judgment of conviction, as applicable. If a court conditionally dismisses the charges or sets aside the judgment of conviction, the court shall notify the defendant that any conditionally dismissed charge or judgment of conviction that is set aside is a conviction for the purpose of additional penalties imposed for second or subsequent convictions or the setting of bail in a future case, but is not a conviction for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose. Conditional dismissal or having a judgment of conviction set aside restores the defendant, in the contemplation of the law, to the status occupied before the arrest, complaint, indictment or information. The defendant may not be held thereafter under any law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge that arrest, complaint, indictment, information or trial in response to an inquiry made of the defendant for any purpose. (Added to NRS by 2009, 103; A 2013, 2093; 2017, 3021; 2019, 2445, 4396; 2021, 2478)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.295 - Sealing of records after discharge, dismissal, conditional dismissal or setting aside of judgment of conviction.

1. Except as otherwise provided in subsection 2, after a defendant is discharged from probation or a case is dismissed pursuant to NRS 176A.290, the justice court, municipal court or district court, as applicable, shall order sealed all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order if the defendant fulfills the terms and conditions imposed by the court and the Division. The justice court, municipal court or district court, as applicable, shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon. 2. If the defendant is charged with a violation of NRS 200.485, 484C.110 or 484C.120 and the charges are conditionally dismissed or the judgment of conviction is set aside as provided in NRS 176A.290, not sooner than 7 years after the charges are conditionally dismissed or the judgment of conviction is set aside and upon the filing of a petition by the defendant, the justice court, municipal court or district court, as applicable, shall order that all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order be sealed. The justice court, municipal court or district court, as applicable, shall order those records sealed without a hearing unless the Division petitions the court, for good cause shown, not to seal the records and requests a hearing thereon. 3. If the justice court, municipal court or district court, as applicable, orders sealed the record of a defendant who is discharged from probation, whose case is dismissed, whose charges were conditionally dismissed or whose judgment of conviction was set aside pursuant to NRS 176A.290, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the justice court, municipal court or district court, as applicable, in writing of its compliance with the order. (Added to NRS by 2009, 104; A 2017, 3022; 2019, 2447, 4398; 2021, 2480)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.300 - Execution and amount of surety bond.

1. Whenever a person other than an indigent person has been found guilty of a category C, D or E felony upon verdict or plea, and the court has determined that the person is eligible for probation pursuant to NRS 176A.100, the court may order the person to participate in a program of probation secured by a surety bond if the court first determines that the person has the financial ability to post such a surety bond. 2. If the court orders the person to participate in a program of probation secured by a surety bond, the person shall execute a bond for the participation. The court shall require one or more sureties for the bond. 3. The court shall set the surety bond in an amount which, in the judgment of the court, will reasonably ensure the participation of the person in the program of probation. 4. A surety bond securing participation in a program of probation must: (a) Be issued in favor of and payable to the State of Nevada; (b) Extend for a period of 1 year; (c) Be renewable annually; and (d) Ensure the full compliance of the person in the program of probation with all the conditions of probation set by the court. (Added to NRS by 1995, 1245)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.310 - Conditions; duties of surety; probationer to report to and pay surety.

1. The court shall set the conditions of a program of probation secured by a surety bond. The conditions must be appended to and made part of the bond. The conditions may include, but are not limited to, any one or more of the following: (a) Submission to periodic tests to determine whether the probationer is using any controlled substance or alcohol. (b) Participation in a program for the treatment of the use of a controlled substance or alcohol or a program for the treatment of any other impairment. (c) Participation in a program of professional counseling, including, but not limited to, counseling for the family of the probationer. (d) Restrictions or a prohibition on contact or communication with witnesses or victims of the crime committed by the probationer. (e) A requirement to obtain and keep employment. (f) Submission to a Program of Enhanced Supervision. (g) Restrictions on travel by the probationer outside the jurisdiction of the court. (h) Payment of restitution. (i) Payment of fines and court costs. (j) Supervised community service. (k) Participation in educational courses. 2. A surety shall: (a) Provide the facilities or equipment necessary to: (1) Perform tests to determine whether the probationer is using any controlled substance or alcohol, if the court requires such tests as a condition of probation; (2) Carry out a Program of Enhanced Supervision, if the court requires such a Program as a condition of

probation; and (3) Enable the probationer to report regularly to the surety. (b) Notify the court within 24 hours after the surety has knowledge of a violation of or a failure to fulfill a condition of the program of probation. 3. A probationer participating in a program of probation secured by a surety bond shall: (a) Report regularly to the surety; and (b) Pay the fee charged by the surety for the execution of the bond. (Added to NRS by 1995, 1245; A 2001 Special Session, 133; 2021, 2425)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.320 - Failure of surety to fulfill duties; failure of probationer to fulfill conditions of surety bond.

1. If a surety fails to: (a) Provide the facilities or equipment required by paragraph (a) of subsection 2 of NRS 176A.310; or (b) Notify the court pursuant to paragraph (b) of subsection 2 of NRS 176A.310 of a violation of or a failure to fulfill a condition of a program of probation by a probationer, the surety shall pay a penalty of \$15,000 to the court in addition to any other penalty imposed by law. 2. If the probationer violates or fails to fulfill a condition of the surety bond, the court shall: (a) Declare a forfeiture of the surety bond; (b) Direct that the surety be given notice by certified mail that the probationer has violated or failed to fulfill a condition of probation and shall execute an affidavit of such mailing to be kept as an official public record of the court; (c) Revoke the program of probation; and (d) Issue a warrant for violating or failing to fulfill a condition of probation and cause the defendant to be arrested. (Added to NRS by 1995, 1246)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.330 - Exoneration of surety and setting aside of forfeiture of surety bond.

The court may exonerate the surety or set aside a forfeiture of the surety bond upon such terms as may be just if: 1. The probationer appears before the court and the court, upon hearing the matter, determines that the violation or failure of the probationer to fulfill the condition of probation was: (a) Caused by circumstances beyond the probationer's control and occurred notwithstanding the exercise of ordinary care and in the absence of willful neglect; and (b) Not in any way caused or aided by the surety; or 2. The surety submits an application for exoneration or an application to set the forfeiture aside on the ground that the probationer is unable to appear because the probationer: (a) Is dead; (b) Is ill; (c) Is insane; or (d) Is being detained by civil or military authorities, and the court, upon hearing the matter, determines that the requirements of paragraphs (a) and (b) of subsection 1 have been met and that the surety did not in any way cause or aid the absence of the probationer from the hearing. (Added to NRS by 1995, 1247)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.340 - Procedure when surety not exonerated; enforcement of liability; remission of judgment of default.

1. If the surety is not exonerated and the forfeiture of the surety bond is not set aside: (a) The court shall enter a judgment of default and execution may issue thereon; and (b) The surety shall pay a penalty for the revocation of the program of probation to the court in an amount equal to one-half of the annual fee for the bond that the surety charged the probationer. 2. By entering into a bond the surety submits to the jurisdiction of the court and irrevocably appoints the clerk of the court as its agent upon whom any papers affecting its liability may be served. The liability may be enforced on motion and such notice of the motion as the court prescribes may be served on the clerk of the court, who shall mail copies to the surety to its last known address. 3. After entry of a judgment of default, the court shall not remit it in whole or in part unless the conditions applying to exonerating the surety and setting aside the forfeiture of the surety bond set forth in NRS 176A.330 are met. (Added to NRS by 1995, 1247)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.350 - Discharge of surety and release of bond.

When the conditions of a surety bond securing participation in a program of probation have been satisfied or a forfeiture of a bond has been set aside or remitted, the court shall discharge the surety and release the bond. (Added to NRS by 1995, 1247)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.360 - Arrest of probationer.

For the purpose of surrendering a probationer, a surety, at any time before it is finally discharged, and at any place within the State, may, by a written authority endorsed on a certified copy of the undertaking, cause the probationer to be arrested by a bail agent or bail enforcement agent who is licensed pursuant to chapter 697 of NRS. (Added to NRS by 1995, 1247; A 1997, 3393)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.370 - Money collected to be deposited in State General Fund.

Money collected pursuant to NRS 176A.300 to 176A.370, inclusive, must be paid to the State Treasurer for deposit in the State General Fund. (Added to NRS by 1995, 1247)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.400 - Imposition by court; alternative programs or treatment; prohibition on suspending term of imprisonment; placement under supervision of Chief Parole and Probation Officer.

1. In issuing an order granting probation, a suspended sentence or a deferred sentence pursuant to NRS 176.211, the court may fix the terms and conditions thereof, including, without limitation: (a) A requirement for restitution; (b) An order that the probationer

dispose of all the weapons the probationer possesses; or (c) Any reasonable conditions to protect the health, safety or welfare of the community or to ensure that the probationer will appear at all times and places ordered by the court, including, without limitation: (1) Requiring the probationer to remain in this State or a certain county within this State; (2) Prohibiting the probationer from contacting or attempting to contact a specific person whom the probationer is prohibited from contacting by court order or from causing or attempting to cause another person to contact that person on the probationer's behalf; (3) Prohibiting the probationer from entering a certain geographic area; or (4) Prohibiting the probationer from engaging in specific conduct that is harmful to the probationer's own health, safety or welfare, or the health, safety or welfare of another person. 2. In issuing an order granting probation, a suspended sentence or a deferred sentence pursuant to NRS 176.211 to a person who is found guilty of a category C, D or E felony, the court may require the person as a condition of probation to participate in and complete to the satisfaction of the court any alternative program, treatment or activity deemed appropriate by the court, including, without limitation, any specialty court program. 3. The court shall not suspend the execution of a sentence of imprisonment after the defendant has begun to serve it. 4. In placing any defendant on probation or in granting a defendant a suspended or deferred sentence, the court shall direct that the defendant be placed under the supervision of the Chief Parole and Probation Officer. (Added to NRS by 1991, 2043; A 1995, 1250; 1997, 3357; 2019, 4398)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.410 - Required terms and conditions for sex offenders; powers and duties of court; exceptions.

1. Except as otherwise provided in subsection 6, if a defendant is convicted of a sexual offense and the court grants probation or suspends the sentence, the court shall, in addition to any other condition ordered pursuant to NRS 176A.400, order as a condition of probation or suspension of sentence that the defendant: (a) Submit to a search and seizure of the defendant's person, residence or vehicle or any property under the defendant's control, at any time of the day or night, without a warrant, by any parole and probation officer or any peace officer, for the purpose of determining whether the defendant has violated any condition of probation or suspension of sentence or committed any crime. (b) Reside at a location only if: (1) The residence has been approved by the parole and probation officer assigned to the defendant. (2) If the residence is a facility that houses more than three persons who have been released from prison, the facility is a facility for transitional living for released offenders that is licensed pursuant to chapter 449 of NRS. (3) The defendant keeps the parole and probation officer assigned to the defendant informed of the defendant's current address. (c) Accept a position of employment or a position as a volunteer only if it has been approved by the parole and probation officer assigned to the defendant and keep the parole and probation officer informed of the location of the defendant's position of employment or position as a volunteer. (d) Abide by any curfew imposed by the parole and probation officer assigned to the defendant. (e) Participate in and complete a program of professional counseling approved by the Division. (f) Submit to periodic tests, as requested by the parole and probation officer assigned to the defendant, to determine whether the defendant is using a controlled substance. (g) Submit to periodic polygraph examinations, as requested by the parole and probation officer assigned to the defendant. (h) Abstain from consuming, possessing or having under the defendant's control any alcohol. (i) Not have contact or communicate with a victim of the sexual offense or a witness who testified against the defendant or solicit another person to engage in such contact or communication on behalf of the defendant, unless approved by the Chief Parole and Probation Officer or the Chief Parole and Probation Officer's designee and a written agreement is entered into and signed in the manner set forth in subsection 5. (j) Not use aliases or fictitious names. (k) Not obtain a post office box unless the defendant receives permission from the parole and probation officer assigned to the defendant. (l) Not have contact with a person less than 18 years of age in a secluded environment unless another adult who has never been convicted of a sexual offense is present and permission has been obtained from the parole and probation officer assigned to the defendant in advance of each such contact. (m) Unless approved by the parole and probation officer assigned to the defendant and by a psychiatrist, psychologist or counselor treating the defendant, if any, not knowingly be within 500 feet of any place, or if the place is a structure, within 500 feet of the actual structure, that is designed primarily for use by or for children, including, without limitation, a public or private school, a school bus stop, a center or facility that provides day care services, a video arcade, an amusement park, a playground, a park, an athletic field or a facility for youth sports, or a motion picture theater. The provisions of this paragraph apply only to a defendant who is a Tier III offender. (n) Comply with any protocol concerning the use of prescription medication prescribed by a treating physician, including, without limitation, any protocol concerning the use of psychotropic medication. (o) Not possess any sexually explicit material that is deemed inappropriate by the parole and probation officer assigned to the defendant. (p) Not patronize a business which offers a sexually related form of entertainment and which is deemed inappropriate by the parole and probation officer assigned to the defendant. (q) Not possess any electronic device capable of accessing the Internet and not access the Internet through any such device or any other means, unless possession of such a device or such access is approved by the parole and probation officer assigned to the defendant. (r) Inform the parole and probation officer assigned to the defendant if the defendant expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of the defendant's enrollment at an institution of higher education. As used in this paragraph, "institution of higher education" has the meaning ascribed to it in NRS 179D.045. 2. Except as otherwise provided in subsection 6, if a defendant is convicted of an offense listed in subsection 6 of NRS 213.1255 against a child under the age of 14 years, the defendant is a Tier III offender and the court grants probation or suspends the sentence of the defendant, the court shall, in addition to any other condition ordered pursuant to subsection 1, order as a condition of probation or suspension of sentence that the defendant: (a) Reside at a location only if the residence is not located within 1,000 feet of any place, or if the place is a structure, within 1,000 feet of the actual structure, that is designed primarily for use by or for

children, including, without limitation, a public or private school, a school bus stop, a center or facility that provides day care services, a video arcade, an amusement park, a playground, a park, an athletic field or a facility for youth sports, or a motion picture theater. (b) As deemed appropriate by the Chief Parole and Probation Officer, be placed under a system of active electronic monitoring that is capable of identifying the defendant's location and producing, upon request, reports or records of the defendant's presence near or within a crime scene or prohibited area or the defendant's departure from a specified geographic location. (c) Pay any costs associated with the defendant's participation under the system of active electronic monitoring, to the extent of the defendant's ability to pay. 3. A defendant placed under the system of active electronic monitoring pursuant to subsection 2 shall: (a) Follow the instructions provided by the Division to maintain the electronic monitoring device in working order. (b) Report any incidental damage or defacement of the electronic monitoring device to the Division within 2 hours after the occurrence of the damage or defacement. (c) Abide by any other conditions set forth by the Division with regard to the defendant's participation under the system of active electronic monitoring. 4. Except as otherwise provided in this subsection, a person who intentionally removes or disables or attempts to remove or disable an electronic monitoring device placed on a defendant pursuant to this section is guilty of a gross misdemeanor. The provisions of this subsection do not prohibit a person authorized by the Division from performing maintenance or repairs to an electronic monitoring device. 5. A written agreement entered into pursuant to paragraph (i) of subsection 1 must state that the contact or communication is in the best interest of the victim or witness, and specify the type of contact or communication authorized. The written agreement must be signed and agreed to by: (a) The victim or the witness; (b) The defendant; (c) The parole and probation officer assigned to the defendant; (d) The psychiatrist, psychologist or counselor treating the defendant, victim or witness, if any; (e) If the victim or witness is a child under 18 years of age, each parent, guardian or custodian of the child; and (f) The Chief Parole and Probation Officer or the Chief Parole and Probation Officer's designee. 6. The court is not required to impose a condition of probation or suspension of sentence listed in subsections 1 and 2 if the court finds that extraordinary circumstances are present and the court enters those extraordinary circumstances in the record. 7. As used in this section, "sexual offense" has the meaning ascribed to it in NRS 179D.097. (Added to NRS by 1997, 1667; A 2001, 2051; 2003, 566; 2005, 2862; 2007, 1916, 2749, 3246; 2009, 1293)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.413 - Restrictions relating to computers and use of Internet and other electronic means of communication; powers and duties of court; exceptions.

1. Except as otherwise provided in subsection 2, if a defendant is convicted of stalking with the use of an Internet or network site, electronic mail, text messaging or any other similar means of communication pursuant to subsection 4 of NRS 200.575, an offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive, luring a child or a person with mental illness through the use of a computer, system or network pursuant to paragraph (a) or (b) of subsection 4 of NRS 201.560 or a violation of NRS 201.553 which involved the use of an electronic communication device and the court grants probation or suspends the sentence, the court shall, in addition to any other condition ordered pursuant to NRS 176A.400, order as a condition of probation or suspension that the defendant not own or use a computer, including, without limitation, use electronic mail, a chat room or the Internet. 2. The court is not required to impose a condition of probation or suspension of sentence set forth in subsection 1 if the court finds that: (a) The use of a computer by the defendant will assist a law enforcement agency or officer in a criminal investigation; (b) The defendant will use the computer to provide technological training concerning technology of which the defendant has a unique knowledge; or (c) The use of the computer by the defendant will assist companies that require the use of the specific technological knowledge of the defendant that is unique and is otherwise unavailable to the company. 3. Except as otherwise provided in subsection 1, if a defendant is convicted of an offense that involved the use of a computer, system or network and the court grants probation or suspends the sentence, the court may, in addition to any other condition ordered pursuant to NRS 176A.400, order as a condition of probation or suspension that the defendant not own or use a computer, including, without limitation, use electronic mail, a chat room or the Internet. 4. As used in this section: (a) "Computer" has the meaning ascribed to it in NRS 205.4735 and includes, without limitation, an electronic communication device. (b) "Electronic communication device" has the meaning ascribed to it in NRS 200.737. (c) "Network" has the meaning ascribed to it in NRS 205.4745. (d) "System" has the meaning ascribed to it in NRS 205.476. (e) "Text messaging" has the meaning ascribed to it in NRS 200.575. (Added to NRS by 2001, 2791; A 2003, 1383; 2009, 3010; 2019, 1809; 2023, 2469)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.416 - Evaluations and counseling for offenses involving cruelty to animals; powers and duties of court.

1. As a condition of probation, the court may order a defendant who is convicted of a violation of chapter 574 of NRS that is punishable as a felony or gross misdemeanor to: (a) Submit to a psychiatric evaluation; and (b) Participate in any counseling or therapy recommended in the evaluation. 2. The court shall order a defendant, to the extent of the defendant's financial ability, to pay the cost for an evaluation and any counseling or therapy pursuant to this section. (Added to NRS by 2001, 2891)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.420 - Tests to determine use of controlled substance.

1. Upon the granting of probation to a person convicted of a felony or gross misdemeanor, the court may, when the circumstances warrant, require as a condition of probation that the probationer submit to periodic tests to determine whether the probationer is using any controlled substance. Any such use or any failure or refusal to submit to a test is a violation for which a graduated

sanction may be imposed in accordance with the system adopted by the Division pursuant to NRS 176A.510. 2. Any expense incurred as a result of a test must be paid from appropriations to the Division on claims as other claims against the State are paid. (Added to NRS by 1969, 181; A 1971, 2025; 1973, 179; 1975, 895; 1977, 262, 421; 1993, 1513; 2019, 4399)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.430 - Restitution.

1. The court shall order as a condition of probation or suspension of sentence, in appropriate circumstances, that the defendant make full or partial restitution to the person or persons named in the order, at the times and in the amounts specified in the order unless the court finds that restitution is impracticable. Such an order may require payment for medical or psychological treatment of any person whom the defendant has injured. In appropriate circumstances, the court shall include as a condition of probation or suspension of sentence that the defendant execute an assignment of wages earned while on probation or subject to the conditions of suspension of sentence to the Division for restitution. 2. All money received by the Division for restitution must be deposited with the State Treasurer for credit to the Restitution Trust Fund. 3. The Division shall make pro rata payments from the money received from the defendant to each person to whom the restitution was ordered pursuant to this section. Such a payment must be made not less than once each fiscal year. Any money received from the defendant that is remaining at the end of each fiscal year must be paid at that time in pro rata payments to each person to whom the restitution was ordered. A final pro rata payment must be made to such persons when the defendant pays the entire restitution owed. 4. All payments from the Fund must be paid as other claims against the State are paid. 5. If restitution is not required, the court shall set forth the circumstances upon which it finds restitution impracticable in its order of probation or suspension of sentence. 6. Failure to comply with the terms of an order for restitution is a violation of a condition of probation or suspension of sentence unless the defendant's failure was caused by economic hardship resulting in his or her inability to pay the amount due. The defendant is entitled to a hearing to show the existence of such a hardship. 7. If, within 3 years after the defendant has been discharged from probation, the Division has not located the person to whom the restitution was ordered, the money paid to the Division by the defendant must be deposited with the State Treasurer for credit to the Fund for the Compensation of Victims of Crime. (Added to NRS by 1975, 83; A 1977, 399; 1981, 1341; 1983, 245, 383; 1993, 1514; 1995, 410; 2013, 194)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.435 - Risk and needs assessment to be administered to each probationer to determine level of supervision and develop individualized case plans; subsequent assessments to determine whether to change level; exceptions to administration of assessment; modification of terms and conditions; periodic validation of assessment.

1. Except as otherwise provided in subsection 3, the Division shall administer a risk and needs assessment to each probationer under the Division's supervision. The results of the risk and needs assessment must be used to set a level of supervision for each probationer and to develop individualized case plans pursuant to subsection 4. The risk and needs assessment must be administered and scored by a person trained in the administration of the tool. 2. Except as otherwise provided in subsection 3, on a schedule determined by the appropriate risk and needs assessment tool, or more often if necessary, the Division shall administer a subsequent risk and needs assessment to each probationer. The results of the risk and needs assessment conducted in accordance with this section must be used to determine whether a change in the level of supervision is necessary. The Division shall document the reasons for maintaining or changing the level of supervision. If the Division changes the level of supervision, the Division shall notify the probationer of the change. 3. The provisions of subsections 1 and 2 are not applicable if: (a) The level of supervision for the probationer is set by the court or by law; or (b) The probationer is ordered to participate in a program of probation secured by a security bond pursuant to NRS 176A.300 to 176A.370, inclusive. 4. The Division shall develop an individualized case plan for each probationer. The case plan must include a plan for addressing the criminogenic risk factors identified on the risk and needs assessment, if applicable, and the list of responsivity factors that will need to be considered and addressed for each probationer. 5. Upon a finding that a term or condition of probation ordered pursuant to subsection 1 of NRS 176A.400 or the level of supervision set pursuant to this section does not align with the results of a risk and needs assessment administered pursuant to subsection 1 or 2: (a) The supervising officer shall notify the court of the finding; and (b) The court may modify the terms and conditions of probation pursuant to subsection 1 of NRS 176A.450. 6. The risk and needs assessment required under this section must undergo periodic validation studies in accordance with the timeline established by the developer of the assessment. The Division shall establish quality assurance procedures to ensure proper and consistent scoring of the risk and needs assessment. 7. As used in this section, "risk and needs assessment" means a validated, standardized actuarial tool that identifies risk factors that increase the likelihood of a person reoffending and factors that, when properly addressed, can reduce the likelihood of a person reoffending. (Added to NRS by 2021, 2423; A 2023, 1648)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.440 - Program of enhanced supervision.

1. The Chief Parole and Probation Officer shall develop a program for the enhanced supervision of a person granted probation pursuant to subsection 3 of NRS 176A.100. 2. The Program of Enhanced Supervision must include an initial period of electronic supervision of the probationer with an electronic device approved by the Division. The device may be capable of using the Global Positioning System, but must be minimally intrusive and limited in capability to recording or transmitting information concerning the probationer's location, including, but not limited to, the transmission of still visual images which do not concern the

probationer's activities, and producing, upon request, reports or records of the probationer's presence near or within a crime scene or prohibited area or his or her departure from a specified geographic location. A device which is capable of recording or transmitting: (a) Oral or wire communications or any auditory sound; or (b) Information concerning the probationer's activities, must not be used. (Added to NRS by 1991, 2043; A 1993, 1514; 1995, 1251; 2015, 349; 2021, 2426)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.450 - Modification; procedure for modifying conditions relating to program of probation secured by surety bond; limitations.

1. Except as otherwise provided in this section, by order duly entered, the court may impose, and may at any time modify, any conditions of probation or suspension of sentence. The court shall cause a copy of any such order to be delivered to the parole and probation officer and the probationer. A copy of the order must also be sent to the Director of the Department of Corrections if the probationer is under the supervision of the Director pursuant to NRS 176A.780. 2. If the probationer is participating in a program of probation secured by a surety bond, the court shall not impose or modify the conditions of probation unless the court notifies the surety and: (a) Causes the original bond to be revoked and requires a new bond to which the original and the new conditions are appended and made part; or (b) Requires an additional bond to which the new conditions are appended and made part. 3. The court shall not modify a condition of probation or suspension of sentence that was imposed pursuant to NRS 176A.410, unless the court finds that extraordinary circumstances are present and the court enters those extraordinary circumstances in the record. (Added to NRS by 1967, 1435; A 1989, 1855; 1995, 1251; 1997, 1672; 2001 Special Session, 222)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.500 - Authority of court to fix duration; limitations; extension; arrest for alleged violation; powers and duties of peace officers; deduction of days.

1. Except as otherwise provided in subsection 2, the period of probation or suspension of sentence may be indeterminate or may be fixed by the court and may at any time be extended or terminated by the court, but the period, including any extensions thereof, must not be more than: (a) Twelve months for a: (1) Gross misdemeanor; or (2) Suspension of sentence pursuant to NRS 176A.240, 176A.260, 176A.290 or 453.3363; (b) Eighteen months for a category E felony; (c) Twenty-four months for a category C or D felony; (d) Thirty-six months for a category B felony; or (e) Notwithstanding the provisions of paragraphs (a) to (d), inclusive, 60 months for a violent or sexual offense as defined in NRS 202.876, a violation of NRS 200.508 or a violation of NRS 574.100 that is punishable pursuant to subsection 6 of that section. 2. The court may extend the period of probation or suspension of sentence ordered pursuant to subsection 1 for a period of not more than 12 months if such an extension is necessary for the defendant to complete his or her participation in a specialty court program. 3. At any time during probation or suspension of sentence, the court may issue a warrant for violating any of the conditions of probation or suspension of sentence and cause the defendant to be arrested. Except for the purpose of giving a dishonorable discharge from probation, and except as otherwise provided in this subsection, the time during which a warrant for violating any of the conditions of probation is in effect is not part of the period of probation. If the warrant is cancelled or probation is reinstated, the court may include any amount of that time as part of the period of probation. 4. Any parole and probation officer or any peace officer with power to arrest may arrest a probationer without a warrant, or may deputize any other officer with power to arrest to do so by giving the probationer a written statement setting forth that the probationer has, in the judgment of the parole and probation officer, violated the conditions of probation. Except as otherwise provided in subsection 5, the parole and probation officer or the peace officer, after making an arrest, shall present to the detaining authorities, if any, a statement of the charges against the probationer. The parole and probation officer shall at once notify the court which granted probation of the arrest and detention or residential confinement of the probationer and shall submit a report in writing showing in what manner the probationer has violated the conditions of probation. 5. A parole and probation officer or a peace officer may immediately release from custody without any further proceedings any person the officer arrests without a warrant for violating a condition of probation if the parole and probation officer or peace officer determines that there is no probable cause to believe that the person violated the condition of probation. 6. A person who is sentenced to serve a period of probation for a felony or a gross misdemeanor must be allowed for the period of the probation a deduction of: (a) Ten days from that period for each month the person serves and is current with any fee to defray the costs of his or her supervision charged by the Division of Parole and Probation of the Department of Public Safety pursuant to NRS 213.1076 and with any payment of restitution ordered by the court, including, without limitation, any payment of restitution required pursuant to NRS 176A.430. A person shall be deemed to be current with any such fee and payment of restitution for any given month if, during that month, the person makes at least the minimum monthly payment established by the court or, if the court does not establish a minimum monthly payment, by the Division. (b) Except as otherwise provided in subsection 8, 10 days from that period for each month the person serves and is actively involved in employment or enrolled in a program of education, rehabilitation or any other program approved by the Division. 7. A person must be allowed a deduction pursuant to paragraph (a) or (b) of subsection 6 regardless of whether the person has satisfied the requirements of the other paragraph and must be allowed a deduction pursuant to paragraphs (a) and (b) of subsection 6 if the person has satisfied the requirements of both paragraphs of that subsection. 8. A person who is sentenced to serve a period of probation for a felony or a gross misdemeanor and who is a participant in a specialty court program must be allowed a deduction from the period of probation for being actively involved in employment or enrolled in a program of education, rehabilitation or any other program approved by the Division only if the person successfully completes the specialty court program. Such a deduction must not exceed the length of time remaining on the person's period of probation. (Added to NRS by 1967, 1435; A 1969, 639; 1973, 169, 249; 1977, 814; 1979, 324; 1981, 370; 1983, 284; 1987, 761; 1989, 1110; 1991, 315, 1664; 1999, 1207;

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.510 - Adoption of written system of graduated sanctions for technical violations of probation: Requirements; training; use; notice; failure to comply; exhaustion of sanctions.

1. The Division shall adopt a written system of graduated sanctions for parole and probation officers to use when responding to a technical violation of the conditions of probation. The system must: (a) Set forth a menu of presumptive sanctions for the most common violations, including, without limitation, failure to report, willful failure to pay fines and fees, failure to participate in a required program or service, failure to complete community service and failure to refrain from the use of alcohol or controlled substances. (b) Take into account factors such as responsibility factors impacting a person's ability to successfully complete any conditions of supervision, the severity of the current violation, the person's previous criminal record, the number and severity of any previous violations and the extent to which graduated sanctions were imposed for previous violations. (c) Include guidance on the use of confinement in a jail or detention facility and electronic monitoring pursuant to subsection 3. 2. The Division shall establish and maintain a program of initial and ongoing training for parole and probation officers regarding the system of graduated sanctions. 3. As part of the system of graduated sanctions, the Division may, in response to a technical violation of the conditions of probation: (a) Impose confinement in a jail or detention facility for a period of not more than 10 days. The total number of days of confinement imposed pursuant to this paragraph must not, in the aggregate, exceed 30 days. (b) Place the person under a system of active electronic monitoring for a period of not more than 60 days using an electronic device approved by the Division. The device may be capable of using the Global Positioning System, but must be minimally intrusive and limited in capability to recording or transmitting information concerning the location of the person, including, without limitation, the transmission of still visual images which do not concern the activities of the person, and producing, upon request, reports or records of the person's presence near or within a crime scene or prohibited area or his or her departure from a specified geographic location. A device which is capable of recording or transmitting: (1) Oral or wire communications or any auditory sound; or (2) Information concerning the activities of the person, must not be used. 4. Notwithstanding any rule or law to the contrary, a parole and probation officer shall use graduated sanctions established pursuant to this section when responding to a technical violation. 5. A parole and probation officer intending to impose a graduated sanction shall provide the supervised person with notice of the intended sanction. The notice must inform the person of any alleged violation and the date thereof and the graduated sanction to be imposed. 6. The failure of a supervised person to comply with a sanction may constitute a technical violation of the conditions of probation. 7. The Division may not seek revocation of probation for a technical violation of the conditions of probation until all graduated sanctions have been exhausted. If the Division determines that all graduated sanctions have been exhausted, the Division shall submit a report to the court or Board outlining the reasons for the recommendation of revocation and the steps taken by the Division to change the supervised person's behavior while in the community, including, without limitation, any graduated sanctions imposed before recommending revocation. 8. As used in this section: (a) "Absconding" means that a person is actively avoiding supervision by making his or her whereabouts unknown to the Division for a continuous period of 60 days or more. (b) "Responsivity factors" has the meaning ascribed to it in NRS 213.107. (c) "Technical violation" means any alleged violation of the conditions of probation that does not constitute absconding and is not: (1) The commission of a: (I) New felony or gross misdemeanor; (II) Battery which constitutes domestic violence pursuant to NRS 200.485; (III) Violation of NRS 484C.110 or 484C.120; (IV) Crime of violence as defined in NRS 200.408 that is punishable as a misdemeanor; (V) Harassment pursuant to NRS 200.571 or stalking or aggravated stalking pursuant to NRS 200.575; (VI) Violation of a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591 or a temporary or extended order for protection against sexual assault pursuant to NRS 200.378; (VII) Violation of a stay away order involving a natural person who is the victim of the crime for which the supervised person is being supervised; or (VIII) Violation of a condition required pursuant to paragraph (i) or (l) of subsection 1 of NRS 176A.410 or 176A.413; or (2) Termination from a program which provides residential treatment, as ordered by a court, as a condition of supervision. The term does not include termination from a specialty court program. (Added to NRS by 2019, 4387; A 2021, 2426, 3456; 2023, 1649)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.540 - Requirements; enhanced supervision; use of electronic device; limitations.

1. Except as otherwise provided in subsection 4, the Chief Parole and Probation Officer may order the residential confinement of a probationer if the Chief Parole and Probation Officer believes that the probationer poses no danger to the community and will appear at a scheduled court hearing. 2. In ordering the residential confinement of a probationer, the Chief Parole and Probation Officer shall: (a) Require the probationer to be confined to the probationer's residence during the time the probationer is away from any employment, community service or other activity authorized by the Division; and (b) Require enhanced supervision of the probationer, including, without limitation, unannounced visits to the probationer's residence or other locations where the probationer is expected to be to determine whether the probationer is complying with the terms of confinement. 3. An electronic device approved by the Division may be used to supervise a probationer who is ordered to be placed in residential confinement. The device may be capable of using the Global Positioning System, but must be minimally intrusive and limited in capability to recording or

transmitting information concerning the probationer's location, including, but not limited to, the transmission of still visual images which do not concern the probationer's activities, and producing, upon request, reports or records of the probationer's presence near or within a crime scene or prohibited area or his or her departure from a specified geographic location. A device which is capable of recording or transmitting: (a) Oral or wire communications or any auditory sound; or (b) Information concerning the probationer's activities, must not be used. 4. The Chief Parole and Probation Officer shall not order a probationer to be placed in residential confinement unless the probationer agrees to the order. 5. Any residential confinement must not extend beyond the unexpired maximum term of the original sentence. (Added to NRS by 1991, 314; 1993, 1514; 1995, 1251; 2001 Special Session, 134; 2015, 349; 2021, 2427)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.550 - Terms and conditions; modification; notice to probationer.

1. In ordering a probationer to be placed in residential confinement, the Chief Parole and Probation Officer may establish the terms and conditions of that confinement. 2. The Chief Parole and Probation Officer may, at any time, modify the terms and conditions of the residential confinement. 3. The Chief Parole and Probation Officer shall cause a copy of the order to be delivered to the probationer. (Added to NRS by 1991, 314)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.560 - Termination; detention of probationer in jail.

1. The Chief Parole and Probation Officer may terminate the residential confinement of a probationer and order the detention of the probationer in a county jail pending a court hearing if: (a) The probationer violates the terms or conditions of the residential confinement; or (b) The Chief Parole and Probation Officer, in his or her discretion, determines that the probationer poses a danger to the community or that there is a reasonable doubt that the probationer will appear at the hearing. 2. A probationer has no right to dispute a decision to terminate the residential confinement. (Added to NRS by 1991, 315; A 2021, 2428)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.630 - Assignment of case; consideration of alleged violation; revocation permitted upon finding violation; alternative actions; restitution for governmental expenses; credit for time served.

1. If the probationer is arrested, by or without warrant, in another judicial district of this state, the court which granted the probation may assign the case to the district court of that district, with the consent of that court. The court retaining or thus acquiring jurisdiction shall cause the defendant to be brought before it and consider the system of graduated sanctions adopted pursuant to NRS 176A.510, if applicable. Upon determining that the probationer has violated a condition of probation, the court shall, if practicable, order the probationer to make restitution for any necessary expenses incurred by a governmental entity in returning the probationer to the court for violation of the probation. If the court finds that the probationer committed a violation of a condition of probation that is not a technical violation, the court may: (a) Continue or revoke the probation or suspension of sentence; (b) Order the probationer to a term of residential confinement pursuant to NRS 176A.660; (c) Order the probationer to undergo a program of regimental discipline pursuant to NRS 176A.780; (d) Cause the sentence imposed to be executed; or (e) Modify the original sentence imposed by reducing the term of imprisonment and cause the modified sentence to be executed. The court shall not make the term of imprisonment less than the minimum term of imprisonment prescribed by the applicable penal statute. If the Chief Parole and Probation Officer recommends that the sentence of a probationer be modified and the modified sentence be executed, the Chief Parole and Probation Officer shall provide notice of the recommendation to any victim of the crime for which the probationer was convicted who has requested in writing to be notified and who has provided a current address to the Division. The notice must inform the victim that he or she has the right to submit documents to the court and to be present and heard at the hearing to determine whether the sentence of a probationer who has violated a condition of probation should be modified. The court shall not modify the sentence of a probationer and cause the sentence to be executed until it has confirmed that the Chief Parole and Probation Officer has complied with the provisions of this paragraph. The Chief Parole and Probation Officer must not be held responsible when such notification is not received by the victim if the victim has not provided a current address. All personal information, including, but not limited to, a current or former address, which pertains to a victim and which is received by the Division pursuant to this paragraph is confidential. 2. If the court finds that the probationer committed one or more technical violations of the conditions of probation and the Division has determined that the graduated sanctions adopted pursuant to NRS 176A.510 have been exhausted, the court may: (a) Continue the probation or suspension of sentence; (b) Order the probationer to a term of residential confinement pursuant to NRS 176A.660; (c) Temporarily revoke the probation or suspension of sentence and impose a term of imprisonment of not more than: (1) Thirty days for the first temporary revocation; (2) Ninety days for the second temporary revocation; or (3) One hundred and eighty days for the third temporary revocation; (d) Fully revoke the probation or suspension of sentence and impose imprisonment for the remainder of the sentence for a fourth or subsequent revocation; or (e) Revoke the probation or suspension of sentence at the request of the probationer. If the probation or suspension of sentence is revoked pursuant to this paragraph, the probationer must serve such part of the unexpired maximum term or the maximum aggregate term, as applicable, of his or her original sentence as may be determined by the court. 3. Notwithstanding any other provision of law, a probationer who is arrested and detained for committing a technical violation of the conditions of probation must be brought before the court not later than 15 calendar days after the date of arrest and detention. If the person is not brought before the court

within 15 calendar days, the probationer must be released from detention and returned to probation status. Following a probationer's release from detention, the court may subsequently hold a hearing to determine if a technical violation has occurred. If the court finds that such a technical violation occurred, the court may: (a) Continue probation and modify the terms and conditions of probation; or (b) Fully or temporarily revoke probation in accordance with the provisions of subsection 2. 4. A probationer who is arrested and detained for committing a technical violation of the conditions of probation must receive credit for any time served while the probationer is waiting for a hearing to determine if a technical violation has occurred. The court must apply such credit to any term of imprisonment imposed pursuant to subsection 2. 5. Any time served by a probationer while waiting for a hearing, as set forth in subsection 4, and any time served in accordance with any term of imprisonment imposed pursuant to subsection 2 must be applied toward the original sentence of the probationer. 6. The commission of one of the following acts by a probationer must not, by itself, be used as the only basis for the revocation of probation: (a) Consuming any alcoholic beverage. (b) Testing positive on a drug or alcohol test. (c) Failing to abide by the requirements of a mental health or substance use treatment program. (d) Failing to seek and maintain employment. (e) Failing to pay any required fines or fees. (f) Failing to report any changes in residence. 7. As used in this section, "technical violation" has the meaning ascribed to it in NRS 176A.510. (Added to NRS by 1977, 816; A 1987, 2229; 1989, 1855, 1887; 1993, 935; 1995, 1356; 1997, 3237; 2019, 4401; 2021, 2428, 3457; 2023, 1650)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.635 - Effect of violation of condition of probation, forfeiture and restoration of credits for good behavior.

1. If a court before which a probationer is brought pursuant to NRS 176A.630 determines that the probationer has violated a condition of probation, the probationer forfeits all or part of the credits for good behavior earned pursuant to NRS 176A.500 during probation, in the discretion of the court. 2. A forfeiture may be made only by the court after proof of the violation and notice to the probationer. 3. The court may restore credits forfeited for such reasons as it considers proper. 4. If the court provides for the forfeiture or restoration of credits for good behavior of a probationer pursuant to this section, the clerk of the court shall notify the Chief Parole and Probation Officer of the forfeiture or restoration of credits. (Added to NRS by 2009, 2512)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.640 - Expenses of returning arrested probationer to court are charge against State; payment.

The necessary expenses of returning to the court a person arrested for violation of probation are a charge against the State and must be paid from money appropriated to the Division. After the appropriation for this purpose is exhausted, money must be allocated to the Division out of the Reserve for Statutory Contingency Account, upon approval by the State Board of Examiners, for the payment of these expenses. (Added to NRS by 1977, 816; A 1983, 237; 1991, 1753; 1993, 1515)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.660 - Authority of court to order; requirements; enhanced supervision; use of electronic device; limitations.

1. Except as otherwise provided in subsection 4, if a person who has been placed on probation violates a condition of probation, the court may order the person to a term of residential confinement in lieu of causing the sentence imposed to be executed. In making this determination, the court shall consider the criminal record of the person and the seriousness of the crime committed. 2. In ordering the person to a term of residential confinement, the court shall: (a) Direct that the person be placed under the supervision of the Division and require: (1) The person to be confined to the person's residence during the time the person is away from any employment, community service or other activity authorized by the Division; and (2) Enhanced supervision of the person, including, without limitation, unannounced visits to the person's residence or other locations where the person is expected to be in order to determine whether the person is complying with the terms of confinement; or (b) If the person was placed on probation for a felony conviction, direct that the person be placed under the supervision of the Department of Corrections and require the person to be confined to a facility or institution of the Department for a period not to exceed 6 months. The Department may select the facility or institution in which to place the person. 3. An electronic device approved by the Division may be used to supervise a person ordered to a term of residential confinement. The device may be capable of using the Global Positioning System, but must be minimally intrusive and limited in capability to recording or transmitting information concerning the person's location, including, but not limited to, the transmission of still visual images which do not concern the person's activities, and producing, upon request, reports or records of the person's presence near or within a crime scene or prohibited area or his or her departure from a specified geographic location. A device which is capable of recording or transmitting: (a) Oral or wire communications or any auditory sound; or (b) Information concerning the person's activities, must not be used. 4. The court shall not order a person to a term of residential confinement unless the person agrees to the order. 5. A term of residential confinement may not be longer than the unexpired maximum term of a sentence imposed by the court. 6. As used in this section: (a) "Facility" has the meaning ascribed to it in NRS 209.065. (b) "Institution" has the meaning ascribed to it in NRS 209.071. (Added to NRS by 1987, 2228; A 1991, 57; 1993, 1515; 1995, 1252; 2001 Special Session, 135; 2007, 3185; 2009, 2514; 2015, 350; 2021, 2430)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.670 - Terms and conditions; modification; notice.

1. In ordering a person to a term of residential confinement, a court may establish the terms and conditions of that confinement. 2.

The court may, at any time, modify the terms and conditions of the residential confinement. 3. The court shall cause a copy of its order to be delivered to the person and the Division. (Added to NRS by 1987, 2229; A 1993, 1516)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.680 - Authority of court to modify or rescind for subsequent violation; imposition of other punishment.

If it is determined that the person violated any term or condition of residential confinement, the sentence may be rescinded, modified or continued. If it is rescinded, another punishment authorized by law must be imposed. (Added to NRS by 1987, 2229)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.690 - Establishment of procedures by Division for supervision of persons in residential confinement.

The Division shall establish procedures to administer a program of supervision for persons who are ordered to a term of residential confinement. (Added to NRS by 1987, 2229; A 1993, 1516)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.720 - Establishment.

The Division may: 1. Establish centers for the housing and supervision of probationers assigned to the centers under NRS 176A.730. 2. Contract for any services necessary to operate these centers. (Added to NRS by 1983, 321; A 1993, 1516)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.730 - Assignment of probationers; limitations.

1. Except as otherwise provided in subsection 2, when a district court grants probation to a person convicted of a felony or continues probation after the person's return to the court for violation of a condition of probation, the court may require as a condition of granting or continuing probation that the convicted person live for a period of time specified by the court under the supervision of the Division in a residential center established pursuant to NRS 176A.720. 2. The court may not assign a convicted person to a residential center under subsection 1: (a) If the convicted person has served a prior prison term in any state or federal penal institution. (b) Unless, in cases where probation is being granted rather than continued, the assignment is recommended by the Division. (Added to NRS by 1983, 321; A 1993, 1516)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.740 - Duties and powers of Division; management of earnings and assets of probationer; regulations.

1. The Division shall: (a) Determine a fixed amount to be deducted from the wages of each probationer assigned to a residential center to partially offset the cost of providing the probationer with housing and meals at the center. (b) Arrange for all earnings of a probationer assigned to a residential center to be paid directly from the employer to the probationer who shall immediately give the probationer's earnings to the Division. (c) Deduct the amount for housing, meals and medical and dental services determined under paragraph (a), and distribute the remainder according to a court order for restitution, if any, or to a plan for the management of the probationer's assets established by the Division. 2. The Division may adopt regulations necessary to carry out the provisions of this section and NRS 176A.720 and 176A.730. (Added to NRS by 1983, 321; A 1993, 1516)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.770 - Legislative declaration.

The Legislature hereby determines and declares that a program of regimental discipline is not to be used as an alternative to probation, but as an alternative to incarceration. (Added to NRS by 1989, 1852)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.780 - Eligibility; procedure; completion; deduction of time from sentence.

1. If a defendant: (a) Is male; (b) Has been convicted of a felony that: (1) Does not involve an act of violence; or (2) Involves an act of violence, but the district attorney stipulates to the defendant's eligibility to participate in a program of regimental discipline; (c) Is at least 18 years of age; (d) Has not been incarcerated in jail during his lifetime for a cumulative total of more than 365 days; (e) Has never been incarcerated in prison; and (f) Is otherwise eligible for probation, the court may order the defendant satisfactorily to complete a program of regimental discipline for 150 days before sentencing the defendant or in lieu of causing the sentence imposed to be executed upon violation of a condition of probation or suspension of sentence. 2. If the court orders the defendant to undergo a program of regimental discipline, it: (a) Shall place the defendant under the supervision of the Director of the Department of Corrections for not more than 190 days, not more than the first 30 days of which must be used to determine the defendant's eligibility to participate in the program. In determining the defendant's eligibility to participate in the program, the Director shall: (1) Make all reasonable efforts to accommodate the defendant in the program; and (2) Consider the facts and circumstances of the defendant's offense based on the police report, the report of the presentence investigation and any other information available to the Director. (b) Shall, if appropriate, direct the Chief Parole and Probation Officer to provide a copy of the defendant's records to the Director of the Department of Corrections. (c) Shall require the defendant to be returned to the court not later than 30 days after the defendant is placed under the supervision of the Director, if the defendant is determined to be ineligible for the program. (d) May require such reports concerning the defendant's participation in the program as it deems desirable. 3. If the defendant is ordered to

complete the program before sentencing, the Director of the Department of Corrections shall return the defendant to the court not later than 150 days after the defendant began the program. The Director shall certify either that the defendant satisfactorily completed the program or that the defendant did not, and shall report the results of the Director's evaluation, including any recommendations which will be helpful in determining the proper sentence. Upon receiving the report, the court shall sentence the defendant. 4. If the defendant is ordered to complete the program in lieu of causing the sentence imposed to be executed upon the violation of a condition of probation and the defendant satisfactorily completes the program, the Director of the Department of Corrections shall, not later than 150 days after the defendant began the program, return the defendant to the court with certification that the defendant satisfactorily completed the program. The court shall direct that: (a) The defendant be placed under the supervision of the Chief Parole and Probation Officer; and (b) The Director of the Department of Corrections cause a copy of the records concerning the defendant's participation in the program to be provided to the Chief Parole and Probation Officer. 5. If a defendant is ordered to complete the program of regimental discipline in lieu of causing the sentence imposed to be executed upon the violation of a condition of probation, a failure by the defendant satisfactorily to complete the program constitutes a violation of that condition of probation and the Director of the Department of Corrections shall return the defendant to the court. 6. Time spent in the program must be deducted from any sentence which may thereafter be imposed. (Added to NRS by 1989, 1852; A 1993, 1942; 2001 Special Session, 222; 2013, 1846)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.840 - Early discharge.

1. The Division shall petition the court to recommend the early discharge of a person from probation if the person: (a) Has not violated any condition of probation during the immediately preceding 12 months; (b) Is current with any fee to defray the costs of his or her supervision charged by the Division pursuant to NRS 213.1076; (c) Has paid restitution ordered by the court in full or, because of economic hardship that is verified by the Division, has been unable to make restitution as ordered by the court; (d) Has completed any program of substance use treatment or mental health treatment or a specialty court program as mandated by the court or the Division; and (e) Has not been convicted of a violent or sexual offense as defined in NRS 202.876, a violation of NRS 200.508 or 205.067 or a violation of NRS 574.100 that is punishable pursuant to subsection 6 of that section. 2. This section must not be construed to prohibit the court from allowing the early discharge of a person from probation if the person does not meet the requirements set forth in subsection 1. (Added to NRS by 2019, 4387; A 2023, 712, 2003)

2024 Nevada Revised Statutes Chapter 176A - Probation and Suspension of Sentence NRS 176A.850 - Honorable discharge from probation: When granted; ineligibility; restoration of civil rights; effect; documentation.

1. A person who: (a) Has fulfilled the conditions of probation for the entire period thereof; (b) Is recommended for earlier discharge by the Division; or (c) Has demonstrated fitness for honorable discharge but because of economic hardship, verified by the Division, has been unable to make restitution as ordered by the court, may be granted an honorable discharge from probation by order of the court. 2. A person whose term of probation has expired and: (a) Whose whereabouts are unknown; (b) Who has failed to make restitution in full as ordered by the court, without a verified showing of economic hardship; or (c) Who has otherwise failed to qualify for an honorable discharge as provided in subsection 1, is not eligible for an honorable discharge and must be given a dishonorable discharge. A dishonorable discharge releases the person from any further obligation, except as otherwise provided in subsection 3. 3. Any amount of restitution remaining unpaid constitutes a civil liability arising upon the date of discharge and is enforceable pursuant to NRS 176.275. 4. A person who has been discharged from probation: (a) Is free from the terms and conditions of probation. (b) Is immediately restored to the right to serve as a juror in a civil action. (c) Four years after the date of discharge from probation, is restored to the right to hold office. (d) Six years after the date of discharge from probation, is restored to the right to serve as a juror in a criminal action. (e) If the person meets the requirements of NRS 179.245, may apply to the court for the sealing of records relating to the conviction. (f) Must be informed of the provisions of this section and NRS 179.245 in the person's probation papers. (g) Is exempt from the requirements of chapter 179C of NRS, but is not exempt from the requirements of chapter 179D of NRS. (h) Shall disclose the conviction to a gaming establishment and to the State and its agencies, departments, boards, commissions and political subdivisions, if required in an application for employment, license or other permit. As used in this paragraph, "establishment" has the meaning ascribed to it in NRS 463.0148. (i) Except as otherwise provided in paragraph (h), need not disclose the conviction to an employer or prospective employer. 5. The prior conviction of a person who has been discharged from probation may be used for purposes of impeachment. In any subsequent prosecution of the person, the prior conviction may be pleaded and proved if otherwise admissible. 6. Upon discharge from probation, the person so discharged must be given an official document which provides: (a) That the person has received an honorable discharge or dishonorable discharge, as applicable, from probation; (b) That the person is restored to his or her civil right to serve as a juror in a civil action as of the date of his or her discharge from probation; (c) The date on which the person's civil right to hold office will be restored pursuant to paragraph (c) of subsection 4; and (d) The date on which the person's civil right to serve as a juror in a criminal action will be restored pursuant to paragraph (d) of subsection 4. 7. A person who has been discharged from probation in this State or elsewhere and whose official documentation of discharge from probation is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore the person's civil rights pursuant to this section. Upon verification that the person has been discharged from probation and is eligible to be restored to the civil rights set forth in subsection 4, the court shall issue an order restoring the person to the civil rights set forth in subsection 4. A person must not be required to pay a fee to receive such an order. 8. A person who has been discharged from probation in this State or elsewhere may present: (a) Official documentation of discharge from probation, if it

contains the provisions set forth in subsection 6; or (b) A court order restoring the person's civil rights, as proof that the person has been restored to the civil rights set forth in subsection 4. (Added to NRS by 1967, 1436; A 1989, 1983; 1993, 1517; 1997, 1672; 2001, 1639, 1690; 2003, 67, 2685; 2005, 81, 2354; 2015, 2574; 2017, 2227; 2019, 1452)

Title: chapter-177

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.015 - Appeals to district court, court of appeals and Supreme Court.

The party aggrieved in a criminal action may appeal only as follows: 1. Whether that party is the State or the defendant: (a) To the district court of the county from a final judgment of the justice court. (b) To the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution from an order of the district court granting a motion to dismiss, a motion for acquittal or a motion in arrest of judgment, or granting or refusing a new trial. (c) To the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution from a determination of the district court about whether a defendant is intellectually disabled that is made as a result of a hearing held pursuant to NRS 174.098. If the appellate court of competent jurisdiction entertains the appeal, it shall enter an order staying the criminal proceedings against the defendant for such time as may be required. 2. The State may, upon good cause shown, appeal to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution from a pretrial order of the district court granting or denying a motion to suppress evidence made pursuant to NRS 174.125. Notice of the appeal must be filed with the clerk of the district court within 2 judicial days and with the Clerk of the Supreme Court within 5 judicial days after the ruling by the district court. The clerk of the district court shall notify counsel for the defendant or, in the case of a defendant without counsel, the defendant within 2 judicial days after the filing of the notice of appeal. The appellate court of competent jurisdiction may establish such procedures as it determines proper in requiring the appellant to make a preliminary showing of the propriety of the appeal and whether there may be a miscarriage of justice if the appeal is not entertained. If the appellate court of competent jurisdiction entertains the appeal, or if it otherwise appears necessary, it may enter an order staying the trial for such time as may be required. 3. The defendant only may appeal from a final judgment or verdict in a criminal case. 4. Except as otherwise provided in subsection 3 of NRS 174.035, the defendant in a criminal case shall not appeal a final judgment or verdict resulting from a plea of guilty, guilty but mentally ill or nolo contendere that the defendant entered into voluntarily and with a full understanding of the nature of the charge and the consequences of the plea, unless the appeal is based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings. The appellate court of competent jurisdiction may establish procedures to require the defendant to make a preliminary showing of the propriety of the appeal. (Added to NRS by 1967, 1443; A 1971, 1450; 1973, 1489; 1981, 1705; 1991, 652; 1995, 1535; 1997, 645; 2003, 769, 1468; 2007, 1422; 2013, 687, 1758)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.025 - Appeal to court of appeals or Supreme Court taken on questions of law alone.

The appeal to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution from the district court can be taken on questions of law alone. (Added to NRS by 1967, 1444; A 2013, 1759)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.035 - Designation of parties on appeal.

The party appealing shall be known as the appellant, and the adverse party as the respondent, but the title of the action is not changed by reason of the appeal. (Added to NRS by 1967, 1444)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.045 - Intermediate order or proceeding may be reviewed on appeal.

Upon the appeal, any decision of the court in an intermediate order or proceeding, forming a part of the record, may be reviewed. (Added to NRS by 1967, 1444)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.055 - Automatic appeal in certain cases; mandatory review of death sentence by court of appeals or Supreme Court.

1. When upon a plea of not guilty or not guilty by reason of insanity a judgment of death is entered, an appeal is deemed automatically taken by the defendant without any action by the defendant or the defendant's counsel, unless the defendant or the defendant's counsel affirmatively waives the appeal within 30 days after the rendition of the judgment. 2. Whether or not the defendant or the defendant's counsel affirmatively waives the appeal, the sentence must be reviewed on the record by the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution, which shall consider, in a single proceeding, if an appeal is taken: (a) Any errors enumerated by way of appeal; (b) If a court determined that the defendant is not intellectually disabled during a hearing held pursuant to NRS 174.098, whether that determination was correct; (c) Whether the evidence supports the finding of an aggravating circumstance or circumstances; (d)

Whether the sentence of death was imposed under the influence of passion, prejudice or any arbitrary factor; and (e) Whether the sentence of death is excessive, considering both the crime and the defendant. 3. The appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution, when reviewing a death sentence, may: (a) Affirm the sentence of death; (b) Set the sentence aside and remand the case for a new penalty hearing before a newly impaneled jury; or (c) Set aside the sentence of death and impose the sentence of imprisonment for life without possibility of parole. (Added to NRS by 1967, 1444; A 1977, 1545; 1985, 1597; 1995, 2456; 2003, 770, 1468, 2084; 2013, 688, 1759)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.075 - Appeal to court of appeals or Supreme Court: Notice.

1. Except where appeal is automatic, an appeal from a district court to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution is taken by filing a notice of appeal with the clerk of the district court. Bills of exception and assignments of error in cases governed by this chapter are abolished. 2. When a court imposes sentence upon a defendant who has not pleaded guilty or guilty but mentally ill and who is without counsel, the court shall advise the defendant of the right to appeal, and if the defendant so requests, the clerk shall prepare and file forthwith a notice of appeal on the defendant's behalf. 3. A notice of appeal must be signed: (a) By the appellant or appellant's attorney; or (b) By the clerk if prepared by the clerk. (Added to NRS by 1967, 1444; A 1971, 149; 1985, 62; 1995, 2457; 2003, 1469; 2007, 1423; 2013, 1760)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.085 - Effect of appeal by State.

1. An appeal taken by the State shall in no case stay or affect the operation of a judgment in favor of the defendant; but if the appeal by the State is from an order granting a motion to set aside an indictment or information, and upon such appeal the order is reversed, the defendant shall thereupon be liable to arrest and trial upon the indictment or information. In all such cases any statute of limitations on the offense from which the appeal is taken is tolled from the time the notice of appeal is filed by the State until such appeal is heard and a ruling made thereon. 2. If the appeal by the State is from an order allowing a motion in arrest of judgment, or granting a motion for a new trial, and upon appeal the order is reversed, the trial court shall enter judgment against the defendant. (Added to NRS by 1967, 1444; A 1969, 106)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.095 - Stay of execution upon sentence of death.

A sentence of death shall be stayed if an appeal is taken. (Added to NRS by 1967, 1445)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.105 - Stay of execution upon sentence of imprisonment.

A sentence of imprisonment shall be stayed if an appeal is taken and the defendant is admitted to bail. (Added to NRS by 1967, 1445)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.115 - Stay of execution upon fine.

A sentence to pay a fine or a fine and costs, if an appeal is taken, may be stayed by a Justice Court, district court, the Court of Appeals or by the Supreme Court upon such terms as the court deems proper. The court may require the defendant pending appeal to deposit the whole or any part of the fine and costs in the registry of the court appealed from, or to give bond for the payment thereof, or to submit to an examination of assets, and it may make any appropriate order to restrain the defendant from dissipating the defendant's assets. (Added to NRS by 1967, 1445; A 2013, 1760)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.125 - Stay of probation.

An order placing the defendant on probation may be stayed if an appeal is taken. (Added to NRS by 1967, 1445)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.135 - Admission to bail upon appeal.

Admission to bail upon appeal shall be as provided in this title. (Added to NRS by 1967, 1445)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.145 - Application for relief pending review.

If application is made to a district court, the Court of Appeals or a justice of the Supreme Court for bail pending appeal or for an extension of time for filing the record on appeal or for any other relief which might have been granted by the trial court, the application shall be upon notice and shall show that: 1. Application to the court below or a judge thereof is not practicable; 2. Application has been made and denied, with the reasons given for the denial; or 3. The action on the application did not afford the

relief to which the applicant considers himself or herself to be entitled. (Added to NRS by 1967, 1445; A 2013, 1760)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.155 - Supervision of appeal.

The supervision and control of the proceedings on appeal shall be in the appellate court from the time the notice of appeal is filed with its clerk, except as otherwise provided in this title. The appellate court may at any time entertain a motion to dismiss the appeal, or for directions to the trial court, or to modify or vacate any order made by the trial court or by any judge or justice of the peace in relation to the prosecution of the appeal, including any order fixing or denying bail. (Added to NRS by 1967, 1445)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.165 - Preparation of record and papers on appeal.

All appeals from a district court to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution shall be heard on the original papers and the reporter's transcript of evidence or proceedings. The form and manner of preparation of the record and of other papers filed may be prescribed by the appellate court of competent jurisdiction, and to the extent not otherwise so prescribed shall conform to the practice in civil cases. (Added to NRS by 1967, 1445; A 2013, 1760)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.205 - Dismissal by court of appeals or Supreme Court.

The appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution may, on its own motion or on motion of the respondent, dismiss an appeal: 1. If the appeal is irregular in any substantial particular. 2. If the appellant has failed to comply with the requirements for docketing of the record on appeal or filing briefs, unless for good cause shown an extension is granted. (Added to NRS by 1967, 1446; A 1985, 63; 2013, 1761)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.215 - Date for argument.

Unless good cause is shown for an earlier hearing, the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution shall set the appeal for argument on a date not less than 30 days after the expiration of the time limited for filing briefs and as soon thereafter as the state of the calendar will permit. Preference shall be given to appeals in criminal cases over appeals in civil cases. (Added to NRS by 1967, 1446; A 2013, 1761)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.225 - Judgment may be affirmed but cannot be reversed without argument.

Judgment of affirmance may be granted without argument, if the appellant fail to appear. But judgment of reversal can only be given upon argument, orally or upon written brief, though the respondent fail to appear. (Added to NRS by 1967, 1446)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.235 - Number of counsel in argument on appeal.

Upon the argument of the appeal, if the offense is punishable with death, two counsel shall be heard on each side, if they require it. In any other case the Court may, in its discretion, restrict the argument to one counsel on each side. (Added to NRS by 1967, 1446)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.245 - Defendant need not be present.

The defendant need not personally appear in the appellate court of competent jurisdiction. (Added to NRS by 1967, 1446; A 2013, 1761)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.255 - Court to give judgment without regard to technical errors.

After hearing the appeal, the Court shall give judgment without regard to technical error or defect which does not affect the substantial rights of the parties. (Added to NRS by 1967, 1446)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.265 - Determination of appeal.

The appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution may reverse, affirm, or modify the judgment appealed from, and may, if necessary or proper, order a new trial. (Added to NRS by 1967, 1447; A 2013, 1761)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.275 - Defendant to be discharged on reversal without ordering new trial.

If a judgment against the defendant is reversed, without ordering a new trial, the appellate court of competent jurisdiction shall direct, if the defendant is in custody, that the defendant be discharged therefrom, or if admitted to bail, that the defendant's bail be

exonerated, or if money be deposited instead of bail, that it be refunded to the defendant. (Added to NRS by 1967, 1447; A 2013, 1761)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.285 - Judgment to be executed on affirmance.

On a judgment of affirmance against the defendant, the original judgment shall be carried into execution, as the appellate court of competent jurisdiction shall direct. (Added to NRS by 1967, 1447; A 2013, 1761)

2024 Nevada Revised Statutes Chapter 177 - Appeals and Remedies After Conviction NRS 177.305 - Jurisdiction of court of appeals or Supreme Court to cease after certificate of judgment remitted.

After the certificate of judgment has been remitted, the appellate court of competent jurisdiction shall have no further jurisdiction of the appeal or of the proceedings thereon, and all orders which may be necessary to carry the judgment into effect shall be made by the court to which the certificate is remitted. (Added to NRS by 1967, 1447; A 2013, 1761)

Title: chapter-178

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.388 - Presence of defendant.

1. Except as otherwise provided in this title, the defendant must be present at the arraignment, at every stage of the trial including the impaneling of the jury and the return of the verdict, and at the imposition of sentence. A corporation may appear by counsel for all purposes. 2. In prosecutions for offenses not punishable by death: (a) The defendant's voluntary absence after the trial has been commenced in the defendant's presence must not prevent continuing the trial to and including the return of the verdict. (b) If the defendant was present at the trial through the time the defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill but at the time of sentencing is incarcerated in another jurisdiction, the defendant may waive the right to be present at the sentencing proceedings and agree to be sentenced in this State in his or her absence. The defendant's waiver is valid only if it is: (1) Made knowingly, intelligently and voluntarily after consulting with an attorney licensed to practice in this State; (2) Signed and dated by the defendant and notarized by a notary public or judicial officer; (3) Signed and dated by the defendant's attorney after it has been signed by the defendant and notarized; and (4) Accompanied by a waiver of the issuance and service of a warrant of arrest and all other procedures incidental to extradition proceedings. 3. In prosecutions for offenses punishable by fine or by imprisonment for not more than 1 year, or both, the court, with the written consent of the defendant, may permit arraignment, plea, trial and imposition of sentence in the defendant's absence, if the court determines that the defendant was fully aware of the applicable constitutional rights when the defendant gave consent. 4. The presence of the defendant is not required at the arraignment or any preceding stage if the court has provided for the use of a closed-circuit television to facilitate communication between the court and the defendant during the proceeding. If closed-circuit television is provided for, members of the news media may observe and record the proceeding from both locations unless the court specifically provides otherwise. 5. The defendant's presence is not required at the settling of jury instructions. (Added to NRS by 1967, 1450; A 1969, 9; 1987, 2025; 1993, 933; 1995, 2457; 2003, 1470; 2007, 1426; 2015, 307)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.391 - Second prosecution for same offense prohibited.

No person can be subject to a second prosecution for a public offense for which the person has once been prosecuted and duly convicted or acquitted. (Added to NRS by 1967, 1451)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.394 - No person to be compelled to be witness against himself or herself in criminal action, or to be unnecessarily restrained.

No person can be compelled, in a criminal action, to be a witness against himself or herself, nor shall a person charged with a public offense be subjected, before conviction, to any more restraint than is necessary for the person's detention to answer the charge. (Added to NRS by 1967, 1451)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.397 - Assignment of counsel.

Every defendant accused of a misdemeanor for which jail time may be imposed, a gross misdemeanor or a felony and who is financially unable to obtain counsel is entitled to have counsel assigned to represent the defendant at every stage of the proceedings from the defendant's initial appearance before a magistrate or the court through appeal, unless the defendant waives such appointment. (Added to NRS by 1967, 1451; A 2019, 2880)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.3971 - Appointment of defense team for defendant accused of murder of first degree.

If a magistrate or district court appoints an attorney, other than a public defender, to represent a defendant accused of murder of the first degree in a case in which the death penalty is sought, the magistrate or court must appoint a team to defend the accused person

that includes: 1. Two attorneys; and 2. Any other person as deemed necessary by the court, upon motion of an attorney representing the defendant. (Added to NRS by 2003, 443)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.3975 - Order for payment by defendant; remission of payment; disposition of amounts recovered; community service.

1. The court may order a defendant to pay all or any part of the expenses incurred by the county, city or state in providing the defendant with an attorney which are not recovered pursuant to NRS 178.398. The order may be made at the time of or after the appointment of an attorney and may direct the defendant to pay the expenses in installments. 2. The court shall not order a defendant to make such a payment unless the defendant is or will be able to do so. In determining the amount and method of payment, the court shall take account of the financial resources of the defendant and the nature of the burden that payment will impose. 3. A defendant who has been ordered to pay expenses of the defendant's defense and who is not willfully or without good cause in default in the payment thereof may at any time petition the court which ordered the payment for remission of the payment or of any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may remit all or part of the amount due or modify the method of payment. 4. The money recovered must in each case be paid over to the city, county or public defender's office which bore the expense and was not reimbursed by another governmental agency. 5. Upon the request of a defendant, if the court finds that the defendant is suitable to perform supervised community service, the court may allow the defendant to pay all or part of any expenses incurred by the county, city or state in providing the defendant with an attorney by performing supervised community service for a reasonable number of hours, the value of which would be commensurate with such expenses incurred. The community service must be performed for and under the supervising authority of a county, city, town or other political subdivision or agency of the State of Nevada or a charitable organization that renders service to the community or its residents. The court may require a defendant who requests to perform community service to deposit with the court a reasonable sum of money to pay for the cost of policies of insurance against liability for personal injury and damage to property or for industrial insurance, or both, during those periods in which the defendant performs the community service, unless, in the case of industrial insurance, it is provided by the authority for which the defendant performs the community service. (Added to NRS by 1975, 217; A 1977, 377; 1985, 49; 1995, 500; 2001 Special Session, 135)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.398 - Execution against defendant's property.

If a defendant for whom an attorney is appointed at public expense on account of indigency has property subject to execution or acquires such property within 6 years after the termination of the attorney's representation, the court shall determine the value of the legal services provided and shall render judgment for that amount in favor of the state, county or city which furnished the public defender or otherwise paid for the defense. (Added to NRS by 1977, 338)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.39801 - Collection of fee by certain entities.

1. If a district court orders a defendant to pay for expenses incurred by the county or State in providing the defendant with an attorney pursuant to NRS 178.3975 or makes an execution on the property of the defendant pursuant to NRS 178.398, the district court entering the judgment shall forward to the county treasurer or other office assigned by the county to make collections the information necessary to collect the fee. The county treasurer or other office assigned by the county to make collections is responsible for such collection efforts and has the authority to collect the fee. 2. If the county treasurer or other office assigned by the county to make collections is unable to collect the fee after 60 days, the county treasurer may assign to the Office of the State Controller the responsibility for collection of the fee through a cooperative agreement pursuant to NRS 353.650, so long as the Office of the State Controller is willing and able to make such collection efforts. 3. If the county treasurer and the Office of the State Controller enter into a cooperative agreement pursuant to NRS 353.650, the county treasurer or other county office assigned by the county to make collections shall forward to the Office of the State Controller the necessary information. For purposes of this section, the information necessary to collect the fee shall be considered and limited to: (a) The name of the defendant; (b) The date of birth of the defendant; (c) The social security number of the defendant; (d) The last known address of the defendant; and (e) The nature and the amount of money owed by the defendant. 4. If the Office of the State Controller is successful in collecting the fee, the money collected must be returned to the originating county, minus the costs and fees actually incurred in collecting the fee. 5. Any money collected must be paid to the county or state public defender's office which bore the expense and which was not reimbursed by another governmental agency, pursuant to NRS 178.3975. 6. Any record created pursuant to subsection 3 that contains personal identifying information shall not be considered a public record pursuant to NRS 239.010 and must be treated pursuant to NRS 239.0105. 7. Unless otherwise prohibited by law, the entity responsible for collecting the fee pursuant to this section, has the authority to compromise the amount to be collected for the purpose of satisfying the judgment. (Added to NRS by 2011, 910)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.39802 - Additional costs and fees for collection.

1. A defendant who owes a fee pursuant to NRS 178.39801, must be assessed by and pay to the county treasurer or other office assigned by the county to make collections, the following costs and fees if the county treasurer or other office assigned by the county to make collections is successful in collecting the fee: (a) The costs and fees actually incurred in collecting the fee; and (b) A

fee payable to the county treasurer in the amount of 2 percent of the amount of the fee assigned to the county treasurer or other office assigned by the county to make collections. 2. The total amount of the costs and fees required to be collected pursuant to subsection 1 must not exceed 35 percent of the amount of the fee or \$50,000, whichever is less. (Added to NRS by 2011, 911)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.3981 - Definitions.

As used in NRS 178.3981 to 178.4715, inclusive, unless the context otherwise requires, the words and terms defined in NRS 178.3982 to 178.399, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2007, 1424, 1777; A 2009, 72, 115)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.3982 - "Administrator" defined.

"Administrator" means the Administrator of the Division. (Added to NRS by 2007, 1424)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.3983 - "Division" defined.

"Division" means the Division of Public and Behavioral Health of the Department of Health and Human Services. (Added to NRS by 2007, 1424, 1777; A 2013, 2995)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.3984 - "Division facility" defined.

"Division facility" means a division facility as defined in NRS 433.094 and 435.007. (Added to NRS by 2007, 1424; A 2013, 2995)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.39845 - "Forensic facility" defined.

"Forensic facility" has the meaning ascribed to it in NRS 175.539. (Added to NRS by 2009, 114)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.3985 - "Mental disorder" defined.

"Mental disorder" means a mental illness that results from a psychiatric or neurological disorder that so substantially impairs the mental or emotional functioning of the person as to make care or treatment necessary or advisable for the welfare of the person or for the safety of the person or property of another and includes, without limitation, intellectual disabilities and developmental disabilities. (Added to NRS by 2007, 1424, 1777; A 2013, 689)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.3986 - "Person with mental illness" defined.

"Person with mental illness" means a person who has a mental disorder. (Added to NRS by 2007, 1424)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.399 - "Treatment to competency" defined.

"Treatment to competency" means treatment provided to a defendant to attempt to cause the defendant to attain competency to stand trial or receive pronouncement of judgment. (Added to NRS by 2003, 1947; A 2007, 1427, 1778)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.400 - Incompetent person cannot be tried or adjudged to punishment for public offense.

1. A person may not be tried or adjudged to punishment for a public offense while incompetent. 2. For the purposes of this section, "incompetent" means that the person does not have the present ability to: (a) Understand the nature of the criminal charges against the person; (b) Understand the nature and purpose of the court proceedings; or (c) Aid and assist the person's counsel in the defense at any time during the proceedings with a reasonable degree of rational understanding. [1911 Cr. Prac. § 535; RL § 7385; NCL § 11183]—(NRS A 1981, 1656; 1995, 2458; 2007, 185)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.405 - Suspension of trial or pronouncement of judgment when doubt arises as to competence of defendant; notice of suspension to be provided to other departments.

1. Any time after the arrest of a defendant, including, without limitation, proceedings before trial, during trial, when upon conviction the defendant is brought up for judgment or when a defendant who has been placed on probation or whose sentence has been suspended is brought before the court, if doubt arises as to the competence of the defendant, the court shall suspend the proceedings, the trial or the pronouncing of the judgment, as the case may be, until the question of competence is determined. 2. If the proceedings, the trial or the pronouncing of the judgment are suspended, the court must notify any other departments of the court of the suspension in writing. Upon receiving such notice, the other departments of the court shall suspend any other proceedings relating to the defendant until the defendant is determined to be competent. [1911 Cr. Prac. § 536; A 1919, 416; 1919 RL § 7386; NCL § 11184]—(NRS A 1967, 1449; 1981, 1656; 1991, 1003; 2003, 1018; 2007, 186)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.415 - Appointment of person or persons to examine defendant; hearing; no indictment while court considers competence of defendant; finding.

1. Except as otherwise provided in this subsection, the court shall appoint two psychiatrists, two psychologists, or one psychiatrist and one psychologist to examine the defendant. If the defendant is accused of a misdemeanor, the court of jurisdiction shall appoint

a psychiatric social worker, advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120 or other person who is especially qualified by the Division, to examine the defendant. 2. Except as otherwise provided in this subsection, at a hearing in open court, the court that orders the examination must receive the report of the examination. If a justice court orders the examination of a defendant who is charged with a gross misdemeanor or felony, the district court must receive the report of the examination. 3. The court that receives the report of the examination shall permit counsel for both sides to examine the person or persons appointed to examine the defendant. The prosecuting attorney and the defendant may: (a) Introduce other evidence including, without limitation, evidence related to treatment to competency and the possibility of ordering the involuntary administration of medication; and (b) Cross-examine one another's witnesses. 4. A prosecuting attorney may not seek an indictment of the defendant for any offense during the period in which the court is considering whether the defendant is competent or incompetent except upon application by the prosecuting attorney to the chief judge of the district court, or his or her designee, and with leave of the court. The prosecuting attorney must demonstrate that adequate cause exists for the court to grant leave to seek an indictment on the grounds that the availability or unavailability of a witness, or any other objective factor, significantly impacts the ability of the State to prosecute the matter in the absence of such leave. The prosecuting attorney must give notice of an application made pursuant to this subsection to the attorney for the defendant not less than 24 hours before the hearing on the application. 5. The court that receives the report of the examination shall then make and enter its finding of competence or incompetence. 6. The court shall not appoint a person to provide a report or an evaluation pursuant to this section, unless the person is certified by the Division pursuant to NRS 178.417. [1911 Cr. Prac. § 538; A 1919, 416; 1919 RL § 7388; NCL § 11186]—(NRS A 1967, 1449; 1968, 52; 1981, 1656; 1991, 1003; 1999, 104; 2003, 1018, 1470, 1947; 2017, 1741, 2996)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.417 - Certification of person who evaluates competency of defendant required.

1. A person may not provide a report or an evaluation concerning the competency of a defendant to stand trial or receive pronouncement of judgment pursuant to this section and NRS 178.400 to 178.460, inclusive, unless the person is certified by the Division for that purpose. 2. The Division shall adopt regulations to establish: (a) Requirements for certification of a person who provides reports and evaluations concerning the competency of a defendant pursuant to this section and NRS 178.400 to 178.460, inclusive; (b) Reasonable fees for issuing and renewing such certificates; and (c) Requirements for continuing education for the renewal of a certificate. 3. The fees so collected must be used only to: (a) Defray the cost of issuing and renewing certificates; and (b) Pay any other expenses incurred by the Division in carrying out its duties pursuant to this section. 4. The Division shall establish and administer examinations to determine the eligibility of any person who applies for certification. An applicant is entitled to certification upon satisfaction of the requirements of the Division. The Division may enter into a contract with another person, organization or agency to carry out or assist in carrying out the provisions of this subsection. (Added to NRS by 2003, 1469)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.420 - Procedure on finding defendant competent.

If the court finds that the defendant is competent, the trial must proceed, or judgment may be pronounced, as the case may be. [1911 Cr. Prac. § 539; A 1919, 416; 1919 RL § 7389; NCL § 11187]—(NRS A 1967, 1450; 1981, 1656; 1991, 1003)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.425 - Procedure on finding defendant incompetent.

1. If the court finds the defendant incompetent, and dangerous to himself or herself or to society and that commitment is required for a determination of the defendant's ability to receive treatment to competency and to attain competence, the judge shall order the sheriff to convey the defendant forthwith, together with a copy of the complaint, the commitment and the physicians' certificate, if any, into the custody of the Administrator or the Administrator's designee for detention and treatment at a division facility that is secure. The order may include the involuntary administration of medication if appropriate for treatment to competency. 2. The defendant must be held in such custody until a court orders the defendant's release or until the defendant is returned for trial or judgment as provided in NRS 178.450, 178.455 and 178.460. 3. If the court finds the defendant incompetent but not dangerous to himself or herself or to society, and finds that commitment is not required for a determination of the defendant's ability to receive treatment to competency and to attain competence, the judge shall order the defendant to report to the Administrator or the Administrator's designee as an outpatient for treatment, if it might be beneficial, and for a determination of the defendant's ability to receive treatment to competency and to attain competence. The court may require the defendant to give bail for any periodic appearances before the Administrator or the Administrator's designee. 4. Except as otherwise provided in subsection 5, proceedings against the defendant must be suspended until the Administrator or the Administrator's designee or, if the defendant is charged with a misdemeanor, the judge finds the defendant capable of standing trial or opposing pronouncement of judgment as provided in NRS 178.400. 5. Whenever the defendant has been found incompetent, with no substantial probability of attaining competency in the foreseeable future, and released from custody or from obligations as an outpatient pursuant to paragraph (d) of subsection 4 of NRS 178.460, the proceedings against the defendant which were suspended must be dismissed. No new charge arising out of the same circumstances may be brought except upon application by the prosecuting attorney to the chief judge of the district court, or his or her designee, and with leave of the court where: (a) The State has a good faith belief, based on articulable facts, that the defendant has attained competency; (b) The State has a compelling interest in bringing charges again; and (c) The period, equal to the maximum time allowed by law for commencing a criminal action for the crime with which the defendant was charged, has not

lapsed since the date of the alleged offense. The prosecuting attorney must give notice of an application made pursuant to this subsection to the attorney for the defendant not less than 24 hours before the hearing on the application. 6. If a defendant is found incompetent pursuant to this section, the court shall cause, within 5 business days after the finding, on a form prescribed by the Department of Public Safety, a record of that finding to be transmitted to the Central Repository for Nevada Records of Criminal History, along with a statement indicating that the record is being transmitted for inclusion in each appropriate database of the National Instant Criminal Background Check System. 7. As used in this section, "National Instant Criminal Background Check System" has the meaning ascribed to it in NRS 179A.062. [1911 Cr. Prac. § 540; RL § 7390; NCL § 11188]—(NRS A 1967, 1450; 1968, 52; 1971, 313; 1973, 93, 252, 1406; 1981, 1656; 1991, 1003; 1999, 104; 2001, 1084; 2003, 1947; 2009, 2487; 2015, 1798; 2017, 2996)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.430 - Commitment of defendant exonerates bail.

The commitment of the defendant, as mentioned in NRS 178.425, shall exonerate any bail the defendant may have given, or shall entitle any person authorized to receive the property of the defendant to a return of any money the defendant may have deposited instead of bail. [1911 Cr. Prac. § 541; RL § 7391; NCL § 11189]

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.435 - Expenses of examination and transportation are charge against county or city; recovery from estate or relative.

The expenses of the examination and of the transportation of the defendant to and from the custody of the Administrator or the Administrator's designee are in the first instance chargeable to the county or city from which the defendant has been sent. But the county or city may recover the money from the estate of the defendant, from a relative legally bound to care for the defendant or from the county or city of which the defendant is a resident. [1911 Cr. Prac. § 543; RL § 7393; NCL § 11191]—(NRS A 1963, 1111; 1968, 52; 1973, 93, 252; 1981, 1657; 1991, 1004; 1999, 105; 2001, 1085)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.440 - Clerk to certify costs to county or city.

The clerk of the court before which an examination has been conducted shall certify the costs to the board of county commissioners or governing body of the city, as appropriate. [1911 Cr. Prac. § 544; RL § 7394; NCL § 11192]—(NRS A 1969, 10; 1991, 1004)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.450 - Duties of Administrator or Administrator's designee following finding of incompetence; observation and evaluation of defendant; report to court.

1. The Administrator or the Administrator's designee shall keep each defendant committed to custody under NRS 178.425 or 178.460 under observation and shall have each defendant who has been ordered to report to the Administrator as an outpatient under those sections evaluated periodically. 2. The Administrator or the Administrator's designee shall report in writing to a judge of the court which committed the person and the prosecuting attorney of the county or city to which the person may be returned for further court action whether, in his or her opinion, upon medical consultation, the defendant is of sufficient mentality to be able to understand the nature of the criminal charge against the defendant and, by reason thereof, is able to aid and assist counsel in the defense interposed upon the trial or against the pronouncement of the judgment thereafter. The Administrator or the Administrator's designee shall submit such a report, in the case of a person charged or convicted of a misdemeanor, within 3 months after the order for commitment or treatment and evaluation as an outpatient or for recommitment pursuant to paragraph (b) of subsection 4 of NRS 178.460, and at monthly intervals thereafter. In all other cases, the initial report must be submitted within 6 months after the order and at 6-month intervals thereafter. If the opinion of the Administrator or the Administrator's designee is that the defendant is not of sufficient mentality to understand the nature of the charge against the defendant and assist in the defendant's own defense, the Administrator or the Administrator's designee shall also include in the report his or her opinion whether: (a) There is a substantial probability that the defendant can receive treatment to competency and will attain competency to stand trial or receive pronouncement of judgment in the foreseeable future; and (b) The defendant is at that time a danger to himself or herself or to society. 3. The report must contain: (a) The name of the defendant and the county or city to which the defendant may be returned for further court action. (b) The circumstances under which the defendant was committed to the custody of the Administrator or the Administrator's designee and the duration of the defendant's hospitalization, or the circumstances under which the defendant was ordered to report to the Administrator or the Administrator's designee as an outpatient. [2:292:1955]—(NRS A 1961, 476; 1968, 53; 1973, 93, 252; 1981, 1657; 1991, 1004; 1999, 105; 2001, 1085; 2003, 1948)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.453 - Access by Administrator to certain records of defendant within possession of Department of Corrections authorized for purpose of evaluating and treating defendant.

1. The Administrator or the Administrator's designee may request from the Department of Corrections access to any records in its possession which contain information that may assist in evaluating and treating a defendant who previously has served a term of imprisonment under the supervision of the Department of Corrections and who is committed to the custody of or ordered to report to the Administrator or the Administrator's designee pursuant to NRS 178.425, 178.460, 178.461 or 178.464. 2. Unless otherwise ordered by a court, upon request of the Administrator or the Administrator's designee for access to records of a defendant pursuant to subsection 1, the Department of Corrections, through the Medical Director, shall provide access to any such records, including,

without limitation, relevant medical and mental health records, for the limited purpose of allowing the Administrator or the Administrator's designee to evaluate and treat the defendant. 3. No oral or written consent of the defendant is required for the Administrator or the Administrator's designee to obtain access to records from the Department of Corrections pursuant to this section. 4. As used in this section, "Medical Director" has the meaning ascribed to it in NRS 209.077. (Added to NRS by 2003, 1255; A 2007, 1778; 2017, 358)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.455 - Procedure for evaluating certain defendants following finding of incompetence; report to court; procedure concerning misdemeanants.

1. Except as otherwise provided for persons charged with or convicted of a misdemeanor, the Administrator or the Administrator's designee shall appoint a licensed psychiatrist and a licensed psychologist from the treatment team who is certified pursuant to NRS 178.417 to evaluate the defendant. The Administrator or the Administrator's designee shall also appoint a third evaluator who must be a licensed psychiatrist or psychologist, must be certified pursuant to NRS 178.417 and must not be a member of the treatment team. Upon the completion of the evaluation and treatment of the defendant, the Administrator or the Administrator's designee shall report to the court in writing his or her specific findings and opinion upon whether the person has the present ability to: (a) Understand the nature of the offense charged; (b) Understand the nature and purpose of the court proceedings; and (c) Aid and assist the person's counsel in the defense at any time during the proceedings with a reasonable degree of rational understanding. 2. If the Administrator or the Administrator's designee finds that the person does not have the present ability pursuant to paragraph (a), (b) or (c) of subsection 1 to understand or to aid and assist counsel during the court proceedings, the Administrator or the Administrator's designee shall include in the written report the reasons for the finding and whether there is a substantial probability that the person can receive treatment to competency and will attain competency in the foreseeable future. 3. A copy of the report must be: (a) Maintained by the Administrator or the Administrator's designee and incorporated in the medical record of the person; and (b) Sent to the office of the district attorney and to the counsel for the outpatient or person committed. 4. In the case of a person charged with or convicted of a misdemeanor, the judge shall, upon receipt of the report set forth in NRS 178.450 from the Administrator or the Administrator's designee: (a) Send a copy of the report by the Administrator or the Administrator's designee to the prosecuting attorney and to the defendant's counsel; (b) Hold a hearing, if one is requested within 10 days after the report is sent pursuant to paragraph (a), at which the attorneys may examine the Administrator or the Administrator's designee or the members of the defendant's treatment team on the determination of the report; and (c) Within 10 days after the hearing, if any, or 10 days after the report is sent if no hearing is requested, enter a finding of competence or incompetence in the manner set forth in subsection 4 of NRS 178.460. [Part 3:292:1955]—(NRS A 1961, 476; 1968, 53; 1971, 252; 1973, 93, 252; 1981, 1658; 1991, 1005; 1993, 554, 2773; 1999, 106; 2001, 1086; 2003, 1471, 1949; 2007, 186)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.460 - Powers and duties of court following finding of incompetence; limitation on length of commitment.

1. If requested by the district attorney or counsel for the defendant within 10 days after the report by the Administrator or the Administrator's designee is sent to them, the judge shall hold a hearing within 10 days after the request at which the district attorney and the defense counsel may examine the members of the treatment team on their report. 2. If the judge orders the appointment of a licensed psychiatrist or psychologist who is not employed by the Division to perform an additional evaluation and report concerning the defendant, the cost of the additional evaluation and report is a charge against the county. 3. Within 10 days after the hearing or 10 days after the report is sent, if no hearing is requested, the judge shall make and enter a finding of competence or incompetence, and if the judge finds the defendant to be incompetent: (a) Whether there is substantial probability that the defendant can receive treatment to competency and will attain competency to stand trial or receive pronouncement of judgment in the foreseeable future; and (b) Whether the defendant is at that time a danger to himself or herself or to society. 4. If the judge finds the defendant: (a) Competent, the judge shall, within 10 days, forward the finding to the prosecuting attorney and counsel for the defendant. Upon receipt thereof, the prosecuting attorney shall notify the sheriff of the county or chief of police of the city that the defendant has been found competent and prearrange with the facility for the return of the defendant to that county or city for trial upon the offense there charged or the pronouncement of judgment, as the case may be. (b) Incompetent, but there is a substantial probability that the defendant can receive treatment to competency and will attain competency to stand trial or receive pronouncement of judgment in the foreseeable future and finds that the defendant is dangerous to himself or herself or to society, the judge shall recommit the defendant and may order the involuntary administration of medication for the purpose of treatment to competency. (c) Incompetent, but there is a substantial probability that the defendant can receive treatment to competency and will attain competency to stand trial or receive pronouncement of judgment in the foreseeable future and finds that the defendant is not dangerous to himself or herself or to society, the judge shall order that the defendant remain an outpatient or be transferred to the status of an outpatient under the provisions of NRS 178.425. (d) Incompetent, with no substantial probability of attaining competency in the foreseeable future, the judge shall order the defendant released from custody or, if the defendant is an outpatient, released from any obligations as an outpatient if, within 10 judicial days, the prosecuting attorney has not filed a motion pursuant to NRS 178.461 or if, within 10 judicial days, a petition is not filed for the involuntary court-ordered admission of the person to a mental health facility pursuant to NRS 433A.200. After the initial 10 judicial days, the person may remain an outpatient or in custody under the provisions of this chapter only as long as the motion or petition is pending unless the person is committed to the custody of the Administrator pursuant to NRS 178.461 or involuntarily admitted to a mental health facility pursuant to chapter 433A of NRS. 5. Except as otherwise

provided in subsections 4 and 7 of NRS 178.461, no person who is committed under the provisions of this chapter may be held in the custody of the Administrator or the Administrator's designee longer than the longest period of incarceration provided for the crime or crimes with which the person is charged or 10 years, whichever period is shorter. Upon expiration of the applicable period provided in this section, subsection 4 or 7 of NRS 178.461 or subsection 4 of NRS 178.463, the person must be returned to the committing court for a determination as to whether or not involuntary commitment pursuant to chapter 433A of NRS is required. [Part 3:292:1955]—(NRS A 1961, 477; 1968, 54; 1973, 94, 253; 1981, 1659; 1991, 1006; 1995, 2458; 1999, 107; 2001, 1087; 2003, 1472, 1950; 2007, 187, 1779; 2009, 115; 2017, 2997; 2021, 3104)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.461 - Motion for hearing to determine whether to commit incompetent defendant to custody of Administrator; risk assessment; dismissal of motion in certain circumstances; length of commitment; review of eligibility for conditional release; procedure for requesting extension of commitment.

1. If the proceedings against a defendant who is charged with any category A felony or a category B felony listed in subsection 6 are dismissed pursuant to subsection 5 of NRS 178.425, the prosecuting attorney may, within 10 judicial days after the dismissal, file a motion with the court for a hearing to determine whether to commit the person to the custody of the Administrator pursuant to subsection 3. 2. If the prosecuting attorney files a motion pursuant to subsection 1, the prosecuting attorney shall, not later than the date on which the prosecuting attorney files the motion, request from the Division a comprehensive risk assessment which indicates whether the person requires the level of security provided by a forensic facility. The Division shall, except as otherwise provided in this subsection, complete the comprehensive risk assessment within 40 calendar days after receipt of the request and provide the comprehensive risk assessment to the court, the prosecuting attorney and counsel for the person. The court may grant the Division an extension to complete the comprehensive risk assessment upon a showing of good cause. Within 10 judicial days after receipt of the comprehensive risk assessment, the court shall hold a hearing on the motion. If the person was charged with any category A felony other than murder or sexual assault or a category B felony listed in subsection 6 and the comprehensive risk assessment indicates that the person does not require the level of security provided by a forensic facility, the court shall dismiss the motion. 3. At a hearing held pursuant to subsection 2, if the court finds by clear and convincing evidence that the person has a mental disorder, that the person is a danger to himself or herself or others and that the person's dangerousness is such that the person requires placement at a forensic facility, the court may order: (a) The sheriff to take the person into protective custody and transport the person to a forensic facility; and (b) That the person be committed to the custody of the Administrator and kept under observation until the person is eligible for conditional release pursuant to NRS 178.463 or until the maximum length of commitment described in subsection 4 or 7 has expired. 4. Except as otherwise provided in subsection 7, the length of commitment of a person pursuant to subsection 3 must not exceed 10 years, including any time that the person has been on conditional release pursuant to NRS 178.463. 5. At least once every 12 months, the court shall review the eligibility of the defendant for conditional release. 6. The provisions of subsection 1 apply to any of the following category B felonies: (a) Voluntary manslaughter pursuant to NRS 200.050; (b) Mayhem pursuant to NRS 200.280; (c) Kidnapping in the second degree pursuant to NRS 200.330; (d) Assault with a deadly weapon pursuant to NRS 200.471; (e) Battery with a deadly weapon pursuant to NRS 200.481; (f) Aggravated stalking pursuant to NRS 200.575; (g) First degree arson pursuant to NRS 205.010; (h) Residential burglary with a deadly weapon pursuant to NRS 205.060; (i) Invasion of the home with a deadly weapon pursuant to NRS 205.067; (j) Any category B felony involving the use of a firearm; and (k) Any attempt to commit a category A felony. 7. If a person is within 6 months of the maximum length of commitment set forth in this subsection or subsection 4, as applicable, and: (a) Was charged with murder or sexual assault; and (b) Was committed to the custody of the Administrator pursuant to this subsection or subsection 3, the Administrator may file a motion to request an extension of the length of commitment for not more than 5 additional years. 8. The court may grant a motion for an extension of the length of commitment pursuant to subsection 7 if, at a hearing conducted on the motion, the court finds by clear and convincing evidence that the person is a danger to himself or herself or others and that the person's dangerousness is such that the person requires placement at a forensic facility. 9. At a hearing conducted pursuant to subsection 8, a person who is committed has the right to be represented by counsel. If the person does not have counsel, the court shall appoint an attorney to represent the person. (Added to NRS by 2007, 1777; A 2009, 116; 2015, 1352; 2017, 2999; 2019, 4403; 2021, 292)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.463 - Conditional release of incompetent defendant committed to custody of Administrator: When eligible; annual review of eligibility for discharge from conditional release; maximum duration.

1. The Division or a person who is committed to the custody of the Administrator pursuant to NRS 178.461 may petition the court which committed the person for conditional release. 2. A person who is committed to the custody of the Administrator pursuant to NRS 178.461 is eligible for conditional release only after: (a) The Division has completed a comprehensive risk assessment concerning the person; (b) A decision to release the person from commitment with conditions imposed by the court in consultation with the Division has been made based on input from the person's treatment team, the prosecuting attorney, the counsel for the person and the team that will supervise the person in the community; and (c) The court which committed the person has approved the conditional release. 3. If a person is serving a period of conditional release pursuant to this section, the court must, at least once every 12 months, review the eligibility of the defendant for discharge from conditional release. If, at the conclusion of the review required by this subsection, the court finds by clear and convincing evidence that the person is not a danger to himself or herself or others, the court must discharge the person from conditional release. 4. The length of the period of conditional release must not

exceed 10 years, including any time that the person has been committed to the custody of the Administrator pursuant to NRS 178.461 and 178.464, except that the length of the period of conditional release may be extended for not more than 5 additional years if the length of the period of commitment has been extended pursuant to subsection 7 of NRS 178.461. (Added to NRS by 2007, 1777; A 2009, 117; 2015, 1353; 2017, 3000)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.464 - Procedure when defendant violates condition of release; hearing to determine whether to continue, modify or terminate conditional release.

1. The Division shall notify the court which ordered the commitment of the person pursuant to NRS 178.461 if the person violates a condition of the release from commitment. 2. If a forensic facility supervising a person on conditional release has probable cause to believe the person violated a condition of the release from commitment and is an imminent danger to himself or herself or others, the forensic facility may take the person into protective custody and transport the person to the forensic facility or may request that a law enforcement agency take the person into protective custody and transport the person to the forensic facility. If the forensic facility makes such a request, the law enforcement agency, as soon as practicable after receiving the request, may take the person into protective custody and transport the person to the forensic facility. Except as otherwise provided in this subsection, within 3 days after a person has been taken into protective custody and transported to the forensic facility pursuant to this subsection, the court shall hold a hearing to determine whether to continue, modify or terminate the conditional release of the person. The hearing may be continued not more than 10 days upon agreement by the counsel for the person and the prosecuting attorney. 3. If the court is notified pursuant to subsection 1 of a violation, the court shall consult with the Division, the counsel for the person and the prosecuting attorney concerning the potential risk to the community that is posed by the noncompliance of the person with the conditions of release from commitment. 4. If the person on conditional release has not been transported to a forensic facility pursuant to subsection 2, after consulting with the persons required by subsection 3 and considering the risks to the community, the court may issue a temporary order of detention to commit the person to custody for evaluation, pending the hearing described in subsection 5. If the court issues such an order, the court must: (a) Order the sheriff to take the person: (1) Into protective custody and transport the person to a forensic facility; or (2) To a jail where the person must remain in protective custody; and (b) Provide a copy of the order to the counsel for the person and the prosecuting attorney. 5. Within 10 days after a person has been committed to the custody of the Administrator for evaluation pursuant to subsection 4, the court shall hold a hearing to determine whether to continue, modify or terminate the conditional release of the defendant. 6. As used in this section: (a) "Forensic facility" has the meaning ascribed to it in NRS 175.539. (b) "Law enforcement agency" means: (1) The sheriff's office of a county; (2) A metropolitan police department; or (3) A police department of an incorporated city. (Added to NRS by 2007, 1778; A 2009, 117; 2021, 296)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.467 - Person committed to custody of Administrator: Eligibility for discharge or conditional release; recommitment for failure to comply with conditions.

1. The Administrator or the Administrator's designee shall keep each person with mental illness committed to his or her custody pursuant to NRS 175.539 under observation. 2. A person committed to the custody of the Administrator pursuant to NRS 175.539 is eligible for: (a) Discharge from commitment if the person establishes by a preponderance of the evidence that the person would not be a danger, as a result of any mental disorder, to himself or herself or to the person or property of another if discharged; or (b) Conditional release from commitment if the person establishes by a preponderance of the evidence that the person would not be a danger, as a result of any mental disorder, to himself or herself or to the person or property of another if released from commitment with conditions imposed by the court in consultation with the Division. 3. If a person who is conditionally released from the custody of the Administrator fails to comply with any condition imposed by the court, the court shall issue an order to have the person recommitted to the custody of the Administrator. (Added to NRS by 2007, 1424)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.468 - Hearing to determine eligibility of person committed to custody of Administrator for discharge or conditional release; report by Administrator.

1. Except as otherwise provided in this section, a court must hold a hearing not later than 60 days after: (a) A person is committed to the custody of the Administrator pursuant to NRS 175.539; or (b) The Division or the person committed to the custody of the Administrator files a petition for discharge or conditional release pursuant to NRS 178.469. 2. During the hearing held pursuant to subsection 1, the court shall consider any relevant information that will enable the court to determine whether the person is eligible for discharge or conditional release pursuant to NRS 178.467. The court may postpone the hearing described in this subsection for good cause or upon agreement by the person committed to the custody of the Administrator, the court and the Division. 3. Not later than 21 days before the date of the hearing held pursuant to paragraph (a) of subsection 1 and annually thereafter, the Administrator or the Administrator's designee shall prepare a written report stating whether, in his or her opinion, upon medical consultation, the person who was committed to the custody of the Administrator has recovered from the mental disorder or has improved to such an extent that the person is no longer a person with mental illness and whether or not, in his or her opinion, the person should be discharged or conditionally released. If the Administrator or the Administrator's designee determines that the person has not recovered from the mental disorder or has not improved to such an extent that the person is no longer a person with mental illness, the Administrator or the Administrator's designee shall include in the report his or her opinion concerning whether: (a) There is a substantial probability that the person may receive treatment and recover from the mental disorder or improve to such an extent that the person is no longer a person with mental illness in the foreseeable future; and (b) The person is at that time a danger to himself

or herself or to society. 4. If the opinion of the Administrator included in the report prepared pursuant to subsection 3 provides that: (a) The person committed to custody should not be discharged or conditionally released, the person who is committed may overcome the opinion of the Administrator by proving the elements necessary for discharge or conditional release pursuant to subsection 2 of NRS 178.467 by a preponderance of the evidence. (b) The person committed to custody should be discharged or conditionally released, the district attorney may overcome the opinion of the Administrator by proving by a preponderance of the evidence that the person continues to be a person with mental illness. 5. Within the period prescribed in subsection 3, the Administrator or the Administrator's designee shall provide a copy of the report to: (a) The person committed to the custody of the Administrator and the person's attorney; (b) The prosecuting attorney; and (c) The court. (Added to NRS by 2007, 1424)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.469 - Petition for discharge or conditional release by person committed to custody of Administrator.

1. A person committed to the custody of the Administrator pursuant to NRS 175.539 may petition the court for discharge or conditional release not sooner than 1 year after the person is committed to the custody of the Administrator and not more than once each year thereafter. 2. The Division may file a petition for the discharge or conditional release of a person committed to the custody of the Administrator pursuant to NRS 175.539 at any time if the petition is accompanied by an affidavit of a physician or licensed psychologist which states that the mental disorder of the person has improved since the date of the most recent hearing concerning the discharge or conditional release of the person such that the physician or licensed psychologist recommends the discharge or conditional release of the person. 3. A person who is committed to the custody of the Administrator pursuant to NRS 175.539 may apply for discharge or conditional release pursuant to subsection 1 by: (a) Filing a petition for discharge or conditional release with the court that ordered the person committed pursuant to NRS 175.539; and (b) Providing a copy of the petition to the Division and the prosecuting attorney. 4. The Division may file a petition for discharge or conditional release pursuant to subsection 2 by: (a) Filing the petition with the court that ordered the person committed to the custody of the Administrator pursuant to NRS 175.539; (b) Including with the petition an affidavit of a physician or licensed psychologist pursuant to subsection 2; and (c) Providing a copy of the petition to the person committed to the custody of the Administrator, the person's attorney and the prosecuting attorney. (Added to NRS by 2007, 1425)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.471 - Effect of conditional release of person committed to custody of Administrator; authority of court over person conditionally released.

1. When a person is conditionally released pursuant to NRS 178.467 to 178.471, inclusive: (a) The State and any of its agents or employees are not liable for any debts or contractual obligations, medical or otherwise, incurred or damages caused by the actions of the person; and (b) The court shall order the restoration of full civil and legal rights as deemed necessary to facilitate the person's rehabilitation. 2. When a person is conditionally released pursuant to NRS 178.467 to 178.471, inclusive, the court shall order the Division to conduct an evaluation of the person as often as is deemed necessary to determine whether the person: (a) Has complied with the conditions of release; or (b) Presents a clear and present danger of harm to himself or herself or others. 3. The court may order a person who is conditionally released pursuant to NRS 178.467 to 178.471, inclusive, returned to the custody of the Administrator if the court determines that the conditional release is no longer appropriate because that person: (a) Has violated a condition of release; or (b) Presents a clear and present danger of harm to himself or herself or others. (Added to NRS by 2007, 1426)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.4715 - Notification of victims upon discharge, conditional release or escape.

1. If a person is committed to the custody of the Administrator and is subject to the provisions of NRS 178.463 to 178.471, inclusive, a victim of the person may request the Administrator or the Administrator's designee to notify the victim of the person's discharge, conditional release or escape from the custody of the Administrator by submitting to the Administrator: (a) A written request for notification; and (b) The current address of the victim. 2. If the Administrator or the Administrator's designee receives a request for notification pursuant to subsection 1, the Administrator or the Administrator's designee shall notify the victim if the person committed to the custody of the Administrator: (a) Will be discharged or conditionally released pursuant to NRS 178.463 to 178.471, inclusive, at least 10 days before the discharge or release; or (b) Has escaped from the custody of the Administrator. 3. A person described in subsection 1 must not be discharged or released from commitment, temporarily or otherwise, for any purpose unless notification of the discharge or release has been mailed to the last known address of every victim of the person who has requested notification pursuant to subsection 1. 4. The Administrator or the Administrator's designee may not be held responsible for any injury proximately caused by the failure to give any notice required pursuant to this section if no address was provided to the Administrator or the Administrator's designee or if the address provided is inaccurate or not current. 5. All personal information, including, but not limited to, a current or former address, which pertains to a victim and which is received by the Administrator or the Administrator's designee pursuant to this section is confidential. 6. As used in this section, "victim" means: (a) A person, including, without limitation, a governmental entity, against whom an act has been committed for which the person committed to the custody of the Administrator has been charged; (b) A person who has been injured or killed as a direct result of the commission of an act for which the person committed to the custody of the Administrator has been charged; or (c) A relative of a person described in paragraph (a) or (b). For the purposes of this paragraph, a "relative" of a person includes: (1) A spouse, parent, grandparent or

stepparent; (2) A natural born child, stepchild or adopted child; (3) A grandchild, brother, sister, half brother or half sister; or (4) A parent of a spouse. (Added to NRS by 2009, 71)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.472 - Computation.

In computing any period of time the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a nonjudicial day, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a nonjudicial day. When a period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays and nonjudicial days shall be excluded in the computation. (Added to NRS by 1967, 1451)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.476 - Enlargement.

When an act is required or allowed to be done at or within a specified time, the court for cause shown may at any time in its discretion: 1. With or without motion or notice, order the period enlarged if request therefor is made before the expiration of the period originally prescribed or as extended by a previous order; or 2. Upon motion made after the expiration of the specified period permit the act to be done if the failure to act was the result of excusable neglect, but the court may not extend the time for taking any action under NRS 176.515 or 176.525 except to the extent and under the conditions stated in those sections. (Added to NRS by 1967, 1451; A 1969, 10; 1985, 63)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.478 - Motions; affidavits.

1. A written motion, other than one which may be heard ex parte, and notice of the hearing thereof must be served not later than 5 days before the time specified for the hearing unless a different period is fixed by rule or order of the court. For cause shown such an order may be made on ex parte application. 2. When a motion is supported by affidavit, the affidavit must be served with the motion; and opposing affidavits may be served not less than 1 day before the hearing unless the court permits them to be served at a later time. 3. A certificate of service must accompany each motion filed. (Added to NRS by 1967, 1451; A 1991, 303)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.482 - Additional time after service by mail.

Whenever a party has the right or is required to do an act within a prescribed period after the service of a notice or other paper upon the party and the notice or other paper is served by mail, 3 days shall be added to the prescribed period. (Added to NRS by 1967, 1451)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.483 - "Electronic transmission," "electronically transmit" and "electronically transmitted" defined.

As used in NRS 178.483 to 178.548, inclusive, unless the context otherwise requires, "electronic transmission," "electronically transmit" or "electronically transmitted" means any form or process of communication not directly involving the physical transfer of paper or another tangible medium which: 1. Is suitable for the retention, retrieval and reproduction of information by the recipient; and 2. Is retrievable and reproducible in paper form by the recipient through an automated process used in conventional commercial practice. (Added to NRS by 2017, 275; A 2021, 1948, 2230)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.484 - Right to bail before conviction; exceptions; specific requirements for certain offenses.

1. Except as otherwise provided in this section, a person arrested for an offense other than murder of the first degree must be admitted to bail. 2. A person arrested for a felony who has been released on probation or parole for a different offense must not be admitted to bail unless: (a) A court issues an order directing that the person be admitted to bail; (b) The State Board of Parole Commissioners directs the detention facility to admit the person to bail; or (c) The Division of Parole and Probation of the Department of Public Safety directs the detention facility to admit the person to bail. 3. A person arrested for a felony whose sentence has been suspended pursuant to NRS 4.373 or 5.055 for a different offense or who has been sentenced to a term of residential confinement pursuant to NRS 4.3762 or 5.076 for a different offense must not be admitted to bail unless: (a) A court issues an order directing that the person be admitted to bail; or (b) A department of alternative sentencing directs the detention facility to admit the person to bail. 4. A person arrested for murder of the first degree may be admitted to bail unless the proof is evident or the presumption great by any competent court or magistrate authorized by law to do so in the exercise of discretion, giving due weight to the evidence and to the nature and circumstances of the offense. 5. A person arrested for a violation of NRS 484C.110, 484C.120, 484C.130, 484C.430, 488.410, 488.420 or 488.425 who is under the influence of intoxicating liquor must not be admitted to bail or released on the person's own recognizance unless the person has a concentration of alcohol of less than 0.04 in his or her breath. A test of the person's breath pursuant to this subsection to determine the concentration of alcohol in his or her breath as a condition of admission to bail or release is not admissible as evidence against the person. 6. A person arrested for a violation of NRS 484C.110, 484C.120, 484C.130, 484C.430, 488.410, 488.420 or 488.425 who is under the influence of a controlled substance, is under the combined influence of intoxicating liquor and a controlled substance, or inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which

renders the person incapable of safely driving or exercising actual physical control of a vehicle, a power-driven vessel or a sailing vessel under way must not be admitted to bail or released on the person's own recognizance sooner than 12 hours after arrest. 7. A person arrested for a battery that constitutes domestic violence pursuant to NRS 33.018 must not be admitted to bail sooner than 12 hours after arrest. If the person is admitted to bail more than 12 hours after arrest, without appearing personally before a magistrate or without the amount of bail having been otherwise set by a magistrate or a court, the amount of bail must be: (a) Three thousand dollars, if the person has no previous convictions of battery that constitute domestic violence pursuant to NRS 33.018 and there is no reason to believe that the battery for which the person has been arrested resulted in substantial bodily harm or was committed by strangulation; (b) Five thousand dollars, if the person has: (1) No previous convictions of battery that constitute domestic violence pursuant to NRS 33.018, but there is reason to believe that the battery for which the person has been arrested resulted in substantial bodily harm or was committed by strangulation; or (2) One previous conviction of battery that constitutes domestic violence pursuant to NRS 33.018, but there is no reason to believe that the battery for which the person has been arrested resulted in substantial bodily harm or was committed by strangulation; or (c) Fifteen thousand dollars, if the person has: (1) One previous conviction of battery that constitutes domestic violence pursuant to NRS 33.018 and there is reason to believe that the battery for which the person has been arrested resulted in substantial bodily harm or was committed by strangulation; or (2) Two or more previous convictions of battery that constitute domestic violence pursuant to NRS 33.018. The provisions of this subsection do not affect the authority of a magistrate or a court to set the amount of bail when the person personally appears before the magistrate or the court, or when a magistrate or a court has otherwise been contacted to set the amount of bail. For the purposes of this subsection, a person shall be deemed to have a previous conviction of battery that constitutes domestic violence pursuant to NRS 33.018 if the person has been convicted of such an offense in this State or has been convicted of violating a law of any other jurisdiction that prohibits the same or similar conduct. 8. A person arrested for violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or for violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, or for violating a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591, or for violating a temporary or extended order for protection against sexual assault pursuant to NRS 200.378 must not be admitted to bail sooner than 12 hours after arrest if: (a) The arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm; (b) The person has previously violated a temporary or extended order for protection of the type for which the person has been arrested; or (c) At the time of the violation or within 2 hours after the violation, the person has: (1) A concentration of alcohol of 0.08 or more in the person's blood or breath; or (2) An amount of a prohibited substance in the person's blood or urine, as applicable, that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 484C.110. 9. If a person is admitted to bail more than 12 hours after arrest, pursuant to subsection 8, without appearing personally before a magistrate or without the amount of bail having been otherwise set by a magistrate or a court, the amount of bail must be: (a) Three thousand dollars, if the person has no previous convictions of violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or of violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, or of violating a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591, or of violating a temporary or extended order for protection against sexual assault pursuant to NRS 200.378; (b) Five thousand dollars, if the person has one previous conviction of violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or of violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, or of violating a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591, or of violating a temporary or extended order for protection against sexual assault pursuant to NRS 200.378; or (c) Fifteen thousand dollars, if the person has two or more previous convictions of violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or of violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, or of violating a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591, or of violating a temporary or extended order for protection against sexual assault pursuant to NRS 200.378. The provisions of this subsection do not affect the authority of a magistrate or a court to set the amount of bail when the person personally appears before the magistrate or the court or when a magistrate or a court has otherwise been contacted to set the amount of bail. For the purposes of this subsection, a person shall be deemed to have a previous conviction of violating a temporary or extended order for protection against domestic violence issued pursuant to NRS 33.017 to 33.100, inclusive, or of violating a restraining order or injunction that is in the nature of a temporary or extended order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS, or of violating a temporary or extended order for protection against stalking, aggravated stalking or harassment issued pursuant to NRS 200.591, or of violating a temporary or extended order for protection against sexual assault pursuant to NRS 200.378, if the person has been convicted of such an offense in this State or has been convicted of violating a law of any other jurisdiction that prohibits the same or similar conduct. 10. For the purposes of subsections 8 and 9, an order or injunction is in the nature of a temporary or extended order for protection against domestic violence if it grants relief that might be given in a temporary or extended order issued pursuant to NRS 33.017 to 33.100, inclusive. 11. As used in this section, "strangulation" has the meaning ascribed to it in NRS 200.481. (Added to NRS by 1967, 1451; A 1971, 496; 1973, 1802; 1975,

1201; 1977, 1545; 1981, 1585; 1985, 2171; 1987, 554; 1995, 26, 2293; 1997, 610, 1478, 3357; 1999, 669, 2064; 2001, 1223, 2571; 2007, 50, 1017; 2009, 93, 234, 1880; 2017, 318; 2021, 3575; 2023, 556)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.4845 - Court order prohibiting contact with victim; Request by victim; court required to consider request; notification regarding consequences of violating order; expiration; renewal of order; transmittal of copy of order to Central Repository for Nevada Records of Criminal History; penalty for violation of order.

1. Before a court makes a determination of bail concerning a person, a victim may request that a court issue an order imposing a condition of release prohibiting contact. 2. A court shall consider a request described in subsection 1. 3. Upon the issuance of an order imposing a condition of release prohibiting contact, the court shall notify the person subject to the order that violating the order may result in: (a) The person being charged with a misdemeanor; (b) The modification or addition of any condition of release; (c) The revocation of bail and remand of the person to custody; or (d) The imposition of any other penalty prescribed by law. 4. An order imposing a condition of release prohibiting contact, and any modification thereof, expires within such time, not to exceed 120 calendar days, as the court fixes. 5. The court may, before the expiration of an order imposing a condition of release prohibiting contact and upon motion or at the discretion of the court, after notice and a hearing, renew the order for good cause shown. 6. After the court issues an order imposing, modifying, suspending or canceling a condition of release prohibiting contact, the court shall transmit, as soon as practicable and in a manner prescribed by the Central Repository for Nevada Records of Criminal History, a copy of the order to the Central Repository. 7. A person who knowingly violates an order imposing a condition of release prohibiting contact is guilty of a misdemeanor. 8. Nothing in this section shall be construed to require a court to receive a request pursuant to subsection 1 before issuing an order imposing a condition of release prohibiting contact. 9. As used in this section: (a) "Cancel" includes, without limitation, any act that would effectively terminate a condition of release prohibiting contact, including, without limitation: (1) The dismissal of the action or proceeding against the person; (2) A prosecuting attorney declining to prosecute the person; (3) The conviction of the person; or (4) The acquittal of the person. (b) "Condition of release prohibiting contact" means a condition placed on a person who is released pending trial that prohibits the person from contacting or attempting to contact a specific person or from causing or attempting to cause another person to contact that person on the person's behalf. (Added to NRS by 2021, 1948)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.4847 - Adoption of administrative order relating to circumstances under which person may be released from custody without pretrial release hearing.

A court of competent jurisdiction may adopt an administrative order relating to the circumstances under which a person may be released from custody without a pretrial release hearing, including, without limitation, those circumstances under which a sheriff or chief of police may release, without bail, a person charged with a misdemeanor. (Added to NRS by 2021, 2230)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.4849 - Pretrial release hearing required to be held within 48 hours after person taken into custody to determine custody status; exceptions; continuance; appearance by means of remote communication.

1. Except as otherwise provided in subsection 2 and NRS 178.484 and 178.4847, a court shall, within 48 hours after a person has been taken into custody, hold a pretrial release hearing, in open court or by means of remote communication, to determine the custody status of the person. 2. The court may continue a pretrial release hearing: (a) At the request of either party or the court and for good cause shown. (b) Upon stipulation of the parties. The court shall schedule a hearing continued pursuant to this paragraph for the date specified by stipulation. 3. A stipulation made pursuant to subsection 2 may be: (a) An oral stipulation; or (b) A written stipulation communicated by mail, by electronic mail, via the Internet or by other electronic means. 4. The prosecuting attorney, the defendant and the defendant's attorney may appear at a pretrial release hearing by means of remote communication. An appearance by means of remote communication must be treated in the same manner as an appearance in person. 5. A magistrate who presides over a pretrial release hearing may do so by means of remote communication. 6. As used in this section: (a) "Magistrate" means a judicial officer who presides over a pretrial release hearing. (b) "Remote communication" means communication through telephone or videoconferencing. (Added to NRS by 2021, 2230; A 2023, 2504)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.4851 - Imposition of bail or conditions of release; signing and filing of document; arrest for violation of condition.

1. Except as otherwise provided in subsection 4, the court shall only impose bail or a condition of release, or both, on a person as it deems to be the least restrictive means necessary to protect the safety of the community or to ensure that the person will appear at all times and places ordered by the court, with regard to the factors set forth in NRS 178.4853 and 178.498. Such conditions of release may include, without limitation: (a) Requiring the person to remain in this State or a certain county within this State; (b) Prohibiting the person from contacting or attempting to contact a specific person or from causing or attempting to cause another person to contact that person on the person's behalf; (c) Prohibiting the person from entering a certain geographic area; (d) Prohibiting the person from possessing a firearm during the pendency of the case; or (e) Prohibiting the person from engaging in specific conduct that may be harmful to the person's own health, safety or welfare, or the health, safety or welfare of another person. 2. A

prosecuting attorney may request that a court impose bail or a condition of release, or both, on a person. If the request includes the imposition of bail, the prosecuting attorney must prove by clear and convincing evidence that the imposition of bail is necessary to protect the safety of the community or to ensure that the person will appear at all times and places ordered by the court, with regard to the factors set forth in NRS 178.4853 and 178.498. 3. If a court imposes bail or any condition of release, or both, other than release on recognizance with no other conditions of release, the court shall make findings of fact for such a determination and state its reasoning on the record, and, if the determination includes the imposition of a condition of release, the findings of fact must include why the condition of release constitutes the least restrictive means necessary to protect the safety of the community or to ensure that the person will appear at the times and places ordered by the court. 4. A person arrested for murder of the first degree may be admitted to bail unless the proof is evident or the presumption great by any competent court or magistrate authorized by law to do so in the exercise of discretion, giving due weight to the evidence and to the nature and circumstances of the offense. 5. The person must sign a document before the person's release stating that: (a) The person will appear at all times and places as ordered by the court releasing the person and as ordered by any court before which the charge is subsequently heard; (b) The person will comply with the other conditions which have been imposed by the court and are stated in the document; (c) If the person fails to appear when so ordered and is taken into custody outside of this State, the person waives all rights relating to extradition proceedings; and (d) The person understands that any court of competent jurisdiction may revoke the order of release without bail and may order the person into custody or require the person to furnish bail or otherwise ensure the protection of the safety of the community or the person's appearance, if applicable. 6. The document signed pursuant to subsection 5 must be filed with the clerk of the court of competent jurisdiction and becomes effective upon the signature of the person to be released. 7. If a person fails to comply with a condition of release imposed pursuant to this section, the court may, after providing the person with reasonable notice and an opportunity for a hearing: (a) Deem such conduct a contempt pursuant to NRS 22.010; (b) Impose such additional conditions of release as the court deems necessary to protect the safety of the community or to ensure the person will appear at the times and places ordered by the court; (c) Increase the amount of bail pursuant to NRS 178.499, if applicable; or (d) Revoke bail and remand the person into custody. 8. If a person fails to appear as ordered by the court and a jurisdiction incurs any costs in returning a person to the jurisdiction to stand trial, the person failing to appear is responsible for paying those costs as restitution. 9. An order issued pursuant to this section that imposes a condition on a person must include a provision ordering a law enforcement officer to arrest the person if the law enforcement officer has probable cause to believe that the person has violated a condition of release. 10. Nothing in this section shall be construed to require a court to receive the request of a prosecuting attorney before imposing a condition of release. (Added to NRS by 1981, 1584; A 1987, 454; 1997, 3359; 2001, 1226; 2007, 53, 1020; 2021, 3579; 2023, 2505)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.4853 - Factors considered in reviewing custody status.

In reviewing the custody status of a person, the court at a minimum shall consider the following factors concerning the person: 1. The length of residence in the community; 2. The status and history of employment; 3. Relationships with the person's spouse and children, parents or other family members and with close friends; 4. Reputation, character and mental condition; 5. Prior criminal record, including, without limitation, any record of appearing or failing to appear after release on bail or without bail; 6. The identity of responsible members of the community who would vouch for the reliability of the person; 7. The nature of the offense with which the person is charged, the apparent probability of conviction and the likely sentence, insofar as these factors relate to the risk of not appearing; 8. The nature and seriousness of the danger to the alleged victim, any other person or the community that would be posed by the person's release; 9. The likelihood of more criminal activity by the person after release; and 10. Any other factors concerning the person's ties to the community or bearing on the risk that the person may willfully fail to appear. (Added to NRS by 1981, 1584; A 1985, 809; 1997, 3360; 2021, 3581)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.4855 - Limitations on release without bail of certain defendants who are taken into custody while admitted to bail on other charges; notice to bail agent required.

A defendant charged with the commission of a category A or B felony who is admitted to bail on a surety bond and who: 1. While admitted to bail, is taken into custody in the same jurisdiction in which the defendant was admitted to bail and is charged with the commission of another category A or B felony; and 2. Is ordered to be released from custody without bail, must not be released from custody pursuant to NRS 178.4851 until the law enforcement agency that conducted the initial booking procedure for the defendant for the subsequent felony has notified the bail agent that issued the surety bond of the release of the defendant. (Added to NRS by 1999, 1845)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.486 - When bail is matter of discretion, notice of application must be given to district attorney.

When the admission to bail is a matter of discretion, the court, or officer by whom it may be ordered, shall require such notice of the application therefor as the court or officer may deem reasonable to be given to the district attorney of the county where the examination is had. (Added to NRS by 1967, 1452)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.487 - Bail after arrest for felony offense committed while on bail.

Every release on bail with or without security is conditioned upon the defendant's good behavior while so released, and upon a showing that the proof is evident or the presumption great that the defendant has committed a felony during the period of release, the defendant's bail may be revoked, after a hearing, by the magistrate who allowed it or by any judge of the court in which the original charge is pending. Pending such revocation, the defendant may be held without bail by order of the magistrate before whom the defendant is brought after an arrest upon the second charge. (Added to NRS by 1971, 574; A 1973, 348)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.4871 - Postconviction petitioner for habeas corpus: Limitations on release.

A person who has filed a postconviction petition for habeas corpus challenging a judgment of conviction or sentence: 1. Must not in any case be released on the person's own recognizance. 2. Must not be admitted to bail pending a review of the petition unless: (a) The petition is filed in the proper jurisdiction; (b) The petition presents substantial questions of law or fact and does not appear to be barred procedurally; (c) The petitioner has made out a clear case on the merits; and (d) There are exceptional circumstances deserving of special treatment in the interests of justice. (Added to NRS by 1987, 1232; A 1991, 91; 2023, 1638)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.4873 - Postconviction petitioner for habeas corpus: Release pending appeal.

If a district court denies a postconviction petition for habeas corpus challenging a judgment of conviction or sentence, the petitioner must not be released on the petitioner's own recognizance or admitted to bail pending any appeal. If the petition is granted and a stay of the order granting relief is not entered, the district court shall admit the petitioner to bail pending appeal if the respondent files a notice of appeal. (Added to NRS by 1987, 1232; A 1991, 91; 2023, 1638)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.4875 - Proceeding for forfeiture of bail pending review or appeal; proceeding for recommitment of defendant.

1. If the court admits a petitioner to bail pending review of the petition or pending appeal, any subsequent proceeding for forfeiture of the bail must take place in the proceeding on the petition. 2. Any subsequent proceeding for the recommitment of the defendant pursuant to NRS 178.532 may be initiated on behalf of the State in the proceeding on the petition or in the district court where the original conviction was had, if it was in a different court. If the proceeding occurs in the district court where the original conviction was had, that court must notify the court conducting the proceeding on the petition of any order for recommitment entered and subsequently enforced. (Added to NRS by 1987, 1232)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.488 - Right to bail upon review; notice of application to be given district attorney.

1. Bail may be allowed pending appeal or certiorari unless it appears that the appeal is frivolous or taken for delay. 2. Pending appeal to a district court, bail may be allowed by the trial justice, by the district court, or by any judge thereof, to run until final termination of the proceedings in all courts. 3. Pending appeal or certiorari to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution, bail may be allowed by the district court or any judge thereof, by the Court of Appeals or any judge thereof or by the Supreme Court or a justice thereof. 4. Any court or any judge or justice authorized to grant bail may at any time revoke the order admitting the defendant to bail. 5. The court or judge by whom bail may be ordered shall require such notice of the application therefor as the court or judge may deem reasonable to be given to the district attorney of the county in which the verdict or judgment was originally rendered. (Added to NRS by 1967, 1452; A 1969, 10; 2013, 1762)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.494 - Bail for material witnesses; judicial review of detention or amount of bail; scheduling of case in which material witness will testify.

1. If it appears by affidavit that the testimony of a person is material in any criminal proceeding and if it is shown that it may become impracticable to secure the person's presence by subpoena, the magistrate may require bail for the person's appearance as a witness, in an amount fixed by the magistrate. If the person fails to give bail the magistrate may: (a) Commit the person to the custody of a peace officer pending final disposition of the proceeding in which the testimony is needed; (b) Order the person's release if the person has been detained for an unreasonable length of time; and (c) Modify at any time the requirement as to bail. 2. Except as otherwise provided in subsection 3, every person detained as a material witness must be brought before a judge or magistrate as soon as practicable, but not later than 72 hours after the beginning of the detention. The judge or magistrate shall consider the least restrictive means to secure the person's presence and make a determination whether: (a) The amount of bail required to be given by the material witness should be modified; and (b) The detention of the material witness should continue. If the court determines that detention of the material witness should continue, the court must make written findings stating why detention should continue. 3. A person detained as a material witness pursuant to this section who is a victim of domestic violence or sexual assault: (a) Must be brought before a judge or magistrate, as soon as practicable, but not later than 24 hours after the beginning of the detention; (b) May be detained or continue detention pursuant to a determination by telephone; and (c) Must have an attorney appointed by the judge or magistrate, who, to the extent practicable, shall participate in any determination regarding

detention pursuant to this section. 4. The judge or magistrate shall: (a) Set a schedule for the periodic review of whether the amount of bail required should be modified and whether detention should continue; and (b) Schedule the case in which the material witness will testify to take place as soon as possible if substantial rights of the defendant are not prejudiced. 5. As used in this section: (a) "Domestic violence" means the commission of any act described in NRS 33.018. (b) "Sexual assault" has the meaning ascribed to it in NRS 49.2543. (Added to NRS by 1967, 1452; A 1989, 327; 2019, 2269)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.498 - Amount.

In deciding the amount of bail to impose on a person, the court shall consider: 1. The nature and circumstances of the offense charged; 2. The financial ability of the defendant to give bail; 3. The character of the defendant; and 4. The factors listed in NRS 178.4853. (Added to NRS by 1967, 1452; A 1985, 809; 2021, 3581)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.499 - Increase in amount.

1. At any time after a district or Justice Court has ordered bail to be set at a specific amount, and before acquittal or conviction, the court may upon its own motion or upon motion of the district attorney and after notice to the defendant's attorney of record or, if none, to the defendant, increase the amount of bail for good cause shown. 2. If the defendant has been released on bail before the time when the motion to increase bail is granted, the defendant shall either return to custody or give the additional amount of bail. (Added to NRS by 1969, 385; A 1991, 303)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.502 - Form of bail; extension of bond or undertaking to proceedings in other courts; exoneration; place of deposit.

1. A person required or permitted to give bail shall execute a bond for the person's appearance. The magistrate or court or judge or justice, having regard to the considerations set forth in NRS 178.4851, may require one or more sureties or may authorize the acceptance of cash or bonds or notes of the United States in an amount equal to or less than the face amount of the bond. 2. Any bond or undertaking for bail must provide that the bond or undertaking: (a) Extends to any action or proceeding in a justice court, municipal court or district court arising from the charge on which bail was first given in any of these courts; and (b) Remains in effect until exonerated by the court. This subsection does not require that any bond or undertaking extend to proceedings on appeal. 3. If an action or proceeding against a defendant who has been admitted to bail is transferred to another trial court, the bond or undertaking must be transferred to the clerk of the court to which the action or proceeding has been transferred. 4. Except as otherwise provided in subsection 5, the court shall exonerate the bond or undertaking for bail if: (a) The action or proceeding against a defendant who has been admitted to bail is dismissed; or (b) No formal action or proceeding is instituted against a defendant who has been admitted to bail. 5. The court may delay exoneration of the bond or undertaking for bail for a period not to exceed 30 days if, at the time the action or proceeding against a defendant who has been admitted to bail is dismissed, the defendant: (a) Has been indicted or is charged with a public offense which is the same or substantially similar to the charge upon which bail was first given and which arises out of the same act or omission supporting the charge upon which bail was first given; or (b) Requests to remain admitted to bail in anticipation of being later indicted or charged with a public offense which is the same or substantially similar to the charge upon which bail was first given and which arises out of the same act or omission supporting the charge upon which bail was first given. If the defendant has already been indicted or charged, or is later indicted or charged, with a public offense arising out of the same act or omission supporting the charge upon which bail was first given, the bail must be applied to the public offense for which the defendant has been indicted or charged or is later indicted or charged, and the bond or undertaking must be transferred to the clerk of the appropriate court. Within 10 days after its receipt, the clerk of the court to whom the bail is transferred shall mail or electronically transmit notice of the transfer to the surety on the bond and the bail agent who executed the bond. 6. Bail given originally on appeal must be deposited with the magistrate or the clerk of the court from which the appeal is taken. (Added to NRS by 1967, 1452; A 1979, 1021; 1981, 1585; 2003, 2103; 2017, 275; 2019, 650; 2021, 3582)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.504 - Justification of sureties.

1. Every surety, except a corporate surety which is approved as provided by law, shall justify by affidavit and may be required to describe in the affidavit: (a) The property by which the surety proposes to justify and the encumbrances thereon; (b) The number and amount of other bonds and undertakings for bail entered into by the surety and remaining undischarged; and (c) All other liabilities. 2. No bond shall be approved unless the surety thereon appears to be qualified. 3. A corporate surety that is authorized to transact insurance in this State pursuant to chapter 680A of NRS is a sufficient surety for all courts and shall be deemed to be qualified for purposes of this section. (Added to NRS by 1967, 1453; A 2009, 240)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.506 - Declaration of forfeiture.

If there is a breach of condition of a bond, the court shall declare a forfeiture of the bail, subject to the provisions of NRS 178.508 and 178.509. (Added to NRS by 1967, 1453; A 1971, 598)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.508 - Duties of court when defendant fails to appear; procedure for issuing order of forfeiture; when forfeiture becomes effective; grounds for extending date of forfeiture.

1. If the defendant fails to appear when the defendant's presence in court is lawfully required for the commission of a misdemeanor and the failure to appear is not excused or is lawfully required for the commission of a gross misdemeanor or felony, the court shall: (a) Enter upon its minutes that the defendant failed to appear; (b) Not later than 14 judicial days after the date on which the defendant failed to appear, order the issuance of a warrant for the arrest of the defendant; and (c) If the undertaking exceeds \$50 or money deposited instead of bail bond exceeds \$500, direct that each surety and the local agent of each surety, or the depositor if the depositor is not the defendant, be given notice that the defendant has failed to appear, by certified mail or electronic transmission, receipt of delivery requested, within 20 days after the date on which the defendant failed to appear. The court shall execute an affidavit of such mailing or electronic transmission to be kept as an official public record of the court and shall direct that a copy of the notice be transmitted to the prosecuting attorney at the same time that notice is given to each surety or the depositor. 2. Except as otherwise provided in subsection 3 and NRS 178.509, an order of forfeiture of any undertaking or money deposited instead of bail bond must be prepared by the clerk of the court and signed by the court. An order of forfeiture must include the date on which the forfeiture becomes effective. The undertaking or money deposited instead of bail bond is forfeited 180 days after the date on which the notice is mailed or electronically transmitted pursuant to subsection 1. 3. The court may extend the date of the forfeiture for any reasonable period set by the court if the surety or depositor submits to the court: (a) An application for an extension and the court determines that the surety or the depositor is making reasonable and ongoing efforts to bring the defendant before the court. (b) An application for an extension on the ground that the defendant is temporarily prevented from appearing before the court because the defendant: (1) Is ill; (2) Is insane; or (3) Is being detained by civil or military authorities, and the court, upon hearing the matter, determines that one or more of the grounds described in this paragraph exist and that the surety or depositor did not in any way cause or aid the absence of the defendant. (Added to NRS by 1967, 1453; A 1969, 625; 1971, 598; 1979, 1400; 1983, 210; 1987, 1025; 1991, 1015; 1999, 1845; 2003, 2103; 2015, 2567; 2017, 276)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.509 - Exoneration of surety before date of forfeiture: Conditions; grounds.

1. If the defendant fails to appear when the defendant's presence in court is lawfully required, the court shall not exonerate the surety before the date of forfeiture prescribed in NRS 178.508 unless: (a) The defendant appears before the court and the court, upon hearing the matter, determines that the defendant has presented a satisfactory excuse or that the surety did not in any way cause or aid the absence of the defendant; or (b) The surety submits an application for exoneration on the ground that the defendant is unable to appear because the defendant: (1) Is dead; (2) Is ill; (3) Is insane; (4) Is being detained by civil or military authorities; or (5) Has been deported, and the court, upon hearing the matter, determines that one or more of the grounds described in this paragraph exist and that the surety did not in any way cause or aid the absence of the defendant. 2. If the requirements of subsection 1 are met, the court may exonerate the surety upon such terms as may be just. (Added to NRS by 1971, 597; A 1979, 1400; 1991, 1015; 1999, 1846; 2007, 420; 2015, 2567)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.512 - Setting aside forfeiture: Conditions; grounds; when written finding is required.

1. The court shall not set aside a forfeiture unless: (a) The surety submits an application to set it aside on the ground that the defendant: (1) Has appeared before the court since the date of the forfeiture and has presented a satisfactory excuse for the defendant's absence; (2) Was dead before the date of the forfeiture but the surety did not know and could not reasonably have known of the defendant's death before that date; (3) Was unable to appear before the court before the date of the forfeiture because of the defendant's illness or insanity, but the surety did not know and could not reasonably have known of the illness or insanity before that date; (4) Was unable to appear before the court before the date of the forfeiture because the defendant was being detained by civil or military authorities, but the surety did not know and could not reasonably have known of the defendant's detention before that date; or (5) Was unable to appear before the court before the date of the forfeiture because the defendant was deported, but the surety did not know and could not reasonably have known of the defendant's deportation before that date, and the court, upon hearing the matter, determines that one or more of the grounds described in this subsection exist and that the surety did not in any way cause or aid the absence of the defendant; and (b) The court determines that justice does not require the enforcement of the forfeiture. 2. If the court sets aside a forfeiture pursuant to subsection 1 and the forfeiture includes any undertaking or money deposited instead of bail bond where the defendant has been charged with a gross misdemeanor or felony, the court shall make a written finding in support of setting aside the forfeiture. (Added to NRS by 1967, 1453; A 1979, 1401; 1999, 1847; 2003, 2104, 3338; 2005, 108; 2015, 2568)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.514 - Enforcement of forfeiture.

1. When a forfeiture has not been set aside, the court shall on motion enter a judgment of default and execution may issue thereon. 2. If an order setting aside a forfeiture has not been entered within 180 days after the issuance of the order of forfeiture, the court shall enter judgment by default and commence execution proceedings therein. 3. By entering into a bond the obligors submit to the jurisdiction of the court and irrevocably appoint the clerk of the court as their agent upon whom any papers affecting their liability may be served. Their liability may be enforced on motion and such notice of the motion as the court prescribes may be served on the clerk of the court, who shall forthwith mail or electronically transmit copies to the obligors to their last known addresses or by means that have been designated by the obligors for the purpose of receiving electronic transmissions. (Added to NRS by 1967,

1453; A 2003, 2105; 2015, 2568; 2017, 277)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.516 - Remission of forfeited money.

After entry of such judgment, the court shall not remit it in whole or in part unless the conditions applying to the setting aside of forfeiture in NRS 178.512 are met. (Added to NRS by 1967, 1453; A 1979, 1402)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.518 - Payment of forfeited deposits to county treasurer or State Controller.

Money collected pursuant to NRS 178.506 to 178.516, inclusive, which was collected: 1. From a person who was charged with a misdemeanor must be paid over to the county treasurer. 2. From a person who was charged with a gross misdemeanor or a felony must be paid over to the State Controller for deposit in the State General Fund for distribution in the following manner: (a) Ninety percent for credit to the Fund for the Compensation of Victims of Crime; and (b) Ten percent for credit to the special account established pursuant to NRS 176.0613 to assist with funding and establishing specialty court programs. (Added to NRS by 1967, 1453; A 1981, 1672; 2001, 2922; 2003, 2105)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.522 - Exoneration of bail.

1. When the condition of the bond has been satisfied or the forfeiture thereof has been set aside or remitted, the court shall exonerate the obligors and release any bail. The court shall exonerate the obligors and release any bail at the time of sentencing the defendant, if the court has not previously done so unless the money deposited by the defendant as bail must be applied to satisfy a judgment pursuant to NRS 178.528. 2. A surety may be exonerated by a deposit of cash in the amount of the bond or by a timely surrender of the defendant into custody. (Added to NRS by 1967, 1453; A 1969, 10; 1991, 1016; 1993, 827)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.524 - Deposit required in certain cases.

If the defendant surrenders himself or herself to, is apprehended by or is in the custody of a peace officer in the State of Nevada or the Director of the Department of Corrections other than the officer to whose custody the defendant was committed at the time of giving bail, the bail may make application to the court for the discharge of the bail bond, and shall then give to the court an amount in cash or a surety bond sufficient in amount to guarantee reimbursement of any costs that may be expended in returning the defendant to the officer to whose custody the defendant was committed at the time of giving bail. (Added to NRS by 1967, 1453; A 1977, 863; 2001 Special Session, 223)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.526 - Arrest of defendant.

1. For the purpose of surrendering a defendant, a surety or the appointed bail agent of a surety, at any time before the surety is finally discharged, and at any place within this State, may, by: (a) Written authorization for the arrest of the defendant attached to a copy of the undertaking; or (b) A written authority endorsed on a certified copy of the undertaking, cause the defendant to be arrested by a bail enforcement agent who is licensed pursuant to chapter 697 of NRS. 2. A bail enforcement agent who arrests a defendant in this State or any other jurisdiction is not acting for or on behalf of this State or any of its political subdivisions. (Added to NRS by 1967, 1454; A 1997, 3393; 1999, 1847; 2023, 2654)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.528 - Disposition of money deposited as bail.

When money has been deposited, if it remains on deposit at the time of a judgment for the payment of a fine, the court, or the clerk under the direction of the court, shall apply the money in satisfaction thereof, and after satisfying the fine and costs shall refund the surplus, if any, to the person who deposited the bail, unless that person has directed, in writing, that any surplus be refunded to another. (Added to NRS by 1967, 1454; A 1991, 303)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.532 - Recommitment of defendant after having given bail or deposited money.

The court to which the committing magistrate shall return the depositions and statement, or in which an indictment or information or an appeal is pending, or to which a judgment on appeal is remitted to be carried into effect, may, by an order to be entered on its minutes, direct the arrest of the defendant and commitment to the officer to whose custody the defendant was committed at the time of giving bail, and the defendant's detention until legally discharged, in the following cases: 1. When, by reason of the defendant's failure to appear, the defendant has incurred a forfeiture of bail, or of money deposited instead thereof, as provided in NRS 178.506. 2. When it satisfactorily appears to the court that the defendant's bail, or either of them, are dead, or insufficient, or have removed from the State. 3. Upon an indictment being found or information filed in the cases provided in NRS 173.175. (Added to NRS by 1967, 1454)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.534 - Contents of order for recommitment.

The order for the recommitment of the defendant shall: 1. Recite generally the facts upon which it is founded. 2. Direct that the defendant be arrested by any sheriff, constable, marshal, police officer or other peace officer within the State, and committed to the

custody of the sheriff of the county where the depositions and statement were returned, or the indictment was found, or the information was filed, or the conviction was had, as the case may be, to be detained until legally discharged. (Added to NRS by 1967, 1454)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.536 - Arrest on order of recommitment.

The defendant may be arrested pursuant to the order, upon a certified copy thereof, in any county, in the same manner as upon a warrant of arrest, except that when arrested in another county the order need not be endorsed by a magistrate of that county. (Added to NRS by 1967, 1454)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.538 - Commitment of defendant on order when defendant fails to appear for judgment; if order issued for other cause, defendant may be admitted to bail.

1. If the order recites, as the grounds upon which it is made, the failure of the defendant to appear for judgment upon conviction, the defendant must be committed according to the requirement of the order. 2. If the order be made for any other cause, and the offense is bailable, the court may fix the amount of bail, and may cause a direction to be inserted in the order that the defendant be admitted to bail in the sum fixed, which shall be specified in the order. (Added to NRS by 1967, 1454)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.542 - Records: District court.

Each county clerk shall maintain a record containing the following information for each bail bond accepted by a district court within the county: 1. The name of the defendant; 2. The name of the surety; 3. The amount of the bond; 4. The name of the court admitting the defendant to bail and the case number; 5. The date of exoneration or forfeiture of the bond; 6. The book and page of the minute order declaring the exoneration or forfeiture; and 7. The date of notice to the district attorney of any forfeiture of the bond. (Added to NRS by 1967, 1454; A 1983, 264)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.544 - Records: Justice Court.

1. Whenever a person is admitted to bail in a Justice Court and the bail is put in by a written undertaking, the clerk of the Justice Court shall record: (a) The name of the defendant; (b) The names of the sureties; (c) The amount of the bond; (d) The name of the court; (e) The number of the case; and (f) Such other information as is reasonably necessary to complete the record. 2. When the bond is exonerated or forfeited, the clerk of the Justice Court shall record: (a) The date of the exoneration or forfeiture; (b) The book and page of the minute order declaring the exoneration or forfeiture; and (c) The date of notice to the district attorney of any forfeiture of the bond. (Added to NRS by 1967, 1455; A 1983, 264; 1985, 53; 2023, 164)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.546 - Records: Court of Appeals and Supreme Court.

1. Whenever a person is admitted to bail by the Court of Appeals, the Supreme Court, a judge of the Court of Appeals or a justice of the Supreme Court, the Clerk of the Supreme Court shall record: (a) The name of the defendant; (b) The names of the sureties; (c) The amount of the bond; and (d) The case number. 2. When the bond is exonerated or forfeited, the Clerk of the Supreme Court shall record: (a) The date of the exoneration or forfeiture; (b) The file number of the order declaring the forfeiture or exoneration; (c) The name of the county where the defendant was convicted or if no conviction has been had, of the county where the defendant was incarcerated; and (d) The date of the notice to the district attorney of the appropriate county of any forfeiture of the bond. (Added to NRS by 1967, 1455; A 1983, 265; 2013, 1762)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.548 - Notification of district attorney when bail bond is forfeited.

The county clerk, the clerk of the justice court, or the Clerk of the Supreme Court shall notify the district attorney of the appropriate county, in writing, promptly upon the receipt of information indicating that a bail bond has been forfeited. (Added to NRS by 1967, 1456; A 1983, 266; 1985, 53; 2023, 164)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.552 - Form; contents.

An application to the court for an order shall be by motion. A motion other than one made during a trial or hearing shall be in writing unless the court permits it to be made orally. It shall state the grounds upon which it is made and shall set forth the relief or order sought. It may be supported by affidavit. (Added to NRS by 1967, 1456)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.554 - Dismissal by district attorney or Attorney General by leave of court.

The district attorney, or the Attorney General in those cases which have been initiated by the Attorney General, may by leave of court file a dismissal of an indictment, information or complaint and the prosecution shall thereupon terminate. Such a dismissal may not be filed during the trial without the consent of the defendant. (Added to NRS by 1967, 1456)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.556 - Dismissal by court for unnecessary delay.

1. If no indictment is found or information filed against a person within 15 days after the person has been held to answer for a public offense which must be prosecuted by indictment or information, the court may dismiss the complaint. If a defendant whose trial has not been postponed upon the defendant's application is not brought to trial within 60 days after the arraignment on the indictment or information, the district court may dismiss the indictment or information. 2. If a defendant whose trial has not been postponed upon the defendant's application is not brought to trial within 60 days after the arraignment on the complaint for an offense triable in a Justice or municipal Court, the court may dismiss the complaint. (Added to NRS by 1967, 1456; A 1985, 65; 1991, 70)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.562 - Dismissal or discharge as bar to another prosecution.

1. Except as otherwise provided in NRS 174.085, an order for the dismissal of the action, as provided in NRS 178.554 and 178.556, is a bar to another prosecution for the same offense. 2. The discharge of a person accused upon preliminary examination is a bar to another complaint against the person for the same offense, but does not bar the finding of an indictment or filing of an information. (Added to NRS by 1967, 1456; A 1997, 2393)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.563 - Notice to defendant of provisions concerning sealing of records of proceedings leading to dismissal.

Upon the entry of an order dismissing a criminal action or proceeding, the court shall provide the defendant with a written notice of the provisions of NRS 179.255 which concern the sealing of records of the proceedings leading to the dismissal. (Added to NRS by 2001, 1692)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.564 - Certain offenses for which party injured has civil action may be compromised.

If a defendant is held to answer on a charge of a misdemeanor for which the person injured by the act constituting the offense has a remedy by a civil action, the offense may be compromised as provided in NRS 178.566 unless the offense: 1. Was committed by or upon an officer of justice while in the execution of the duties of office; 2. Was committed riotously; 3. Was committed with the intent to commit a felony; 4. Is a battery that constitutes domestic violence pursuant to NRS 33.018; or 5. Violates a temporary or extended order for protection against domestic violence. (Added to NRS by 1967, 1456; A 2005, 103)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.566 - Compromise to be by permission of court; order to bar another prosecution.

1. If the party injured appears before the court to which the depositions are required to be returned, at any time before trial, and acknowledges in writing that the party has received satisfaction for the injury, the court may, in its discretion, on payment of the costs incurred, order all proceedings to be stayed upon the prosecution, and the defendant to be discharged therefrom; but in such case the reasons for the order must be set forth therein, and entered on the minutes. 2. The order shall be a bar to another prosecution for the same offense. (Added to NRS by 1967, 1457)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.568 - No public offense to be compromised except as provided in this title.

No public offense shall be compromised, nor shall any proceeding for the prosecution or punishment thereof, upon a compromise, be stayed, except as provided in this title. (Added to NRS by 1967, 1457)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.569 - Definitions.

As used in NRS 178.569 to 178.5698, inclusive, unless the context otherwise requires: 1. "Relative" has the meaning ascribed to it in NRS 217.060. 2. "Victim of a crime" or "victim" includes a relative of a person: (a) Against whom a crime has been committed; or (b) Who has been injured or killed as a direct result of the commission of a crime. (Added to NRS by 1983, 889; A 1997, 3238)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.5691 - Confidentiality of personal information.

All personal information, including, but not limited to, a current or former address, which pertains to a victim, relative, witness or other person and which is received pursuant to the provisions of NRS 178.569 to 178.5698, inclusive, is confidential. (Added to NRS by 1997, 3238)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.5692 - Investigation by sheriff of threats of harm; protection.

If a victim of a crime or a witness is cooperating with the prosecuting attorney in a criminal case and reasonably apprehends that he or she may suffer threats of harm or harm arising out of that cooperation, the sheriff of the county or the chief of police of the city shall, upon the written request of the victim or witness, investigate the circumstances, take adequate measures to protect the victim or witness where appropriate, and inform the victim or witness of the level of protection being provided. (Added to NRS by 1983,

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.5694 - Harassment of victim or witness by employer; notification by prosecuting attorney of continuance of proceeding.

1. If it is difficult for such a victim or witness to assist in an investigation or cooperate with the prosecuting attorney because the victim or witness is being harassed, intimidated or subjected to conflicting requirements by his or her employer, the prosecuting attorney, sheriff or chief of police shall, upon the written request of the victim or witness, intercede on his or her behalf to minimize any loss of pay or other benefits which would result from his or her assistance or appearances in court. 2. If a proceeding in court to which such a victim or witness has been subpoenaed will not go on as scheduled, the prosecuting attorney shall: (a) Make a reasonable effort to notify the victim or witness of that fact; or (b) Provide a system of notification which allows the victim or witness to call by telephone and receive such information. In any case, the prosecuting attorney shall, if the victim or witness so requests in writing and provides a current address, ensure that written notice is mailed to that address. If written notice would not be timely, the prosecuting attorney shall make a reasonable effort to notify the victim or witness by some other means. (Added to NRS by 1983, 889)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.5696 - Separate waiting area; disposition of personal property; fees for testifying.

1. A court trying a criminal case shall provide victims and witnesses a secure waiting area which is not used by the members of the jury or the defendant and the defendant's family and friends. 2. A court or law enforcement agency which has custody of any stolen or other personal property belonging to such a victim or witness shall: (a) Upon the written request of the victim or witness, make available to the victim or witness a list describing the property held in custody, unless it is shown that the disclosure of the identity or nature of the property would seriously impede the investigation of the crime; or (b) Return the property to the victim or witness expeditiously when it is no longer needed as evidence. 3. The prosecuting attorney shall inform each such witness of the fee to which the witness is entitled for testifying and how to obtain the fee. (Added to NRS by 1983, 890)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.5698 - Information concerning release of defendant and disposition of case provided upon request; court to inform and provide documentation to certain persons of their right to be informed of release of offender from prison in certain cases; when and whom warden must inform of release of offender from prison.

1. The prosecuting attorney, sheriff or chief of police shall, upon the request of a victim or witness, inform the victim or witness: (a) When the defendant is released from custody at any time before or during the trial, including, without limitation, when the defendant is released pending trial or subject to electronic supervision; (b) If the defendant is so released, the amount of bail required, if any; and (c) Of the final disposition of the criminal case in which the victim or witness was directly involved. 2. A request for information pursuant to subsection 1 must be made: (a) In writing; or (b) By telephone through an automated or computerized system of notification, if such a system is available. 3. If an offender is convicted of a sexual offense or an offense involving the use or threatened use of force or violence against the victim, the court shall provide: (a) To each witness, documentation that includes: (1) A form advising the witness of the right to be notified pursuant to subsection 5; (2) The form that the witness must use to request notification in writing; and (3) The form or procedure that the witness must use to provide a change of address after a request for notification has been submitted. (b) To each person listed in subsection 4, documentation that includes: (1) A form advising the person of the right to be notified pursuant to subsection 5 or 6 and NRS 176.015, 176A.630, 178.4715, 209.392, 209.3923, 209.3925, 209.429, 209.521, 213.010, 213.040, 213.095 and 213.131 or NRS 213.10915; (2) The forms that the person must use to request notification; and (3) The forms or procedures that the person must use to provide a change of address after a request for notification has been submitted. 4. The following persons are entitled to receive documentation pursuant to paragraph (b) of subsection 3: (a) A person against whom the offense is committed. (b) A person who is injured as a direct result of the commission of the offense. (c) If a person listed in paragraph (a) or (b) is under the age of 18 years, each parent or guardian who is not the offender. (d) Each surviving spouse, parent and child of a person who is killed as a direct result of the commission of the offense. (e) A relative of a person listed in paragraphs (a) to (d), inclusive, if the relative requests in writing to be provided with the documentation. 5. Except as otherwise provided in subsection 6, if the offense was a felony and the offender is imprisoned, the warden of the prison shall, if the victim or witness so requests in writing and provides a current address, notify the victim or witness at that address when the offender is released from the prison. 6. If the offender was convicted of a violation of subsection 3 of NRS 200.366 or a violation of subsection 1, paragraph (a) of subsection 2 or subparagraph (2) of paragraph (b) of subsection 2 of NRS 200.508, the warden of the prison shall notify: (a) The immediate family of the victim if the immediate family provides their current address; (b) Any member of the victim's family related within the third degree of consanguinity, if the member of the victim's family so requests in writing and provides a current address; and (c) The victim, if the victim will be 18 years of age or older at the time of the release and has provided a current address, before the offender is released from prison. 7. The warden must not be held responsible for any injury proximately caused by the failure to give any notice required pursuant to this section if no address was provided to the warden or if the address provided is inaccurate or not current. 8. As used in this section: (a) "Immediate family" means any adult relative of the victim living in the victim's household. (b) "Sexual offense" means: (1) Sexual assault pursuant to NRS 200.366; (2) Statutory sexual seduction pursuant to NRS 200.368; (3) Battery with intent to commit sexual assault pursuant to

NRS 200.400; (4) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive; (5) Fertility fraud pursuant to paragraph (a) of subsection 1 of NRS 200.975; (6) Incest pursuant to NRS 201.180; (7) Open or gross lewdness pursuant to NRS 201.210; (8) Indecent or obscene exposure pursuant to NRS 201.220; (9) Lewdness with a child pursuant to NRS 201.230; (10) Sexual penetration of a dead human body pursuant to NRS 201.450; (11) Sexual conduct between certain employees of a school or volunteers at a school and a pupil pursuant to NRS 201.540; (12) Sexual conduct between certain employees of a college or university and a student pursuant to NRS 201.550; (13) Luring a child or a person with mental illness pursuant to NRS 201.560, if punished as a felony; (14) An offense that, pursuant to a specific statute, is determined to be sexually motivated; or (15) An attempt to commit an offense listed in this paragraph. (Added to NRS by 1983, 890; A 1995, 407; 1997, 3238; 2001, 1140, 2792; 2003, 22, 860, 1384; 2009, 72; 2011, 69; 2013, 388, 1163; 2015, 1439; 2019, 242, 3069; 2023, 1420)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.571 - Applicability to certain cases; persons permitted to be attendant; permissible conduct by attendant; exclusion for good cause.

1. Except as otherwise provided in subsection 2, in a case involving any act of domestic violence pursuant to NRS 33.018, a violation of NRS 200.366, 200.368 or 200.373, a battery with intent to commit a sexual assault pursuant to NRS 200.400, a violation of any provision of NRS 200.5091 to 200.5099, inclusive, a violation of NRS 201.180, 201.210, 201.220 or 201.230 or an attempt or a conspiracy to commit any of these offenses, a witness may designate an attendant who must be allowed to attend the preliminary hearing and the trial during the witness's testimony to provide support. 2. In a case involving an offense in which a minor is a witness, the witness who is a minor may designate an attendant who must be allowed to attend the preliminary hearing and the trial during the witness's testimony to provide support. 3. The attendant may be designated by a party as a witness and, except as otherwise provided in this section, must not be excluded from the proceedings. If a party designates the attendant as a witness, the attendant must be examined and cross-examined before any other witness testifies. 4. Except as otherwise provided in this subsection and subsection 5, the attendant must not be a reporter or editorial employee of any newspaper, periodical or press association or an employee of any radio or television station. The provisions of this subsection do not apply to an attendant to a witness in a case involving a violation of any provision of NRS 200.5091 to 200.5099, inclusive. 5. The parent, child, brother or sister of the witness may serve as the attendant of the witness whether or not the attendant is a reporter or an editorial employee of any newspaper, periodical or press association or an employee of any radio or television station, but the attendant shall not make notes during the hearing or trial. 6. The court: (a) Shall, if the witness requests, allow the attendant to sit next to the witness while the witness is testifying; or (b) May, if the witness requests that the attendant be in another location in the courtroom while the witness is testifying, allow the attendant to be in that location while the witness is testifying. 7. Except as otherwise provided in this subsection, the court shall allow the attendant to have physical contact with the witness while the witness is testifying, if the court determines that such contact is reasonably appropriate or necessary to provide support to the witness. If the attendant attempts to influence or affect in any manner the testimony of the witness during the giving of testimony or at any other time, the court shall exclude that attendant and allow the witness to designate another attendant. 8. A party may move to exclude a particular attendant for good cause, and the court shall hear the motion out of the presence of the jury, if any. If the court grants the motion, the witness may designate another attendant. (Added to NRS by 1983, 891; A 1995, 893, 2255; 1997, 73; 2003, 542)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.5713 - Definitions.

As used in NRS 178.5713 to 178.5718, inclusive, unless the context otherwise requires, the words and terms defined in NRS 178.5714, 178.5715 and 178.5716 have the meanings ascribed to them in those sections. (Added to NRS by 2023, 409)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.5714 - Benefit" defined.

"Benefit" means: 1. A plea bargain; 2. Any consideration of bail or conditions of release; 3. A reduction or modification of a term of sentence; or 4. Any other leniency, immunity, financial payment, reward or amelioration of the current or future conditions of any term of sentence. (Added to NRS by 2023, 410)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.5715 - Cooperation agreement" defined.

"Cooperation agreement" means a written agreement: 1. Between a person who is or was in jail or prison and the office of a prosecuting attorney wherein the person agrees to be an informant; and 2. Which includes, without limitation, a summary of: (a) The testimony to be provided by the informant; and (b) The benefit which has been or may be provided to the informant in exchange for the testimony described in paragraph (a). (Added to NRS by 2023, 410)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.5716 - Informant" defined.

"Informant" means a person who: 1. Provides testimony on behalf of the State based on any statement made by a defendant while the defendant and the person were in jail or prison; and 2. Has received or will receive a benefit in connection with the provision of the testimony described in subsection 1. (Added to NRS by 2023, 410)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.5717 - Office of prosecuting attorney required to maintain records relating to certain informants; contents of records; confidentiality.

1. Every office of a prosecuting attorney shall maintain complete and systematic records of any case prosecuted by the office in which testimony is provided by an informant pursuant to a cooperation agreement. The records must include, without limitation: (a) The substance of the testimony; (b) Any benefit that has been or will be provided to the informant in connection with the provision of the testimony; and (c) A copy of the cooperation agreement. 2. The records described in subsection 1 are confidential and are not public books or records within the meaning of NRS 239.010. (Added to NRS by 2023, 410)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.5718 - Disclosure by prosecuting attorney of certain information relating to certain informants; time limits; instructions to jury.

1. Except as otherwise provided in subsections 2 and 3, if a prosecuting attorney intends to use testimony provided by an informant at a trial, the prosecuting attorney shall file and serve upon the defendant the following information or material as soon as practicable, but not later than 30 days before the trial: (a) A summary of the criminal history of the informant, including, without limitation: (1) Any pending charges against the informant; and (2) Any charge against the informant that was reduced or dismissed, or will be reduced or dismissed, in exchange for the testimony to be provided as part of a plea bargain; (b) A copy of any cooperation agreement; (c) Any benefit that has been or will be provided to the informant in connection with his or her provision of the testimony; (d) The substance and, if known, the time and place of: (1) Any statement that is relevant to the trial made by the defendant to the informant; and (2) Any statement implicating the defendant in the charged offense made by the informant to a law enforcement officer; (e) Any occasion on which the informant recanted his or her testimony that will be provided by the informant at the trial, including, without limitation: (1) The time and place of the recantation; (2) The nature of the recantation; and (3) The name of any person who was present at the time of the recantation; and (f) Any other case known to the prosecuting attorney in which the informant provided testimony and the benefit offered or provided in each case. 2. A court may, upon good cause shown, implement a revised deadline for making the disclosures described in subsection 1 or, upon its own motion, continue the trial described in subsection 1, if: (a) The informant was not known to the prosecuting attorney until after the deadline for making the disclosures described in subsection 1; and (b) The information and materials described in subsection 1 could not have been discovered or obtained by the prosecuting attorney with the exercise of due diligence before the deadline for making the disclosures described in subsection 1. 3. If a court finds that disclosing the information and materials described in subsection 1 will result in the possibility of substantial bodily harm to the informant, the court may require the information and materials to be viewed exclusively by the attorney for the defendant, and not by the defendant or any other party. 4. In every trial in which a prosecuting attorney uses testimony provided by an informant, the court shall instruct the jury to consider the information described in paragraphs (a) to (f), inclusive, of subsection 1 in assessing the credibility of the informant. (Added to NRS by 2023, 410)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.572 - Order of immunity releasing material witness from prosecution or punishment on motion of State.

1. In any investigation before a grand jury, or any preliminary examination or trial in any court of record, the court on motion of the State may order that any material witness be released from all liability to be prosecuted or punished on account of any testimony or other evidence the witness may be required to produce. 2. Any motion, hearing or order regarding the immunity of a grand jury witness must not be made public before an indictment or presentment is issued in the case. (Added to NRS by 1967, 1457; A 1983, 1346; 1985, 1030)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.574 - Order of immunity bar to prosecution; exception.

Such order of immunity shall forever be a bar to prosecution against the witness for any offense shown in whole or in part by such testimony or other evidence except for perjury committed in the giving of such testimony. (Added to NRS by 1967, 1457)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.576 - Failure of witness granted immunity to testify is contempt.

Any witness who having been granted immunity refuses to testify or produce other evidence is in contempt of court. (Added to NRS by 1967, 1457)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.578 - Denial of motion.

The court shall deny the motion of the State under NRS 178.572 if it reasonably appears to the court that such testimony or evidence would subject the witness to prosecution, except for perjury committed in the giving of such testimony, under the laws of another state or of the United States. (Added to NRS by 1967, 1457)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.582 - Service: When required.

Written motions other than those which are heard ex parte, written notices, designations of record on appeal and similar papers shall be served upon each of the parties. (Added to NRS by 1967, 1457)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.584 - Service: How made.

1. Whenever under this Title or by an order of the court service is required or permitted to be made upon a party represented by an attorney, the service must be made upon the attorney unless service upon the party is ordered by the court. 2. Except as otherwise provided in NRS 178.589, service upon the attorney or upon a party must be made in the manner provided in civil actions. (Added to NRS by 1967, 1457; A 1999, 52)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.586 - Notice of orders.

Immediately upon the entry of an order made on a written motion subsequent to arraignment the clerk shall mail to each party a notice thereof and shall make a note in the docket of the mailing. Lack of notice of the entry by the clerk does not affect the time to appeal or relieve or authorize the court to relieve a party for failure to appeal within the time allowed. (Added to NRS by 1967, 1457)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.588 - Filing of papers.

Papers required to be served must be filed with the court. Except as otherwise provided in NRS 178.589, papers must be filed in the manner provided in civil actions. (Added to NRS by 1967, 1457; A 1999, 52)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.589 - Use of facsimile machine.

1. Except when personal service of a person is ordered by the court or required by specific statute, a person who is represented by an attorney may be lawfully served with any motion, notice or other legal document by means of a facsimile machine if: (a) The document is transmitted to the office of the attorney representing the person; and (b) The facsimile machine is operational and is maintained by the attorney representing the person or the employer of that attorney. 2. In addition to any other document required by the court, a person who uses a facsimile machine pursuant to subsection 1 to serve any motion, notice or other legal document that is required to be filed with the court shall attach to or include with the original document filed with the court a copy of the confirmation report or other comparable evidence of the transmittal of the legal document. 3. Service of any motion, notice or other legal document by facsimile machine after 5 p.m. on the day that the document is transmitted shall be deemed delivered on the next judicial day. The time of transmittal set forth in this subsection is determined according to the time at the location of the recipient of the legal document. 4. Service of any motion, notice or other legal document by facsimile machine as authorized by this section is supplemental to and does not affect the validity of any other manner of service authorized by law. 5. As used in this section: (a) "Facsimile machine" means a device that sends or receives a reproduction or facsimile of a document or photograph which is transmitted electronically or telephonically by telecommunications lines. (b) "Person" includes, without limitation, a government, governmental agency or political subdivision of a government. (Added to NRS by 1999, 51)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.591 - Use of electronic means.

1. Except when personal service of a person is ordered by the court or required by specific statute, a person who is represented by an attorney may be lawfully served with any motion, notice or other legal document by electronic means if the office of the attorney representing the person has the ability to receive and store the motion, notice or other legal document electronically. 2. In addition to any other document required by the court, a person who uses electronic means pursuant to subsection 1 to electronically serve any motion, notice or other legal document that is required to be filed with the court shall include with the original document filed with the court evidence of the electronic transmittal of the legal document. 3. A court clerk may accept a motion, notice or other legal document that is filed electronically. A motion, notice or other legal document that is filed electronically must contain an image of the signature of the prosecuting attorney. 4. If a court clerk accepts a motion, notice or other legal document that is filed electronically pursuant to subsection 3, the court clerk shall acknowledge receipt of the motion, notice or other legal document by an electronic time stamp and shall electronically return the motion, notice or other legal document with the electronic time stamp to the prosecuting attorney. A motion, notice or other legal document may be converted into a printed document and served upon a defendant in the same manner as a motion, notice or other legal document that is not filed electronically. 5. A motion, notice or other legal document that is filed or served electronically shall be deemed to be filed or served on the date that it is filed or served electronically if it is filed or served not later than 11:59 p.m. on that date. (Added to NRS by 2023, 1637)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.592 - Calendar of criminal actions: Preparation by clerk.

1. The clerk must prepare a calendar of all criminal actions pending in the court, enumerating them according to the date of filing of the indictment, information or complaint, specifying opposite the title of each action whether such action is for a felony or misdemeanor, and whether the defendant is in custody or on bail. 2. Preference shall be given to criminal proceedings as far as practicable. (Added to NRS by 1967, 1457)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.594 - Order of disposing of issues on calendar.

The issues on the calendar must be disposed of in the following order, unless for good cause the court directs an action to be tried in a different order: 1. Prosecutions for felony, when the defendant is in custody. 2. Prosecutions for misdemeanor, when the defendant is in custody. 3. Prosecutions in which the State, upon determining that the physical, emotional or mental condition of the victim of,

or a material witness to, an alleged felony or gross misdemeanor is deteriorating because of age, an illness or an injury to himself or herself or his or her spouse, has demanded a trial within 60 days after the arraignment of the person accused of the felony or gross misdemeanor pursuant to NRS 174.511. 4. Prosecutions for felony, when the defendant is on bail. 5. Prosecutions for misdemeanor, when the defendant is on bail. (Added to NRS by 1967, 1458; A 1983, 1671)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.596 - Exceptions unnecessary.

Exceptions to rulings or orders of the court are unnecessary and for all purposes for which an exception has been necessary prior to January 1, 1968, it is sufficient that a party, at the time the ruling or order of the court is made or sought, makes known to the court the action which the party desires the court to take or the party's objection to the action of the court and the grounds therefor; but if a party has no opportunity to object to a ruling or order, the absence of an objection does not thereafter prejudice the party. (Added to NRS by 1967, 1458)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.598 - Harmless error.

Any error, defect, irregularity or variance which does not affect substantial rights shall be disregarded. (Added to NRS by 1967, 1458)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.602 - Plain error.

Plain errors or defects affecting substantial rights may be noticed although they were not brought to the attention of the court. (Added to NRS by 1967, 1458)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.606 - Docket kept by clerk of justice court; contents.

A docket must be kept by the clerk of the justice court, in which the clerk shall enter each action and the minutes of the proceedings of the court therein. (Added to NRS by 1967, 1458; A 1985, 53; 2023, 164)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.608 - Rules of justice courts and district courts not to be inconsistent with this title.

Rules made by justice courts and district courts for the conduct of criminal proceedings shall not be inconsistent with this title. (Added to NRS by 1967, 1458)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.610 - Where no procedure specifically prescribed court may proceed in lawful manner.

If no procedure is specifically prescribed by this title, the court may proceed in any lawful manner not inconsistent with this title or with any other applicable statute. (Added to NRS by 1967, 1458)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.620 - Enactment; text.

The Agreement on Detainers, set forth in this section, is hereby enacted into law and entered into by this State with all other jurisdictions legally joining such agreement in the form substantially as follows: The Agreement on Detainers The contracting states solemnly agree that: Article I The party states find that charges outstanding against a prisoner, detainers based on untried indictments, informations or complaints, and difficulties in securing speedy trial of persons already incarcerated in other jurisdictions, produce uncertainties which obstruct programs of prisoner treatment and rehabilitation. Accordingly, it is the policy of the party states and the purpose of this agreement to encourage the expeditious and orderly disposition of such charges and determination of the proper status of any and all detainers based on untried indictments, information or complaints. The party states also find that proceedings with reference to such charges and detainers, when emanating from another jurisdiction, cannot properly be had in the absence of cooperative procedures. It is the further purpose of this agreement to provide such cooperative procedures. Article II As used in this agreement: (a) "State" shall mean a state of the United States; the United States of America; a territory or possession of the United States; the District of Columbia; the Commonwealth of Puerto Rico. (b) "Sending state" shall mean a state in which a prisoner is incarcerated at the time that the prisoner initiates a request for final disposition pursuant to Article III hereof or at the time that a request for custody or availability is initiated pursuant to Article IV hereof. (c) "Receiving state" shall mean the state in which trial is to be had on an indictment, information or complaint pursuant to Article III or Article IV hereof. Article III (a) Whenever a person has entered upon a term of imprisonment in a penal or correctional institution of a party state, and whenever during the continuance of the term of imprisonment there is pending in any other party state any untried indictment, information or complaint on the basis of which a detainer has been lodged against the prisoner, the prisoner shall be brought to trial within one hundred eighty days after the prisoner shall have caused to be delivered to the prosecuting officer and the appropriate court of the prosecuting officer's jurisdiction written notice of the place of imprisonment and the prisoner's request for a final disposition to be made of the indictment, information or complaint: provided that for good cause shown in open court, the prisoner or the prisoner's counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance. The request of the prisoner shall be accompanied by a certificate of the appropriate official having custody of the prisoner, stating the term of

commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the state parole agency relating to the prisoner. (b) The written notice and request for final disposition referred to in paragraph (a) hereof shall be given or sent by the prisoner to the warden, commissioner of corrections or other official having custody of the prisoner, who shall promptly forward it together with the certificate to the appropriate prosecuting official and court by registered or certified mail, return receipt requested. (c) The warden, commissioner of corrections or other official having custody of the prisoner shall promptly inform the prisoner of the source and contents of any detainer lodged and shall also inform the prisoner of the right to make a request for final disposition of the indictment, information or complaint on which the detainer is based. (d) Any request for final disposition made by a prisoner pursuant to paragraph (a) hereof shall operate as a request for final disposition of all untried indictments, informations or complaints on the basis of which detainers have been lodged against the prisoner from the state to whose prosecuting official the request for final disposition is specifically directed. The warden, commissioner of corrections or other official having custody of the prisoner shall forthwith notify all appropriate prosecuting officers and courts in the several jurisdictions within the state to which the prisoner's request for final disposition is being sent of the proceeding being initiated by the prisoner. Any notification sent pursuant to this paragraph shall be accompanied by copies of the prisoner's written notice, request, and the certificate. If trial is not had on any indictment, information or complaint contemplated hereby prior to the return of the prisoner to the original place of imprisonment, such indictment, information or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice. (e) Any request for a final disposition made by a prisoner pursuant to paragraph (a) hereof shall also be deemed to be a waiver of extradition with respect to any charge or proceeding contemplated thereby or included therein by reason of paragraph (d) hereof, and a waiver of extradition to the receiving state to serve any sentence there imposed upon the prisoner, after completion of the term of imprisonment in the sending state. The request for final disposition shall also constitute a consent by the prisoner to the production of the prisoner's body in any court where the prisoner's presence may be required in order to effectuate the purposes of this agreement and a further consent voluntarily to be returned to the original place of imprisonment in accordance with the provisions of this agreement. Nothing in this paragraph shall prevent the imposition of a concurrent sentence if otherwise permitted by law. (f) Escape from custody by the prisoner subsequent to the prisoner's execution of the request for final disposition referred to in paragraph (a) hereof shall void the request. Article IV (a) The appropriate officer of the jurisdiction in which an untried indictment, information or complaint is pending shall be entitled to have a prisoner against whom the officer has lodged a detainer and who is serving a term of imprisonment in any party state made available in accordance with Article V (a) hereof upon presentation of a written request for temporary custody or availability to the appropriate authorities of the state in which the prisoner is incarcerated: provided that the court having jurisdiction of such indictment, information or complaint shall have duly approved, recorded and transmitted the request: and provided further that there shall be a period of thirty days after receipt by the appropriate authorities before the request be honored, within which period the governor of the sending state may disapprove the request for temporary custody or availability, either upon the governor's own motion or upon motion of the prisoner. (b) Upon receipt of the officer's written request as provided in paragraph (a) hereof, the appropriate authorities having the prisoner in custody shall furnish the officer with a certificate stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner, and any decisions of the state parole agency relating to the prisoner. Said authorities simultaneously shall furnish all other officers and appropriate courts in the receiving state who have lodged detainers against the prisoner with similar certificates and with notices informing them of the request for custody or availability and of the reasons therefor. (c) In respect of any proceeding made possible by this Article, trial shall be commenced within one hundred twenty days of the arrival of the prisoner in the receiving state, but for good cause shown in open court, the prisoner or the prisoner's counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance. (d) Nothing contained in this Article shall be construed to deprive any prisoner of any right which the prisoner may have to contest the legality of the prisoner's delivery as provided in paragraph (a) hereof, but such delivery may not be opposed or denied on the ground that the executive authority of the sending state has not affirmatively consented to or ordered such delivery. (e) If trial is not had on any indictment, information or complaint contemplated hereby prior to the prisoner's being returned to the original place of imprisonment pursuant to Article V (e) hereof, such indictment, information or complaint shall not be of any further force or effect, and the court shall enter an order dismissing the same with prejudice. Article V (a) In response to a request made under Article III or Article IV hereof, the appropriate authority in a sending state shall offer to deliver temporary custody of such prisoner to the appropriate authority in the state where such indictment, information or complaint is pending against such person in order that speedy and efficient prosecution may be had. If the request for final disposition is made by the prisoner, the offer of temporary custody shall accompany the written notice provided for in Article III of this agreement. In the case of a federal prisoner, the appropriate authority in the receiving state shall be entitled to temporary custody as provided by this agreement or to the prisoner's presence in federal custody at the place for trial, whichever custodial arrangement may be approved by the custodian. (b) The officer or other representative of a state accepting an offer of temporary custody shall present the following upon demand: (1) Proper identification and evidence of authority to act for the state into whose temporary custody the prisoner is to be given. (2) A duly certified copy of the indictment, information or complaint on the basis of which the detainer has been lodged and on the basis of which the request for temporary custody of the prisoner has been made. (c) If the appropriate authority shall refuse or fail to accept temporary custody of said person, or in the event that an action on the indictment, information or complaint on the basis of which the detainer has been lodged is not brought to trial within the period provided in Article III or Article IV hereof, the appropriate court of the jurisdiction where the indictment,

information or complaint has been pending shall enter an order dismissing the same with prejudice, and any detainer based thereon shall cease to be of any force or effect. (d) The temporary custody referred to in this agreement shall be only for the purpose of permitting prosecution on the charge or charges contained in one or more untried indictments, informations or complaints which form the basis of the detainer or detainers or for prosecution on any other charge or charges arising out of the same transaction. Except for attendance at court and while being transported to or from any place at which the prisoner's presence may be required, the prisoner shall be held in a suitable jail or other facility regularly used for persons awaiting prosecution. (e) At the earliest practicable time consonant with the purposes of this agreement, the prisoner shall be returned to the sending state. (f) During the continuance of temporary custody or while the prisoner is otherwise being made available for trial as required by this agreement, time being served on the sentence shall continue to run but good time shall be earned by the prisoner only if, and to the extent that, the law and practice of the jurisdiction which imposed the sentence may allow. (g) For all purposes other than that for which temporary custody as provided in this agreement is exercised, the prisoner shall be deemed to remain in the custody of and subject to the jurisdiction of the sending state and any escape from temporary custody may be dealt with in the same manner as an escape from the original place of imprisonment or in any other manner permitted by law. (h) From the time that a party state receives custody of a prisoner pursuant to this agreement until such prisoner is returned to the territory and custody of the sending state, the state in which the one or more untried indictments, informations or complaints are pending or in which trial is being had shall be responsible for the prisoner and shall also pay all costs of transporting, caring for, keeping and returning the prisoner. The provisions of this paragraph shall govern unless the states concerned shall have entered into a supplementary agreement providing for a different allocation of costs and responsibilities as between or among themselves. Nothing herein contained shall be construed to alter or affect any internal relationship among the departments, agencies and officers of and in the government of a party state, or between a party state and its subdivisions, as to the payment of costs, or responsibilities therefor. Article VI (a) In determining the duration and expiration dates of the time periods provided in Articles III and IV of this agreement, the running of said time periods shall be tolled whenever and for as long as the prisoner is unable to stand trial, as determined by the court having jurisdiction of the matter. (b) No provision of this agreement, and no remedy made available by this agreement, shall apply to any person who is adjudged to be mentally ill. Article VII Each state party to this agreement shall designate an officer who, acting jointly with like officers of other party states, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this agreement, and who shall provide, within and without the state, information necessary to the effective operation of this agreement. Article VIII This agreement shall enter into full force and effect as to a party state when such state has enacted the same into law. A state party to this agreement may withdraw herefrom by enacting a statute repealing the same. However, the withdrawal of any state shall not affect the status of any proceedings already initiated by inmates or by state officers at the time such withdrawal takes effect, nor shall it affect their rights in respect thereof. Article IX This agreement shall be liberally construed so as to effectuate its purposes. The provisions of this agreement shall be severable and if any phrase, clause, sentence or provision of this agreement is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this agreement and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this agreement shall be held contrary to the constitution of any state party hereto, the agreement shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. (Added to NRS by 1971, 640)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.630 - Duties of Director of Department of Corrections.

The Director of the Department of Corrections shall comply with the provisions of Articles III and IV of The Agreement on Detainers whenever the Director has custody of a prisoner who has detainers lodged against the prisoner from other jurisdictions which are parties to such agreement. (Added to NRS by 1971, 645; A 1977, 863; 2001 Special Session, 223)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.640 - Duty of Governor.

The Governor shall appoint the officer provided in Article VII of The Agreement on Detainers. (Added to NRS by 1971, 645; A 1983, 539)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.700 - Procedure for making request; time for responding; withdrawal of request; notice of receipt of detainer.

1. If the Attorney General, a prosecuting attorney or an agency of criminal justice in this State receives a request from the Department of Corrections, it shall respond in writing within 14 working days setting forth any charges that are pending against the offender. 2. If the Attorney General, a prosecuting attorney or an agency of criminal justice indicates in its response pursuant to subsection 1 that felony charges are pending against an offender, it shall, or if misdemeanor charges are pending against an offender, it may, request in the response that upon release of the offender from the custody of the Department of Corrections, the Department release the offender to an agency of criminal justice in this State that is authorized to detain a person pending prosecution. The Attorney General, a prosecuting attorney or an agency of criminal justice may submit such a request to the Department of Corrections at any other time, if charges are filed against an offender. 3. If an offender is convicted, acquitted or the charges are dropped after a request was submitted pursuant to this section, the Attorney General, prosecuting attorney or agency of criminal justice who submitted the request shall withdraw the request by providing a certified copy of the judgment to the Department of

Corrections if the offender was convicted or acquitted, or by providing proof to the Department that the charges were dropped. 4. The Attorney General, a prosecuting attorney or an agency of criminal justice shall notify the Department of Corrections upon receipt of a detainer against an inmate from another jurisdiction who is transferred to the custody of the Department of Corrections. (Added to NRS by 1997, 917; A 2001 Special Session, 223)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.750 - District attorney to submit annual report to Department of Sentencing Policy on cases filed that included charge for murder or involuntary manslaughter; contents of report.

1. The district attorney for each county shall prepare and submit a report, on a form approved by the Department of Sentencing Policy created by NRS 176.01323, to the Department of Sentencing Policy not later than February 1 of each year concerning each case filed during the previous calendar year that included a charge for murder or voluntary manslaughter. The district attorney shall exclude from the report any charge for manslaughter that resulted from a death in a crash involving a motor vehicle. 2. The report required pursuant to subsection 1 must include, without limitation: (a) The name, age, gender and race of the defendant; (b) The age, gender and race of any codefendant or other person charged or suspected of having participated in the homicide and in any alleged related offense; (c) The age, gender and race of the victim of the homicide and any alleged related offense; (d) The date of the homicide and of any alleged related offense; (e) The date of filing of the information or indictment; (f) The case number and court in which the case was prosecuted; (g) Whether or not the prosecutor filed a notice of intent to seek the death penalty and, if so, when the prosecutor filed the notice; (h) The final disposition of the case and whether or not the case was tried before a jury; (i) The race, ethnicity and gender of each member of the jury, if the case was tried by a jury; and (j) The identity of: (1) Each prosecuting attorney who participated in the decision to file the initial charges against the defendant; (2) Each prosecuting attorney who participated in the decision to offer or accept a plea, if applicable; (3) Each prosecuting attorney who participated in the decision to seek the death penalty, if applicable; and (4) Each person outside the office of the district attorney who was consulted in determining whether to seek the death penalty or to accept or reject a plea, if any. 3. If all the information required pursuant to subsection 1 cannot be provided because the case is still in progress, an additional report must be filed with the Department of Sentencing Policy each time a subsequent report is filed until all the information, to the extent available, has been provided. (Added to NRS by 2003, 2084; A 2007, 421; 2015, 1659; 2023, 668)

2024 Nevada Revised Statutes Chapter 178 - General Provisions NRS 178.760 - Prosecution and defense in pretrial release hearings; stipend.

Notwithstanding any other provision of law: 1. A district attorney, assistant district attorney, deputy district attorney or other attorney employed by a district attorney may: (a) Be deputized to prosecute a person in a county other than the county by which the attorney is employed for the limited purpose of serving as the prosecuting attorney in a pretrial release hearing required by NRS 178.4849. An assistant district attorney, deputy district attorney or other attorney employed by a district attorney must receive the approval of the district attorney of the county in which the attorney is employed before serving as the prosecuting attorney in a pretrial release hearing in a county other than the county by which the attorney is employed. (b) Receive a stipend for being available on a weekend or holiday to serve as the prosecuting attorney in a pretrial release hearing required by NRS 178.4849 or for serving as the prosecuting attorney in any such pretrial release hearing conducted on a weekend or holiday. 2. A public defender and the State Public Defender may, pursuant to an interlocal agreement, authorize the public defender, State Public Defender or any other attorney employed by the public defender or State Public Defender to provide for the representation of a defendant in a pretrial release hearing required by NRS 178.4849 in any county. 3. A public defender, the State Public Defender or any other attorney employed by the public defender or State Public Defender may receive a stipend for being available on a weekend or holiday to represent a defendant in a pretrial release hearing required by NRS 178.4849 or for representing a defendant in any such pretrial release hearing conducted on a weekend or holiday. (Added to NRS by 2023, 2504)

Title: chapter-178a

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.010 - Short title.

This chapter may be cited as the Sexual Assault Survivors' Bill of Rights. (Added to NRS by 2019, 1908, 2840)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.020 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 178A.025 to 178A.140, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2019, 1908, 2841; A 2023, 2517)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.025 - "Biological evidence" defined.

"Biological evidence" has the meaning ascribed to it in NRS 176.0912 and includes, without limitation, a sexual assault forensic evidence kit. (Added to NRS by 2023, 2516)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.030 - "CODIS" defined.

"CODIS" has the meaning ascribed to it in NRS 176.09113. (Added to NRS by 2019, 1908, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.040 - "DNA profile" defined.

"DNA profile" has the meaning ascribed to it in NRS 176.09115. (Added to NRS by 2019, 1908, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.050 - "Forensic laboratory" defined.

"Forensic laboratory" has the meaning ascribed to it in NRS 176.09117. (Added to NRS by 2019, 1908, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.060 - "Forensic medical examination" defined.

"Forensic medical examination" has the meaning ascribed to it in NRS 217.300. (Added to NRS by 2019, 1908, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.070 - "Genetic marker analysis" defined.

"Genetic marker analysis" has the meaning ascribed to it in NRS 176.09118. (Added to NRS by 2019, 1908, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.080 - "Law enforcement agency" defined.

"Law enforcement agency" means any agency, office or bureau of this State or a political subdivision of this State, the primary duty of which is to enforce the law. (Added to NRS by 2019, 1908, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.090 - "Law enforcement official" defined.

1. "Law enforcement official" means: (a) Any person employed by a law enforcement agency; or (b) Any person employed by a public school, private school or institution of higher education whose primary duty is to enforce the law. 2. For purposes of this section: (a) "Institution of higher education" has the meaning ascribed to it in NRS 179D.045. (b) "Private school" means a nonprofit private elementary or secondary educational institution that is licensed in this State. (c) "Public school" has the meaning ascribed to it in NRS 388.127. (Added to NRS by 2019, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.100 - "Medical provider" defined.

"Medical provider" means any provider of health care, as defined in NRS 629.031, hospital, emergency medical facility or other facility conducting a forensic medical examination of a survivor. (Added to NRS by 2019, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.110 - "Sexual assault forensic evidence kit" defined.

"Sexual assault forensic evidence kit" has the meaning ascribed to it in NRS 200.364. (Added to NRS by 2019, 1909, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.120 - "Sexual assault victims' advocate" defined.

"Sexual assault victims' advocate" means a victims' advocate or other trained person who is employed or volunteers at an established center for the support of survivors. (Added to NRS by 2019, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.130 - "State DNA Database" defined.

"State DNA Database" means the database established pursuant to NRS 176.09121. (Added to NRS by 2019, 1909, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.140 - "Survivor" defined.

"Survivor" means a person who is a victim of sexual assault, as defined in NRS 217.280 or, if the victim is incompetent, deceased or a minor, the parent, guardian, spouse, legal representative or other person related to the victim within the second degree of consanguinity or affinity, unless such person is the defendant or accused or is convicted of the sexual assault. (Added to NRS by 2019, 1909, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.150 - Legislative findings and declarations.

The Legislature hereby finds and declares that: 1. Victims of sexual assault have a strong interest in the investigation and

prosecution of their cases. 2. Law enforcement agencies have an obligation to victims of sexual assault to be responsive to the victims concerning the developments of forensic testing and the investigation of their cases. 3. The growth of the State DNA Database and CODIS makes it possible for many perpetrators of sexual assault to be identified after their first offense. (Added to NRS by 2019, 1909)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.160 - When rights attach; rights retained.

1. The rights provided to a survivor pursuant to the Sexual Assault Survivors' Bill of Rights attach whenever the survivor is subject to: (a) A forensic medical examination; or (b) An interview by a law enforcement official or prosecutor. 2. A survivor retains the rights provided by the Sexual Assault Survivors' Bill of Rights at all times, regardless of whether the survivor: (a) Agrees to participate in the legal or criminal justice system; (b) Agrees to speak to a law enforcement official or prosecutor; or (c) Consents to a forensic medical examination. (Added to NRS by 2019, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.170 - Right to consult with sexual assault victims' advocate; right to designate attendant to provide support; attendant may be excluded under certain circumstances.

1. A survivor has the right to consult with a sexual assault victims' advocate during: (a) Any forensic medical examination; and (b) Any interview by a law enforcement official or prosecutor. 2. Except as otherwise provided in subsection 3, a survivor has the right to designate an attendant to provide support during: (a) Any forensic medical examination; and (b) Any interview by a law enforcement official or prosecutor. 3. If a law enforcement official or prosecutor conducts an interview of a survivor who is a minor, the law enforcement official or prosecutor may exclude the attendant from the interview if the law enforcement official or prosecutor: (a) Has successfully completed specialized training in interviewing survivors who are minors that meets the standards of the National Children's Alliance or its successor organization or another national organization that provides specialized training in interviewing survivors who are minors; and (b) Determines, in his or her good faith, that the presence of the attendant would be detrimental to the purpose of the interview. (Added to NRS by 2019, 2841)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.180 - Survivor retains rights to consult with sexual assault victims' advocate and to designate attendant even if such rights were previously waived; waiver of rights not admissible.

1. A survivor retains the rights pursuant to NRS 178A.170 even if the survivor has waived such rights during a previous examination or interview. 2. Except with the consent of the survivor, the fact that the survivor waived the right to consult with a sexual assault victims' advocate pursuant to NRS 178A.170 is not admissible into evidence for any purpose. (Added to NRS by 2019, 2842)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.190 - Exercise of rights relating to forensic medical examination; survivor not required to pay for forensic medical examination; right to use shower after forensic medical examination; prior notice of rights to be provided; acknowledgment.

1. If a survivor requests a consultation with a sexual assault victims' advocate or an attendant to provide support to the survivor pursuant to NRS 178A.170, the medical provider shall summon the sexual assault victims' advocate or attendant before the commencement of the forensic medical examination. 2. If a sexual assault victims' advocate or an attendant to provide support to the survivor pursuant to NRS 178A.170 cannot be summoned in a timely manner, the medical provider shall inform the survivor of the ramifications of delaying the forensic medical examination. 3. A survivor must not be required to pay any expense related to a forensic medical examination pursuant to NRS 217.300. 4. After the forensic medical examination, the survivor has the right to use a shower apparatus at no cost, unless a facility which includes a shower apparatus is not available. 5. Before a medical provider commences a forensic medical examination, the medical provider shall inform the survivor of his or her rights pursuant to the Sexual Assault Survivors' Bill of Rights and other relevant law by presenting a document developed by the Office of the Attorney General pursuant to NRS 178A.270. 6. The person who presents to the survivor the document developed by the Office of the Attorney General pursuant to NRS 178A.270 shall sign a written acknowledgment indicating that the person presented the document to the survivor. The written acknowledgment must be retained in the case file of the survivor. (Added to NRS by 2019, 2842)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.200 - Exercise of rights relating to interview; right to choose gender of interviewer; law enforcement official or prosecutor prohibited from discouraging forensic medical examination; prior notice of rights to be provided; acknowledgment.

1. If a survivor exercises his or her right to consult with a sexual assault victims' advocate during an interview pursuant to NRS 178A.170, the law enforcement official or prosecutor conducting the interview, as applicable, shall summon the sexual assault victims' advocate before the commencement of the interview, unless no sexual assault victims' advocate can be summoned in a timely manner. 2. A survivor has the right to designate an attendant to provide support of his or her choosing during any interview by a law enforcement official or prosecutor pursuant to NRS 178A.170, unless the law enforcement official or prosecutor determines, in his or her good faith, that the presence of the attendant would be detrimental to the purpose of the interview. 3. A

survivor has the right to be interviewed by a law enforcement official of the gender of the choosing of the survivor. If no law enforcement official of that gender is available in a reasonably timely manner, the survivor may be interviewed by an available law enforcement official of a different gender only upon the consent of the survivor. 4. A law enforcement official or prosecutor shall not discourage a survivor from receiving a forensic medical examination. 5. Before commencing an interview with a survivor, the law enforcement official or prosecutor conducting the interview shall inform the survivor of his or her rights pursuant to the Sexual Assault Survivors' Bill of Rights and other relevant law. 6. Any information conveyed by the law enforcement official or prosecutor pursuant to subsection 5 must be conveyed to the survivor by presenting a document developed by the Office of the Attorney General pursuant to NRS 178A.270. 7. The person who presents to the survivor the document developed by the Office of the Attorney General pursuant to NRS 178A.270 shall sign a written acknowledgment indicating that the person presented the document to the survivor. The written acknowledgment must be retained in the case file of the survivor. (Added to NRS by 2019, 2842)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.210 - Retention of right to counsel; exercise of right to counsel must not affect or alter treatment of survivor.

1. A survivor retains the right to have counsel present during any forensic medical examination, interview, investigation or other interaction with any representative of the legal or criminal justice system within this State pursuant to NRS 178A.160 to 178A.200, inclusive. 2. The treatment of the survivor must not be affected or altered in any way as a result of the decision of the survivor to exercise his or her right to have counsel present during any forensic medical examination, interview, investigation or other interaction with the legal or criminal justice systems within this State. (Added to NRS by 2019, 2843)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.220 - Right to prompt genetic marker analysis; transport of sexual assault forensic evidence kit; preservation, storage and retention of biological evidence; right to information regarding timeline of genetic marker analysis.

1. A survivor has the right to prompt genetic marker analysis of a sexual assault forensic evidence kit pursuant to NRS 200.3786. 2. A sexual assault forensic evidence kit must be transported to a forensic laboratory and analyzed pursuant to NRS 200.3786, unless the survivor requests in writing at any time before such analysis, for the forensic laboratory to defer analysis of the sexual assault forensic evidence kit. 3. Biological evidence secured in connection with the investigation or prosecution of a criminal case must be preserved and stored in accordance with the provisions of this subsection and NRS 176.0912. A sexual assault forensic evidence kit that is in the custody of an agency of criminal justice must be retained for: (a) If the sexual assault forensic evidence kit is associated with an uncharged or unsolved sexual assault, at least 50 years. (b) If the sexual assault forensic evidence kit is associated with an unreported or anonymous sexual assault, at least 20 years. 4. If a survivor has requested to defer analysis pursuant to subsection 2, the survivor may request that the forensic laboratory analyze the sexual assault forensic evidence kit at any later date before the expiration of the retention period pursuant to subsection 3. 5. A survivor has the right to the information regarding the timeline of the genetic marker analysis of sexual assault forensic evidence kits pursuant to NRS 200.3786. (Added to NRS by 2019, 1909, 2843; A 2023, 2517)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.230 - Right to be informed of results of genetic marker analysis and DNA profile upon request.

Upon the request of a survivor, he or she has the right to be informed of: 1. The results of the genetic marker analysis of the sexual assault forensic evidence kit of the survivor; 2. Whether the analysis yielded a DNA profile; and 3. Whether the analysis yielded the DNA profile of the defendant or person accused or convicted of a crime against the survivor or a person already in CODIS. (Added to NRS by 2019, 1909, 2844)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.240 - Failure of law enforcement agency to comply with requirements relating to sexual assault forensic evidence kit does not alter authority of law enforcement agency or forensic laboratory to take actions relating to such evidence.

The failure of a law enforcement agency to take possession of a sexual assault forensic evidence kit pursuant to the Sexual Assault Survivors' Bill of Rights, or the failure of the law enforcement agency to submit such evidence for genetic marker analysis within the timeline prescribed pursuant to the Bill of Rights, does not alter: 1. The authority of a law enforcement agency to take possession of that evidence or to submit that evidence to a forensic laboratory; and 2. The authority of the forensic laboratory to accept and analyze the evidence or to upload an eligible DNA profile obtained from such evidence to CODIS or the State DNA Database. (Added to NRS by 2019, 1910, 2844)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.250 - Failure of entity to comply with Sexual Assault Survivors' Bill of Rights does not give standing to defendant or accused person to challenge conviction or sentence or constitute grounds for challenge.

1. A defendant or person accused or convicted of a crime against a survivor does not have standing to seek to have his or her conviction or sentence set aside for any failure by a law enforcement agency, forensic laboratory or other relevant entity to comply with the timing requirements of the Sexual Assault Survivors' Bill of Rights. 2. Failure by a law enforcement agency, forensic

laboratory or other relevant entity to comply with the requirements of the Sexual Assault Survivors' Bill of Rights does not constitute grounds for challenging the validity of a match or any information in the State DNA Database during any criminal or civil proceeding, and any evidence of such a match or any information in the State DNA Database must not be excluded by a court on such grounds. (Added to NRS by 2019, 1910, 2844)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.260 - Biological evidence from sexual assault not to be used for any purpose not directly related to investigation or prosecution of sexual assault of survivor.

A law enforcement agency shall not use any biological evidence obtained from the sexual assault forensic evidence kit of a survivor or any biological evidence secured in connection with the investigation or prosecution of the alleged sexual assault of the survivor: 1. To prosecute the survivor for any crime; 2. As a basis to search for further evidence of any criminal offense that may have been committed by the survivor; or 3. For any other purpose that is not directly related to the investigation or prosecution of the alleged sexual assault of the survivor. (Added to NRS by 2019, 2844; A 2023, 2517)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.265 - DNA profile of survivor not to be included in database; biological evidence of survivor not to be shared or disclosed; exceptions.

1. A law enforcement agency or forensic laboratory shall not include the DNA profile of a survivor obtained from the sexual assault forensic evidence kit of the survivor in any database that allows for the storage and exchange of DNA records unless the law enforcement agency or forensic laboratory is authorized to include the DNA profile in CODIS pursuant to 34 U.S.C. § 12592(b). 2. Except as otherwise provided in subsection 3 and except as otherwise required by state or federal law, a law enforcement agency that has in its possession or custody any biological evidence of a survivor secured in connection with the investigation or prosecution of the alleged sexual assault of the survivor shall not share such evidence with or disclose such evidence to any person or entity, including, without limitation, any other law enforcement agency, except pursuant to: (a) A court order; or (b) A request from another law enforcement agency, if the law enforcement agency determines that such action is necessary to identify or prosecute the person who committed the alleged sexual assault of the survivor. 3. The provisions of subsection 2 do not apply if the disclosure is necessary for purposes of satisfying discovery obligations, including, without limitation, any obligation prescribed by the Federal Rules of Criminal Procedure. 4. As used in this section: (a) "Any database" includes, without limitation, the State DNA Database, CODIS or any other database that allows for the storage and exchange of DNA records, including, without limitation, any local, state or national database. (b) "DNA record" means a database record stored in any database, that includes the DNA profile of a person and data required to manage the record. (Added to NRS by 2023, 2516)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.270 - Office of the Attorney General to develop and make available document explaining rights; contents.

1. The Office of the Attorney General shall: (a) Develop a document that explains the rights of a survivor pursuant to the Sexual Assault Survivors' Bill of Rights and other relevant law; and (b) Make the document available to medical providers, law enforcement officials and prosecutors. 2. The document must be in clear language that is comprehensible to a person proficient in English at the reading level of a fifth grader, accessible to persons with visual disabilities and available in all major languages of this State. 3. The document must include, without limitation: (a) A clear statement that the survivor is not required to participate in the criminal justice system or to receive a forensic medical examination in order to retain the rights provided by the Sexual Assault Survivors' Bill of Rights and other relevant law; (b) Means of contacting, by telephone or Internet, nearby sexual assault victims' advocates and centers for support for victims of sexual assault; (c) Information about the availability of temporary and extended orders of protection pursuant to NRS 200.378; (d) Instructions for requesting the results of the genetic marker analysis of the sexual assault forensic evidence kit of the survivor; (e) Information concerning state and federal funds for compensation for medical and other costs associated with the sexual assault; (f) Information concerning any municipal, state or federal right to restitution for survivors in the event of a criminal trial; and (g) Information concerning testing for the human immunodeficiency virus and other common sexually transmitted diseases. (Added to NRS by 2019, 2844; A 2021, 3191)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.280 - Law enforcement agency to provide copies of reports to survivor; prosecutor to provide information to survivor; report by forensic laboratory; State to establish statewide program to track sexual assault forensic kits.

1. Except as otherwise provided in this subsection, a law enforcement agency shall, upon written request by the survivor, furnish within 1 month, free, complete and unaltered copies of all reports of the law enforcement agency concerning the sexual assault, regardless of whether the report has been closed by the law enforcement agency. A law enforcement agency may, as appropriate, redact personal identifying information from any reports provided pursuant to this subsection. As used in this section, "personal identifying information" has the meaning ascribed to it in NRS 205.4617. 2. A prosecutor shall, upon written request of a survivor, provide certain information to the survivor pursuant to NRS 200.3784. 3. Each forensic laboratory shall submit the report concerning the status of sexual assault forensic evidence kits annually pursuant to NRS 200.3786. 4. The State shall establish a statewide program to track sexual assault forensic evidence kits pursuant to NRS 200.3788. (Added to NRS by 2019, 2845; A 2019,

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.290 - Additional rights of survivor.

1. In addition to any other right provided by law, a survivor has the right: (a) In any civil or criminal case related to a sexual assault, to be reasonably protected from the defendant and persons acting on behalf of the defendant. (b) To be free from intimidation, harassment and abuse. (c) To be treated with fairness and respect for his or her privacy and dignity. (d) To be heard through a victim impact statement at any proceeding involving any plea, sentencing, postconviction decision or any other proceeding where the rights of the survivor are at issue. 2. A survivor must not be required to submit to an examination by polygraph as a prerequisite to filing an accusatory pleading or participating in any part of the criminal justice system. 3. A court shall make reasonable efforts to provide the survivor and the family, friends and witnesses of the survivor with a secure waiting area or room that is separate from: (a) The waiting area of the defendant and the family, friends, witnesses and attorneys of the defendant; and (b) The office of the prosecutor, if applicable. (Added to NRS by 2019, 2845)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.300 - Definitions.

As used in NRS 178A.300 to 178A.330, inclusive, "Advisory Committee" means the Advisory Committee on Rights of Survivors of Sexual Assault. (Added to NRS by 2019, 2846)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.310 - Creation; members and appointing authorities; terms; vacancies; Chair; meetings; quorum; voting; per diem; staff.

1. There is hereby created the Advisory Committee on Rights of Survivors of Sexual Assault. 2. The Advisory Committee consists of: (a) The Attorney General; (b) The Director of the Department of Corrections; (c) One member who is a law enforcement official working for a local law enforcement agency, appointed by the Nevada Sheriffs' and Chiefs' Association; (d) One member who is an attorney, appointed by the governing body of the State Bar of Nevada; and (e) The following members appointed by the Attorney General: (1) One member who is a survivor and a citizen or lawful resident of this State; (2) One member who is a representative of an organization supporting the rights of survivors; (3) One member who is a representative of a center of support for victims of sexual assault; (4) One member who is a representative of a forensic laboratory; (5) One member who is a representative of a university, state college or community college within the Nevada System of Higher Education whose duties of his or her occupation include direct services to victims of sexual assault and whose employer is not under investigation by the United States Department of Education for an alleged violation of 20 U.S.C. § 1092 or Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681 et seq.; (6) One member who is a representative of an organization that provides services, education or outreach to minority communities; (7) One member who is a representative of an organization that provides services, education or outreach to lesbian, gay, bisexual, transgender and questioning persons; and (8) One member who is a nurse examiner who specializes in forensic medical examinations for sexual assault. 3. The Attorney General may appoint not more than three other persons to the Advisory Committee. The total membership of the Advisory Committee must not exceed 15 members. 4. If any organization listed in subsection 2 ceases to exist, the appointment required pursuant to that subsection must be made by the association's successor in interest or, if there is no successor in interest, by the Attorney General. 5. Each appointed member serves a term of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the Advisory Committee must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs. 6. At the first regular meeting of each odd-numbered year, the members of the Advisory Committee shall elect a Chair by majority vote who shall serve until the next Chair is elected. 7. The Advisory Committee shall meet at least once annually at a time and place specified by the Chair and may meet at such further times as deemed necessary by the Chair. 8. A majority of the members of the Advisory Committee constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Advisory Committee. 9. While engaged in the business of the Advisory Committee, to the extent of legislative appropriation, each member of the Advisory Committee is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally. 10. The Attorney General shall provide the staff necessary to carry out the duties of the Advisory Committee. (Added to NRS by 2019, 2846)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.320 - Duties; retention of experts; report.

1. The Advisory Committee shall study practices that are nationally recognized and make recommendations regarding: (a) Whether a need exists for additional sexual assault victims' advocates for survivors and, if such a need exists, the Advisory Committee shall, in conjunction with centers of support for victims of sexual assault, organizations for advocates of survivors and other relevant programs or organizations, create a plan for how the State can provide additional sexual assault victims' advocates to meet such a need, and determine the cost of such a plan. (b) Whether the need exists to expand the right of a survivor to a sexual assault victims' advocate beyond the forensic medical examination and with a law enforcement official interview, and if such a need exists, the Advisory Committee shall: (1) Identify the scope and nature of the need; and (2) Make recommendations on how to best fill such a

need. (c) Whether a need exists to provide ongoing evaluation of the implementation of the rights of survivors pursuant to the Sexual Assault Survivors' Bill of Rights and, if such a need exists, the Advisory Committee shall: (1) Identify the scope and nature of the need; and (2) Make recommendations on how to best fill such a need, legislatively or otherwise. (d) The effectiveness of the statewide program to track sexual assault forensic evidence kits pursuant to NRS 200.3788. 2. In fulfilling the duties prescribed by subsection 1, the Advisory Committee shall collect: (a) Data regarding reporting of sexual assaults, arrests relating to sexual assaults, rates of prosecutions relating to sexual assaults, access to victims' services for survivors and any other relevant data necessary relating to sexual assaults for the deliberations and recommendations of the Advisory Committee and, if such data does not exist, the Advisory Committee shall encourage the creation and maintenance of such data; and (b) Feedback from stakeholders, practitioners and leadership of state and local law enforcement agencies, victims' services, practitioners of forensic science and health care communities to inform the development of best practices for the future, or clinical guidelines regarding the care and treatment of survivors. 3. In undertaking the duties prescribed by subsection 1, the Advisory Committee may retain independent experts. Such experts may: (a) Request files and records from any law enforcement official. The information obtained from such a request must be kept strictly confidential and reported only as aggregated or anonymized data. (b) Conduct confidential interviews with law enforcement officials, medical providers, sexual assault victims' advocates and other such persons with direct knowledge of the response process for sexual assaults. (c) Provide recommendations to the Advisory Committee. 4. On or before September 1 of each even-numbered year, the Advisory Committee shall: (a) Prepare a report that includes the results of the assessments, developments and recommendations pursuant to this section. (b) Submit the report prepared pursuant to paragraph (a) to the Director of the Legislative Counsel Bureau for submission to the Legislative Commission. (Added to NRS by 2019, 2847; A 2019, 2851)

2024 Nevada Revised Statutes Chapter 178A - Sexual Assault Survivors' Bill of Rights NRS 178A.330 - Grants, bequests, devises, donations or gifts; Special Account for the Support of the Advisory Committee.

1. The Attorney General may apply for and accept any available grants and may accept any bequests, devises, donations or gifts from any public or private source to carry out the provisions of NRS 178A.300 to 178A.330, inclusive. 2. Any money received pursuant to this section must be deposited in the Special Account for the Support of the Advisory Committee, which is hereby created in the State General Fund. Interest and income earned on money in the Account must be credited to the Account. Money in the Account may only be used for the support of the Advisory Committee and its activities pursuant to NRS 178A.300 to 178A.330, inclusive. (Added to NRS by 2019, 2848)

Title: chapter-179

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.005 - Definitions.

As used in NRS 179.005 to 179.115, inclusive, the words and terms defined in NRS 179.011 and 179.015 have the meanings ascribed to them in those sections. (Added to NRS by 2021, 195)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.011 - "No-knock warrant" defined.

"No-knock warrant" means a search warrant which authorizes a peace officer to enter a premises without first: 1. Knocking on the door or ringing the doorbell and identifying the presence of the peace officer; or 2. Identifying the presence of the peace officer and stating the intended purpose of the peace officer for entering the premises. (Added to NRS by 2021, 195)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.015 - "Property" defined.

"Property" includes documents, books, papers and any other tangible objects. (Added to NRS by 1967, 1458; A 2019, 115, 465; 2021, 196)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.025 - Authority for issuance.

A search warrant authorized by NRS 179.005 to 179.115, inclusive, may be issued by a magistrate of the State of Nevada. (Added to NRS by 1967, 1458)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.035 - Grounds for issuance.

A warrant may be issued under NRS 179.005 to 179.115, inclusive, to search for and seize any property: 1. Stolen or embezzled in violation of the laws of the State of Nevada, or of any other state or of the United States; 2. Designed or intended for use or which is or has been used as the means of committing a criminal offense; or 3. When the property or things to be seized consist of any item or constitute any evidence which tends to show that a criminal offense has been committed, or tends to show that a particular person has committed a criminal offense. (Added to NRS by 1967, 1458)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.045 - Issuance and contents; sealing information upon which warrant is based; time for serving warrant.

1. A search warrant may issue only on affidavit or affidavits sworn to before the magistrate and establishing the grounds for issuing the warrant or as provided in subsection 3. If the magistrate is satisfied that grounds for the application exist or that there is probable cause to believe that they exist, the magistrate shall issue a warrant identifying the property and naming or describing the person or place to be searched. 2. Secure electronic transmission may be used for the submission of an application and affidavit required by subsection 1, and for the issuance of a search warrant by a magistrate. The Nevada Supreme Court may adopt rules not inconsistent with the laws of this State to carry out the provisions of this subsection. 3. In lieu of the affidavit required by subsection 1, the magistrate may take an oral statement given under oath, which must be recorded in the presence of the magistrate or in the magistrate's immediate vicinity by a certified court reporter or by electronic means, transcribed, certified by the reporter if the reporter recorded it, and certified by the magistrate. The statement must be filed with the clerk of the court. 4. Upon a showing of good cause, the magistrate may order an affidavit or a recording of an oral statement given pursuant to this section to be sealed. Upon a showing of good cause, a court may cause the affidavit or recording to be unsealed. 5. After a magistrate has issued a search warrant, whether it is based on an affidavit or an oral statement given under oath, the magistrate may orally authorize a peace officer to sign the name of the magistrate on a duplicate original warrant. A duplicate original search warrant shall be deemed to be a search warrant. It must be returned to the magistrate who authorized the signing of it. The magistrate shall endorse his or her name and enter the date on the warrant when it is returned. Any failure of the magistrate to make such an endorsement and entry does not in itself invalidate the warrant. 6. The warrant must: (a) Be directed to a peace officer in the county where the warrant is to be executed; (b) State the grounds or probable cause for its issuance and the names of the persons whose affidavits have been taken in support thereof, or incorporate by reference the affidavit or oral statement upon which it is based; (c) Command the peace officer to search forthwith the person or place named for the property specified; (d) Direct that the warrant be served between the hours of 7 a.m. and 7 p.m., unless the magistrate, upon a showing of good cause therefor, inserts a direction that the warrant be served at any time; (e) Designate the magistrate to whom it is to be returned; and (f) Indicate whether the search warrant is a no-knock warrant. 7. As used in this section, "secure electronic transmission" means the sending of information from one computer system to another computer system in such a manner as to ensure that: (a) No person other than the intended recipient receives the information; (b) The identity of the sender of the information can be authenticated; and (c) The information which is received by the intended recipient is identical to the information that was sent. (Added to NRS by 1967, 1459; A 1975, 39; 1981, 1652; 1993, 1412; 1997, 741; 2015, 2487; 2021, 196)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.049 - Issuance of no-knock warrant: Requirements; circumstances rendering no-knock warrant void.

1. A magistrate shall not issue a no-knock warrant to search the person or place named in the search warrant unless an affidavit sworn to before the magistrate: (a) Demonstrates that: (1) The underlying offense: (I) Is punishable as a felony; and (II) Involves a significant and imminent threat to public safety; and (2) Identifying the presence of the peace officer before entering the premises is likely to create an imminent threat of substantial bodily harm to the peace officer or another person; (b) Describes with specificity the factual circumstances as to why there are no reasonable alternatives to effectuate the search of the place or person other than in the manner prescribed by the no-knock warrant; (c) States whether the no-knock warrant can be executed during the day and, if it cannot, describes with specificity the factual circumstances that preclude the no-knock warrant from being executed during the day; and (d) Certifies that the no-knock warrant will be executed under the guidance of a peace officer who is trained in the execution of search warrants. 2. A no-knock warrant issued pursuant to subsection 1 is void if: (a) A peace officer deliberately misrepresents a material fact or deliberately omits material information in an affidavit in support of an application for the no-knock warrant; and (b) When the misrepresented material fact is excluded or the omitted material information is included, the affidavit does not meet the criteria set forth in paragraphs (a) to (d), inclusive, of subsection 1. (Added to NRS by 2021, 195)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.055 - Officer may break door to serve warrant after admittance refused; breaking of door or window to liberate officer or person acting in aid of officer; use of reasonable and necessary force.

1. The officer may break open any outer or inner door or window of a house, or any part of the house, or anything therein, to execute the warrant, if, after notice of authority and purpose, the officer is refused admittance. 2. The officer may break open any outer or inner door or window of a house for the purpose of liberating a person who, having entered to aid in the execution of the officer's warrant, is detained therein, or when necessary for the officer's own liberation. 3. All reasonable and necessary force may be used to effect an entry into any building or property or part thereof to execute a search warrant. In the execution of the warrant, the person executing it may reasonably detain and search any person in the place at the time in order to protect himself or herself from attack or to prevent destruction, disposal or concealment of any instruments, articles or things particularly described in the warrant. (Added to NRS by 1967, 1459)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal

Proceedings; Rewards; FormsNRS 179.063 - Officer prohibited from performing body cavity search unless warrant contains specific authorization to perform body cavity search of person.

1. An officer conducting a search of a person pursuant to a warrant shall not perform a body cavity search of the person unless the warrant contains specific authorization from the magistrate who issued the warrant to perform a body cavity search of the person. Such specific authorization must set forth the reasons for the necessity of a body cavity search of the person. 2. As used in this section: (a) "Body cavity" means, with respect to: (1) A male person, the rectum. (2) A female person, the rectum or vagina. (b) "Body cavity search" means the touching or probing of a body cavity of a person, regardless of whether or not there is actual penetration of that body cavity. (Added to NRS by 2019, 115)

2024 Nevada Revised StatutesChapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; FormsNRS 179.065 - Person charged with felony may be searched.

When a person charged with a felony is supposed to have on his or her person a dangerous weapon, or anything which may be used as evidence of the commission of the offense, the officer making the arrest shall cause the person to be searched, and the weapon or other thing to be retained, subject to the order of the court in which the defendant may be tried. (Added to NRS by 1967, 1459)

2024 Nevada Revised StatutesChapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; FormsNRS 179.075 - Execution and return of warrant with inventory.

1. Except as otherwise provided in NRS 179.077, a warrant may be executed and returned only within 10 days after its date. 2. The officer taking property under the warrant shall give to the person from whom or from whose premises the property was taken a copy of the warrant and a receipt for the property taken or shall leave the copy and receipt at the place from which the property was taken. 3. The return must be made promptly and must be accompanied by a written inventory of any property taken. The inventory must be made in the presence of the applicant for the warrant and the person from whose possession or premises the property was taken, if they are present, or in the presence of at least one credible person other than the applicant for the warrant or the person from whose possession or premises the property was taken, and must be verified by the officer. 4. The magistrate shall upon request deliver a copy of the inventory to the person from whom or from whose premises the property was taken and to the applicant for the warrant. (Added to NRS by 1967, 1459; A 2019, 465)

2024 Nevada Revised StatutesChapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; FormsNRS 179.077 - Execution and return of warrant for collection of biological specimen.

1. If a warrant provides for the collection of a biological specimen from a person, the warrant may be executed and returned within 6 months after its date. 2. As used in this section, "biological specimen" has the meaning ascribed to it in NRS 176.09112. (Added to NRS by 2019, 465)

2024 Nevada Revised StatutesChapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; FormsNRS 179.079 - Additional requirements for execution of no-knock warrant.

In addition to the requirements for the execution of a search warrant described in NRS 179.075 and 179.077, if the search warrant is a no-knock warrant, the peace officers involved in the execution of the no-knock warrant shall: 1. Before executing the no-knock warrant, determine whether the circumstances necessitate that the search be effectuated in the manner prescribed by the no-knock warrant and, if they do not, the peace officers shall not effectuate the search in such a manner; and 2. In executing the no-knock warrant: (a) Wear prominent insignia that renders the peace officers readily identifiable as peace officers; (b) Wear a portable event recording device in accordance with the requirements described in NRS 289.830; (c) Use only the amount of force reasonably necessary to enter the premises; and (d) As soon as practicable after entering the premises, identify the presence of the peace officers and state the purpose of the peace officers for entering the premises. (Added to NRS by 2021, 196)

2024 Nevada Revised StatutesChapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; FormsNRS 179.085 - Motions for return of property and to suppress evidence.

1. A person aggrieved by an unlawful search and seizure or the deprivation of property may move the court having jurisdiction where the property was seized for the return of the property on the ground that: (a) The property was illegally seized without warrant; (b) The warrant is insufficient on its face; (c) There was not probable cause for believing the existence of the grounds on which the warrant was issued; (d) The warrant was illegally executed; or (e) Retention of the property by law enforcement is not reasonable under the totality of the circumstances. The judge shall receive evidence on any issue of fact necessary to the decision of the motion. 2. If the motion is granted on a ground set forth in paragraph (a), (b), (c) or (d) of subsection 1, the property must be restored and it must not be admissible evidence at any hearing or trial. 3. If the motion is granted on the ground set forth in paragraph (e) of subsection 1, the property must be restored, but the court may impose reasonable conditions to protect access to the property and its use in later proceedings. 4. A motion to suppress evidence on any ground set forth in paragraphs (a) to (d), inclusive, of subsection 1 may also be made in the court where the trial is to be had. The motion must be made before trial or hearing unless opportunity therefor did not exist or the defendant was not aware of the grounds for the motion, but the court in its discretion may entertain the motion at the trial or hearing. 5. If a motion pursuant to this section is filed when no criminal

proceeding is pending, the motion must be treated as a civil complaint seeking equitable relief. (Added to NRS by 1967, 1460; A 2015, 405)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.095 - Return of papers to clerk.

The magistrate who has issued a search warrant shall attach to the warrant the duplicate original warrant, if any, and a copy of the return, inventory and all other papers in connection therewith and shall file them with the clerk of the court having jurisdiction where the property was seized. (Added to NRS by 1967, 1460; A 1981, 1653)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.105 - Retention of property taken on warrant by officer subject to court order; restoration of property to person from whom it was taken; technical irregularities will not quash warrant.

All property or things taken on a warrant must be retained in an officer's custody, subject to the order of the court to which the officer is required to return the proceedings before the officer, or of any other court in which the offense in respect to which the property or things are taken is triable. If it appears that the property taken is not the same as that described in the warrant, that there is no probable cause for believing the existence of the grounds on which the warrant was issued or that the property is determined pursuant to NRS 179.11518 to be subject to the attorney-client privilege, the magistrate shall cause it to be restored to the person from whom it was taken. However, no search warrant shall be quashed by any magistrate or judge within this State nor shall any evidence based upon a search warrant be suppressed in any criminal action or proceeding because of mere technical irregularities which do not affect the substantial rights of the accused. (Added to NRS by 1967, 1460; A 2017, 1245)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.115 - Scope.

NRS 179.005 to 179.115, inclusive, do not modify any other statute regulating search, seizure and the issuance and execution of search warrants in circumstances for which special provision is made. (Added to NRS by 1967, 1460; A 2019, 466; 2021, 197)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.11512 - "Property" defined.

As used in NRS 179.11512 to 179.11518, inclusive, unless the context otherwise requires, "property" has the meaning ascribed to it in NRS 179.015. (Added to NRS by 2017, 1244)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.11514 - Grounds for issuance and contents.

1. A search warrant may be issued by a magistrate of the State of Nevada to search for and seize any property of an attorney engaged in the practice of law if: (a) Such a search warrant is authorized pursuant to NRS 179.005 to 179.115, inclusive; (b) The property to be seized cannot be obtained using a subpoena or other less intrusive means; (c) The search warrant describes the property to be seized as specifically as possible to minimize, to the extent possible, the search and review of property that is subject to the attorney-client privilege; and (d) The search warrant includes a statement indicating that it is the intention of the district attorney or the Attorney General that the search warrant is executed in a manner to ensure that an attorney-client privilege is not violated. 2. In determining whether a subpoena or other less intrusive means can be used to obtain the property to be seized pursuant to the search warrant, the magistrate shall consider whether the use of a subpoena or other less intrusive means of obtaining the property would likely: (a) Compromise the criminal investigation or prosecution; (b) Result in the obstruction or destruction of evidence; or (c) Otherwise be ineffective. (Added to NRS by 2017, 1244)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.11516 - Execution of warrant: Determination whether property is subject to attorney-client privilege.

1. A search warrant authorized pursuant to NRS 179.11514 must be executed in such a manner as to minimize, to the greatest extent possible, the scrutiny of any property that is subject to the attorney-client privilege. 2. Property which is arguably subject to the attorney-client privilege may be reviewed during a search conducted pursuant to a search warrant issued pursuant to NRS 179.11514 to determine whether the property is covered by the search warrant if: (a) The property is reviewed by a team of officers and attorneys who are designated by the district attorney or the Attorney General and who are not part of the underlying criminal investigation or prosecution; (b) The attorneys designated to the team described in paragraph (a) do not participate in the search itself; and (c) The team of officers and attorneys described in paragraph (a) do not disclose any privileged information obtained through the search to the officers and attorneys who are part of the underlying criminal investigation or prosecution. (Added to NRS by 2017, 1245)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal

Proceedings; Rewards; FormsNRS 179.11518 - Return of property subject to attorney-client privilege.

A district attorney or the Attorney General shall ensure that any property seized during a search conducted under a search warrant issued pursuant to NRS 179.11514 is reviewed to determine whether the attorney-client privilege applies and that any seized property that is subject to the attorney-client privilege is returned as provided in NRS 179.105 to the attorney from whom the property was seized. (Added to NRS by 2017, 1245)

2024 Nevada Revised StatutesChapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; FormsNRS 179.1152 - Identification of name, personal information and funds associated with prepaid or stored value card; contract to assist.

1. If a peace officer: (a) Has detained a person pursuant to NRS 171.123, has arrested a person pursuant to any statutory provision authorizing or requiring the arrest of a person or is investigating a crime for which a suspect: (1) Has not been identified; or (2) Has been identified but was not reasonably believed by the peace officer to possess or control a prepaid or stored value card before the peace officer lawfully obtained possession of a prepaid or stored value card; (b) Has lawfully obtained possession of a prepaid or stored value card; and (c) Has probable cause to believe that the prepaid or stored value card represents the proceeds of a crime or has been used, is being used or is intended for use in the commission of a crime, the peace officer may use an electronic device, a necessary electronic communications network or any other reasonable means to determine the name, personal information and amount of funds associated with the prepaid or stored value card. 2. The Attorney General, the Attorney General's designee or any state or local law enforcement agency in this State may enter into a contract with any person to assist in carrying out the provisions of this section. 3. Before entering into a contract pursuant to subsection 2, the Attorney General, the Attorney General's designee or a state or local law enforcement agency shall consider the following factors: (a) The functional benefits to all law enforcement agencies in this State of maintaining either a single database or a series of interlinked databases relating to possible criminal use of prepaid or stored value cards. (b) The overall costs of establishing and maintaining such a database or databases. (c) Any other factors that the Attorney General, the Attorney General's designee or the state or local law enforcement agency believe to be relevant. 4. Any contract entered into pursuant to this section: (a) May be a sole source contract, not subject to the rules and requirements of open competitive bidding, if the period of the contract does not exceed 5 years; and (b) Must indemnify and hold harmless any person who enters into a contract pursuant to this section, and any officers, employees or agents of that person, for claims for actions taken at the direction of a law enforcement agency in this State and within the scope of the contract. 5. As used in this section: (a) "Prepaid or stored value card" means any instrument or device used to access funds or monetary value represented in digital electronic format, whether or not specially encrypted, and stored or capable of storage on electronic media in such a way as to be retrievable and transferable electronically. (b) "Proceeds" has the meaning ascribed to it in NRS 179.1161. (Added to NRS by 2009, 2243)

2024 Nevada Revised StatutesChapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; FormsNRS 179.1156 - Scope.

Except as otherwise provided in NRS 179.1211 to 179.1235, inclusive, and 207.350 to 207.520, inclusive, the provisions of NRS 179.1156 to 179.121, inclusive, govern the seizure, forfeiture and disposition of all property and proceeds subject to forfeiture. (Added to NRS by 1987, 1380; A 1989, 1789; 2007, 205; 2015, 2501)

2024 Nevada Revised StatutesChapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; FormsNRS 179.1157 - Definitions.

As used in NRS 179.1156 to 179.1205, inclusive, unless the context otherwise requires, the words and terms defined in NRS 179.1158 to 179.11635, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1987, 1380; A 1989, 1789; 1991, 209; 2015, 2501)

2024 Nevada Revised StatutesChapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; FormsNRS 179.1158 - "Claimant" defined.

"Claimant" means any person who claims to have: 1. Any right, title or interest of record in the property or proceeds subject to forfeiture; 2. Any community property interest in the property or proceeds; or 3. Had possession of the property or proceeds at the time of the seizure thereof by the plaintiff. (Added to NRS by 1987, 1380)

2024 Nevada Revised StatutesChapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; FormsNRS 179.1159 - "Plaintiff" defined.

"Plaintiff" means the law enforcement agency which has commenced a proceeding for forfeiture. (Added to NRS by 1987, 1380)

2024 Nevada Revised StatutesChapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; FormsNRS 179.1161 - "Proceeds" defined.

"Proceeds" means any property, or that part of an item of property, derived directly or indirectly from the commission or attempted commission of a crime. (Added to NRS by 1987, 1380)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1162 - "Property" defined.

"Property" includes any: 1. Real property or interest in real property. 2. Fixture or improvement to real property. 3. Personal property, whether tangible or intangible, or interest in personal property. 4. Conveyance, including any aircraft, vehicle or vessel. 5. Money, security or negotiable instrument. 6. Proceeds. (Added to NRS by 1987, 1380)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1163 - "Protected interest" defined.

"Protected interest" means the enforceable interest of a claimant in property, which interest is shown not to be subject to forfeiture. (Added to NRS by 1987, 1380)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.11635 - "Willful blindness" defined.

"Willful blindness" means the intentional disregard of objective facts which would lead a reasonable person to conclude that the property was derived from unlawful activity or would be used for an unlawful purpose. (Added to NRS by 1991, 209)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1164 - Property subject to seizure and forfeiture; exceptions.

1. Except as otherwise provided in subsection 2, the following property is subject to seizure and forfeiture in a proceeding for forfeiture: (a) Any proceeds attributable to the commission or attempted commission of any felony. (b) Any property or proceeds otherwise subject to forfeiture pursuant to NRS 179.121, 200.760, 202.257, 370.419, 453.301 or 501.3857. 2. Property may not, to the extent of the interest of any claimant, be declared forfeited by reason of an act or omission shown to have been committed or omitted without the knowledge, consent or willful blindness of the claimant. 3. Unless the owner of real property or a mobile home: (a) Has given the tenant notice to surrender the premises pursuant to NRS 40.254 within 90 days after the owner receives notice of a conviction pursuant to subsection 2 of NRS 453.305; or (b) Shows the court that the owner had good cause not to evict the tenant summarily pursuant to NRS 40.254, the owner of real property or a mobile home used or intended for use by a tenant to facilitate any violation of the provisions of NRS 453.011 to 453.552, inclusive, except NRS 453.336, is disputably presumed to have known of and consented to that use if the notices required by NRS 453.305 have been given in connection with another such violation relating to the property or mobile home. The holder of a lien or encumbrance on the property or mobile home is disputably presumed to have acquired an interest in the property for fair value and without knowledge or consent to such use, regardless of when the act giving rise to the forfeiture occurred. (Added to NRS by 1987, 1380; A 1989, 1235; 1991, 209, 2286, 2288; 1995, 2534; 2001, 1066; 2003, 562; 2005, 1198)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1165 - Seizure of property: Requirement of process.

1. Except as provided in subsection 2, property that is subject to forfeiture may only be seized by a law enforcement agency upon process issued by a magistrate having jurisdiction over the property. 2. A seizure of property may be made by a law enforcement agency without process if: (a) The seizure is incident to: (1) An arrest; (2) A search pursuant to a search warrant; or (3) An inspection pursuant to a warrant for an administrative inspection; (b) The property is the subject of a final judgment in a proceeding for forfeiture; (c) The law enforcement agency has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or (d) The law enforcement agency has probable cause to believe that the property is subject to forfeiture. (Added to NRS by 1985, 1466; A 1987, 1382)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1169 - Title in property; transfer.

1. All right, title and interest in property subject to forfeiture vests in the plaintiff: (a) In the case of property used or intended for use to facilitate the commission or attempted commission of any felony, when the property is so used or intended for such use. (b) In the case of property otherwise subject to forfeiture, when the event giving rise to the forfeiture occurs. (c) In the case of proceeds, when they become proceeds. 2. Any transfer of property which occurs after title to the property has become vested in the plaintiff, and before the termination of the proceeding for forfeiture, is void as against the plaintiff, unless the person to whom the transfer is made is a good faith purchaser for value. If such a transfer is made, the purchaser must, in the proceeding for forfeiture, establish by a preponderance of the evidence that the purchaser has: (a) An interest of record in the property; (b) Given fair value for the interest; and (c) Acquired the interest without notice of the proceeding or the facts giving rise to the proceeding. If the purchaser acquires the interest after the seizure of the property by the plaintiff, it is conclusively presumed that the interest has been acquired with notice of the proceeding. (Added to NRS by 1987, 1381)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1171 - Proceedings for forfeiture: Rules of practice; complaint; service of summons

and complaint; answer; parties.

1. Except as otherwise provided in NRS 179.1156 to 179.1205, inclusive, the Nevada Rules of Civil Procedure are applicable to and constitute the rules of practice in a proceeding for forfeiture pursuant to those sections. 2. A proceeding for forfeiture is commenced by filing a complaint for forfeiture. If the property has been seized without process, the plaintiff shall file the complaint for forfeiture within 120 days after the property is seized. The property is subject to an action to claim its delivery only if the plaintiff does not file the complaint for forfeiture within 60 days after the property is seized. If the complaint for forfeiture is filed following the commencement of an action claiming delivery, the complaint must be treated as a counterclaim. 3. If a law enforcement agency seizes property, the property must not be forfeited unless: (a) The agency files a complaint for forfeiture in the district court for the county in which the property is located; or (b) A stipulated agreement between the parties regarding the property is reached. 4. A proceeding for forfeiture is in rem. The complaint for forfeiture must be filed in the district court for the county in which the property which is the subject of the proceeding is located. 5. The plaintiff shall cause service of the summons and complaint to be made upon each claimant whose identity is known to the plaintiff or who can be identified through the exercise of reasonable diligence. If real property or any interest in real property is affected by the proceeding, the plaintiff shall file notice of the proceeding in the manner provided in NRS 14.010. 6. Each claimant served with the summons and complaint who desires to contest the forfeiture shall, within 20 days after the service, serve and file a verified answer to the complaint. The claimant shall admit or deny the averments of the complaint and shall, in short and plain terms, describe the interest which the claimant asserts in the property. Concurrently with the answer, the claimant shall serve answers or objections to any written interrogatories served with the summons and complaint. 7. No person, other than the plaintiff and any claimant, is a proper party in the proceeding. (Added to NRS by 1987, 1381; A 2015, 2501)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1173 - Proceedings for forfeiture: Priority over other civil matters; order to stay; standard of proof; conviction of claimant not required; confidentiality of informants; return of property to claimant; forfeiture as part of plea or stipulated agreement.

1. Except as otherwise provided in subsection 2, the district court shall proceed as soon as practicable to a trial and determination of the matter. A proceeding for forfeiture is entitled to priority over other civil actions which are not otherwise entitled to priority. 2. At a proceeding for forfeiture, the court shall issue an order staying the proceeding that remains in effect while the criminal action which is the basis of the proceeding is pending trial. The court shall lift the stay after the trial is completed. If the claimant is acquitted during the trial, the property of the claimant must be returned to the claimant within 7 business days after the acquittal. 3. If property has been seized and the criminal charges against the owner of such property are denied or dismissed, all such property must be returned to the owner within 7 business days after the criminal charges are denied or dismissed. 4. The plaintiff in a proceeding for forfeiture must establish proof by clear and convincing evidence that the property is subject to forfeiture. 5. In a proceeding for forfeiture, the rule of law that forfeitures are not favored does not apply. 6. The plaintiff is not required to plead or prove that a claimant has been charged with or convicted of any criminal offense. If proof of such a conviction is made, and it is shown that the judgment of conviction has become final, the proof is, as against any claimant, conclusive evidence of all facts necessary to sustain the conviction. 7. The plaintiff has an absolute privilege to refuse to disclose the identity of any person, other than a witness, who has furnished to a law enforcement officer information purporting to reveal the commission of a crime. The privilege may be claimed by an appropriate representative of the plaintiff. 8. If the court determines that the property is not subject to forfeiture, the court shall order the property and any interest accrued pursuant to subsection 2 of NRS 179.1175 returned to the claimant found to be entitled to the property within 7 business days after the order is issued. If the court determines that the property is subject to forfeiture, the court shall so decree. The property, including any interest accrued pursuant to subsection 2 of NRS 179.1175, must be forfeited to the plaintiff, subject to the right of any claimant who establishes a protected interest. Any such claimant must, upon the sale or retention of the property, be compensated for the claimant's interest in the manner provided in NRS 179.118. 9. A claimant who agrees to enter a plea of guilty, guilty but mentally ill or nolo contendere to criminal charges relating to the seized property or reaches a stipulated agreement with the plaintiff may agree to the forfeiture of any property as part of the plea or agreement. 10. If the court accepts a plea or stipulated agreement pursuant to subsection 9, the court shall order forfeiture of the property that the claimant agreed to forfeit pursuant to the plea or agreement. (Added to NRS by 1987, 1382; A 2001, 874; 2015, 2502)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1175 - Disposition of property after seizure and forfeiture.

1. Except as otherwise provided in subsection 2, after property has been seized the agency which seized the property may: (a) Place the property under seal; (b) Remove the property to a place designated by the agency for the storage of that type of property; or (c) Remove the property to an appropriate place for disposition in a manner authorized by the court. 2. If an agency seizes currency, unless otherwise ordered by the court, the agency shall deposit the currency in an interest-bearing account maintained for the purpose of holding currency seized by the agency. 3. When a court declares property to be forfeited, the plaintiff may: (a) Retain it for official use; (b) Sell any of it which is neither required by law to be destroyed nor harmful to the public; or (c) Remove it for disposition in accordance with the applicable provisions of NRS. (Added to NRS by 1985, 1467; A 1987, 1383; 2001, 875)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.118 - Distribution of proceeds from forfeited property.

1. The proceeds from any sale or retention of property declared to be forfeited and any interest accrued pursuant to subsection 2 of NRS 179.1175 must be applied, first, to the satisfaction of any protected interest established by a claimant in the proceeding, then to the proper expenses of the proceeding for forfeiture and resulting sale, including the expense of effecting the seizure, the expense of maintaining custody, the expense of advertising and the costs of the suit. 2. Any balance remaining after the distribution required by subsection 1 must be deposited as follows: (a) Except as otherwise provided in this subsection, if the plaintiff seized the property, in the special account established pursuant to NRS 179.1187 by the governing body that controls the plaintiff. (b) Except as otherwise provided in this subsection, if the plaintiff is a metropolitan police department, in the special account established by the Metropolitan Police Committee on Fiscal Affairs pursuant to NRS 179.1187. (c) Except as otherwise provided in this subsection, if more than one agency was substantially involved in the seizure, in an equitable manner to be directed by the court hearing the proceeding for forfeiture. (d) If the property was seized pursuant to NRS 200.760, in the State Treasury for credit to the Fund for the Compensation of Victims of Crime to be used for the counseling and the medical treatment of victims of crimes committed in violation of NRS 200.366, 200.710 to 200.730, inclusive, or 201.230. (e) If the property was seized as the result of a violation of NRS 202.300, in the general fund of the county in which the complaint for forfeiture was filed, to be used to support programs of counseling of persons ordered by the court to attend counseling pursuant to NRS 62E.290. (f) If the property was forfeited pursuant to NRS 201.351, with the county treasurer to be distributed in accordance with the provisions of subsection 4 of NRS 201.351. (Added to NRS by 1985, 1467; A 1987, 1383; 1989, 1789; 1995, 1150; 1997, 1599; 2001, 875; 2003, 1120; 2009, 575)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1185 - Issuance of certificate of title for forfeited vehicle or other conveyance.

If a vehicle or other conveyance is forfeited of a kind which is subject to the provisions of title 43 of NRS governing certificates of title, the agency charged by law with responsibility for issuing certificates of title for conveyances of the kind shall issue a certificate of title to: 1. The governing body or the agency to whom the title was awarded by the court if the conveyance is retained for official use; or 2. The purchaser if the conveyance is sold by the governing body or the plaintiff. (Added to NRS by 1985, 1467; A 1987, 1384; 2003, 478)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1187 - Establishment of account for proceeds from forfeited property; restrictions on use of money in account; distribution of certain amount to school district; duties of school district and chief administrative officer of law enforcement agency.

1. The governing body controlling each law enforcement agency that receives proceeds from the sale of forfeited property shall establish with the State Treasurer, county treasurer, city treasurer or town treasurer, as custodian, a special account, known as the "..... Forfeiture Account." The account is a separate and continuing account and no money in it reverts to the State General Fund or the general fund of the county, city or town at any time. For the purposes of this section, the governing body controlling a metropolitan police department is the Metropolitan Police Committee on Fiscal Affairs. 2. The money in the account may be used for any lawful purpose deemed appropriate by the chief administrative officer of the law enforcement agency, except that: (a) The money must not be used to pay the ordinary operating expenses of the agency. (b) Money derived from the forfeiture of any property described in NRS 453.301 must be used to enforce the provisions of chapter 453 of NRS. (c) Money derived from the forfeiture of any property described in NRS 501.3857 must be used to enforce the provisions of title 45 of NRS. (d) Seventy percent of the amount of money in excess of \$100,000 remaining in the account at the end of each fiscal year, as determined based upon the accounting standards of the governing body controlling the law enforcement agency that are in place on March 1, 2001, must be distributed to the State Education Fund. 3. Notwithstanding the provisions of paragraphs (a) and (b) of subsection 2, money in the account derived from the forfeiture of any property described in NRS 453.301 may be used to pay for the operating expenses of a joint task force on narcotics otherwise funded by a federal, state or private grant or donation. As used in this subsection, "joint task force on narcotics" means a task force on narcotics operated by the Department of Public Safety in conjunction with other local or federal law enforcement agencies. (Added to NRS by 1989, 1789; A 1991, 2287; 2001, 876; 2003, 2528; 2019, 4236)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.119 - Quarterly reports by law enforcement agencies that receive forfeited property or related proceeds; inclusion of such anticipated revenue in budget prohibited.

1. Any law enforcement agency that receives forfeited property or the proceeds of a sale of such property pursuant to the provisions contained in NRS 179.1156 to 179.1205, inclusive, shall: (a) File a quarterly report of the approximate value of the property and the amount of the proceeds with the entity that controls the budget of the agency; and (b) Provide the entity that controls the budget of the agency with a quarterly accounting of the receipt and use of the proceeds. 2. Revenue from forfeitures must not be considered in the preparation of the budget of a law enforcement agency except as money to match money from the Federal Government. (Added to NRS by 1985, 1468; A 1987, 1384; 1989, 1790; 2003, 2529)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1205 - Annual reports by law enforcement agencies.

1. On an annual basis, each law enforcement agency shall report the following information about each individual seizure and forfeiture completed by the law enforcement agency under state forfeiture law: (a) Data on seizures and forfeitures, including, without limitation, the: (1) Date that currency, vehicles, houses or other types of property were seized; (2) Type of property seized, including, the year, make and model, as applicable; (3) Market value of the property seized; and (4) Place of seizure, including whether the property was seized at: (I) A residence; (II) A place of business; (III) A traffic stop; or (IV) Any other location. (b) Information relating to any judicial proceedings associated with the seizure, including, without limitation: (1) The type of crime associated with the seizure of the property; (2) The crimes, if any, for which the suspect was charged; (3) The court in which the case was filed and the case number; (4) The outcome of the criminal proceeding, if any, including whether: (I) A charge was filed; (II) The charges were dropped; (III) The suspect was acquitted; (IV) There was a plea agreement; (V) The suspect was convicted by a jury; (VI) The case is pending; or (VII) Any other outcome not mentioned in sub-subparagraphs (I) to (VI), inclusive, occurred; (5) Whether the forfeiture action was completed as a criminal proceeding or a civil proceeding; (6) Whether a person claimed interest in the property during the proceedings by filing: (I) A verified answer pursuant to subsection 6 of NRS 179.1171; (II) An action to claim delivery pursuant to NRS 31.840 and subsection 2 of 179.1171; or (III) Any other claim to indicate interest in the property which was seized; (7) The outcome of any judicial forfeiture proceeding, including whether: (I) The case was dismissed pursuant to subsection 8 of NRS 179.1173; (II) A default judgment was entered pursuant to Rule 55 of the Nevada Rules of Civil Procedure; or (III) A court order was entered pursuant to subsection 5 of NRS 179.1231; (8) Whether a stipulated agreement between the parties regarding the property was reached pursuant to subsection 3 of NRS 179.1171, subsection 9 of NRS 179.1173 or any other provision of law; (9) The disposition of the property following the forfeiture including whether property is: (I) Returned to the owner; (II) Partially returned to the owner; (III) Sold; (IV) Destroyed; (V) Retained by a law enforcement; or (VI) Pending disposition; and (10) The date of the disposition of the property. (c) Data on the use of proceeds, including, without limitation, the: (1) Payment of all outstanding liens on the forfeited property; (2) Payment of reasonable expenses, except personnel costs, of the seizure, storage and maintenance of custody of any forfeited property; and (3) Distribution of proceeds pursuant to NRS 179.118, 179.1187, 179.1233 and 207.500. (d) Any other information required by the Office of the Attorney General. 2. The Office of the Attorney General shall develop standard forms, processes and deadlines for the entry of electronic data for the annual submission of the report required by subsection 1. 3. Each law enforcement agency shall file with the Office of the Attorney General the report required by subsection 1. A null report must be filed by a law enforcement agency that did not engage in a seizure or forfeiture during the reporting period. The Office of the Attorney General shall compile the submissions and issue an aggregate report of all forfeitures in this State, which includes a summary of the information provided by the law enforcement agencies. 4. On or before April 1 of each year, the Office of the Attorney General shall make available: (a) On its Internet website, the reports submitted by law enforcement agencies and the aggregate report. (b) Upon request, printed copies of the reports submitted by law enforcement agencies and the aggregate report. 5. The reports made available on the Internet website of the Office of the Attorney General pursuant to paragraph (a) of subsection 4 must be published in a format which is machine-readable. As used in this subsection, "machine-readable" means a format by which information or data can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost. 6. The Office of the Attorney General shall include in the aggregate report information on any law enforcement agencies not in compliance with this section. (Added to NRS by 2015, 2500; A 2023, 836)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.121 - Forfeiture of personal property and conveyances used in commission of crime.

1. All personal property, including, without limitation, any tool, substance, weapon, machine, computer, money or security, which is used as an instrumentality in any of the following crimes is subject to forfeiture: (a) The commission of or attempted commission of the crime of murder, robbery, kidnapping, burglary, invasion of the home, grand larceny or theft if it is punishable as a felony; (b) The commission of or attempted commission of any felony with the intent to commit, cause, aid, further or conceal an act of terrorism; (c) A violation of NRS 202.445 or 202.446; (d) The commission of any crime by a criminal gang, as defined in NRS 213.1263; or (e) A violation of NRS 200.463 to 200.468, inclusive, 201.300, 201.320, 201.395, 202.265, 202.287, 205.473 to 205.513, inclusive, 205.610 to 205.810, inclusive, 370.380, 370.382, 370.405, 465.070 to 465.086, inclusive, 630.400, 630A.600, 631.400, 632.285, 632.291, 632.315, 633.741, 634.227, 634A.230, 635.167, 636.145, 637.090, 637B.290, 639.100, 639.2813, 640.169, 640A.230, 644A.900 or 654.200. 2. Except as otherwise provided for conveyances forfeitable pursuant to NRS 453.301 or 501.3857, all conveyances, including aircraft, vehicles or vessels, which are used or intended for use during the commission of a felony or a violation of NRS 202.287, 202.300 or 465.070 to 465.086, inclusive, are subject to forfeiture except that: (a) A conveyance used by any person as a common carrier in the transaction of business as a common carrier is not subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to the felony or violation; (b) A conveyance is not subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the owner's knowledge, consent or willful blindness; (c) A conveyance is not subject to forfeiture for a violation of NRS 202.300 if the firearm used in the violation of that section was not loaded at the time of the violation; and (d) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the felony. If a conveyance is forfeited,

the appropriate law enforcement agency may pay the existing balance and retain the conveyance for official use. 3. For the purposes of this section, a firearm is loaded if: (a) There is a cartridge in the chamber of the firearm; (b) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver; or (c) There is a cartridge in the magazine and the magazine is in the firearm or there is a cartridge in the chamber, if the firearm is a semiautomatic firearm. 4. As used in this section, "act of terrorism" has the meaning ascribed to it in NRS 202.4415. (Added to NRS by 1983, 1135; A 1985, 638, 1239; 1989, 656, 1187, 1188, 1241, 1242, 1453; 1991, 210, 2287, 2288; 1995, 1150, 1424; 1997, 639; 1999, 2711; 2003, 2952; 2005, 90, 1199; 2007, 1269; 2009, 575; 2013, 1857, 2248, 2420; 2015, 2311; 2019, 2634; 2021, 447)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1211 - Definitions.

As used in NRS 179.1211 to 179.1235, inclusive, unless the context otherwise requires, the words and terms defined in NRS 179.1213, 179.1215 and 179.1217 have the meanings ascribed to them in those sections. (Added to NRS by 2007, 201)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1213 - "Proceeds" defined.

"Proceeds" means any property, or that part of an item of property, derived directly or indirectly from a technological crime. (Added to NRS by 2007, 201)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1215 - "Property" defined.

"Property" includes, without limitation, any: 1. Real property or interest in real property. 2. Fixture or improvement to real property. 3. Personal property, whether tangible or intangible, or interest in personal property. 4. Conveyance, including, without limitation, any aircraft, vehicle or vessel. 5. Money, security or negotiable instrument. 6. Proceeds. (Added to NRS by 2007, 201)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1217 - "Technological crime" defined.

"Technological crime" has the meaning ascribed to it in NRS 205A.030. (Added to NRS by 2007, 201)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1219 - Property subject to forfeiture; substitution for unreachable property.

1. Except as otherwise provided in NRS 179.1221, if an indictment or information filed in a criminal proceeding alleges that property was derived from, realized through, or used or intended for use in the course of a technological crime which is punishable as a felony and the extent of that property: (a) The jury; or (b) If the trial is without a jury, the court, shall, upon a conviction, determine at a separate hearing the extent of the property to be forfeited. If the indictment or information does not include such an allegation, the property is not subject to criminal forfeiture pursuant to this section. 2. If, at a hearing to determine the extent of the property to be forfeited pursuant to subsection 1, the jury or, if the hearing is without a jury, the court determines by a preponderance of the evidence that the property: (a) Was used or intended to be used in, or was used or intended to be used to facilitate, a technological crime; or (b) Was acquired during a technological crime or within a reasonable time after the technological crime and there was no likely source of such property other than the technological crime, the court shall order the forfeiture of the property. 3. The following property is subject to criminal forfeiture pursuant to subsection 1: (a) Any proceeds attributable to a technological crime; (b) Any property acquired directly or indirectly from a technological crime; and (c) Any property used or intended to be used in, or used or intended to be used to facilitate, a technological crime. 4. If property which is ordered to be criminally forfeited pursuant to subsection 1: (a) Cannot be located; (b) Has been sold to a purchaser in good faith for value; (c) Has been placed beyond the jurisdiction of the court; (d) Has been substantially diminished in value by the conduct of the defendant; (e) Has been commingled with other property which cannot be divided without difficulty or undue injury to innocent persons; or (f) Is otherwise unreachable without undue injury to innocent persons, the court shall order the forfeiture of other property of the defendant up to the value of the property that is unreachable. (Added to NRS by 2007, 201)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1221 - Forfeiture as part of plea agreement.

1. A defendant who agrees to enter a plea of guilty to a technological crime may agree to the forfeiture of any property as part of the agreement. 2. If the court accepts the plea of guilty, the court shall order the forfeiture of the property that the defendant agreed to forfeit pursuant to subsection 1. (Added to NRS by 2007, 202)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1223 - Temporary restraining order to preserve property.

1. The prosecuting attorney may apply for, and a court may issue without notice or hearing, a temporary restraining order to preserve property which would be subject to criminal forfeiture pursuant to NRS 179.1219 if: (a) An indictment or information

alleging a technological crime has been filed in a criminal proceeding and the extent of criminally forfeitable property is included therein or the court believes there is probable cause for such an inclusion; (b) The property is in the possession or control of the party against whom the order will be entered; and (c) The court determines that the nature of the property is such that it can be concealed, disposed of or placed beyond the jurisdiction of the court before a hearing on the matter. 2. A temporary restraining order which is issued without notice may be issued for not more than 10 days and may be extended only for good cause or by consent. The court shall provide notice and hold a hearing on the matter before the order expires. (Added to NRS by 2007, 202)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1225 - Orders to secure property.

1. After an information or indictment alleging a technological crime is filed in a criminal proceeding, the prosecuting attorney may request the court to: (a) Enter a restraining order or injunction; (b) Require the execution of a satisfactory bond; (c) Appoint a receiver; or (d) Take any other necessary action, to secure property which is subject to criminal forfeiture. 2. The court shall, after a hearing for which notice was given to any person whose rights in the property proposed for forfeiture would be affected, order such an action if the prosecuting attorney shows by a preponderance of the evidence that the action is necessary to preserve the defendant's property which is subject to criminal forfeiture. 3. If no indictment or information alleging a technological crime has been filed, the court may, after such a hearing and upon a showing of the prosecuting attorney that: (a) There is probable cause to believe that the property for which the order is sought would be subject to criminal forfeiture; and (b) The requested order would not result in substantial and irreparable harm or injury to the party against whom the order is to be entered that outweighs the need to secure the property for the potential criminal forfeiture, order an action to secure the property. Such an order may not be effective for more than 90 days unless it is extended for good cause or an indictment or information alleging a technological crime is filed and the extent of the criminally forfeitable property is listed therein. (Added to NRS by 2007, 202)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1227 - Order of forfeiture; order to protect interests of State.

1. Upon a verdict of guilty or a plea of guilty to a technological crime, the court may order the forfeiture of the appropriate property. 2. Upon entry of such an order, the court may: (a) Enter a restraining order or injunction; (b) Require the execution of a satisfactory bond; (c) Appoint a receiver; or (d) Take any other necessary action, to protect the interests of the State. (Added to NRS by 2007, 203)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1229 - Property subject to civil forfeiture; required proof; where action must be instituted.

1. Except as otherwise provided in subsection 2, all property used in the course of, intended for use in the course of, derived from or gained through a technological crime is subject to civil forfeiture to the State. 2. Upon a showing by the owner of the property of the requisite facts, the following is not subject to forfeiture under this section: (a) Except as otherwise provided in paragraph (b), property used without the knowledge or consent of its owner; and (b) A means of transportation used by a person in the transaction of business as a common carrier unless it appears the owner or person in charge of the common carrier consented to or had knowledge of the technological crime. 3. The State is not required to plead or prove that a person has been charged with or convicted of any technological crime. If proof of such conviction is made, and it is shown that the judgment of conviction has become final, the proof against any person is conclusive evidence of all facts necessary to sustain the conviction. 4. Any civil action or proceeding under this section must be instituted in the district court of the State in the county in which the prospective defendant resides or has committed any act which subjects the prospective defendant to criminal or civil liability pursuant to the provisions of NRS 179.1211 to 179.1235, inclusive. (Added to NRS by 2007, 203)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1231 - Seizure of property before forfeiture and final disposition; institution of proceedings; intercession by district attorney or Attorney General; interlocutory actions by court; order of forfeiture.

1. Property subject to forfeiture under NRS 179.1219 or 179.1229 may be seized by a law enforcement agency upon process issued by a court. Before an order of civil forfeiture is issued without legal process, notice of the claim for forfeiture of real property may be given in the manner provided in NRS 14.010 and 14.015. A seizure of personal property may be made without legal process if the seizure is incident to: (a) A lawful arrest or search; or (b) An inspection under an administrative warrant. 2. Property seized or made the subject of notice under this section is deemed to be in the custody of the agency, subject only to orders of the court which has jurisdiction over the proceedings for forfeiture. An agency which has seized such property without process shall begin proceedings for forfeiture promptly. Such an action takes precedence over other civil proceedings. The seized property is subject to an action to claim the delivery of the property if the agency does not file the complaint for forfeiture within 60 days after the property is seized. If a complaint for forfeiture is filed after an affidavit claiming delivery, the complaint must be treated as a counterclaim. 3. When property is seized pursuant to this section, pending forfeiture and final disposition, the law enforcement agency may: (a) Place the property under seal. (b) Remove the property to a place designated by the court. (c) Require another

agency authorized by law to take custody of the property and remove it to an appropriate location. 4. The district attorney or the Attorney General may institute civil proceedings under this section for the forfeiture of property subject to forfeiture pursuant to NRS 179.1229. The district attorney and the Attorney General shall determine by agreement between themselves which of them will institute such a proceeding in a particular case. If a district attorney or the Attorney General has not instituted such a proceeding or has not pursued one which was instituted in accordance with the agreement, the other may intercede after giving the prosecutor designated in the agreement 30 days' written notice of the intention to do so. In any action so brought, the district court shall proceed as soon as practicable to the hearing and determination. Pending final determination in an action brought pursuant to this section, the district court may at any time enter such injunctions, prohibitions or restraining orders, or take such actions, including, without limitation, the acceptance of satisfactory performance bonds, as the court deems proper in connection with any property or interest subject to forfeiture. 5. Upon a finding of civil liability under this section, the court may order the forfeiture of the appropriate property. (Added to NRS by 2007, 203; A 2013, 823)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1233 - Sale of forfeited property; use of proceeds; deposit of balance of proceeds in Account for the Technological Crime Advisory Board; payment of certain encumbrances.

1. The State, county or city shall sell any property forfeited pursuant to NRS 179.1219 or 179.1229 as soon as commercially feasible. Except as otherwise provided in subsection 2, the proceeds from such a sale must be used first for payment of all proper expenses of any proceedings for the forfeiture and sale, including, without limitation, any expenses for the seizure and maintenance of the property, advertising and court costs. The balance of the proceeds, if any, must be deposited in the Account for the Technological Crime Advisory Board created pursuant to NRS 205A.090. 2. If the property forfeited is encumbered by a bona fide security interest and the secured party shows that the secured party did not consent or have knowledge of the violation causing the forfeiture, the State, county or city shall pay the existing balance or return the property to the secured party. (Added to NRS by 2007, 204)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.1235 - Limitation of actions.

A criminal action or proceeding pursuant to NRS 179.1219 may be commenced at any time within 5 years after the technological crime occurs. Except as otherwise provided in NRS 217.007, a civil action or proceeding pursuant to NRS 179.1229 may be commenced at any time within 5 years after the technological crime occurs. If a criminal prosecution, civil action or other proceeding is brought to punish, prevent or restrain a technological crime, the running of the period of limitations prescribed by this section with respect to any cause of action arising under NRS 179.1229, which is based in whole or in part upon any matter complained of in the prosecution or proceeding, is suspended during the pendency of the prosecution or proceeding and for 2 years following termination of the prosecution or proceeding. (Added to NRS by 2007, 204)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.125 - Stolen or embezzled property held by peace officer subject to magistrate's order.

Except as provided in NRS 52.385, when property, alleged to have been stolen or embezzled, shall come into the custody of a peace officer, the peace officer shall hold the same subject to the order of the magistrate authorized by NRS 179.135 to direct the disposal thereof. (Added to NRS by 1967, 1460; A 1975, 1184)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.135 - Order for delivery to owner; payment of expenses.

On satisfactory proof of the title of the owner of the property, the magistrate to whom the information is laid, or who shall examine the charge against the person accused of stealing or embezzling the property, may order it to be delivered to the owner, on the owner's paying the reasonable and necessary expenses incurred in its preservation, to be certified by the magistrate. The order shall entitle the owner to demand and receive the property. (Added to NRS by 1967, 1460)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.145 - Magistrate to deliver property to owner when it comes into magistrate's custody; proof of title and payment of expenses.

If the property stolen or embezzled come into the custody of the magistrate, it shall be delivered to the owner on satisfactory proof of title, and on the owner's paying the necessary expenses incurred in its preservation, to be certified by the magistrate. (Added to NRS by 1967, 1461)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.155 - Court may order return of property to owner.

If the property stolen or embezzled has not been delivered to the owner, the court before which a conviction is had for stealing or

embezzling it may, on proof of title, order it to be restored to the owner. (Added to NRS by 1967, 1461)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.165 - Notice must be provided by law enforcement agency to owner, pawnbroker and other interested persons; contents of notice; sale or disposal of unclaimed property by county treasurer; records; audit.

1. Except as otherwise provided by specific statute: (a) And except as otherwise provided in paragraph (b), a law enforcement agency which has custody of property shall, if the agency knows or can reasonably discover the name and address of the owner or the person entitled to possession of the property, notify the owner or the person entitled to possession of the property by letter of the location of the property and the method by which the owner or the person entitled to possession of the property may claim it. (b) If the property was obtained from a pawnbroker pursuant to NRS 646.047, the law enforcement agency shall, in addition to notifying the persons described in paragraph (a), notify the pawnbroker from whom it was obtained. (c) With respect to stolen or embezzled property, the notice must be mailed by certified or registered mail: (1) Upon the conviction of the person who committed the offense; (2) Upon the decision of the police or district attorney not to pursue or prosecute the case; or (3) When the case is otherwise terminated. (d) If the property is not claimed by the owner or the person entitled to possession of the property before the expiration of 6 months after the date the notice is mailed or, if no notice is required, after the date notice would have been sent if it were required, the magistrate or other officer having it in custody shall, except as otherwise provided in this paragraph, on payment of the necessary expenses incurred for its preservation, deliver it to the county treasurer, who shall dispose of the property as provided in paragraph (e). If a metropolitan police department which is organized pursuant to chapter 280 of NRS has custody of the property, the sheriff of the department may take any of the actions set forth in paragraph (f) or deliver the property to the county treasurer and accept the net proceeds, if any, from the disposition of the property pursuant to paragraph (e) in lieu of the payment of expenses incurred for the property's preservation. (e) Upon receiving property pursuant to paragraph (d), the county treasurer shall petition the district court for an order authorizing the county treasurer to: (1) Conduct an auction for the disposal of salable property; (2) Dispose of property not deemed salable by donations to charitable organizations or by destruction; (3) Destroy property the possession of which is deemed illegal or dangerous; or (4) Dispose of property not purchased at an auction by donations to charitable organizations or by destruction. (f) A sheriff of a metropolitan police department may: (1) Conduct an auction for the disposal of salable property; (2) Dispose of property not deemed salable by donations to charitable organizations or by destruction; (3) Destroy property the possession of which is deemed illegal or dangerous; or (4) Dispose of property not purchased at an auction by donations to charitable organizations or by destruction. (g) Before disposing of any property pursuant to paragraph (f), a metropolitan police department shall file a sworn affidavit with the district court attesting that the metropolitan police department: (1) Knows or has made a reasonable effort to discover the name and address of the owner or the person entitled to possession of the property; (2) Has made a reasonable effort to notify the owner or the person entitled to possession of the property of the location of the property and the method by which the owner or the person entitled to possession of the property may claim the property; and (3) Has complied with all requirements of this section pertaining to disposal of the property. (h) Records of the property disposed of by sale, destruction or donation and an accounting of the cash received by the county treasurer from the sales must be filed with the county clerk. (i) A metropolitan police department which disposes of property pursuant to paragraph (f) shall: (1) Perform an annual audit of the disposition of that property; and (2) Present a report of that audit to the metropolitan police committee on fiscal affairs created pursuant to NRS 280.130. 2. As used in this section, "property" means any property that is owned by another person or that another person is entitled to possess which: (a) Is in the custody of a law enforcement agency; (b) Has been stolen, embezzled, lost, found, abandoned or unclaimed; and (c) Is otherwise unrelated to an active criminal case. (Added to NRS by 1967, 1461; A 1973, 565; 1989, 382; 1999, 753; 2017, 367)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.177 - Short title.

NRS 179.177 to 179.235, inclusive, may be cited as the Uniform Criminal Extradition Act. (Added to NRS by 1967, 1098)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.179 - Definitions.

As used in NRS 179.177 to 179.235, inclusive, unless the context requires otherwise: 1. "Executive authority" means the governor, and any person performing the functions of governor in a state other than this state. 2. "Governor" means any person performing the functions of Governor by authority of the law of this state. 3. "State," when referring to a state other than this state, means any other state or territory, organized or unorganized, of the United States of America. (Added to NRS by 1967, 1098)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.181 - Fugitives from justice; duty of Governor.

Subject to the provisions of NRS 179.177 to 179.235, inclusive, the provisions of the Constitution of the United States controlling, and any and all Acts of Congress enacted in pursuance thereof, it is the duty of the Governor of this state to have arrested and delivered up to the executive authority of any other state of the United States any person charged in that state with treason, felony or other crime, who has fled from justice and is found in this state. (Added to NRS by 1967, 1098)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.183 - Form of demand.

No demand for the extradition of a person charged with crime in another state shall be recognized by the Governor unless it is: 1. In writing alleging, except in cases arising under NRS 179.189, that the accused was present in the demanding state at the time of the commission of the alleged crime, and that thereafter the accused fled from the state; and 2. Accompanied by a copy of an indictment found or by information supported by affidavit in the state having jurisdiction of the crime, or by a copy of an affidavit made before a magistrate there, together with a copy of any warrant which was issued thereupon; or 3. Accompanied by a copy of a judgment of conviction or of a sentence imposed in execution thereof, together with a statement by the executive authority of the demanding state that the person claimed has escaped from confinement or has broken the terms of the person's bail, probation or parole. The indictment, information or affidavit made before the magistrate must substantially charge the person demanded with having committed a crime under the law of that state; and the copy of indictment, information, affidavit, judgment of conviction or sentence must be authenticated by the executive authority making the demand. (Added to NRS by 1967, 1098)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.185 - Governor may investigate case.

When a demand is made upon the Governor of this state by the executive authority of another state for the surrender of a person so charged with crime, the Governor may call upon the Attorney General or any prosecuting officer in this state to investigate or assist in investigating the demand, and to report to the Governor the situation and circumstances of the person so demanded, and whether the person ought to be surrendered. (Added to NRS by 1967, 1099)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.187 - Extradition of persons imprisoned or awaiting trial in another state or who have left demanding state under compulsion.

1. When it is desired to have returned to this state a person charged in this state with a crime, and such person is imprisoned or is held under criminal proceedings then pending against the person in another state, the Governor of this state may agree with the executive authority of such other state for the extradition of such person before the conclusion of such proceedings or the person's term of sentence in such other state, upon condition that such person be returned to such other state at the expense of this state as soon as the prosecution in this state is terminated. 2. The Governor of this state may also surrender on demand of the executive authority of any other state any person in this state who is charged in the manner provided in NRS 179.223 with having violated the laws of the state whose executive authority is making the demand, even though such person left the demanding state involuntarily. (Added to NRS by 1967, 1099)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.189 - Extradition of persons not present in demanding state at time of commission of crime.

The Governor of this state may also surrender, on demand of the executive authority of any other state, any person in this state charged in such other state in the manner provided in NRS 179.183 with committing an act in this state, or in a third state, intentionally resulting in a crime in the state whose executive authority is making the demand, and the provisions of NRS 179.177 to 179.235, inclusive, not otherwise inconsistent shall apply to such cases, even though the accused was not in that state at the time of the commission of the crime, and has not fled therefrom. (Added to NRS by 1967, 1099)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.191 - Governor's warrant of arrest.

1. If the Governor decides that the demand should be complied with, the Governor shall sign a warrant of arrest, which must be sealed with the state seal, and be directed to any peace officer or other person whom the Governor may think fit to entrust with the execution thereof. The warrant must substantially recite the facts necessary to the validity of its issuance. 2. A telegraphic copy or an abstract of the Governor's warrant may be sent by telegraph, teletype or any other electronic device to the person entrusted with the execution of the warrant. The copy or abstract is as effectual as the original warrant issued by the Governor. 3. The person who causes a telegraphic copy or abstract of the Governor's warrant to be sent must certify as correct, and file in the telegraphic office from which the copy or abstract is sent, a copy of the warrant, and must return the original with a statement of the person's actions under the warrant. (Added to NRS by 1967, 1099; A 1987, 91)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.193 - Manner and place of execution.

Such warrant shall authorize the peace officer or other person to whom directed to: 1. Arrest the accused at any time and any place where the accused may be found within the State; 2. Command the aid of all peace officers or other persons in the execution of the warrant; and 3. Deliver the accused, subject to the provisions of NRS 179.177 to 179.235, inclusive, to the duly authorized agent of the demanding state. (Added to NRS by 1967, 1099)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.195 - Authority of arresting officer.

Every such peace officer or other person empowered to make the arrest shall have the same authority, in arresting the accused, to command assistance therein as peace officers have by law in the execution of any criminal process directed to them, with like penalties against those who refuse their assistance. (Added to NRS by 1967, 1100)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.197 - Rights of accused person; application for writ of habeas corpus.

1. No person arrested upon such warrant shall be delivered over to the agent whom the executive authority demanding the person has appointed to receive the person unless the person is first taken forthwith before a judge of a court of record in this state, who shall inform the person of the demand made for surrender and of the crime with which the person is charged, and that the person has the right to demand and procure legal counsel. 2. If the prisoner or the prisoner's counsel state that the prisoner or they desire to test the legality of the arrest, the judge of such court of record shall fix a reasonable time to be allowed within which to apply to the district court for a writ of habeas corpus. 3. When such writ is applied for, notice thereof, and of the time and place of hearing thereon, shall be given to the prosecuting officer of the county in which the arrest is made and in which the accused is in custody, and to the agent of the demanding state. (Added to NRS by 1967, 1100; A 1983, 539)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.199 - Penalty for noncompliance with NRS 179.197.

Any officer who delivers to the agent for extradition of the demanding state a person in the officer's custody under the Governor's warrant, in willful disobedience to NRS 179.197, shall be guilty of a misdemeanor. (Added to NRS by 1967, 1100)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.201 - Confinement in jail or detention facility when necessary.

1. The officer or persons executing the Governor's warrant of arrest, or the agent of the demanding state to whom the prisoner may have been delivered may, when necessary, confine the prisoner in the jail or detention facility of any county or city through which he or she may pass, and the keeper of the jail or detention facility shall receive and safely keep the prisoner until the officer or person having charge of the prisoner is ready to proceed on his or her route, such officer or person being chargeable with the expense of keeping. 2. The officer or agent of a demanding state to whom a prisoner may have been delivered following extradition proceedings in another state, or to whom a prisoner may have been delivered after waiving extradition in another state, and who is passing through this state with a prisoner for the purpose of immediately returning the prisoner to the demanding state may, when necessary, confine the prisoner in the jail or detention facility of any county or city through which he or she may pass, and the keeper of the jail or detention facility shall receive and safely keep the prisoner until the officer or agent having charge of the prisoner is ready to proceed on his or her route, such officer or agent being chargeable with the expense of keeping. The officer or agent shall produce and show to the keeper of the jail or detention facility satisfactory written evidence of the fact that the officer or agent is actually transporting a prisoner to the demanding state after a requisition by the executive authority of the demanding state. The prisoner is not entitled to demand a new requisition while in this state. (Added to NRS by 1967, 1100; A 1989, 1178)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.203 - Arrest before requisition.

1. Whenever any person within this state is charged on the oath of any credible person before any judge or magistrate of this state with the commission of any crime in any other state and, except in cases arising under NRS 179.189, with having fled from justice, or with having been convicted of a crime in that state and having escaped from confinement, or having broken the terms of the person's bail, probation or parole; or 2. Whenever complaint has been made before any judge or magistrate in this state setting forth on the affidavit of any credible person in another state that a crime has been committed in such other state and that the accused has been charged in such state with the commission of the crime, and, except in cases arising under NRS 179.189, has fled from justice, or with having been convicted of a crime in that state and having escaped from confinement, or having broken the terms of the person's bail, probation or parole and is believed to be in this state, the judge or magistrate shall issue a warrant directed to any peace officer commanding the peace officer to apprehend the person named therein, wherever the person may be found in this state, and to bring the person before the same or any other judge, magistrate or court who or which may be available in or convenient of access to the place where the arrest may be made, to answer the charge or complaint and affidavit. A certified copy of the sworn charge or complaint and affidavit upon which the warrant is issued shall be attached to the warrant. (Added to NRS by 1967, 1100)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.205 - Arrest without warrant.

The arrest of a person may be lawfully made also by any peace officer or a private person, without a warrant upon reasonable information that the accused stands charged in the courts of a state with a crime punishable by death or imprisonment for a term exceeding 1 year; but when so arrested the accused must be taken before a judge or magistrate with all practicable speed and

complaint must be made against the person under oath setting forth the ground for the arrest as in NRS 179.203. Thereafter the answer shall be heard as if the person had been arrested on a warrant. (Added to NRS by 1967, 1101)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.207 - Commitment to await requisition; bail.

If from the examination before the judge or magistrate it appears that the person held is the person charged with having committed the crime alleged and, except in cases arising under NRS 179.189, that the person has fled from justice, the judge or magistrate must, by a warrant reciting the accusation, commit the person to the county jail for such a time, not exceeding 30 days and specified in the warrant, as will enable the arrest of the accused to be made under a warrant of the Governor on a requisition of the executive authority of the state having jurisdiction of the offense, unless the accused gives bail as provided in NRS 179.209, or until the accused is legally discharged. (Added to NRS by 1967, 1101; A 1967, 1389)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.209 - Bail: In what cases; conditions of bond.

Unless the offense with which the prisoner is charged is shown to be an offense punishable by death or life imprisonment under the laws of the state in which it was committed, or unless the prisoner is charged as a parole violator or escaped convict, a judge or magistrate in this state may admit the person arrested to bail by bond, with sufficient sureties, and in such sum as the judge or magistrate deems proper, conditioned for the prisoner's appearance at a time specified in such bond, and for the person's surrender, to be arrested upon the warrant of the Governor of this state. No prisoner may be admitted to bail after having been arrested upon the warrant of the Governor of this state. (Added to NRS by 1967, 1101; A 1973, 800)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.211 - Extension of time of commitment; adjournment.

If the accused is not arrested under warrant of the Governor by the expiration of the time specified in the warrant or bond, a judge or magistrate may discharge or may recommit the accused for a further period not to exceed 60 days, or a judge or magistrate judge may again take bail for the accused's appearance and surrender, as provided in NRS 179.209, but within a period not to exceed 60 days after the date of such new bond. (Added to NRS by 1967, 1101)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.213 - Forfeiture of bail.

If the prisoner is admitted to bail, and fails to appear and surrender according to the conditions of the prisoner's bond, the judge, or magistrate by proper order, shall declare the bond forfeited and order the prisoner's immediate arrest without warrant if the prisoner is within this state. Recovery may be had on such bond in the name of the State as in the case of other bonds given by the accused in criminal proceedings within this state. (Added to NRS by 1967, 1102)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.215 - Persons under criminal prosecution in this State at time of requisition.

If a criminal prosecution has been instituted against such person under the laws of this State and is still pending, the Governor, in the Governor's discretion, either may surrender the person on demand of the executive authority of another state or hold the person until the person has been tried and discharged or convicted and punished in this State. (Added to NRS by 1967, 1102)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.217 - Guilt or innocence of accused: When inquired into.

The guilt or innocence of the accused as to the crime of which the accused is charged may not be inquired into by the Governor or in any proceeding after the demand for extradition accompanied by a charge of crime in legal form as above provided has been presented to the Governor, except as it may be involved in identifying the person held as the person charged with the crime. (Added to NRS by 1967, 1102)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.219 - Governor may recall warrant or issue alias.

The Governor may recall a warrant of arrest or may issue another warrant whenever the Governor deems proper. (Added to NRS by 1967, 1102)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.221 - Fugitives from this State; duty of Governor.

Whenever the Governor of this State demands a person charged with crime or with escaping from confinement or breaking the terms of bail, probation or parole in this State, from the executive authority of any other state, or from the Chief Justice or an associate justice of the Supreme Court of the District of Columbia authorized to receive such demand under the laws of the United States, the

Governor shall issue a warrant under the seal of this State, to some agent, commanding the agent to receive the person so charged if delivered and convey the person to the proper officer of the county in this State in which the offense was committed. (Added to NRS by 1967, 1102)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.223 - Application for issuance of requisition: By whom made; contents.

1. When the return to this state of a person charged with crime in this state is required, the district attorney shall present to the Governor a written application for a requisition for the return of the person charged in which application must be stated: (a) The name of the person so charged; (b) The crime charged against the person; (c) The approximate time, place and circumstances of its commission; (d) The state in which the person is believed to be, including the location of the accused therein at the time the application is made; and (e) A certification that, in the opinion of the district attorney, the ends of justice require the arrest and return of the accused to this state for trial and that the proceeding is not instituted to enforce a private claim. 2. When the return to this state is required of a person who has been convicted of a crime in this state and has escaped from confinement or broken the terms of the person's bail, probation or parole, the district attorney of the county in which the offense was committed, the State Board of Parole Commissioners, the Chief Parole and Probation Officer, the Director of the Department of Corrections or the sheriff of the county from which escape was made shall present to the Governor a written application for a requisition for the return of the person, in which application must be stated: (a) The name of the person; (b) The crime of which the person was convicted; (c) The circumstances of the person's escape from confinement or of the breach of the terms of bail, probation or parole; and (d) The state in which the person is believed to be, including the location of the person therein at the time application is made. 3. The application must be verified by affidavit, executed in duplicate and accompanied by two certified copies of the indictment returned, or information and affidavit filed, or of the complaint made to the judge or magistrate, stating the offense with which the accused is charged, or of the judgment of conviction or of the sentence. The district attorney, State Board of Parole Commissioners, Chief Parole and Probation Officer, Director of the Department of Corrections or sheriff may also attach such further affidavits and other documents in duplicate as deemed proper to be submitted with the application. One copy of the application, with the action of the Governor indicated by endorsement thereon, and one of the certified copies of the indictment, complaint, information and affidavits, or of the judgment of conviction or of the sentence must be filed in the Office of the Secretary of State of the State of Nevada to remain of record in that office. The other copies of all papers must be forwarded with the Governor's requisition. (Added to NRS by 1967, 1102; A 1969, 15; 1977, 864; 1985, 149; 2001 Special Session, 224)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.225 - Costs and expenses.

1. If the punishment of the crime is the confinement of the criminal in prison, the expenses must be paid from money appropriated to the Office of the Attorney General for that purpose, upon approval by the State Board of Examiners. After the appropriation is exhausted, the expenses must be paid from the Reserve for Statutory Contingency Account upon approval by the State Board of Examiners. In all other cases, they must be paid out of the county treasury in the county wherein the crime is alleged to have been committed. The expenses are: (a) If the prisoner is returned to this State from another state, the fees paid to the officers of the state on whose governor the requisition is made; (b) If the prisoner is returned to this State from a foreign country or jurisdiction, the fees paid to the officers and agents of this State or the United States; or (c) If the prisoner is temporarily returned for prosecution to this State from another state pursuant to this chapter or chapter 178 of NRS and is then returned to the sending state upon completion of the prosecution, the fees paid to the officers and agents of this State, and the per diem allowance and travel expenses provided for state officers and employees generally incurred in returning the prisoner. 2. If a person is returned to this State pursuant to this chapter or chapter 178 of NRS and is convicted of, or pleads guilty, guilty but mentally ill or nolo contendere to, the criminal charge for which the person was returned or a lesser criminal charge, the court shall conduct an investigation of the financial status of the person to determine the ability to make restitution. In conducting the investigation, the court shall determine if the person is able to pay any existing obligations for: (a) Child support; (b) Restitution to victims of crimes; and (c) Any administrative assessment required to be paid pursuant to NRS 62E.270, 176.059, 176.0611, 176.0613, 176.062 and 176.0623. 3. If the court determines that the person is financially able to pay the obligations described in subsection 2, it shall, in addition to any other sentence it may impose, order the person to make restitution for the expenses incurred by the Office of the Attorney General or other governmental entity in returning the person to this State. The court shall not order the person to make restitution if payment of restitution will prevent the person from paying any existing obligations described in subsection 2. Any amount of restitution remaining unpaid constitutes a civil liability arising upon the date of the completion of the sentence. 4. If the court orders a person to make restitution for the expenses incurred by the Office of the Attorney General in returning the person to this State pursuant to this section, the Office of the Attorney General shall assign the collection of such restitution to the State Controller in accordance with the provisions of NRS 353C.195. 5. The Attorney General may adopt regulations to carry out the provisions of this section. (Added to NRS by 1967, 1103; A 1968, 22; 1969, 640; 1973, 170; 1983, 727; 1991, 1754; 1993, 305, 935; 1995, 2459; 1997, 150, 1599; 2003, 1121, 1473, 2105; 2007, 598, 1427; 2013, 820, 1072)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.227 - Immunity from service of process in certain civil actions.

A person brought into this State by, or after waiver of, extradition based on a criminal charge shall not be subject to service of personal process in civil actions arising out of the same facts as the criminal proceeding to answer which the person is being or has been returned, until the person has been convicted in the criminal proceeding, or, if acquitted, until the person has had reasonable opportunity to return to the state from which the person was extradited. (Added to NRS by 1967, 1103)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.229 - Written waiver of extradition proceedings.

1. Except as otherwise provided in subsection 3, a person arrested in this State who is charged with having committed a crime in another state or who is alleged to have escaped from confinement, or broken the terms of the person's bail, probation or parole may waive the issuance and service of the warrant provided for in NRS 179.191 and 179.193 and all other procedure incidental to extradition proceedings, by executing or subscribing in the presence of a judge of a court of record within this State a writing which states that the person consents to return to the demanding state. Before the waiver is executed or subscribed, the judge shall inform the person of the rights to the issuance and service of a warrant of extradition and to obtain a writ of habeas corpus as provided for in NRS 179.197. 2. An executed waiver must be forwarded immediately to the Office of the Attorney General of this State and filed therein. The judge shall remand the person to custody without bail, unless otherwise stipulated by the district attorney with the concurrence of the other state, and shall direct the officer having the person in custody to deliver the person immediately to an accredited agent of the demanding state, and shall deliver or cause to be delivered to the agent a copy of the waiver. 3. A law enforcement agency which has custody of a person in this State who is alleged to have broken the terms of the person's probation, parole, bail or other release shall, after the resolution of all criminal charges filed in this State against that person, immediately deliver that person to the accredited agent of the demanding state without a warrant issued pursuant to NRS 179.191 and 179.193 if: (a) The person has signed a waiver of extradition as a condition of probation, parole, bail or other release in the demanding state; and (b) The law enforcement agency has received: (1) An authenticated copy of the waiver of extradition signed by the person; and (2) A photograph and copy of the fingerprints of the person that identify him or her as the person who signed the waiver. 4. This section does not limit: (a) The right of the accused person to return voluntarily and without formality to the demanding state; (b) The powers, rights or duties of the officers of the demanding state or of this State; or (c) Other procedures concerning the waiver of extradition. (Added to NRS by 1967, 1103; A 1991, 153; 1993, 249; 1997, 151)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.231 - Nonwaiver by this State.

Nothing contained in NRS 179.177 to 179.235, inclusive, shall be deemed to constitute a waiver by this State of its right, power or privilege to try such demanded person for crime committed within this State, or of its right, power or privilege to regain custody of such person by extradition proceedings or otherwise for the purpose of trial, sentence or punishment for any crime committed within this State, nor shall any proceedings had under NRS 179.177 to 179.235, inclusive, which result in, or fail to result in, extradition be deemed a waiver by this State of any of its rights, privileges or jurisdiction in any way whatsoever. (Added to NRS by 1967, 1104)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.233 - No right of asylum; no immunity from other criminal prosecutions while in this State.

After a person has been brought back to this State by or after waiver of extradition proceedings, the person may be tried in this State for other crimes which the person may be charged with having committed here as well as that specified in the requisition for extradition. (Added to NRS by 1967, 1104)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.235 - Interpretation.

The provisions of NRS 179.177 to 179.235, inclusive, shall be so interpreted and construed as to effectuate their general purposes to make uniform the law of those states which enact them. (Added to NRS by 1967, 1104)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.2405 - Declaration of public policy.

The Legislature hereby declares that the public policy of this State is to favor the giving of second chances to offenders who are rehabilitated and the sealing of the records of such persons in accordance with NRS 179.2405 to 179.301, inclusive. (Added to NRS by 2017, 2412; A 2021, 2591)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.241 - Definitions.

As used in NRS 179.2405 to 179.301, inclusive, unless the context otherwise requires, the words and terms defined in NRS 179.242, 179.243 and 179.244 have the meanings ascribed to them in those sections. (Added to NRS by 2013, 107; A 2017, 1482, 2413)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.242 - "Agency of criminal justice" defined.

"Agency of criminal justice" has the meaning ascribed to it in NRS 179A.030. (Added to NRS by 2013, 107)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.243 - "Disposition" defined.

"Disposition" has the meaning ascribed to it in NRS 179A.050. (Added to NRS by 2013, 107)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.244 - "Record" defined.

"Record" has the meaning ascribed to "record of criminal history" in NRS 179A.070. (Added to NRS by 2013, 107)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.2445 - Rebuttable presumption that records should be sealed; exception.

1. Except as otherwise provided in subsection 2, upon the filing of a petition for the sealing of records pursuant to NRS 179.245, 179.247, 179.255, 179.259 or 179.2595, there is a rebuttable presumption that the records should be sealed if the applicant satisfies all statutory requirements for the sealing of the records. 2. The presumption set forth in subsection 1 does not apply to a defendant who is given a dishonorable discharge from probation pursuant to NRS 176A.850 and applies to the court for the sealing of records relating to the conviction. (Added to NRS by 2017, 2412; A 2017, 2233; 2021, 2591)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.245 - Sealing records after conviction: Persons eligible; petition; notice; hearing; order; waiver of fees for certain victims of sex trafficking.

1. Except as otherwise provided in subsection 6 and NRS 176.211, 176A.245, 176A.265, 176A.295, 179.247, 179.259, 201.354 and 453.3365, a person may petition the court in which the person was convicted for the sealing of all records relating to a conviction of: (a) A category A felony, a crime of violence or residential burglary pursuant to NRS 205.060 after 10 years from the date of release from actual custody or discharge from parole or probation, whichever occurs later; (b) Except as otherwise provided in paragraphs (a) and (e), a category B, C or D felony after 5 years from the date of release from actual custody or discharge from parole or probation, whichever occurs later; (c) A category E felony after 2 years from the date of release from actual custody or discharge from parole or probation, whichever occurs later; (d) Except as otherwise provided in paragraph (e), any gross misdemeanor after 2 years from the date of release from actual custody or discharge from probation, whichever occurs later; (e) A violation of NRS 422.540 to 422.570, inclusive, a violation of NRS 484C.110 or 484C.120 other than a felony, or a battery which constitutes domestic violence pursuant to NRS 33.018 other than a felony, after 7 years from the date of release from actual custody or from the date when the person is no longer under a suspended sentence, whichever occurs later; (f) Except as otherwise provided in paragraph (e), if the offense is punished as a misdemeanor, a battery pursuant to NRS 200.481, harassment pursuant to NRS 200.571, stalking pursuant to NRS 200.575 or a violation of a temporary or extended order for protection, after 2 years from the date of release from actual custody or from the date when the person is no longer under a suspended sentence, whichever occurs later; or (g) Any other misdemeanor after 1 year from the date of release from actual custody or from the date when the person is no longer under a suspended sentence, whichever occurs later. 2. A petition filed pursuant to subsection 1 must: (a) Be accompanied by the petitioner's current, verified records received from the Central Repository for Nevada Records of Criminal History; (b) If the petition references NRS 453.3365, include a certificate of acknowledgment or the disposition of the proceedings for the records to be sealed from all agencies of criminal justice which maintain such records; (c) Include a list of any other public or private agency, company, official or other custodian of records that is reasonably known to the petitioner to have possession of records of the conviction and to whom the order to seal records, if issued, will be directed; (d) Include information that, to the best knowledge and belief of the petitioner, accurately and completely identifies the records to be sealed, including, without limitation, the: (1) Date of birth of the petitioner; (2) Specific conviction to which the records to be sealed pertain; and (3) Date of arrest relating to the specific conviction to which the records to be sealed pertain; and (e) If applicable, include a statement from the petitioner certifying that at the time the crime for which the records to be sealed was committed, the petitioner was being sex trafficked pursuant to NRS 201.300. 3. Upon receiving a petition pursuant to this section, the court shall notify the law enforcement agency that arrested the petitioner for the crime and the prosecuting attorney, including, without limitation, the Attorney General, who prosecuted the petitioner for the crime. The prosecuting attorney and any person having relevant evidence may testify and present evidence at any hearing on the petition. 4. If the prosecuting agency that prosecuted the petitioner for the crime stipulates to the sealing of the records, the court shall apply the presumption set forth in NRS 179.2445 and seal the records. If the prosecuting agency does not stipulate to the sealing of the records or does not file a written objection within 30 days after receiving notification pursuant to subsection 3 and the court makes the findings set forth in subsection 5, the court may order the sealing of the records in accordance with subsection 5 without a hearing. If the court does not order the sealing of the records or the prosecuting agency files a written objection, a hearing on the petition must be conducted. At the hearing, unless an objecting party presents evidence sufficient to rebut the presumption set forth in NRS 179.2445, the court shall apply the presumption and seal the records. 5. If the court finds that, in

the period prescribed in subsection 1, the petitioner has not been charged with any offense for which the charges are pending or convicted of any offense, except for minor moving or standing traffic violations, the court may order sealed all records of the conviction which are in the custody of any agency of criminal justice or any public or private agency, company, official or other custodian of records in the State of Nevada, and may also order all such records of the petitioner returned to the file of the court where the proceeding was commenced from, including, without limitation, the Federal Bureau of Investigation and all other agencies of criminal justice which maintain such records and which are reasonably known by either the petitioner or the court to have possession of such records. 6. A person may not petition the court to seal records relating to a conviction of: (a) A crime against a child; (b) A sexual offense; (c) Invasion of the home with a deadly weapon pursuant to NRS 205.067; (d) A violation of NRS 484C.110 or 484C.120 that is punishable as a felony pursuant to paragraph (c) of subsection 1 of NRS 484C.400; (e) A violation of NRS 484C.430; (f) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430; (g) A violation of NRS 488.410 that is punishable as a felony pursuant to NRS 488.427; or (h) A violation of NRS 488.420 or 488.425. 7. The provisions of paragraph (e) of subsection 1 and paragraph (d) of subsection 6 must not be construed to preclude a person from being able to petition the court to seal records relating to a conviction for a violation of NRS 484C.110 or 484C.120 pursuant to this section if the person was found guilty of a violation of NRS 484C.110 or 484C.120 that is punishable pursuant to: (a) Paragraph (b) of subsection 1 of NRS 484C.400; or (b) Paragraph (c) of subsection 1 of NRS 484C.400 but had a judgment of conviction entered against him or her for a violation of paragraph (b) of subsection 1 of NRS 484C.400 because the person participated in the statewide sobriety and drug monitoring program established pursuant to NRS 484C.392. 8. If the court grants a petition for the sealing of records pursuant to this section, upon the request of the person whose records are sealed, the court may order sealed all records of the civil proceeding in which the records were sealed. 9. Notwithstanding any other provision of law, no fee may be charged by any court or agency of criminal justice in this State related to a petition for the sealing of records pursuant to this section if, at the time the crime for which the records to be sealed was committed, the petitioner was being sex trafficked pursuant to NRS 201.300. As used in this subsection, "fee" includes, without limitation, any fee to file a petition, obtain fingerprints if provided by a governmental agency of this State, obtain any records of criminal history, obtain records of past arrests and convictions or obtain or certify copies of documents pursuant to NRS 19.013 and any other fee related to the sealing of records pursuant to this section. 10. As used in this section: (a) "Crime against a child" has the meaning ascribed to it in NRS 179D.0357. (b) "Sexual offense" means: (1) Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of NRS 200.030. (2) Sexual assault pursuant to NRS 200.366. (3) Statutory sexual seduction pursuant to NRS 200.368, if punishable as a felony. (4) Battery with intent to commit sexual assault pursuant to NRS 200.400. (5) An offense involving the administration of a drug to another person with the intent to enable or assist the commission of a felony pursuant to NRS 200.405, if the felony is an offense listed in this paragraph. (6) An offense involving the administration of a controlled substance to another person with the intent to enable or assist the commission of a crime of violence, if the crime of violence is an offense listed in this paragraph. (7) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation. (8) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive. (9) Fertility fraud pursuant to paragraph (a) of subsection 1 of NRS 200.975. (10) Incest pursuant to NRS 201.180. (11) Open or gross lewdness pursuant to NRS 201.210, if punishable as a felony. (12) Indecent or obscene exposure pursuant to NRS 201.220, if punishable as a felony. (13) Lewdness with a child pursuant to NRS 201.230. (14) Sexual penetration of a dead human body pursuant to NRS 201.450. (15) Sexual conduct between certain employees of a school or volunteers at a school and a pupil pursuant to NRS 201.540. (16) Sexual conduct between certain employees of a college or university and a student pursuant to NRS 201.550. (17) Luring a child or a person with mental illness pursuant to NRS 201.560, if punishable as a felony. (18) An attempt to commit an offense listed in this paragraph. (Added to NRS by 1971, 955; A 1983, 1088; 1991, 303; 1993, 38; 1997, 1673, 1803, 3159; 1999, 647, 648, 649; 2001, 1167, 1692; 2001 Special Session, 261; 2003, 312, 316, 319, 1385; 2005, 2355; 2007, 2751; 2009, 105, 418, 1884; 2013, 107, 980, 1165, 1382; 2015, 909, 1441; 2017, 1328, 1482, 1653, 2413; 2019, 4405; 2021, 2481, 2591, 3459; 2023, 830, 1422)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.247 - Vacating judgment and sealing of records after conviction of certain offenses: Persons eligible; petition; notice; order.

1. If a person has been convicted of any offense listed in subsection 2, the person may petition the court in which he or she was convicted or, if the person wishes to file more than one petition and would otherwise need to file a petition in more than one court, the district court, for an order: (a) Vacating the judgment; and (b) Sealing all documents, papers and exhibits in the person's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order. 2. A person may file a petition pursuant to subsection 1 if the person was convicted of: (a) A violation of NRS 201.353 or 201.354, for engaging in prostitution or solicitation for prostitution, provided that the person was not alleged to be a customer of a prostitute; (b) A crime under the laws of this State, other than a crime of violence; or (c) A violation of a county, city or town ordinance, for loitering for the purpose of solicitation or prostitution. 3. A petition filed pursuant to subsection 1 must satisfy the requirements of NRS 179.245. 4. The court may grant a petition filed pursuant to subsection 1 if: (a) The petitioner was convicted of a violation of an offense described in subsection 2; (b) The participation of the petitioner in the offense was the result of the petitioner having been a victim of: (1) Trafficking in persons as described in the Trafficking Victims Protection

Act of 2000, 22 U.S.C. §§ 7101 et seq.; or (2) Involuntary servitude as described in NRS 200.463 or 200.4631; and (c) The petitioner files a petition pursuant to subsection 1 with due diligence after the petitioner has ceased being a victim of trafficking or involuntary servitude or has sought services for victims of such trafficking or involuntary servitude. 5. Before the court decides whether to grant a petition filed pursuant to subsection 1, the court shall: (a) Notify the Central Repository for Nevada Records of Criminal History, the Office of the Attorney General and each office of the district attorney and law enforcement agency in the county in which the petitioner was convicted and allow the prosecuting attorney who prosecuted the petitioner for the crime and any person to testify and present evidence on behalf of any such entity; and (b) Take into consideration any reasonable concerns for the safety of the defendant, family members of the defendant or other victims that may be jeopardized by the granting of the petition. 6. If the prosecuting agency that prosecuted the petitioner for the crime stipulates to vacating the judgment of the petitioner and sealing all documents, papers and exhibits related to the case, the court shall apply the presumption set forth in NRS 179.2445, vacate the judgment and seal all documents, papers and exhibits related to the case. If the prosecuting agency does not stipulate to vacating the judgment of the petitioner and sealing all documents, papers and exhibits related to the case or does not file a written objection within 30 days after receiving notification pursuant to subsection 5 and the court makes the findings set forth in subsection 4, the court may vacate the judgment and seal all documents, papers and exhibits in accordance with subsection 7 without a hearing. If the court does not order the sealing of the records or the prosecuting agency files a written objection, a hearing on the petition must be conducted. At the hearing, unless an objecting party presents evidence sufficient to rebut the presumption set forth in NRS 179.2445, the court shall vacate the judgment, apply the presumption and seal all documents, papers and exhibits related to the case. 7. If the court grants a petition filed pursuant to subsection 1, the court shall: (a) Vacate the judgment and dismiss the accusatory pleading; and (b) Order sealed all documents, papers and exhibits in the petitioner's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order. 8. If a petition filed pursuant to subsection 1 does not satisfy the requirements of NRS 179.245 or the court determines that the petition is otherwise deficient with respect to the sealing of the petitioner's record, the court may enter an order to vacate the judgment and dismiss the accusatory pleading if the petitioner satisfies all requirements necessary for the judgment to be vacated. 9. If the court enters an order pursuant to subsection 8, the court shall also order sealed the records of the petitioner which relate to the judgment being vacated in accordance with paragraph (b) of subsection 7, regardless of whether any records relating to other convictions are ineligible for sealing either by operation of law or because of a deficiency in the petition. (Added to NRS by 2017, 1481; A 2019, 409; 2021, 2594, 3127, 3462)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.255 - Sealing of records after dismissal, decline of prosecution or acquittal: Petition; notice; hearing; exceptions; order; inspection of records.

1. If a person has been arrested for alleged criminal conduct and the charges are dismissed, the prosecuting attorney having jurisdiction declined prosecution of the charges or such person is acquitted of the charges, the person may petition: (a) The court in which the charges were dismissed, at any time after the date the charges were dismissed; (b) The court having jurisdiction in which the charges were declined for prosecution: (1) Any time after the applicable statute of limitations has run; (2) Any time 8 years after the arrest; or (3) Pursuant to a stipulation between the parties; or (c) The court in which the acquittal was entered, at any time after the date of the acquittal, for the sealing of all records relating to the arrest and the proceedings leading to the dismissal, declination or acquittal. 2. If the conviction of a person is set aside pursuant to NRS 458A.240, the person may petition the court that set aside the conviction, at any time after the conviction has been set aside, for the sealing of all records relating to the setting aside of the conviction. 3. A petition filed pursuant to subsection 1 or 2 must: (a) Be accompanied by the petitioner's current, verified records received from the Central Repository for Nevada Records of Criminal History; (b) Except as otherwise provided in paragraph (c), include the disposition of the proceedings for the records to be sealed; (c) If the petition references NRS 453.3365, include a certificate of acknowledgment or the disposition of the proceedings for the records to be sealed from all agencies of criminal justice which maintain such records; (d) Include a list of any other public or private agency, company, official and other custodian of records that is reasonably known to the petitioner to have possession of records of the arrest and of the proceedings leading to the dismissal, declination or acquittal and to whom the order to seal records, if issued, will be directed; and (e) Include information that, to the best knowledge and belief of the petitioner, accurately and completely identifies the records to be sealed, including, without limitation, the: (1) Date of birth of the petitioner; (2) Specific charges that were dismissed or of which the petitioner was acquitted; and (3) Date of arrest relating to the specific charges that were dismissed or of which the petitioner was acquitted. 4. Upon receiving a petition pursuant to subsection 1, the court shall notify the law enforcement agency that arrested the petitioner for the crime and: (a) If the charges were dismissed, declined for prosecution or the acquittal was entered in a district court or justice court, the prosecuting attorney for the county; or (b) If the charges were dismissed, declined for prosecution or the acquittal was entered in a municipal court, the prosecuting attorney for the city. The prosecuting attorney and any person having relevant evidence may testify and present evidence at any hearing on the petition. 5. Upon receiving a petition pursuant to subsection 2, the court shall notify: (a) If the conviction was set aside in a district court or justice court, the prosecuting attorney for the county; or (b) If the conviction was set aside in a municipal court, the prosecuting attorney for the city. The prosecuting attorney and any person having relevant evidence may testify and present evidence at any hearing on the petition. 6. If the prosecuting agency that prosecuted or declined to prosecute the petitioner for the crime stipulates to the sealing of the records, the court shall apply the presumption set forth in NRS 179.2445 and seal the records. If the prosecuting agency does not stipulate to the sealing of the records or does not file a written

objection within 30 days after receiving notification pursuant to subsection 4 or 5 and the court makes the findings set forth in subsection 7 or 8, as applicable, the court may order the sealing of the records in accordance with subsection 7 or 8, as applicable, without a hearing. If the court does not order the sealing of the records or the prosecuting agency files a written objection, a hearing on the petition must be conducted. At the hearing, unless an objecting party presents evidence sufficient to rebut the presumption set forth in NRS 179.2445, the court shall apply the presumption and seal the records. 7. If the court finds: (a) That there has been an acquittal and there is no evidence that further action will be brought against the person, the court shall order sealed all records of the arrest and of the proceedings leading to the acquittal which are in the custody of any agency of criminal justice or any public or private company, agency, official or other custodian of records in the State of Nevada; or (b) That prosecution was declined or that the charges were dismissed and there is no evidence that further action will be brought against the person, the court may order sealed all records of the arrest and of the proceedings leading to the declination or dismissal which are in the custody of any agency of criminal justice or any public or private company, agency, official or other custodian of records in the State of Nevada. 8. If the court finds that the conviction of the petitioner was set aside pursuant to NRS 458A.240, the court may order sealed all records relating to the setting aside of the conviction which are in the custody of any agency of criminal justice or any public or private company, agency, official or other custodian of records in the State of Nevada. 9. If the prosecuting attorney having jurisdiction previously declined prosecution of the charges and the records of the arrest have been sealed pursuant to subsection 7, the prosecuting attorney may subsequently file the charges at any time before the running of the statute of limitations for those charges. If such charges are filed with the court, the court shall order the inspection of the records without the prosecuting attorney having to petition the court pursuant to NRS 179.295. (Added to NRS by 1971, 955; A 1997, 3160; 2001, 1693; 2009, 1439; 2013, 110, 1385; 2017, 2415; 2019, 4407; 2021, 2596)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.259 - Sealing records after completion of program for reentry: Persons eligible; procedure; order; inspection of sealed records by certain entities.

1. Except as otherwise provided in subsections 3, 4 and 5, 4 years after an eligible person completes a program for reentry, the court may order sealed all documents, papers and exhibits in the eligible person's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order. The court may order those records sealed without a hearing unless the Division of Parole and Probation of the Department of Public Safety petitions the court, for good cause shown, not to seal the records and requests a hearing thereon. 2. If the court orders sealed the record of an eligible person, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order. 3. A professional licensing board is entitled, for the purpose of determining suitability for a license or liability to discipline for misconduct, to inspect and to copy from a record sealed pursuant to this section. 4. The Division of Insurance of the Department of Business and Industry is entitled, for the purpose of determining suitability for a license or liability to discipline for misconduct, to inspect and to copy from a record sealed pursuant to this section. 5. A person may not petition the court to seal records relating to a conviction of a crime against a child or a sexual offense. 6. As used in this section: (a) "Crime against a child" has the meaning ascribed to it in NRS 179D.0357. (b) "Eligible person" means a person who has: (1) Successfully completed a program for reentry, which the person participated in pursuant to NRS 209.4886, 209.4888, 213.625 or 213.632; and (2) Been convicted of a single offense which was punishable as a felony and which did not involve the use or threatened use of force or violence against the victim. For the purposes of this subparagraph, multiple convictions for an offense punishable as a felony shall be deemed to constitute a single offense if those offenses arose out of the same transaction or occurrence. (c) "Program for reentry" means: (1) A correctional program for reentry of offenders and parolees into the community that is established by the Director of the Department of Corrections pursuant to NRS 209.4887; or (2) A judicial program for reentry of offenders and parolees into the community that is established in a judicial district pursuant to NRS 209.4883. (d) "Sexual offense" has the meaning ascribed to it in NRS 179.245. (Added to NRS by 2001, 1166; A 2003, 26, 2586; 2007, 2753; 2015, 3509; 2017, 2417; 2021, 2483)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.2595 - Sealing more than one record; procedure.

Notwithstanding the procedure established in NRS 179.245, 179.255 or 179.259 for the filing of a petition for the sealing of records:

1. If a person wishes to have more than one record sealed and would otherwise need to file a petition in more than one court for the sealing of the records, the person may, instead of filing a petition in each court, file a petition in district court for the sealing of all such records. 2. If a person files a petition for the sealing of records in district court pursuant to subsection 1 or NRS 179.245, 179.255 or 179.259, the district court may order the sealing of any other records in the justice or municipal courts in accordance with the provisions of NRS 179.2405 to 179.301, inclusive. 3. A district court shall act in accordance with subsection 2 regardless of whether a petition filed pursuant to this section includes a request for the sealing of a record in a district court. (Added to NRS by 2017, 2412; A 2019, 411)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.265 - Rehearing after denial of petition: Time for; appeal.

1. A person whose petition is denied under NRS 179.245 or 179.255 may petition for a rehearing not sooner than 2 years after the

denial of the previous petition. 2. A person whose petition is denied may file an appeal. (Added to NRS by 1971, 956; A 2021, 2598)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.271 - Sealing of records after decriminalization of offense: Written request; notice; hearing; no fee; exception.

1. Except as otherwise provided in this section, if an offense is decriminalized: (a) Any person who was convicted of that offense before the date on which the offense was decriminalized may submit a written request to any court in which the person was convicted of that offense for the sealing of any record of criminal history in its possession and in the possession of any agency of criminal justice relating to the conviction. (b) Upon receipt of a request pursuant to paragraph (a), the court shall, as soon as practicable, send written notice of the request to the office of the prosecuting attorney that prosecuted the offense. If the office of the prosecuting attorney objects to the granting of the request, a written objection to the request must be filed with the court within 10 judicial days after the date on which notice of the request was received. If no written objection to the request is filed, the court shall grant the request. If a written objection to the request is filed, the court must hold a hearing on the request. At the hearing, the court shall grant the request unless the prosecuting attorney establishes, by clear and convincing evidence, that there is good cause not to grant the request. The decision of the court to deny the request is subject to appeal. 2. No fee may be charged by any court or agency of criminal justice for the submission of a request pursuant to this section. 3. The provisions of this section do not apply to a traffic offense. 4. As used in this section: (a) "Decriminalized" means that an offense is no longer punishable as a crime as the result of enactment of an act of the Legislature or the passage of a referendum petition or initiative petition pursuant to Article 19 of the Nevada Constitution. (b) "Traffic offense" means a violation of any state or local law or ordinance governing the operation of a motor vehicle upon any highway within this State. (Added to NRS by 2019, 1459; A 2021, 2598)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.273 - Sealing of records after unconditional pardon: Automatic sealing; petition; no fee.

1. If a court and the Central Repository for Nevada Records of Criminal History receive a certified copy of an unconditional pardon from the State Board of Pardons Commissioners, the court and the Central Repository for Nevada Records of Criminal History shall seal all records of criminal history subject to the pardon. 2. If a person receives a pardon from the State Board of Pardons Commissioners, the person may submit a written petition, accompanied by proof of the pardon, to any court in which the person was convicted for the sealing of all records of criminal history in its possession and in the possession of any agency of criminal justice relating to the charges for which the person received the pardon. 3. A petition submitted to a court pursuant to this section is not subject to review by the prosecuting attorney or an agency of criminal justice. 4. The court shall grant a petition submitted to the court pursuant to this section unless the charges listed in the petition are different from the charges listed in the pardon. 5. No fee may be charged by any court or agency of criminal justice for the submission of a petition pursuant to this section. (Added to NRS by 2021, 2591)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.275 - Order sealing records: Distribution to Central Repository and persons named in order; compliance.

Where the court orders the sealing of a record pursuant to NRS 34.970, 174.034, 176.211, 176A.245, 176A.265, 176A.295, 179.245, 179.247, 179.255, 179.259, 179.2595, 179.271, 201.354 or 453.3365, a copy of the order must be sent to: 1. The Central Repository for Nevada Records of Criminal History; and 2. Each agency of criminal justice and each public or private company, agency, official or other custodian of records named in the order, and that person shall seal the records in his or her custody which relate to the matters contained in the order, shall advise the court of compliance and shall then seal the order. (Added to NRS by 1971, 956; A 1991, 304; 1999, 2089; 2001, 1168; 2001 Special Session, 261; 2003, 312; 2009, 107, 420; 2013, 111; 2017, 1485, 1655, 2418, 3015; 2019, 1460, 2981, 4409)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.285 - Order sealing records: Effect; proceedings deemed never to have occurred; restoration of civil rights.

Except as otherwise provided in NRS 179.301: 1. If the court orders a record sealed pursuant to NRS 34.970, 174.034, 176.211, 176A.245, 176A.265, 176A.295, 179.245, 179.247, 179.255, 179.259, 179.2595, 179.271, 201.354 or 453.3365: (a) All proceedings recounted in the record are deemed never to have occurred, and the person to whom the order pertains may properly answer accordingly to any inquiry, including, without limitation, an inquiry relating to an application for employment, concerning the arrest, conviction, dismissal or acquittal and the events and proceedings relating to the arrest, conviction, dismissal or acquittal. (b) The person is immediately restored to the following civil rights if the person's civil rights previously have not been restored: (1) The right to vote; (2) The right to hold office; and (3) The right to serve on a jury. 2. Upon the sealing of the person's records, a person who is restored to his or her civil rights pursuant to subsection 1 must be given: (a) An official document which demonstrates that

the person has been restored to the civil rights set forth in paragraph (b) of subsection 1; and (b) A written notice informing the person that he or she has not been restored to the right to bear arms, unless the person has received a pardon and the pardon does not restrict his or her right to bear arms. 3. A person who has had his or her records sealed in this State or any other state and whose official documentation of the restoration of civil rights is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his or her civil rights pursuant to this section. Upon verification that the person has had his or her records sealed, the court shall issue an order restoring the person to the civil rights to vote, to hold office and to serve on a jury. A person must not be required to pay a fee to receive such an order. 4. A person who has had his or her records sealed in this State or any other state may present official documentation that the person has been restored to his or her civil rights or a court order restoring civil rights as proof that the person has been restored to the right to vote, to hold office and to serve as a juror. (Added to NRS by 1971, 956; A 1981, 1105; 1991, 304; 2001, 1169, 1694; 2001 Special Session, 262; 2003, 312, 316, 319, 2687; 2009, 108, 420; 2011, 22; 2017, 1485, 1655, 2418, 3015; 2019, 1460, 2981, 4409)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.295 - Reopening of sealed records.

1. The person who is the subject of the records that are sealed pursuant to NRS 34.970, 174.034, 176.211, 176A.245, 176A.265, 176A.295, 179.245, 179.247, 179.255, 179.259, 179.2595, 179.271, 201.354 or 453.3365 may petition the court that ordered the records sealed to permit inspection of the records by a person named in the petition, and the court may order such inspection. Except as otherwise provided in this section, subsection 9 of NRS 179.255 and NRS 179.259 and 179.301, the court may not order the inspection of the records under any other circumstances. 2. If a person has been arrested, the charges have been dismissed and the records of the arrest have been sealed, the court may order the inspection of the records by a prosecuting attorney upon a showing that as a result of newly discovered evidence, the person has been arrested for the same or a similar offense and that there is sufficient evidence reasonably to conclude that the person will stand trial for the offense. 3. The court may, upon the application of a prosecuting attorney or an attorney representing a defendant in a criminal action, order an inspection of such records for the purpose of obtaining information relating to persons who were involved in the incident recorded. 4. This section does not prohibit a court from considering a proceeding for which records have been sealed pursuant to NRS 174.034, 176.211, 176A.245, 176A.265, 176A.295, 179.245, 179.247, 179.255, 179.259, 179.2595, 179.271, 201.354 or 453.3365 in determining whether to grant a petition pursuant to NRS 176.211, 176A.245, 176A.265, 176A.295, 179.245, 179.255, 179.259, 179.2595 or 453.3365 for a conviction of another offense. (Added to NRS by 1971, 956; A 1981, 1105; 1991, 304; 1997, 3160; 2001, 1169, 1694; 2001 Special Session, 262; 2003, 312, 316, 319; 2009, 108, 420; 2013, 1386; 2017, 1486, 1656, 2419, 3016; 2019, 1461, 2982, 4410)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.301 - Inspection of certain sealed records by certain persons and agencies.

1. The Nevada Gaming Control Board and the Nevada Gaming Commission and their employees, agents and representatives may inquire into and inspect any records sealed pursuant to NRS 179.245 or 179.255, if the event or conviction was related to gaming, to determine the suitability or qualifications of any person to hold a state gaming license, manufacturer's, seller's or distributor's license or registration as a gaming employee pursuant to chapter 463 of NRS. Events and convictions, if any, which are the subject of an order sealing records: (a) May form the basis for recommendation, denial or revocation of those licenses. (b) Must not form the basis for denial or rejection of a gaming work permit unless the event or conviction relates to the applicant's suitability or qualifications to hold the work permit. 2. The Division of Insurance of the Department of Business and Industry and its employees may inquire into and inspect any records sealed pursuant to NRS 179.245 or 179.255, if the event or conviction was related to insurance, to determine the suitability or qualifications of any person to hold a license, certification or authorization issued in accordance with title 57 of NRS. Events and convictions, if any, which are the subject of an order sealing records may form the basis for recommendation, denial or revocation of those licenses, certifications and authorizations. 3. A prosecuting attorney may inquire into and inspect any records sealed pursuant to NRS 179.245 or 179.255 if: (a) The records relate to a violation or alleged violation of NRS 202.485; and (b) The person who is the subject of the records has been arrested or issued a citation for violating NRS 202.485. 4. The Central Repository for Nevada Records of Criminal History and its employees may inquire into and inspect any records sealed pursuant to NRS 179.245 or 179.255 that constitute information relating to sexual offenses, and may notify employers of the information in accordance with federal laws and regulations. 5. Records which have been sealed pursuant to NRS 179.245 or 179.255 and which are retained in the statewide registry established pursuant to NRS 179B.200 may be inspected pursuant to chapter 179B of NRS by an officer or employee of the Central Repository for Nevada Records of Criminal History or a law enforcement officer in the regular course of his or her duties. 6. The State Board of Pardons Commissioners and its agents and representatives may inquire into and inspect any records sealed pursuant to NRS 179.245 or 179.255 if the person who is the subject of the records has applied for a pardon from the Board. 7. As used in this section: (a) "Information relating to sexual offenses" means information contained in or concerning a record relating in any way to a sexual offense. (b) "Sexual offense" has the meaning ascribed to it in NRS 179A.073. (Added to NRS by 1981, 1105; A 1987, 1759; 1997, 1674; 2003, 2688, 2833; 2003, 20th Special Session, 16; 2005, 973; 2011, 23; 2013, 111; 2015, 3510; 2017, 2674)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.310 - Reward for apprehension of robber.

1. The Governor shall offer a standing reward of \$250 for the arrest of: (a) Each person engaged in the robbery of, or in the attempt to rob, any person upon, or having in charge in whole or in part, any railroad train or other conveyance engaged at the time in conveying passengers, or any private conveyance within this State. (b) Each person engaged in the robbery of, or in the attempt to rob, any person upon any highway in this State. 2. The reward must be paid to the person or persons making the arrest immediately upon the conviction of the person so arrested, but no reward may be paid except after such a conviction. 3. The reward must be paid from the Reserve for Statutory Contingency Account upon approval by the State Board of Examiners. 4. The provisions of this section do not apply to any sheriff, constable, marshal or police officer who makes an arrest in the performance of the duties of his or her office in the county where the officer resides or in which the official duties are required to be performed. [1:53:1877; A 1885, 35; BH § 1918; C § 1927; RL § 3905; NCL § 6720]—(NRS A 1963, 1111; 1991, 1754)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.315 - Use of authorized forms.

1. Unless otherwise expressly required by this title, no particular form of words is required to be used in any pleading, warrant, order, motion or other paper incident to a criminal proceeding. Substantial compliance with any statutory requirement as to content, or in the absence of any such requirement, language which reasonably informs the defendant or other person to whom such paper is directed of its nature, is sufficient. 2. The use of one of the forms set out in NRS 179.320 to 179.400, inclusive, modified as may be necessary to fit the case, is prima facie sufficient for their respective purposes. (Added to NRS by 1967, 1461)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.320 - Warrant of arrest.

A warrant of arrest may be in substantially the following form: Warrant of Arrest County of The State of Nevada, to any sheriff, constable, marshal, police officer, or peace officer in this State: A complaint, upon oath, has been this day laid before me by A. B. that the crime of (designate it) has been committed, and accusing C. D. thereof; you are therefore commanded forthwith to arrest the above-named C. D. and bring him or her before me at (naming the place), or, in case of my absence or inability to act, before the nearest or most accessible magistrate in this county. Dated at, this day of the month of of the year (Signature and official title of magistrate) (Added to NRS by 1967, 1461; A 2001, 39)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.325 - Summons.

A summons may be in substantially the following form: Summons State of Nevada } }ss. County of..... } The State of Nevada to the (naming defendant or corporation): You are hereby summoned to appear before me at (naming the place) on (specifying the day and hour), to answer a charge made against you upon the complaint of A. B. for (designating the offense generally). Dated at, this day of the month of of the year (Signature and official title of magistrate) (Added to NRS by 1967, 1462; A 2001, 39)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.330 - Search warrant.

A search warrant may be in substantially the following form: Search Warrant State of Nevada } }ss. County of..... } The State of Nevada, to any peace officer in the County of Proof by affidavit having been made before me by (naming every person whose affidavit has been taken) that (stating the grounds or probable cause for issuance). You are hereby commanded to search (naming the person or describing with reasonable particularity the place to be searched) for the following property (describing it with reasonable particularity), making the search (in the daytime or at any time, as determined by the magistrate) and if any such property is found there to seize it, prepare a written inventory of the property seized and bring the property before me (or another designated magistrate). Dated at, this day of the month of of the year (Signature and official title of magistrate) (Added to NRS by 1967, 1462; A 2001, 40)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.335 - Motion for return of seized property and suppression of evidence.

A motion for the return of seized property and the suppression of evidence may be in substantially the following form: Motion for the Return of Seized Property and the Suppression of Evidence Defendant (naming defendant) hereby moves this court to direct that certain property of which the defendant is the owner, a schedule of which is annexed hereto, and which on (stating date and time), at (describing the place), was unlawfully seized and taken from the defendant by a peace officer of the State of Nevada (name and designation of peace officer, or, if so, state "whose true name is unknown to the petitioner"), be returned and that it be suppressed as evidence against the defendant in any criminal proceeding. The petitioner further states that the property was seized against his or her will and without a search warrant (or other reason why the warrant is defective or illegal).

..... (Attorney for Petitioner) (Added to NRS by 1967, 1462)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.340 - Bail: After arrest and before preliminary examination.

An undertaking for bail after arrest and before preliminary examination may be in substantially the following form: Undertaking A warrant having been issued on the day of the month of of the year, by, a justice of the peace of County, for the arrest of (stating name of the accused), upon a charge of (stating briefly the nature of the offense), upon which the accused has been arrested and duly ordered admitted to bail in the sum of dollars and ordered to appear before the magistrate who issued the warrant, we,, of, and (stating their names and place of residence), hereby undertake that the above-named shall appear and answer the charge above mentioned, at o'clock ..m., on the day of the month of of the year, before, the magistrate issuing the warrant, at the magistrate's office in, County, State of Nevada, and that the above-named (insert name of accused) shall appear and answer the charge above mentioned in whatever court and before whatever magistrate it may be prosecuted, or before which the accused may be required to appear by law, and shall at all times render himself or herself amenable to the orders and process of the court and the requirements of the law, and if convicted shall appear for judgment and render himself or herself in execution thereof; or if the accused fails to perform any of these conditions, that we will pay to the State of Nevada the sum of dollars (inserting the sum in which the defendant is admitted to bail). (Signatures of Sureties) (Added to NRS by 1967, 1463; A 2001, 40)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.345 - Endorsement on warrant of arrest for commitment for preliminary examination.

An endorsement on a warrant of arrest for commitment for preliminary examination may be in substantially the following form: Endorsement The within-named A. B., having been brought before me under this warrant, is committed for examination to the sheriff (or other appropriate peace officer) of the County of
..... (Signature and official title of magistrate) (Added to NRS by 1967, 1463)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.350 - Discharge after preliminary examination.

A discharge after preliminary examination may be in substantially the following form: Discharge There being no sufficient cause to believe the within-named A. B. guilty of the offense within named, I order A.B. to be discharged.
..... (Signature and official title of magistrate) (Added to NRS by 1967, 1463)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.355 - Commitment and bail after preliminary examination.

Commitment and bail may be in substantially the following form: Commitment and Bail It appearing to me by the within depositions and statement (if any) that the offense therein named (or any other offense according to the fact, stating generally the nature thereof) has been committed, and that there is sufficient cause to believe the within-named A. B. guilty thereof, I order that A. B. be held to answer the same (and A. B. is hereby committed to the sheriff of the County of) or (and I have admitted A. B. to bail to answer by the undertaking hereto annexed) or (and that A. B. be admitted to bail in the sum of dollars, and is committed to the sheriff of the County of until A. B. give such bail).
..... (Signature and official title of magistrate) (Added to NRS by 1967, 1463)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.360 - Commitment where defendant held to answer after preliminary examination.

A commitment where defendant is held to answer after a preliminary examination may be in substantially the following form: Commitment County of (as the case may be). The State of Nevada to the sheriff of the County of: An order having been this day made by me that A. B. be held to answer upon a charge of (stating briefly the nature of the offense, and giving as near as may be the time when and the place where the same was committed), you are commanded to receive A. B. into your custody and detain A. B. until A. B. is legally discharged. Dated this day of the month of of the year
..... (Signatures and official title of magistrate) (Added to NRS by 1967, 1464; A 2001, 41)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.365 - Bail after preliminary examination and before arraignment.

An undertaking for bail after preliminary examination and before arraignment may be in substantially the following form:

Undertaking An order having been made on the day of the month of of the year by A. B., a justice of the peace of County (or as the case may be), that C. D. be held to answer upon a charge of (stating briefly the nature of the offense), upon which C. D. has been duly admitted to bail in the sum of dollars, we, E. F. and G. H. (stating their place of residence), hereby undertake that the above-named C. D. shall appear and answer the charge above mentioned, in whatever court it may be prosecuted, and shall at all times render himself or herself amenable to the orders and process of the court, and, if convicted, shall appear for judgment and render himself or herself in execution thereof, or, if C. D. fail to perform any of these conditions, that we will pay to the State of Nevada the sum of dollars (inserting the sum in which the defendant is admitted to bail).

..... (Signature of Sureties)
(Added to NRS by 1967, 1464; A 2001, 41)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.370 - Indictment.

An indictment may be substantially in the following form: Indictment State of Nevada } }ss. County of..... }
The State of Nevada, plaintiff, against A. B., defendant (or John Doe, whose real name is unknown). Defendant A. B., above named, is accused by the grand jury of the County of, of a felony (or of the crime of murder or other name of crime), committed as follows: The said A. B., on the day of the month of of the year, or thereabouts, at the County of, State of Nevada, without authority of law and with malice aforethought, killed Richard Roe, by shooting with a pistol (or with a gun or other weapon, according to the facts). District Attorney or District Attorney, by Deputy. (Added to NRS by 1967, 1464; A 2001, 42)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.375 - Information.

An information may be in substantially the following form: Information State of Nevada } }ss. County of..... }
In the court. The State of Nevada against A. B., C. D. district attorney within and for the County of in the State aforesaid, in the name and by the authority of the State of Nevada, informs the court that A. B. on the day of the month of of the year, at the County of, did (here state offense) against the peace and dignity of the State of Nevada. C. D., District Attorney or C. D., District Attorney, by H. M., Deputy. (Added to NRS by 1967, 1465; A 2001, 42)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.380 - Warrant upon finding of presentment, indictment or information.

A warrant upon the finding of a presentment, indictment or information may be in substantially the following form: Warrant County of The State of Nevada, to any sheriff, constable, marshal, police officer, or peace officer in this State: A presentment having been made or an indictment having been found (or information filed) on the day of the month of of the year, in the district court of the, County of, charging C. D. with the crime of (designating it generally), you are therefore commanded forthwith to arrest the above-named C. D. and bring C. D. before that court to answer the presentment, indictment or information; or if the court is not in session that you deliver C. D. into the custody of the sheriff of the County of By order of the court. Given under my hand with the seal of the court affixed this day of the month of of the year (Seal) E. F., Clerk. (Added to NRS by 1967, 1465; A 2001, 43)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.385 - Bail after arrest on warrant following finding of presentment, indictment or information.

An undertaking for bail after arrest on a warrant following the finding of a presentment, indictment or information may be in substantially the following form: Undertaking A presentment having been made (or an indictment having been found or an information having been filed), on the day of the month of of the year, in the District Court of the Judicial District of the State of Nevada, in and for the County of (as the case may be), charging A. B. with the crime of (indicating it generally), and A. B. having been duly admitted to bail in the sum of dollars, we, C. D. and E. F. (stating their place of residence), hereby undertake that the above-named A. B. shall appear and answer the indictment or information above mentioned in whatever court it may be prosecuted, and shall at all times render himself or herself amenable to the orders and processes of the court, and, if convicted, shall appear for judgment and render himself or herself in execution thereof; or, if A. B. fails to perform either of these conditions, that we will pay to the State of Nevada the sum of dollars (inserting the sum in which the defendant is admitted to bail).

..... (Signature of Sureties) (Added to NRS by 1967, 1465; A 2001, 43)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.390 - Subpoena; subpoena duces tecum.

A subpoena or subpoena duces tecum may be in substantially the following form: Subpoena The State of Nevada to A. B.: You are commanded to appear before C. D., a justice of the peace of township, in County (or, the court of, as the case may be), at (naming the place), on (stating the day and hour), as a witness in a criminal action, prosecuted by the State of Nevada against E. F. Given under my hand this day of the month of of the year G. H., Justice of the Peace (seal) (or "By order of the court, L. M., Clerk (seal)" as the case may be). (If books, papers or documents are required, a direction to the following effect must be contained in the subpoena: "And you are required also to bring with you the following (describing intelligibly the books, papers or documents required).") (Added to NRS by 1967, 1466; A 1987, 124; 2001, 44)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.395 - Bench warrant after conviction.

A bench warrant may be in substantially the following form: Bench Warrant State of Nevada } }ss. County of..... } The State of Nevada, to any sheriff, constable, marshal, police officer or other peace officer in this state: A. B. having been on the day of the month of of the year duly convicted in the Judicial District Court of the State of Nevada and in and for the County of, of the crime of (designating it generally); you are therefore commanded forthwith to arrest the above-named A. B. and bring A. B. before that court for judgment, or if the court has adjourned, that you deliver A. B. into the custody of the sheriff of the County of Given, by order of the court, under my hand with the seal of the court affixed, this the day of the month of of the year (Seal) E. F., Clerk. (Added to NRS by 1967, 1466; A 2001, 44)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.400 - Undertaking on recommitment.

When bail is taken upon the recommitment of the defendant, the undertaking shall be in substantially the following form: Undertaking An order having been made on the day of the month of of the year, by the court (naming it), that A. B. be admitted to bail in the sum of \$....., in an action pending in that court against A. B., in behalf of the State of Nevada, upon a (presentment, indictment, information, or appeal, as the case may be), we, C. D. and E. F., of (stating their place of residence), hereby undertake that the above-named A. B. shall appear in that or any other court in which A. B.'s appearance may be lawfully required, upon that (presentment, indictment, information, or appeal, as the case may be), and shall at all times render himself or herself amenable to its orders and processes, and appear for judgment, and surrender himself or herself in execution thereof; or, if A. B. fail to perform any of these conditions, that we will pay to the State of Nevada the sum of \$..... (inserting the sum in which the defendant is admitted to bail). (Signature of Sureties) (Added to NRS by 1967, 1466; A 2001, 44)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.410 - Definitions.

As used in NRS 179.410 to 179.515, inclusive, except where the context otherwise requires, the words and terms defined in NRS 179.415 to 179.455, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1973, 1742; A 1989, 658; 2015, 2488)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.415 - "Aggrieved person" defined.

"Aggrieved person" means a person who was a party to any intercepted wire, electronic or oral communication or a person against whom the interception was directed. (Added to NRS by 1973, 1742; A 2015, 2488)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.420 - "Contents" defined.

"Contents" when used with respect to any wire, electronic or oral communication includes any information concerning the identity of the parties to such communication or the existence, substance, purport or meaning of that communication. (Added to NRS by 1973, 1742; A 2015, 2488)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.421 - "Electronic communication" defined.

"Electronic communication" means a transfer of signs, signals, writings, images, sounds, data or intelligence of any nature transferred in whole or in part by a wire, radio, electromagnetic, photoelectric or photo-optical system. The term does not include: 1. A wire or oral communication. 2. A communication made through a tone-only paging device. 3. A communication from a tracking device. 4. Electronic funds transfer information stored by a financial institution in a communication system used for the electronic storage and transfer of funds. 5. The incoming or outgoing electronic or other impulses that identify the originating number of an instrument or device from which or to which a wire or electronic communication was transmitted. (Added to NRS by 2015, 2485)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.423 - "Electronic communication service" defined.

"Electronic communication service" means a service that provides to users of the service the ability to send or receive a wire or electronic communication. (Added to NRS by 2015, 2486)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.425 - "Electronic, mechanical or other device" defined.

"Electronic, mechanical or other device" means any device or apparatus which can be used to intercept a wire, electronic or oral communication other than: 1. Any telephone instrument, equipment or facility, or any component thereof: (a) Furnished to the subscriber or user by a provider of electronic communication service in the ordinary course of its business and being used by the subscriber or user in the ordinary course of its business; (b) Furnished by the subscriber or user for connection to the facilities of an electronic communication service and being used by the subscriber or user in the ordinary course of its business; or (c) Being used by a provider of electronic communication service in the ordinary course of its business, or by an investigative or law enforcement officer in the ordinary course of his or her duties. 2. A hearing aid or similar device being used to correct subnormal hearing to not better than normal. 3. A portable event recording device, as defined in NRS 289.830. (Added to NRS by 1973, 1742; A 2013, 1959; 2015, 573, 2488, 3665; 2017, 589)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.430 - "Intercept" defined.

"Intercept" means the aural acquisition of the contents of any wire, electronic or oral communication through the use of any electronic, mechanical or other device or of any sending or receiving equipment. (Added to NRS by 1973, 1743; A 2015, 2488)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.435 - "Investigative or law enforcement officer" defined.

"Investigative or law enforcement officer" means any officer of the United States or this State or a political subdivision thereof who is empowered by the law of this state to conduct investigations of or to make arrests for felonies, and any attorney authorized by law to prosecute or participate in the prosecution of such offenses. (Added to NRS by 1973, 1743; A 2015, 2488)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.440 - "Oral communication" defined.

"Oral communication" means any verbal message uttered by a person exhibiting an expectation that such communication is not subject to interception, under circumstances justifying such expectation. The term does not include an electronic communication. (Added to NRS by 1973, 1743; A 2015, 2488)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.443 - "Peace officer" defined.

"Peace officer" means a category I peace officer, as defined in NRS 289.460. (Added to NRS by 2015, 2486)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.445 - "Person" defined.

"Person" means any official, employee or agent of the United States or any state or political subdivision thereof, and any individual, partnership, association, joint-stock company, trust or corporation. (Added to NRS by 1973, 1743)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.450 - "State" defined.

"State" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico and any territory or possession of the United States. (Added to NRS by 1973, 1743)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.451 - "Tracking device" defined.

"Tracking device" means an electronic or mechanical device that permits the tracking of the movement of a person or an object. (Added to NRS by 2015, 2486)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.453 - "User" defined.

"User" means a person or entity who: 1. Uses an electronic communication service; and 2. Is authorized by the provider of the electronic communication service to engage in such use. (Added to NRS by 2015, 2486)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.455 - "Wire communication" defined.

"Wire communication" means any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable or other like connection between the point of origin and the point of reception, including the use of such connection in a switching station, furnished or operated by any person engaged in providing or operating such facilities for the transmission of intrastate, interstate or foreign communications. (Added to NRS by 1973, 1743; A 2015, 2489)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.458 - Provisions inapplicable to recording of certain telephone calls by public utility.

The provisions of NRS 179.410 to 179.515, inclusive, do not prohibit the recording of any telephone call by a public utility pursuant to NRS 704.195. (Added to NRS by 1989, 658)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.460 - Circumstances in which interception of communications may be authorized; immunity.

1. The Attorney General or the district attorney of any county may apply to a Supreme Court justice or to a district judge in the county where the interception is to take place for an order authorizing the interception of wire, electronic or oral communications, and the judge may, in accordance with NRS 179.470 to 179.515, inclusive, grant an order authorizing the interception of wire, electronic or oral communications by investigative or law enforcement officers having responsibility for the investigation of the offense as to which the application is made, when the interception may provide evidence of the commission of murder, kidnapping, robbery, extortion, bribery, escape of an offender in the custody of the Department of Corrections, destruction of public property by explosives, a sexual offense against a child, sex trafficking, a violation of NRS 200.463, 200.464 or 200.465, trafficking in persons in violation of NRS 200.467 or 200.468, a violation of NRS 201.553, the commission of any offense which is made a felony by the provisions of chapter 453 or 454 of NRS or a violation of NRS 463.160 or 465.086. 2. A provider of electronic communication service or a public utility, an officer, employee or agent thereof or another person associated with the provider of electronic communication service or public utility who, pursuant to an order issued pursuant to subsection 1, provides information or otherwise assists an investigative or law enforcement officer in the interception of a wire, electronic or oral communication is immune from any liability relating to any interception made pursuant to the order. 3. As used in this section, "sexual offense against a child" includes any act upon a child constituting: (a) Incest pursuant to NRS 201.180; (b) Lewdness with a child pursuant to NRS 201.230; (c) Sado-masochistic abuse pursuant to NRS 201.262; (d) Sexual assault pursuant to NRS 200.366; (e) Statutory sexual seduction pursuant to NRS 200.368; (f) Open or gross lewdness pursuant to NRS 201.210; or (g) Luring a child or a person with mental illness pursuant to NRS 201.560, if punished as a felony. (Added to NRS by 1973, 1743; A 1975, 1520; 1993, 99; 2001, 2794; 2003, 1387; 2011, 20; 2013, 2421; 2015, 2489; 2019, 826; 2023, 2469)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.463 - Circumstances in which interception, listening or recording of communications by peace officer or certain other persons not unlawful.

1. The interception, listening or recording of a wire, electronic or oral communication by a peace officer specifically designated by the Attorney General or the district attorney of any county, or a person acting under the direction or request of a peace officer, is not unlawful if the peace officer or person is intercepting the communication of a person who has: (a) Barricaded himself or herself and is not exiting or surrendering at the lawful request of a peace officer, in circumstances in which there is imminent risk of harm to the life of another person as a result of the barricaded person's actions or the actions of law enforcement in resolving the barricade situation; (b) Created a hostage situation; or (c) Threatened the imminent illegal use of an explosive. 2. For the purposes of subsection 1: (a) A barricade occurs when a person: (1) Refuses to come out from a covered or enclosed position after being provided an order to exit by a peace officer; or (2) Is contained in an open area and the presence or approach of a peace officer precipitates an imminent risk of harm to the life of another person. (b) A hostage situation occurs when a person holds another person against the other person's will, regardless of whether the person holding the other person has made a demand. (Added to NRS by 2015, 2486)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.465 - Disclosure or use of intercepted communications.

1. Any investigative or law enforcement officer who, by any means authorized by NRS 179.410 to 179.515, inclusive, or 704.195 or 18 U.S.C. §§ 2510 to 2522, inclusive, has obtained knowledge of the contents of any wire, electronic or oral communication, or evidence derived therefrom, may disclose the contents to another investigative or law enforcement officer or use the contents to the extent that the disclosure or use is appropriate to the proper performance of the official duties of the officer making or receiving the disclosure. 2. Any person who has received, by any means authorized by NRS 179.410 to 179.515, inclusive, or 704.195 or 18 U.S.C. §§ 2510 to 2522, inclusive, or by a statute of another state, any information concerning a wire, electronic or oral communication, or evidence derived therefrom intercepted in accordance with the provisions of NRS 179.410 to 179.515, inclusive,

may disclose the contents of that communication or the derivative evidence while giving testimony under oath or affirmation in any criminal proceeding in any court or before any grand jury in this state, or in any court of the United States or of any state, or in any federal or state grand jury proceeding. 3. An otherwise privileged wire, electronic or oral communication intercepted in accordance with, or in violation of, the provisions of NRS 179.410 to 179.515, inclusive, or 18 U.S.C. §§ 2510 to 2522, inclusive, does not lose its privileged character. 4. When an investigative or law enforcement officer engaged in intercepting wire, electronic or oral communications as authorized by NRS 179.410 to 179.515, inclusive, intercepts wire, electronic or oral communications relating to offenses other than those specified in the order provided for in NRS 179.460, the contents of the communications and the evidence derived therefrom may be disclosed or used as provided in subsection 1. The direct evidence derived from the communications is inadmissible in a criminal proceeding, but any other evidence obtained as a result of knowledge obtained from the communications may be disclosed or used as provided in subsection 2 when authorized or approved by a justice of the Supreme Court or district judge who finds upon application made as soon as practicable that the contents of the communications were intercepted in accordance with the provisions of NRS 179.410 to 179.515, inclusive, or 18 U.S.C. §§ 2510 to 2522, inclusive. (Added to NRS by 1973, 1743; A 1983, 117; 1989, 658; 2015, 2489)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.467 - Order requiring provider of electronic communication service to disclose contents of electronic or wire communication or records pertaining to customers; immunity.

1. The Nevada Supreme Court and the district courts of this State may issue orders requiring a provider of electronic communication service to disclose the contents of a wire or electronic communication or a record or other information pertaining to a subscriber to, or customer of, such service upon the application of a district attorney or the Attorney General, or their deputies, supported by an affidavit of a peace officer under the circumstances and upon the conditions prescribed by 18 U.S.C. § 2703. 2. A provider of electronic communication service, an officer, employee or agent thereof or another person associated with the provider of electronic communication service who, pursuant to an order issued by a district court pursuant to subsection 1, discloses the contents of a wire or electronic communication or a record or other information pertaining to a subscriber to, or customer of, the electronic communication service is immune from any liability relating to any disclosure made pursuant to the order. (Added to NRS by 2015, 2486)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.470 - Application for order authorizing interception of communications; prerequisites to issuance of order.

1. Each application for an order authorizing the interception of a wire, electronic or oral communication must be made in writing upon oath or affirmation to a justice of the Supreme Court or district judge and must state the applicant's authority to make such application. Each application must include the following information: (a) The identity of the investigative or law enforcement officer making the application, and the officer authorizing the application. (b) A full and complete statement of the facts and circumstances relied upon by the applicant to justify the applicant's belief that an order should be issued, including: (1) Details as to the particular offense that is being, has been or is about to be committed. (2) A particular description of the nature and location of the facilities from which or the place where the communication is to be intercepted, the facilities to be used and the means by which such interception is to be made. (3) A particular description of the type of communications sought to be intercepted. (4) The identity of the person, if known, who is committing, has committed or is about to commit an offense and whose communications are to be intercepted. (c) A full and complete statement as to whether or not other investigative procedures have been tried and failed or why they reasonably appear to be unlikely to succeed if tried or to be too dangerous. (d) A statement of the period of time for which the interception is required to be maintained. If the nature of the investigation is such that the authorization for interception should not automatically terminate when the described type of communication has been obtained, a particular description of facts establishing probable cause to believe that additional communications of the same type will occur thereafter. (e) A full and complete statement of the facts concerning all previous applications known to the person authorizing and making the application made to any judge for authorization to intercept wire, electronic or oral communications involving any of the same persons, facilities or places specified in the application, and the action taken by the judge on each such application. (f) Where the application is for the extension of an order, a statement setting forth the results thus far obtained from the interception, or a reasonable explanation of the failure to obtain such results. 2. The judge may require the applicant to furnish additional testimony or documentary evidence under oath or affirmation in support of the application. Oral testimony must be reduced to writing. 3. Upon such application the judge may enter an ex parte order, as requested or as modified, authorizing interception of wire, electronic or oral communications within the territorial jurisdiction of the court in which the judge is sitting, if the judge determines on the basis of the facts submitted by the applicant that: (a) There is probable cause for belief that a person is committing, has committed or is about to commit an offense for which interception is authorized by NRS 179.460. (b) There is probable cause for belief that particular communications concerning that offense will be obtained through such interception. (c) Normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried or appear to be too dangerous. (d) There is probable cause for belief that the facilities from which, or the place where, the wire, electronic or oral communications are to be intercepted are being used or are about to be used by such person in connection with the commission of such offense or are leased to, listed in the name of, or commonly used by such person. 4. The judge may accept a facsimile or electronic copy of the signature of any person required to

give an oath or affirmation as part of an application submitted pursuant to this section as an original signature to the application. (Added to NRS by 1973, 1744; A 1983, 118; 2015, 2490)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.475 - Order authorizing interception of communications: Contents; duration; extension.

1. Each order authorizing the interception of any wire, electronic or oral communication must specify: (a) The identity of the person, if known, whose communications are to be intercepted. (b) The nature and location of the place where or communication facilities to which authority to intercept is granted, the facilities to be used and the means by which such interceptions will be made. (c) A particular description of the type of communication sought to be intercepted, and a statement of the particular offense to which it relates. (d) The identity of the agency authorized to intercept the communications, and of the person authorizing the application. (e) The period of time during which such interception is authorized, including a statement as to whether or not the interception will automatically terminate when the described communication has been first obtained. 2. An order authorizing the interception of a wire, electronic or oral communication shall, upon request of the applicant, direct that a provider of electronic communication service, landlord, custodian or other person shall furnish the applicant forthwith all information, facilities, and technical assistance necessary to accomplish the interception unobtrusively and with a minimum of interference with the services that such provider of electronic communication service, landlord, custodian, or person is according the person whose communications are to be intercepted. Any provider of electronic communication service, landlord, custodian or other person furnishing such facilities or technical assistance must be compensated therefor by the applicant at the prevailing rates. 3. No order entered under this section may authorize the interception of any wire, electronic or oral communication for any period longer than is necessary to achieve the objective of the authorization, and in no event longer than 30 days. Extensions of an order may be granted, but only upon application for an extension made in accordance with the procedures provided in NRS 179.470. The period of extension must be no longer than the authorizing judge deems necessary to achieve the purposes for which it was granted and in no event for longer than 30 days. Every order and extension thereof must contain a provision that the authorization to intercept must be executed as soon as practicable, must be conducted in such a way as to minimize the interception of communications not otherwise subject to interception under this statute, and will terminate upon attainment of the authorized objective, or in any event in 30 days. (Added to NRS by 1973, 1745; A 2015, 2491)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.480 - Progress reports to judge.

Whenever an order authorizing interception is entered pursuant to NRS 179.410 to 179.515, inclusive, the order may require reports to be made to the judge who issued the order showing what progress has been made toward achievement of the authorized objective and the need for continued interception. Such reports shall be made at such intervals as the judge may require. (Added to NRS by 1973, 1746)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.485 - Recording.

The contents of any wire, electronic or oral communication intercepted by any means authorized by NRS 179.410 to 179.515, inclusive, must, if possible, be recorded on tape or wire or other comparable device. The recording of the contents of any wire, electronic or oral communication under this section must be done in such a way as will protect the recording from editing or other alterations. Immediately upon the expiration of the period of the order, or extensions thereof, such recordings must be made available to the judge issuing such order and sealed under the judge's directions. Custody of the recordings must be placed with whomever the judge directs. They must not be destroyed except upon an order of the judge issuing such order and in any event must be kept for 10 years. Duplicate recordings may be made for use or disclosure pursuant to the provisions of subsection 1 of NRS 179.465 for investigations. The presence of the seal provided for by this section, or a satisfactory explanation for the absence thereof, is a prerequisite for the use or disclosure of the contents of any wire, electronic or oral communication or evidence derived therefrom under subsection 2 of NRS 179.465. (Added to NRS by 1973, 1746; A 2015, 2492)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.490 - Sealing of applications and orders; disclosure.

1. Applications made and orders granted under this statute shall be sealed by the judge. Custody of the applications and orders shall be placed with whomever the judge orders. Such applications and orders shall be disclosed only upon a showing of good cause before a judge of a court of competent jurisdiction and shall not be destroyed except on order of the judge who issued or denied the order, and in any event shall be kept for 10 years. 2. Any violation of the provisions of this section may be punished as contempt of court. (Added to NRS by 1973, 1747)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.495 - Notice to parties to intercepted communications.

1. Within a reasonable time but not later than 90 days after the termination of the period of an order or any extension thereof, the judge who issued the order shall cause to be served on the chief of the Investigation Division of the Department of Public Safety, persons named in the order and any other parties to intercepted communications, an inventory which must include notice of: (a) The fact of the entry and a copy of the order. (b) The fact that during the period wire, electronic or oral communications were or were not intercepted. Except as otherwise provided in NRS 239.0115, the inventory filed pursuant to this section is confidential and must not be released for inspection unless subpoenaed by a court of competent jurisdiction. 2. The judge, upon receipt of a written request from any person who was a party to an intercepted communication or from the person's attorney, shall make available to the person or the person's counsel those portions of the intercepted communications which contain the person's conversation. On an ex parte showing of good cause to a district judge, the serving of the inventory required by this section may be postponed for such time as the judge may provide. (Added to NRS by 1973, 1747; A 1975, 1520; 1983, 119; 1985, 1976; 2001, 2572; 2007, 2077; 2015, 2493)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.500 - Contents of intercepted communications inadmissible in evidence unless transcript provided to parties before trial.

The contents of any intercepted wire, electronic or oral communication or evidence derived therefrom must not be received in evidence or otherwise disclosed in any trial, hearing or other proceeding in any court of this state unless each party, not less than 10 days before the trial, hearing or proceeding, has been furnished with a copy of the court order and accompanying application under which the interception was authorized and a transcript of any communications intercepted. Such 10-day period may be waived by the judge if the judge finds that it was not possible to furnish the party with such information 10 days before the trial, hearing or proceeding and that the party will not be prejudiced by the delay in receiving such information. (Added to NRS by 1973, 1747; A 2015, 2493)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.505 - Motion to suppress.

1. Any aggrieved person in any trial, hearing or proceeding in or before any court, department, officer, agency or other authority of this State, or a political subdivision thereof, may move to suppress the contents of any intercepted wire, electronic or oral communication, or evidence derived therefrom, on the grounds that: (a) The communication was unlawfully intercepted. (b) The order of authorization under which it was intercepted is insufficient on its face. (c) The interception was not made in conformity with the order of authorization. (d) The period of the order and any extension had expired. 2. Such a motion must be made before the trial, hearing or proceeding unless there was no opportunity to make such a motion or the person was not aware of the grounds of the motion. If the motion is granted, the contents of the intercepted wire, electronic or oral communication, or evidence derived therefrom, must be treated as having been obtained in violation of NRS 179.410 to 179.515, inclusive. The judge, upon the filing of such motion by the aggrieved person, may in the judge's discretion make available to the aggrieved person or the aggrieved person's counsel for inspection such portions of the intercepted communication or evidence derived therefrom as the judge determines to be in the interest of justice. (Added to NRS by 1973, 1747; A 2015, 2493)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.510 - Appeal by State from order granting motion to suppress.

In addition to any other right to appeal the State may appeal from an order granting a motion to suppress made under NRS 179.505 if the Attorney General or district attorney certifies to the judge or other official granting such motion that the appeal is not taken for purposes of delay. Such appeal shall be taken within 30 days after the date the order of suppression was entered and shall be diligently prosecuted as in the case of other interlocutory appeals or under such rules as the Supreme Court may adopt. (Added to NRS by 1973, 1748)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.515 - Reports by justices of Supreme Court, district judges, Attorney General and district attorneys.

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 the report must be filed with the Investigation Division of the Department of Public Safety. 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 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 Investigation Division of the Department of Public Safety on forms approved by the Division a report containing the same information required to be reported pursuant to 18 U.S.C. § 2519. The report must also indicate whether a party to an intercepted wire, electronic or oral communication had consented to the interception. 3. The willful failure of any officer to report any information known to the officer 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 the Secretary of State, institute legal proceedings for the removal of that officer. 4. The Investigation Division of the Department of Public Safety shall, on or before April 30 of each year, compile a report consisting

of a summary and analysis of all reports submitted to the Division pursuant to this section during the previous calendar year. The report is a public record and may be inspected by any person during the regular office hours of the Division. (Added to NRS by 1973, 1748; A 1975, 1520; 1981, 2009; 1983, 120; 1985, 1977; 2001, 2573; 2015, 2494)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.525 - Temporary changes in telephone service permitted where hostages are being held or suspects are barricaded.

1. A supervising peace officer who, with other officers, or any peace officer who, alone, is attempting to gain control of a situation in which a person: (a) Is holding another as a hostage, whether or not the life of the hostage has been threatened; or (b) Has committed or is believed to have committed a crime, is barricaded in an area or structure and is resisting arrest through the use or threatened use of force, may direct the public utility which provides telephone service to the area or structure in which the hostages are being held or persons are barricaded, or to an area which is close to that area or structure, to interrupt the service on, divert, reroute or otherwise make temporary changes in telephone lines to enable the peace officer making the request to establish communication with the person holding the hostage, or among peace officers, or to deny communication to the person holding the hostage. 2. Each public utility which provides telephone service in this State shall designate an employee and an alternate to supervise in performing the orders of a peace officer who is carrying out the purposes of this section. 3. A reliance in good faith by a public utility on the order of a peace officer pursuant to this section constitutes a complete defense to any civil or criminal action brought against the public utility on account of any interruption, diversion, rerouting or change in telephone service made in response to the order. (Added to NRS by 1981, 1561)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.530 - Order authorizing installation and use of pen register or trap and trace device.

1. Except as otherwise provided in 18 U.S.C. §§ 3121-3127, a person shall not install or use a pen register or trap and trace device without first obtaining an order from a district court of this State. 2. District courts of this State may issue orders authorizing the installation and use of a pen register or trap and trace device upon the application of a district attorney, the Attorney General or their deputies or of a peace officer, supported by an affidavit of a peace officer under the circumstances and upon the conditions prescribed by 18 U.S.C. §§ 3121-3127. 3. The district court may accept a facsimile or electronic copy of the signature of any person required to give an oath or affirmation as part of an application submitted pursuant to subsection 2 as an original signature to the application. 4. Secure electronic transmission may be used for the submission of an application and affidavit required by subsection 2 and for the issuance of an order authorizing the installation and use of a pen register or trap and trace device. The Nevada Supreme Court may adopt rules not inconsistent with the laws of this State to carry out the provisions of this subsection. 5. A public utility that relies, in good faith, upon an order of a district court authorizing the installation and use of a pen register or trap and trace device is not liable in any civil or criminal action brought against the public utility for the installation and use of the pen register or trap and trace device in accordance with the order of the court. 6. As used in this section: (a) "Peace officer" means: (1) Sheriffs of counties and metropolitan police departments and their deputies; (2) Personnel of the Department of Public Safety who have the powers of peace officers pursuant to NRS 289.270; (3) Police officers of cities and towns; (4) Agents of the Nevada Gaming Control Board who are investigating any violation of subsection 2 or 3 of NRS 463.360 or chapter 465 of NRS; (5) Special investigators employed by the Attorney General who have the powers of peace officers pursuant to NRS 289.170; (6) Investigators employed by a district attorney who have the powers of peace officers pursuant to NRS 289.170; (7) The Inspector General of the Department of Corrections and the criminal investigators employed by the Department who have the powers of peace officers pursuant to NRS 289.220; and (8) Federal law enforcement officers who are members of a task force composed of federal and state or local law enforcement agencies. (b) "Pen register" has the meaning ascribed to it in 18 U.S.C. § 3127(3). (c) "Secure electronic transmission" means the sending of information from one computer system to another computer system in such a manner as to ensure that: (1) No person other than the intended recipient receives the information; (2) The identity and signature of the sender of the information can be authenticated; and (3) The information which is received by the intended recipient is identical to the information that was sent. (d) "Trap and trace device" has the meaning ascribed to it in 18 U.S.C. § 3127(4). (Added to NRS by 1989, 1134; A 1991, 969; 1993, 83, 2528; 2001, 2573; 2011, 21, 726; 2021, 214)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.535 - Receipt for property taken from person arrested for public offense.

When money or other property is taken from a defendant arrested upon a charge of a public offense, the officer taking it shall at the time give duplicate receipts therefor, specifying particularly the amount of money and the kind of property taken, one of which receipts the officer shall deliver to the defendant, and the other of which the officer shall forthwith file with the clerk of the court to which the deposition and statements must be sent. (Added to NRS by 1967, 1461)

2024 Nevada Revised Statutes Chapter 179 - Special Proceedings of a Criminal Nature; Sealing Records of Criminal Proceedings; Rewards; Forms NRS 179.540 - Governor prohibited from surrendering or issuing arrest warrant for person charged in another state with criminal violation related to certain reproductive health care services; exception.

1. Notwithstanding the provisions of NRS 179.177 to 179.235, inclusive, the Governor shall not surrender, or issue a warrant pursuant to NRS 179.191 for the arrest of, any person in this State who is charged in another state with a criminal violation of the laws of that other state if the violation alleged involves the provision or receipt of or assistance with reproductive health care services, unless the acts forming the basis of the prosecution of the crime charged would constitute a criminal offense under the laws of the State of Nevada. 2. The provisions of this section do not apply in the circumstance where a demand for the extradition of a person charged with crime in another state is made in accordance with NRS 179.183, and the person who is the subject of the demand was physically present in the demanding state at the time of the commission of the alleged offense and thereafter fled from that state. 3. As used in this section: (a) "Reproductive health care services" means medical, surgical, counseling or referral services relating to the human reproductive system, including, without limitation, services relating to pregnancy, contraception, the termination of pregnancy or any procedure or care found by a competent medical professional to be appropriate based upon the wishes of a patient and in accordance with the laws of this State. (b) The words and terms defined in NRS 179.179 have the meanings ascribed to them in that section. (Added to NRS by 2023, 407)

Title: chapter-179a

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.010 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 179A.020 to 179A.073, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1979, 1850; A 1987, 1764; 2005, 2864; 2009, 1834, 2490; 2015, 1799; 2017, 2675)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.020 - "Administration of criminal justice" defined.

"Administration of criminal justice" means detection, apprehension, detention, release pending trial or after trial, prosecution, adjudication, correctional supervision or rehabilitation of accused persons or criminal offenders, and includes criminal identification activities and the collection, storage and dissemination of records of criminal history. (Added to NRS by 1979, 1850)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.030 - "Agency of criminal justice" defined.

"Agency of criminal justice" means: 1. Any court; and 2. Any governmental agency or subunit of any governmental agency which performs a function in the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its budget to a function in the administration of criminal justice, including, without limitation, a local law enforcement agency, the Nevada Highway Patrol, the Division of Parole and Probation of the Department of Public Safety and the Department of Corrections. (Added to NRS by 1979, 1850; A 2013, 112; 2017, 2419)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.035 - "Biometric identifier" defined.

"Biometric identifier" means a fingerprint, palm print, scar, bodily mark, tattoo, voiceprint, facial image, retina image or iris image of a person. (Added to NRS by 2017, 2675)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.045 - "Central Repository" defined.

"Central Repository" means the Central Repository for Nevada Records of Criminal History. (Added to NRS by 1985, 912)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.047 - "Child" defined.

"Child" means a person under the age of 16 years. (Added to NRS by 1987, 1760)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.049 - "Department" defined.

"Department" means the Department of Public Safety. (Added to NRS by 1987, 1760; A 2001, 2574)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.050 - "Disposition" defined.

"Disposition" means the formal conclusion of a criminal proceeding at any point in the administration of criminal justice which shows the nature of the conclusion. (Added to NRS by 1979, 1850)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.060 - "Dissemination" defined.

"Dissemination" means disclosing records of criminal history or the absence of records of criminal history to a person or agency outside the organization which has control of the information. (Added to NRS by 1979, 1850; A 1985, 912)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.061 - "National Crime Information Center" defined.

"National Crime Information Center" means the computerized information system created and maintained by the Federal Bureau of Investigation pursuant to 28 U.S.C. § 534. (Added to NRS by 2015, 1799)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.062 - "National Instant Criminal Background Check System" defined.

"National Instant Criminal Background Check System" means the national system created by the federal Brady Handgun Violence Prevention Act, Public Law 103-159. (Added to NRS by 2009, 2488)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.066 - "Offender convicted of a crime against a child" defined .

"Offender convicted of a crime against a child" has the meaning ascribed to it in NRS 179D.0559. (Added to NRS by 2005, 2864; A 2007, 2753)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.070 - "Record of criminal history" defined.

1. "Record of criminal history" means information contained in records collected and maintained by agencies of criminal justice, the subject of which is a natural person, consisting of descriptions which identify the subject and notations of summons in a criminal action, warrants, arrests, citations for misdemeanors issued pursuant to NRS 171.1773, citations issued for violations of NRS 484C.110, 484C.120, 484C.130 and 484C.430, detentions, decisions of a prosecuting attorney or the Attorney General not to prosecute the subject, indictments, informations or other formal criminal charges and dispositions of charges, including, without limitation, dismissals, acquittals, convictions, sentences, information set forth in NRS 209.353 concerning an offender in prison, any postconviction relief, correctional supervision occurring in Nevada, information concerning the status of an offender on parole or probation, and information concerning a convicted person who has registered as such pursuant to chapter 179C of NRS. The term includes only information contained in a record, maintained in written or electronic form, of a formal transaction between a person and an agency of criminal justice in this State, including, without limitation, the fingerprints and other biometric identifiers of a person who is arrested and taken into custody and of a person who is placed on parole or probation and supervised by the Division of Parole and Probation of the Department. 2. "Record of criminal history" does not include: (a) Investigative or intelligence information, reports of crime or other information concerning specific persons collected in the course of the enforcement of criminal laws; (b) Information concerning juveniles; (c) Posters, announcements or lists intended to identify fugitives or wanted persons and aid in their apprehension; (d) Original records of entry maintained by agencies of criminal justice if the records are chronological and not cross-indexed; (e) Records of application for and issuance, suspension, revocation or renewal of occupational licenses, including, without limitation, permits to work in the gaming industry; (f) Except as otherwise provided in subsection 1, court indexes and records of public judicial proceedings, court decisions and opinions, and information disclosed during public judicial proceedings; (g) Except as otherwise provided in subsection 1, records of traffic violations constituting misdemeanors; (h) Records of traffic offenses maintained by the Department to regulate the issuance, suspension, revocation or renewal of drivers' or other operators' licenses; (i) Announcements of actions by the State Board of Pardons Commissioners and the State Board of Parole Commissioners, except information concerning the status of an offender on parole or probation; or (j) Except as otherwise provided in NRS 179A.325, records which originated in an agency other than an agency of criminal justice in this State. (Added to NRS by 1979, 1850; A 1985, 1977; 1987, 1764; 1995, 2069; 1997, 1327; 1999, 2089; 2005, 164; 2007, 2810; 2017, 2675; 2021, 205, 612)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.071 - "Record of registration" defined.

"Record of registration" has the meaning ascribed to it in NRS 179D.070. (Added to NRS by 2005, 2864; A 2011, 220)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.0715 - "Records of criminal history of the United States or another state" defined.

"Records of criminal history of the United States or another state" means records which originated in an agency of criminal justice of the Federal Government or an agency of criminal justice of another state. (Added to NRS by 2009, 1834)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.072 - "Sex offender" defined .

"Sex offender" has the meaning ascribed to it in NRS 179D.095. (Added to NRS by 2005, 2864)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.073 - "Sexual offense" defined.

1. "Sexual offense" includes acts upon a child constituting: (a) Sexual assault under NRS 200.366; (b) Statutory sexual seduction under NRS 200.368; (c) Use of a minor in producing pornography under NRS 200.710; (d) Promotion of a sexual performance of a minor under NRS 200.720; (e) Possession of a visual presentation depicting the sexual conduct of a child under NRS 200.730; (f) Incest under NRS 201.180; (g) Lewdness with a child under NRS 201.230; or (h) Luring a child or a person with mental illness pursuant to NRS 201.560, if punished as a felony. 2. "Sexual offense" also includes acts committed outside the State that would constitute any of the offenses in subsection 1 if committed in the State, and the aiding, abetting, attempting or conspiring to engage in any of the offenses in subsection 1. (Added to NRS by 1987, 1760; A 2001, 2794; 2003, 1388; 2013, 1167)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.075 - Creation; duties of agencies of criminal justice and certain other agencies; duties and powers of Records, Communications and Compliance Division of Department and Central Repository.

1. The Central Repository for Nevada Records of Criminal History is hereby created within the Records, Communications and Compliance Division of the Department. 2. Each agency of criminal justice and any other agency dealing with crime shall: (a) Collect and maintain records, reports and compilations of statistical data required by the Department; and (b) Submit the information collected to the Central Repository: (1) In the manner approved by the Director of the Department; and (2) In accordance with the policies, procedures and definitions of the Uniform Crime Reporting Program of the Federal Bureau of Investigation. 3. Each agency of criminal justice shall submit the information relating to records of criminal history that it creates, issues or collects, and any information in its possession relating to the DNA profile of a person from whom a biological specimen is obtained pursuant to NRS 176.09123 or 176.0913, to the Division. The information must be submitted to the Division: (a) Through an electronic network; (b) On a medium of magnetic storage; or (c) In the manner prescribed by the Director of the Department, within 60 days after the date of the disposition of the case. If an agency has submitted a record regarding the arrest of a person who is later determined by the agency not to be the person who committed the particular crime, the agency shall, immediately upon making that determination, so notify the Division. The Division shall delete all references in the Central Repository relating to that particular arrest. 4. Each state and local law enforcement agency shall submit Uniform Crime Reports to the Central Repository: (a) In the manner prescribed by the Director of the Department; (b) In accordance with the policies, procedures and definitions of the Uniform Crime Reporting Program of the Federal Bureau of Investigation; and (c) Within the time prescribed by the Director of the Department. 5. The Division shall, in the manner prescribed by the Director of the Department: (a) Collect, maintain and arrange all information submitted to it relating to: (1) Records of criminal history; and (2) The DNA profile of a person from whom a biological specimen is obtained pursuant to NRS 176.09123 or 176.0913. (b) When practicable, use a record of the personal identifying information of a subject as the basis for any records maintained regarding him or her. (c) Upon request, provide, in paper or electronic form, the information that is contained in the Central Repository to the Committee on Domestic Violence appointed pursuant to NRS 228.470 when, pursuant to NRS 228.495, the Committee is reviewing the death of the victim of a crime that constitutes domestic violence pursuant to NRS 33.018. 6. The Division may: (a) Disseminate any information which is contained in the Central Repository to any other agency of criminal justice; (b) Enter into cooperative agreements with repositories of the United States and other states to facilitate exchanges of information that may be disseminated pursuant to paragraph (a); and (c) Request of and receive from the Federal Bureau of Investigation information on the background and personal history of any person whose record of fingerprints or other biometric identifier the Central Repository submits to the Federal Bureau of Investigation and: (1) Who has applied to any agency of the State of Nevada or any political subdivision thereof for a license which it has the power to grant or deny; (2) With whom any agency of the State of Nevada or any political subdivision thereof intends to enter into a relationship of employment or a contract for personal services; (3) Who has applied to any agency of the State of Nevada or any political subdivision thereof to attend an academy for training peace officers approved by the Peace Officers' Standards and Training Commission; (4) For whom such information is required or authorized to be obtained pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031, 432A.170, 432B.198, 433B.183, 449.123 and 449.4329; or (5) About whom any agency of the State of Nevada or any political subdivision thereof is authorized by law to have accurate personal information for the protection of the agency or the persons within its jurisdiction. 7. To request and receive information from the Federal Bureau of Investigation concerning a person pursuant to subsection 6, the Central Repository must receive: (a) The person's complete set of fingerprints for the purposes of: (1) Booking the person into a city or county jail or detention facility; (2) Employment; (3) Contractual services; or (4) Services related to occupational licensing; (b) One or more of the person's fingerprints for the purposes of mobile identification by an agency of criminal justice; or (c) Any other biometric identifier of the person as it may require for the purposes of: (1) Arrest; or (2) Criminal investigation, from the agency of criminal justice or agency of the State of Nevada or any political subdivision thereof and submit the received data to the Federal Bureau of Investigation for its report. 8. The Central Repository shall: (a) Collect and maintain records, reports and compilations of statistical data submitted by any agency pursuant to subsection 2. (b) Tabulate and analyze all records, reports and compilations of statistical data received pursuant to this section. (c) Disseminate to federal agencies engaged in the collection of statistical data relating to crime information which is contained in the Central Repository. (d) Investigate the criminal history of any person who: (1) Has applied to the Superintendent of Public Instruction for the issuance or renewal of a license; (2) Has applied to a county school district, charter school or private school for employment or to serve as a volunteer; or (3)

Is employed by or volunteers for a county school district, charter school or private school, and immediately notify the superintendent of each county school district, the governing body of each charter school and the Superintendent of Public Instruction, or the administrator of each private school, as appropriate, if the investigation of the Central Repository indicates that the person has been convicted of a violation of NRS 200.508, 201.230, 453.3385, 453.3387 or 453.339, or convicted of a felony or any offense involving moral turpitude. (e) Upon discovery, immediately notify the superintendent of each county school district, the governing body of each charter school or the administrator of each private school, as appropriate, by providing the superintendent, governing body or administrator with a list of all persons: (1) Investigated pursuant to paragraph (d); or (2) Employed by or volunteering for a county school district, charter school or private school whose fingerprints were sent previously to the Central Repository for investigation, who the Central Repository's records indicate have been convicted of a violation of NRS 200.508, 201.230, 453.3385, 453.3387 or 453.339, or convicted of a felony or any offense involving moral turpitude since the Central Repository's initial investigation. The superintendent of each county school district, the governing body of a charter school or the administrator of each private school, as applicable, shall determine whether further investigation or action by the district, charter school or private school, as applicable, is appropriate. (f) Investigate the criminal history of each person who submits one or more fingerprints or other biometric identifier or has such data submitted pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031, 432A.170, 432B.198, 433B.183, 449.122, 449.123 or 449.4329. (g) Provide an electronic means to access on the Central Repository's Internet website statistical data relating to crime. (h) Provide an electronic means to access on the Central Repository's Internet website statistical data about domestic violence in this State. (i) Identify and review the collection and processing of statistical data relating to criminal justice by any agency identified in subsection 2 and make recommendations for any necessary changes in the manner of collecting and processing statistical data by any such agency. (j) Adopt regulations governing biometric identifiers and the information and data derived from biometric identifiers, including, without limitation: (1) Their collection, use, safeguarding, handling, retention, storage, dissemination and destruction; and (2) The methods by which a person may request the removal of his or her biometric identifiers from the Central Repository and any other agency where his or her biometric identifiers have been stored. 9. The Central Repository may: (a) In the manner prescribed by the Director of the Department, disseminate compilations of statistical data and publish statistical reports relating to crime. (b) Charge a reasonable fee for any publication or special report it distributes relating to data collected pursuant to this section. The Central Repository may not collect such a fee from an agency of criminal justice or any other agency dealing with crime which is required to submit information pursuant to subsection 2. All money collected pursuant to this paragraph must be used to pay for the cost of operating the Central Repository or for any other purpose authorized by the Legislature, and any balance of the money remaining at the end of a fiscal year reverts to the State General Fund. (c) In the manner prescribed by the Director of the Department, use electronic means to receive and disseminate information contained in the Central Repository that it is authorized to disseminate pursuant to the provisions of this chapter. 10. As used in this section: (a) "Mobile identification" means the collection, storage, transmission, reception, search, access or processing of a biometric identifier using a handheld device. (b) "Personal identifying information" means any information designed, commonly used or capable of being used, alone or in conjunction with any other information, to identify a person, including, without limitation: (1) The name, driver's license number, social security number, date of birth and photograph or computer-generated image of a person; and (2) A biometric identifier of a person. (c) "Private school" has the meaning ascribed to it in NRS 394.103. (Added to NRS by 1985, 912; A 1987, 666, 1765; 1989, 376, 559, 564; 1991, 825; 1995, 1910; 1997, 445, 1535, 3259, 3266; 1999, 459, 463, 1251, 2090, 2097, 3123, 3135; 2001, 146, 1853, 3034, 3038; 2003, 2834; 2005, 17, 900, 2421; 2007, 1221, 2928; 2009, 1834, 2369; 2011, 994, 3551; 2013, 138, 179, 462, 1073, 2100; 2015, 544, 841, 1799, 2762; 2017, 119, 2064, 2451, 2676, 3159; 2019, 1069, 4410; 2021, 613; 2023, 1988, 2896)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.078 - Uniform Program for Reporting Crimes: Establishment; purpose.

The Director of the Department shall establish within the Central Repository a Uniform Program for Reporting Crimes that is designed to collect statistical data relating to crime and to facilitate the collection and analysis of statistical data relating to crime at a central location. (Added to NRS by 1991, 824; A 1993, 362; 1997, 454; 2005, 903; 2017, 2680)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.080 - Duties of Director of Department.

The Director of the Department is responsible for administering this chapter and may adopt regulations for that purpose. The Director shall: 1. Adopt regulations for the security of the Central Repository 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 information relating to records of criminal history and information disseminated pursuant to federal laws and regulations. 3. Provide for audits of informational systems by qualified public or private agencies, organizations or persons. (Added to NRS by 1979, 1854; A 1981, 2010; 1985, 913, 1978; 1987, 1765; 2003, 2837; 2017, 2680)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.090 - Prerequisite to dissemination of records; exceptions.

No agency of criminal justice in Nevada may disseminate any record of criminal history which includes information about a felony or a gross misdemeanor without first making inquiry of the Central Repository, to obtain the most current and complete information

available, unless: 1. The information is needed for a purpose in the administration of criminal justice for which time is essential, and the Central Repository is not able to respond within the required time; 2. The full information requested and to be disseminated relates to specific facts or incidents which are within the direct knowledge of an officer, agent or employee of the agency which disseminates the information; 3. The full information requested and to be disseminated was received as part of a summary of records of criminal history from the Central Repository within 30 days before the information is disseminated; 4. The statute, executive order, court rule or court order under which the information is to be disseminated refers only to information which is in the files of the agency which makes the dissemination; 5. The information requested and to be disseminated is for the express purpose of research, evaluation or statistical activities to be based upon information maintained in the files of the agency or agencies from which the information is sought; or 6. The information is requested by a compensation officer pursuant to NRS 217.090. (Added to NRS by 1979, 1851; A 1981, 1673; 1985, 913; 2017, 127)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.100 - Records that may be disseminated without restriction; records that must be disseminated upon request.

1. The following records of criminal history may be disseminated by an agency of criminal justice without any restriction pursuant to this chapter: (a) Any which reflect records of conviction only; and (b) Any which pertain to an incident for which a person is currently within the system of criminal justice, including parole or probation. 2. Without any restriction pursuant to this chapter, a record of criminal history or the absence of such a record may be: (a) Disclosed among agencies which maintain a system for the mutual exchange of criminal records. (b) Furnished by one agency to another to administer the system of criminal justice, including the furnishing of information by a police department to a district attorney. (c) Reported to the Central Repository. 3. An agency of criminal justice shall disseminate to a prospective employer, upon request, records of criminal history concerning a prospective employee or volunteer which are the result of a name-based inquiry and which: (a) Reflect convictions only; or (b) Pertain to an incident for which the prospective employee or volunteer is currently within the system of criminal justice, including parole or probation. 4. Records of criminal history must be disseminated by an agency of criminal justice, upon request, to the following persons or governmental entities: (a) The person who is the subject of the record of criminal history for the purposes of NRS 179A.150. (b) The person who is the subject of the record of criminal history when the subject is a party in a judicial, administrative, licensing, disciplinary or other proceeding to which the information is relevant. (c) The Nevada Gaming Control Board. (d) The State Board of Nursing. (e) The Private Investigator's Licensing Board to investigate an applicant for a license. (f) A public administrator or a person employed or contracted with pursuant to NRS 253.125, as applicable, to carry out the duties as prescribed in chapter 253 of NRS. (g) A public guardian to investigate a protected person or proposed protected person or persons who may have knowledge of assets belonging to a protected person or proposed protected person. (h) Any agency of criminal justice of the United States or of another state or the District of Columbia. (i) Any public utility subject to the jurisdiction of the Public Utilities Commission of Nevada when the information is necessary to conduct a security investigation of an employee or prospective employee or to protect the public health, safety or welfare. (j) Persons and agencies authorized by statute, ordinance, executive order, court rule, court decision or court order as construed by appropriate state or local officers or agencies. (k) Any person or governmental entity which has entered into a contract to provide services to an agency of criminal justice relating to the administration of criminal justice, if authorized by the contract, and if the contract also specifies that the information will be used only for stated purposes and that it will be otherwise confidential in accordance with state and federal law and regulation. (l) Any reporter or editorial employee who is employed or affiliated with a newspaper, press association or commercially operated, federally licensed radio or television station who requests a record of a named person or aggregate information for statistical purposes, excluding any personal identifying information, in a professional capacity for communication to the public. (m) Prospective employers if the person who is the subject of the information has given written consent to the release of that information by the agency which maintains it. (n) For the express purpose of research, evaluative or statistical programs pursuant to an agreement with an agency of criminal justice. (o) An agency which provides child welfare services, as defined in NRS 432B.030. (p) The Division of Welfare and Supportive Services of the Department of Health and Human Services or its designated representative, as needed to ensure the safety of investigators and caseworkers. (q) The Aging and Disability Services Division of the Department of Health and Human Services or its designated representative, as needed to ensure the safety of investigators and caseworkers. (r) An agency of this or any other state or the Federal Government that is conducting activities pursuant to Part D of Subchapter IV of Chapter 7 of Title 42 of the Social Security Act, 42 U.S.C. §§ 651 et seq. (s) The Commissioner of Insurance. (t) The Board of Medical Examiners. (u) The State Board of Osteopathic Medicine. (v) The Board of Massage Therapy and its Executive Director. (w) The Board of Examiners for Social Workers. (x) The State Board of Cosmetology and its Executive Director. (y) The Committee on Domestic Violence appointed pursuant to NRS 228.470 when, pursuant to NRS 228.495, the Committee is reviewing the death of the victim of a crime that constitutes domestic violence pursuant to NRS 33.018. (z) A county coroner or medical examiner, as needed to conduct an investigation of the death of a person. 5. Agencies of criminal justice in this State which receive information from sources outside this State concerning transactions involving criminal justice which occur outside Nevada shall treat the information as confidentially as is required by the provisions of this chapter. (Added to NRS by 1979, 1852; A 1985, 913; 1987, 1765; 1989, 5, 560, 562, 991; 1991, 130; 1995, 374, 1656; 1997, 1965, 2333, 3261; 1999, 492, 1253, 3126; 2001, 2254, 2577; 2001 Special Session, 16; 2003, 236, 2837; 2005, 2528, 2864; 2007, 274, 2931; 2009, 1837, 2583; 2013, 182, 969; 2015, 3861; 2017, 581, 1472, 2455, 2571, 2680; 2019, 1072, 1547)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.103 - Service to conduct name-based search of records of employee, prospective employee, volunteer or prospective volunteer.

1. There is hereby established within the Central Repository a service to conduct a name-based search of records of criminal history of an employee, prospective employee, volunteer or prospective volunteer. 2. An eligible person that wishes to participate in the service must enter into a contract with the Central Repository. The elements of a contract entered into pursuant to this section must be limited to requiring the eligible person to: (a) Pay a fee pursuant to subsection 3, if applicable; and (b) Comply with applicable law. 3. The Central Repository may charge a reasonable fee for participation in the service. 4. An authorized participant of the service may inquire about the records of criminal history of an employee, prospective employee, volunteer or prospective volunteer to determine the suitability of the employee or prospective employee for employment or the suitability of the volunteer or prospective volunteer for volunteering. 5. The Central Repository shall disseminate to an authorized participant of the service information which reflects convictions only. 6. An employee, prospective employee, volunteer or prospective volunteer who is proposed to be the subject of a name-based search must provide his or her written consent directly to the authorized participant or, if the authorized participant is a screening service, directly to the eligible person designating the screening service to receive records of criminal history, for the Central Repository to perform the search and to release the information to an authorized participant. The written consent form may be: (a) A form designated by the Central Repository; or (b) If the authorized participant is a screening service, a form that complies with the provisions of 15 U.S.C. § 1681b(b)2 for the procurement of a consumer report. 7. A screening service that is designated to receive records of criminal history on behalf of an eligible person may provide such records of criminal history to the eligible person upon request of the eligible person if the screening service maintains records of its dissemination of the records of criminal history. 8. The Central Repository may audit an authorized participant, at such times as the Central Repository deems necessary, to ensure that records of criminal history are securely maintained. 9. The Central Repository may terminate participation in the service if an authorized participant fails: (a) To pay the fees required to participate in the service; or (b) To address, within a reasonable period, deficiencies identified in an audit conducted pursuant to subsection 8. 10. As used in this section: (a) "Authorized participant" means an eligible person who has entered into a contract with the Central Repository to participate in the service established pursuant to subsection 1. (b) "Consumer report" has the meaning ascribed to it in 15 U.S.C. § 1681a(d). (c) "Eligible person" means: (1) An employer. (2) A volunteer organization. (3) A screening service. (d) "Employer" means a person that: (1) Employs an employee or makes employment decisions; (2) Enters into a contract with an independent contractor or makes the determination whether to enter into a contract with an independent contractor; or (3) Enters into a contract with a person, business or organization for the provision, directly or indirectly, of labor, services or materials by an independent contractor, subcontractor or a third party. (e) "Employment" includes performing services, directly or indirectly, for an employer as an independent contractor, subcontractor or a third party pursuant to a contract. (f) "Screening service" means a person or entity designated, directly or indirectly, by an eligible person to provide employment or volunteer screening services to the eligible person. (g) "Written consent" means: (1) An electronic signature pursuant to 15 U.S.C. § 7006(5), and any regulations adopted pursuant thereto; (2) Completion of the form designated by the Central Repository pursuant to paragraph (a) of subsection 6; or (3) Consent by means of mail, the Internet, other electronic means or other means pursuant to 15 U.S.C. § 1681b(b)(2), and any regulations adopted pursuant thereto. (Added to NRS by 2015, 704; A 2017, 615; 2019, 2255; 2021, 617)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.110 - Records to be used solely for purpose requested; further dissemination of information or records.

A record of criminal history or any records of criminal history of the United States or another state obtained pursuant to this chapter must be used solely for the purpose for which the record was requested. No person who receives information relating to records of criminal history pursuant to this chapter or who receives information pursuant to federal laws or regulations may disseminate the information further without express authority of law or in accordance with a court order. This section does not prohibit the dissemination of material by an employee of the electronic or printed media in a professional capacity for communication to the public. (Added to NRS by 1979, 1853; A 1987, 1767; 2003, 2839; 2009, 1839; 2017, 2682)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.120 - Disclosures to victims of crime.

1. Agencies of criminal justice may disclose to victims of a crime, members of their families or their guardians the identity of persons suspected of being responsible for the crime, including juveniles who have been certified to stand trial as adults, together with information, including dispositions, which may be of assistance to the victim in obtaining redress for an injury or loss in a civil action. This disclosure may be made regardless of whether charges have been filed, and even if a prosecuting attorney has declined to file charges or the charge has been dismissed. 2. Disclosure of investigative information pursuant to this section does not establish a duty to disclose any additional information concerning the same incident or make any disclosure of information obtained by an investigation, except as compelled by legal process. (Added to NRS by 1979, 1853; A 1981, 2025)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.130 - Log to be maintained of dissemination of information relating to records of criminal history.

Each agency of criminal justice which maintains and disseminates information relating to records of criminal history must maintain a log of each dissemination of that information other than a dissemination of the fact that the agency has no record relating to a certain person. The log must be maintained for at least 1 year after the information is disseminated, and must contain: 1. An entry showing to what agency or person the information relating to records of criminal history were provided; 2. The date on which the information was provided; 3. The person who is the subject of the information; and 4. A brief description of the information provided. (Added to NRS by 1979, 1853; A 1987, 1767; 2003, 2839)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.140 - Fee for furnishing information relating to records of criminal history; use of money collected.

1. Except as otherwise provided in this section, an agency of criminal justice may charge a reasonable fee for information relating to records of criminal history provided to any person or governmental entity. 2. An agency of criminal justice shall not charge a fee for providing such information to another agency of criminal justice if the information is provided for purposes of the administration of criminal justice. 3. The Central Repository shall not charge such a fee: (a) For information relating to a person regarding whom the Central Repository provided a similar report within the immediately preceding 90 days in conjunction with the application by that person for professional licensure; (b) For information provided to any organization that meets the criteria established by regulation pursuant to paragraph (b) of subsection 5 of NRS 179A.310; or (c) For information provided to a person who is required to conduct a background check pursuant to NRS 202.2547. 4. The Director may request an allocation from the Contingency Account pursuant to NRS 353.266, 353.268 and 353.269 to cover the costs incurred by the Department to carry out the provisions of paragraph (b) of subsection 3. 5. All money received or collected by the Department pursuant to this section must be used to defray the cost of operating the Central Repository or for any other purpose authorized by the Legislature, and any balance of the money remaining at the end of a fiscal year reverts to the State General Fund. (Added to NRS by 1979, 1855; A 1985, 915; 1987, 1767; 1995, 1912; 1997, 1305, 3263; 2001, 2578; 2003, 2839; 2005, 2867; 2007, 542; 2017, 2683; 2019, 5, 1074; 2023, 1992)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.150 - Inspection and correction of information contained in record of criminal history.

1. The Central Repository and each state, municipal, county or metropolitan police agency shall permit a person, who is or believes he or she may be the subject of information relating to records 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 that person. 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 information contained in a record of criminal history. 2. Each such agency shall adopt regulations and make available necessary forms to permit inspection and review of information relating to other records of criminal history by those persons who are the subjects thereof. The regulations must specify: (a) The reasonable periods 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. Each such agency shall procure for and furnish to any person who requests it and pays a reasonable fee therefor, all of the information contained in the Central Repository which pertains to the person making the request. 4. The Director of the Department shall adopt regulations governing: (a) All challenges to the accuracy or sufficiency of information relating to records of criminal history by the person who is the subject of the allegedly inaccurate or insufficient record; (b) The correction of any information relating to records of criminal history found by the 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 inaccurate or insufficient information relating to records 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, and notice of the correction must be sent to each person entitled thereto pursuant to federal laws or regulations, to the address given by each person who requested the information when the request was made. (Added to NRS by 1979, 1854; A 1981, 2010; 1985, 915, 1978; 1987, 1767; 2003, 2839; 2017, 2683)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.160 - Removal of certain records where disposition of case favorable to accused.

1. If a person has been arrested or issued a citation, or has been the subject of a warrant for alleged criminal conduct and the person is acquitted of the charge or the disposition of the charge is favorable to the person, at any time after the charge is dismissed, acquittal is entered or disposition of the charge in favor of the person is final, the person who is the subject of a record of criminal history relating to the arrest, citation or warrant may apply in writing to the Central Repository and the agency which maintains the record to have it removed from the files which are available and generally searched for the purpose of responding to inquiries concerning the criminal history of a person. 2. The Central Repository and the agency shall remove the record unless: (a) The defendant is a fugitive; (b) The case is under active prosecution according to a current certificate of a prosecuting attorney; (c) The disposition of the case was a deferred prosecution, plea bargain or other similar disposition; (d) The person who is the subject of the record has a prior conviction for a felony or gross misdemeanor in any jurisdiction in the United States; or (e) The person who is the subject of the record has been arrested for or charged with another crime, other than a minor traffic violation, since the arrest, citation or warrant which the person seeks to have removed from the record. 3. This section does not restrict the authority of a court

to order the deletion or modification of a record in a particular cause or concerning a particular person or event. (Added to NRS by 1979, 1853; A 1985, 916; 2001, 1694)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.163 - Transmittal of mental health information to National Instant Criminal Background Check System and National Crime Information Center; removal of information; action to compel.

1. Upon receiving a record transmitted pursuant to NRS 159.0593, 174.035, 175.533, 175.539, 178.425, 432B.6076, 432B.60815, 433A.310 or 433A.343, the Central Repository: (a) Shall take reasonable steps to ensure that the information reported in the record is included in each appropriate database of the National Instant Criminal Background Check System; and (b) May take reasonable steps to ensure that the information reported in the record is included in each appropriate database of the National Crime Information Center. 2. Except as otherwise provided in subsection 3, if the Central Repository receives a record described in subsection 1, the person who is the subject of the record may petition the court for an order declaring that: (a) The basis for the adjudication reported in the record no longer exists; (b) The adjudication reported in the record is deemed not to have occurred for purposes of 18 U.S.C. § 922(d)(4) and (g)(4) and NRS 202.360; and (c) The information reported in the record must be removed from the National Instant Criminal Background Check System and the National Crime Information Center. 3. To the extent authorized by federal law, if the record concerning the petitioner was transmitted to the Central Repository pursuant to NRS 159.0593, 174.035, 175.533, 175.539, 178.425, 432B.6076, 432B.60815, 433A.310 or 433A.343, the petitioner may not file a petition pursuant to subsection 2 until 3 years after the date of the order transmitting the record to the Central Repository. 4. A petition filed pursuant to subsection 2 must be: (a) Filed in the court which made the adjudication or finding pursuant to NRS 159.0593, 174.035, 175.533, 175.539, 178.425, 433A.310 or 433A.343; and (b) Served upon the district attorney for the county in which the court described in paragraph (a) is located. 5. The Nevada Rules of Civil Procedure govern all proceedings concerning a petition filed pursuant to subsection 2. 6. The court shall grant the petition and issue the order described in subsection 2 if the court finds that the petitioner has established that: (a) The basis for the adjudication or finding made pursuant to NRS 159.0593, 174.035, 175.533, 175.539, 178.425, 432B.6076, 432B.60815, 433A.310 or 433A.343 concerning the petitioner no longer exists; (b) The petitioner's record and reputation indicate that the petitioner is not likely to act in a manner dangerous to public safety; and (c) Granting the relief requested by the petitioner pursuant to subsection 2 is not contrary to the public interest. 7. Except as otherwise provided in this subsection, the petitioner must establish the provisions of subsection 6 by a preponderance of the evidence. If the adjudication or finding concerning the petitioner was made pursuant to NRS 159.0593, 432B.6076, 432B.60815 or 433A.310, the petitioner must establish the provisions of subsection 6 by clear and convincing evidence. 8. The court, upon entering an order pursuant to this section, shall cause, on a form prescribed by the Department of Public Safety, a record of the order to be transmitted to the Central Repository. 9. The Central Repository shall: (a) Within 5 business days after receiving a record of an order transmitted pursuant to subsection 8, take reasonable steps to ensure that information concerning the adjudication or finding made pursuant to NRS 159.0593, 174.035, 175.533, 175.539, 178.425, 432B.6076, 432B.60815, 433A.310 or 433A.343 is removed from the National Instant Criminal Background Check System and the National Crime Information Center, if applicable. (b) When a person who is the subject of a record transmitted pursuant to NRS 432B.6076 or 432B.60815 reaches 21 years of age or at a time reasonably near the date on which the person reaches 21 years of age, take reasonable steps to ensure that information concerning the finding made pursuant to NRS 432B.6076 or 432B.60815 is removed from the National Instant Criminal Background Check System. 10. If the Central Repository fails to remove a record as provided in subsection 9, the person who is the subject of the record may bring an action to compel the removal of the record. If the person prevails in the action, the court may award the person reasonable attorney's fees and costs incurred in bringing the action. 11. If a petition brought pursuant to subsection 2 is denied, the person who is the subject of the record may petition for a rehearing not sooner than 2 years after the date of the denial of the petition. (Added to NRS by 2009, 2488; A 2015, 1802; 2021, 3105; 2023, 2440)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.165 - Confidentiality of records; immunity for performing or failing to perform certain acts.

1. Any record described in NRS 179A.163 is confidential and is not a public book or record within the meaning of NRS 239.010. A person may not use the record for any purpose other than for a purpose related to criminal justice, including, without limitation, inclusion in the appropriate database of the National Instant Criminal Background Check System and the National Crime Information Center, if applicable. The Central Repository may disclose the record to any agency of criminal justice. 2. If a person or governmental entity is required to transmit, report or take any other action concerning a record pursuant to NRS 159.0593, 174.035, 175.533, 175.539, 178.425, 179A.163, 432B.6076, 432B.60815, 433A.310 or 433A.343, no action for damages may be brought against the person or governmental entity for: (a) Transmitting or reporting the record or taking any other required action concerning the record; (b) Failing to transmit or report the record or failing to take any other required action concerning the record; (c) Delaying the transmission or reporting of the record or delaying in taking any other required action concerning the record; or (d) Transmitting or reporting an inaccurate or incomplete version of the record or taking any other required action concerning an inaccurate or incomplete version of the record. (Added to NRS by 2009, 2489; A 2015, 1803; 2021, 3106; 2023, 2441)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.167 - Inspection and correction of information relating to records of mental health; regulations.

1. The Central Repository shall permit a person who is or believes he or she may be the subject of information relating to records of mental health held by the Central Repository to inspect and correct any information contained in such records. 2. The Central Repository shall adopt regulations and make available necessary forms to permit inspection, review and correction of information relating to records of mental health by those persons who are the subjects thereof. The regulations must specify: (a) The requirements for proper identification of the persons seeking access to the records; and (b) The reasonable charges or fees, if any, for inspecting records. 3. The Director of the Department shall adopt regulations governing: (a) All challenges to the accuracy or sufficiency of information or records of mental health by the person who is the subject of the allegedly inaccurate or insufficient record; (b) The correction of any information relating to records of mental health found by the 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 reasonable time limit within which inaccurate or insufficient information relating to records of mental health must be corrected and the corrected information disseminated. 4. As used in this section, "information relating to records of mental health" means information contained in a record: (a) Transmitted to the Central Repository pursuant to NRS 159.0593, 174.035, 175.533, 175.539, 178.425, 433A.310 or 433A.343; or (b) Transmitted to the National Instant Criminal Background Check System or the National Crime Information Center pursuant to NRS 179A.163. (Added to NRS by 2009, 2489; A 2015, 1803; 2021, 3107)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.175 - Establishing program; adoption of guidelines for collection of statistical data; report; data to be used only for research or statistical purposes; data to be made available to public; data to be provided to Federal Bureau of Investigation.

1. The Director of the Department shall establish within the Central Repository a program for reporting crimes that manifest evidence of prejudice based on race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression. 2. The program must be designed to collect, compile and analyze statistical data about crimes that manifest evidence of prejudice based on race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression. The Director shall adopt guidelines for the collection of the statistical data, including, but not limited to, the criteria to establish the presence of prejudice and the manner in which the data must be reported to the Central Repository. 3. The Central Repository shall include in any appropriate report an independent section relating solely to the analysis of crimes that manifest evidence of prejudice based on race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression. 4. Data acquired pursuant to this section must be used only for research or statistical purposes and must not contain any information that may reveal the identity of an individual victim of a crime. 5. The Central Repository shall make all data acquired pursuant to this section and data regarding any prosecution of a violation of NRS 207.185 and any sentence imposed pursuant to NRS 193.1675 available to the public. 6. The Central Repository shall ensure that the data acquired pursuant to this section is provided to the Federal Bureau of Investigation for inclusion in the annual Hate Crime Statistics report of the Uniform Crime Reporting Program. 7. As used in this section, "gender identity or expression" has the meaning ascribed to it in NRS 193.0148. (Added to NRS by 1995, 2706; A 2013, 65; 2015, 845, 2765; 2021, 237)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.310 - Creation; administration; purpose; regulations; failure to apply for grant or request background investigation is not evidence of negligence or causation.

1. The Revolving Account to Process Requests for Information on the Background of Volunteers Who Work With Children is hereby created in the State General Fund. 2. The Director of the Department shall administer the Account. The money in the Account must be expended only to pay the costs of the Central Repository to process requests from nonprofit agencies for information on the background of a volunteer of a nonprofit agency who works directly with children or a prospective volunteer of the nonprofit agency who will work directly with children. The existence of the Account does not create a right in any person to receive money from the Account. 3. The Director of the Department may apply for and accept any gift, donation, bequest, grant or other source of money. Any money so received must be deposited in the Account. 4. The interest and income earned on money in the Account from any gift, donation or bequest, after deducting any applicable charges, must be credited to the Account. Money from any gift, donation or bequest that remains in the Account at the end of the fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year. 5. The Director of the Department shall adopt regulations to carry out the provisions of this section. The regulations must include, without limitation: (a) The procedure by which a person may apply for a grant of money from the Account; (b) The criteria that the Department will consider in determining whether to award such a grant of money from the Account; and (c) Procedures to distribute the money in the Account in a fair and equitable manner. 6. The following facts must not be considered as evidence of negligence or causation in any civil action brought against a nonprofit agency: (a) The fact that the nonprofit agency did not apply for a grant of money from the Account. (b) The fact that the nonprofit agency did not request that the Central Repository, through the use of the Account, provide information on the background of a volunteer or prospective volunteer of the nonprofit agency. (Added to NRS by 1999, 2054; A 2003, 2844; 2017, 2684)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.315 - Donations to Account: Forms and procedures; deposit with State Treasurer.

A state or local governmental agency: 1. May establish forms and procedures for a person to donate money to the Account to Process Requests for Information on the Background of Volunteers Who Work With Children while the person is transacting business with the State or local governmental agency; and 2. Shall deposit any money received for the Account with the State Treasurer for credit to the Account. (Added to NRS by 1999, 2055; A 2017, 2685)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.325 - Procedure for submitting request for screening; fee; records of criminal history to be provided to qualified entity; determination of fitness by qualified entity; screening criteria; appeal of results; immunity of qualified entity; audit of qualified entity; compliance with federal law required.

1. Before submitting a request for screening pursuant to subsection 2, a qualified entity must: (a) Establish an account with the Central Repository and, as part of the establishment of such an account, agree to comply with all applicable state and federal laws by signing an agreement approved by the Central Repository. (b) Provide written notification to any person being screened regarding the right of the person to obtain a copy of his or her background screening report, including, without limitation, any records of criminal history contained in the report, to appeal the results of the background screening report to challenge the accuracy and completeness of any information contained therein, and to obtain a determination as to the validity of such a challenge before the qualified entity makes a final determination as to the fitness of the person to have responsibility for the safety and well-being of children, elderly persons or persons with disabilities. The notification must also include instructions on how to complete the appeals process. (c) Obtain a signed waiver from any person being screened, on a form approved by the Division, that allows the release of information relating to the records of criminal history of the person to the qualified entity and contains the information required by 34 U.S.C. § 40102(b)(1). 2. A qualified entity shall submit to the Central Repository any request for screening an employee, volunteer, person applying to be an employee or volunteer or covered individual of the qualified entity who has supervised or unsupervised access to children, elderly persons or persons with disabilities by submitting the fingerprints of the person to the Central Repository for its report on the criminal history of the person and for forwarding to the Federal Bureau of Investigation for its report on the criminal history of the person. Each request must be voluntary and conform to the requirements established in the National Child Protection Act of 1993, Public Law 103-209, as amended by the Volunteers for Children Act, Public Law 105-251, 34 U.S.C. §§ 40101 et seq. 3. A request submitted pursuant to subsection 2 must be accompanied by the payment of a fee to the Central Repository as authorized by NRS 179A.140, plus the amount prescribed by the Federal Bureau of Investigation for its report on the criminal history of the person, in accordance with the provisions of 34 U.S.C. § 40102(e). 4. After a request is submitted pursuant to subsection 2, the Central Repository shall provide directly to the qualified entity, as authorized by the signed waiver obtained by the qualified entity pursuant to subsection 1: (a) Any records of criminal history of the person being screened that are not otherwise confidential pursuant to statute or law. Such a person may challenge the accuracy of such records of criminal history only as provided in this chapter. (b) Any records of criminal history of the person being screened that were received from the Federal Bureau of Investigation. Any records of criminal history obtained are available for qualified entities to use only for the purpose of screening employees, volunteers, persons applying to be an employee or volunteer or covered individuals of the qualified entity who have supervised or unsupervised access to children, elderly persons or persons with disabilities. 5. The making of a determination as to the fitness of a person to have responsibility for the safety and well-being of children, elderly persons or persons with disabilities is the sole responsibility of the qualified entity that submitted the request for screening. The qualified entity shall make such a determination pursuant to the procedures set forth in the VECHS program based on whether the information relating to the records of criminal history of the person indicates that the person has been convicted of or is subject to pending criminal charges or a pending indictment for any crime that bears upon his or her fitness to have responsibility for the safety and well-being of children, elderly persons or persons with disabilities. The provisions of this section must not be construed to require the Central Repository to make such a determination on behalf of any qualified entity. 6. A qualified entity that is required by law to apply screening criteria, including, without limitation, any right to contest or request an exemption from disqualification, shall apply such screening criteria to any information relating to records of criminal history received from the Central Repository. 7. If a person chooses to appeal the results of a background screening report, the appeals process must meet the requirements established in 34 U.S.C. § 40102(b)(2)(C). 8. A qualified entity is not liable for damages solely arising out of the accuracy of any information included in or omitted from records of criminal history authorized to be obtained pursuant to this section, and the State of Nevada, any political subdivision of the State or any agency, officer or employee thereof is not liable for damages for providing any information relating to records of criminal history requested pursuant to this section. 9. The Central Repository may audit any qualified entity that submits a request for screening pursuant to this section to ensure compliance with all applicable state and federal laws. Each qualified entity shall maintain all signed waivers obtained pursuant to subsection 1 for the purpose of such an audit for one audit cycle as determined by the Department. 10. In addition to complying with the provisions of this section, each qualified entity and the Central Repository shall comply with all applicable provisions of 34 U.S.C. § 40102. 11. As used in this section: (a) "Children" has the meaning ascribed to "child" in NRS 432B.040. (b) "Covered individual" has the meaning ascribed to it in 34 U.S.C. § 40104(9). (c) "Disability" has the meaning ascribed to it in NRS 426.068. (d) "Division" means the Records, Communications and Compliance Division of the Department. (e) "Elderly persons" means any persons who are 60 years of age or older. (f) "Qualified entity" has the meaning ascribed to it in 34 U.S.C. § 40104(10). (g) "Record of criminal history" has the meaning ascribed to it in NRS 179A.070 and also includes, unless the context otherwise requires, records of criminal history obtained from the Federal Bureau of Investigation. (h) "VECHS program" means the Volunteer and Employee Criminal History

System program of the Division through which information relating to the records of criminal history of a person may be requested and obtained by a qualified entity. (Added to NRS by 2021, 203)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.350 - Creation; contents; prompt entry of information; accessibility; retention of records; electronic means to access data.

1. The Repository for Information Concerning Orders for Protection is hereby created within the Central Repository. 2. Except as otherwise provided in subsection 10, the Repository for Information Concerning Orders for Protection must contain a complete and systematic record of all: (a) Temporary and extended orders for protection against domestic violence issued or registered in the State of Nevada and all Canadian domestic-violence protection orders registered in the State of Nevada, including, without limitation, any information received pursuant to NRS 33.095; (b) Temporary and extended orders for protection against stalking, aggravated stalking or harassment issued in this State pursuant to NRS 200.599; (c) Temporary and extended orders for protection against a person alleged to have committed the crime of sexual assault issued in this State pursuant to NRS 200.37835; and (d) Orders imposing, modifying, suspending or canceling a condition of release prohibiting contact issued in this State pursuant to NRS 178.4845. 3. The records contained in the Repository for Information Concerning Orders for Protection must be kept in accordance with the regulations adopted by the Director of the Department. 4. Information received by the Central Repository pursuant to NRS 33.095, 178.4845, 200.37835 and 200.599 must be entered in the Repository for Information Concerning Orders for Protection. 5. The information in the Repository for Information Concerning Orders for Protection must be accessible by computer at all times to each agency of criminal justice. 6. The Repository for Information Concerning Orders for Protection shall retain all records of an expired temporary or extended order for protection and all records of an expired, suspended or cancelled order imposing a condition of release prohibiting contact, unless any such order is sealed by a court of competent jurisdiction. 7. The existence of a record of an expired temporary or extended order for protection or a record of an expired, suspended or cancelled order imposing a condition of release prohibiting contact in the Repository for Information Concerning Orders for Protection does not prohibit a person from obtaining a firearm or a permit to carry a concealed firearm unless such conduct violates: (a) A court order; or (b) Any provision of federal or state law. 8. The Director of the Department shall provide an electronic means to access on the Central Repository's Internet website statistical data concerning all temporary and extended orders for protection issued pursuant to NRS 33.020, 200.378 and 200.591 during the previous calendar year that were transmitted to the Repository for Information Concerning Orders for Protection. The data must include, without limitation, information for each court that issues temporary or extended orders for protection pursuant to NRS 33.020, 200.378 and 200.591, respectively, concerning: (a) The total number of temporary and extended orders that were granted by the court during the calendar year to which the data pertains; (b) The number of temporary and extended orders that were granted to women; (c) The number of temporary and extended orders that were granted to men; (d) The number of temporary and extended orders that were vacated or expired; (e) The number of temporary orders that included a grant of temporary custody of a minor child; and (f) The number of temporary and extended orders that were served on the adverse party. 9. The information provided pursuant to subsection 8 must include only aggregate information for statistical purposes and must exclude any identifying information relating to a particular person. 10. The Repository for Information Concerning Orders for Protection must not contain any information concerning an event that occurred before October 1, 1998. 11. As used in this section, "Canadian domestic-violence protection order" has the meaning ascribed to it in NRS 33.119. (Added to NRS by 1997, 1803; A 2007, 2483; 2015, 2765; 2017, 624; 2019, 2837; 2021, 618, 1949)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.450 - Creation; contents; electronic means to access data; confidentiality of data.

1. The Repository for Information Concerning Crimes Against Older Persons or Vulnerable Persons is hereby created within the Central Repository. 2. The Repository for Information Concerning Crimes Against Older Persons or Vulnerable Persons must contain a complete and systematic record of all reports of the abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons in this State. The record must be prepared in a manner approved by the Director of the Department and must include, without limitation, the following information: (a) All incidents that are reported to state and local law enforcement agencies and the Aging and Disability Services Division of the Department of Health and Human Services. (b) All cases that were investigated and the type of such cases. 3. The Director of the Department shall provide an electronic means to access on the Central Repository's Internet website statistical data on the abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons. 4. The data and findings generated pursuant to this section must not contain information that may reveal the identity of an individual victim or a person accused of the abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons. 5. As used in this section: (a) "Abandonment" has the meaning ascribed to it in NRS 200.5092. (b) "Abuse" has the meaning ascribed to it in NRS 200.5092. (c) "Exploitation" has the meaning ascribed to it in NRS 200.5092. (d) "Isolation" has the meaning ascribed to it in NRS 200.5092. (e) "Neglect" has the meaning ascribed to it in NRS 200.5092. (f) "Older person" means a person who is 60 years of age or older. (g) "Vulnerable person" has the meaning ascribed to it in NRS 200.5092. (Added to NRS by 2007, 746; A 2009, 2447; 2011, 82; 2015, 826; 2017, 2685; 2019, 3473; 2021, 620)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.500 - Requirements for use of gang database by local law enforcement agency.

1. If a local law enforcement agency uses a gang database for the purposes of identifying suspected members and affiliates of a criminal gang, the local law enforcement agency must comply with the following requirements: (a) If a person is registered in the database, the local law enforcement agency must provide to the person written notice of his or her registration. Such written notice must include, without limitation, detailed instructions on the process for contesting registration as provided in this section. (b) A person who wishes to contest registration in the database must be given the following period after receiving notification pursuant to paragraph (a) to contest registration in the database: (1) For a person who is confined in a state or local correctional or detention facility, 10 calendar days. (2) For a person who is not confined in a state or local correctional or detention facility, 30 calendar days. (c) To contest registration in the database, a person must be allowed: (1) To submit to the local law enforcement agency a written statement or other evidence; or (2) To request, in writing, an in-person interview with a representative of the local law enforcement agency. The in-person interview must be conducted as soon as reasonably practicable at a date and time convenient to the person who is contesting his or her registration. (d) A person who is registered in the database must be allowed to request removal of his or her registration in the database: (1) By submitting to the local law enforcement agency a written statement or other evidence; or (2) By requesting, in writing, an in-person interview with a representative of the local law enforcement agency. The in-person interview must be conducted as soon as reasonably practicable at a date and time convenient to the person who is requesting removal of his or her registration from the database. (e) The file relating to any person who is registered in the database must be deleted from the database not later than 5 years after the date on which the person last had contact with the local law enforcement agency. 2. As used in this section: (a) "Contact" means contact with a local law enforcement agency during the investigation of a crime or report of an alleged crime. (b) "Criminal gang" means any combination of persons, organized formally or informally, so constructed that the organization will continue its operation even if individual members enter or leave the organization, which: (1) Has a common name or identifying symbol; (2) Has particular conduct, status and customs indicative of it; and (3) Has as one of its common activities engaging in criminal activity punishable as a felony. (c) "Local law enforcement agency" means: (1) The sheriff's office of a county; (2) A metropolitan police department; or (3) A police department of an incorporated city. (Added to NRS by 2019, 2199)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.600 - Authorization; adoption of policies and procedures; requests for information; annual report.

1. The Central Repository may: (a) Monitor the agencies of criminal justice in this State, at such times as the Central Repository deems necessary, to ensure that the agencies of criminal justice are compliant with all applicable provisions of NRS 33.095, 33.650, 159.0593, 174.035, 175.533, 175.539, 178.425, subsections 2, 3 and 4 of NRS 179A.075, NRS 200.37835, 200.599 and 433A.310; and (b) According to a schedule established by the Director of the Department, contact the agencies of criminal justice in this State to coordinate efforts to ensure the timely submission or transmission of information and records pursuant to NRS 33.095, 33.650, 159.0593, 174.035, 175.533, 175.539, 178.425, subsections 2, 3 and 4 of NRS 179A.075, NRS 200.37835, 200.599 and 433A.310. 2. The Central Repository may adopt policies and procedures to carry out its duties pursuant to this section. 3. To carry out its duties pursuant to this section, the Central Repository may request that an agency of criminal justice provide information to the Central Repository. An agency of criminal justice shall provide information requested by the Central Repository in the manner and within the time prescribed by any policies and procedures adopted by the Central Repository pursuant to subsection 2. 4. If the Central Repository chooses to monitor the agencies of criminal justice in this State pursuant to this section, the Central Repository must: (a) Prepare an annual report for the preceding calendar year indicating whether the agencies of criminal justice in this State were in compliance with the requirements regarding the submission or transmission of information and records set forth in NRS 33.095, 33.650, 159.0593, 174.035, 175.533, 175.539, 178.425, subsections 2, 3 and 4 of NRS 179A.075, NRS 200.37835, 200.599 and 433A.310; and (b) On or before March 31 of each year, post the annual report on its Internet website. (Added to NRS by 2021, 612)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.800 - Enactment; text.

The National Crime Prevention and Privacy Compact is hereby ratified, enacted into law and entered into with all jurisdictions legally joining in the Compact, in substantially the form set forth in this section: Article I. Definitions As used in this Compact, the following definitions apply: (1) "Attorney General" means the Attorney General of the United States. (2) "Compact officer" means: (a) With respect to the Federal Government, an official so designated by the Director of the FBI; and (b) With respect to a party state, the chief administrator of the state's criminal history record repository or a designee of the chief administrator who is a regular full-time employee of the repository. (3) "Council" means the Compact Council established under Article VI. (4) "Criminal history record repository" means the state agency designated by the governor or other appropriate executive official or the legislature of a state to perform centralized recordkeeping functions for criminal history records and services in the state. (5) (a) "Criminal history records" means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, or other formal criminal charges and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, or release. (b) The term does not include identification information such as fingerprint records if the information does not indicate involvement of the individual with the criminal justice system. (6) "Criminal justice" includes activities relating to the detection, apprehension, detention, pretrial release, posttrial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice includes criminal identification activities and the collection, storage, and dissemination of criminal history records. (7) (a) "Criminal justice agency" means: (i) Courts; and (ii) A governmental agency or any subunit of an agency that performs the

administration of criminal justice pursuant to a statute or executive order and allocates a substantial part of its annual budget to the administration of criminal justice. (b) The term includes federal and state inspector general offices. (8) "Criminal justice services" means services provided by the FBI to criminal justice agencies in response to a request for information about a particular individual or as an update to information previously provided for criminal justice purposes. (9) "Direct access" means access to the national identification index by computer terminal or other automated means not requiring the assistance of or intervention by any other party or agency. (10) "Executive order" means an order of the President of the United States or the chief executive officer of a state that has the force of law and that is promulgated in accordance with applicable law. (11) "FBI" means the Federal Bureau of Investigation. (12) (a) "III System" means the Interstate Identification Index System, which is the cooperative federal-state system for the exchange of criminal history records. (b) The term includes the national identification index, the national fingerprint file, and to the extent of their participation in the system, the criminal history record repositories of the states and the FBI. (13) "National fingerprint file" means a database of fingerprints or of other uniquely personal identifying information that relates to an arrested or charged individual and that is maintained by the FBI to provide positive identification of record subjects indexed in the III System. (14) "National identification index" means an index maintained by the FBI consisting of names, identifying numbers, and other descriptive information relating to record subjects about whom there are criminal history records in the III System. (15) "National indexes" means the national identification index and the national fingerprint file. (16) "Noncriminal justice purposes" means uses of criminal history records for purposes authorized by federal or state law other than purposes relating to criminal justice activities, including employment suitability, licensing determinations, immigration and naturalization matters, and national security clearances. (17) "Nonparty state" means a state that has not ratified this Compact. (18) "Party state" means a state that has ratified this Compact. (19) "Positive identification" means a determination, based upon a comparison of fingerprints or other equally reliable biometric identification techniques, that the subject of a record search is the same person as the subject of a criminal history record or records indexed in the III System. Identifications based solely upon a comparison of subjects' names or other nonunique identification characteristics or numbers, or combinations thereof, does not constitute positive identification. (20) "Sealed record information" means: (a) With respect to adults, that portion of a record that is: (i) Not available for criminal justice uses; (ii) Not supported by fingerprints or other accepted means of positive identification; or (iii) Subject to restrictions on dissemination for noncriminal justice purposes pursuant to a court order related to a particular subject or pursuant to a federal or state statute that requires action on a sealing petition filed by a particular record subject; and (b) With respect to juveniles, whatever each state determines is a sealed record under its own law and procedure. (21) "State" means any state, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

Article II. Purposes The purposes of this Compact are to: (1) Provide a legal framework for the establishment of a cooperative federal-state system for the interstate and federal-state exchange of criminal history records for noncriminal justice uses; (2) Require the FBI to permit use of the national identification index and the national fingerprint file by each party state and to provide, in a timely fashion, federal and state criminal history records to requesting states, in accordance with the terms of this Compact and with rules, procedures, and standards established by the Council under Article VI; (3) Require party states to provide information and records for the national identification index and the national fingerprint file and to provide criminal history records, in a timely fashion, to criminal history record repositories of other states and the Federal Government for noncriminal justice purposes, in accordance with the terms of this Compact and with rules, procedures, and standards established by the Council under Article VI; (4) Provide for the establishment of a Council to monitor III System operations and to prescribe system rules and procedures for the effective and proper operation of the III System for noncriminal justice purposes; and (5) Require the FBI and each party state to adhere to III System standards concerning record dissemination and use, response times, system security, data quality, and other duly established standards, including those that enhance the accuracy and privacy of such records.

Article III. Responsibilities of Compact Parties (1) The Director of the FBI shall: (a) Appoint an FBI Compact officer who shall: (i) Administer this Compact within the Department of Justice and among federal agencies and other agencies and organizations that submit search requests to the FBI pursuant to Article V(3); (ii) Ensure that Compact provisions and rules, procedures, and standards prescribed by the Council under Article VI are complied with by the Department of Justice and the federal agencies and other agencies and organizations referred to in subsection (1)(a)(i) of this Article III; and (iii) Regulate the use of records received by means of the III System from party states when such records are supplied by the FBI directly to other federal agencies; (b) Provide to federal agencies and to state criminal history record repositories criminal history records maintained in its database for the noncriminal justice purposes described in Article IV, including: (i) Information from nonparty states; and (ii) Information from party states that is available from the FBI through the III System, but is not available from the party state through the III System; (c) Provide a telecommunications network and maintain centralized facilities for the exchange of criminal history records for both criminal justice purposes and the noncriminal justice purposes described in Article IV and ensure that the exchange of the records for criminal justice purposes has priority over exchange for noncriminal justice purposes; and (d) Modify or enter into user agreements with nonparty state criminal history record repositories to require them to establish record request procedures conforming to those prescribed in Article V. (2) Each party state shall: (a) Appoint a Compact officer who shall: (i) Administer this Compact within that state; (ii) Ensure that Compact provisions and rules, procedures, and standards established by the Council under Article VI are complied with in the state; and (iii) Regulate the in-state use of records received by means of the III System from the FBI or from other party states; (b) Establish and maintain a criminal history record repository, which shall provide: (i) Information and records for the national identification index and the national fingerprint file; and (ii) The state's III System-indexed criminal history records for noncriminal justice purposes described in Article IV; (c) Participate in the national fingerprint file; and (d) Provide and maintain telecommunications links and related equipment necessary to support the criminal justice services set forth in

this Compact. (3) In carrying out their responsibilities under this Compact, the FBI and each party state shall comply with III System rules, procedures, and standards duly established by the Council concerning record dissemination and use, response times, data quality, system security, accuracy, privacy protection, and other aspects of III System operation. (4) (a) Use of the III System for noncriminal justice purposes authorized in this Compact must be managed so as not to diminish the level of services provided in support of criminal justice purposes. (b) Administration of Compact provisions may not reduce the level of service available to authorized noncriminal justice users on the effective date of this Compact.

Article IV. Authorized Record Disclosures (1) To the extent authorized by section 552a of Title 5, United States Code (commonly known as the Privacy Act of 1974), the FBI shall provide on request criminal history records, excluding sealed record information, to state criminal history record repositories for noncriminal justice purposes allowed by federal statute, federal executive order, or a state statute which has been approved by the Attorney General and which authorizes national indexes checks. (2) The FBI, to the extent authorized by section 552a of Title 5, United States Code (commonly known as the Privacy Act of 1974), and state criminal history record repositories shall provide criminal history records, excluding sealed record information, to criminal justice agencies and other governmental or nongovernmental agencies for noncriminal justice purposes allowed by federal statute, federal executive order, or a state statute that has been approved by the Attorney General, that explicitly authorizes national indexes checks. (3) Any record obtained under this Compact may be used only for the official purposes for which the record was requested. Each Compact officer shall establish procedures, consistent with this Compact and with rules, procedures, and standards established by the Council under Article VI, which procedures shall protect the accuracy and privacy of the records and shall: (a) Ensure that records obtained under this Compact are used only by authorized officials for authorized purposes; (b) Require that subsequent record checks are requested to obtain current information whenever a new need arises; and (c) Ensure that record entries that may not legally be used for a particular noncriminal justice purpose are deleted from the response and, if no information authorized for release remains, an appropriate "no record" response is communicated to the requesting official.

Article V. Record Request Procedures (1) Subject fingerprints or other approved forms of positive identification must be submitted with all requests for criminal history record checks for noncriminal justice purposes. (2) Each request for a criminal history record check utilizing the national indexes made under any approved state statute must be submitted through that state's criminal history record repository. A state criminal history record repository shall process an interstate request for noncriminal justice purposes through the national indexes only if the request is transmitted through another state criminal history record repository or the FBI. (3) Each request for criminal history record checks utilizing the national indexes made under federal authority must be submitted through the FBI or, if the state criminal history record repository consents to process fingerprint submissions, through the criminal history record repository in the state in which the request originated. Direct access to the national identification index by entities other than the FBI and state criminal history records repositories may not be permitted for noncriminal justice purposes. (4) A state criminal history record repository or the FBI: (a) May charge a fee, in accordance with applicable law, for handling a request involving fingerprint processing for noncriminal justice purposes; and (b) May not charge a fee for providing criminal history records in response to an electronic request for a record that does not involve a request to process fingerprints. (5) (a) If a state criminal history record repository cannot positively identify the subject of a record request made for noncriminal justice purposes, the request, together with fingerprints or other approved identifying information, must be forwarded to the FBI for a search of the national indexes. (b) If, with respect to a request forwarded by a state criminal history record repository under subsection (5)(a), the FBI positively identifies the subject as having a III System-indexed record or records: (i) The FBI shall so advise the state criminal history record repository; and (ii) The state criminal history record repository is entitled to obtain the additional criminal history record information from the FBI or other state criminal history record repositories.

Article VI. Establishment of Compact Council (1) (a) There is established a Council to be known as the Compact Council, which has the authority to promulgate rules and procedures governing the use of the III System for noncriminal justice purposes, not to conflict with FBI administration of the III System for criminal justice purposes. (b) The Council shall: (i) Continue in existence as long as this Compact remains in effect; (ii) Be located, for administrative purposes, within the FBI; and (iii) Be organized and hold its first meeting as soon as practicable after the effective date of this Compact. (2) The Council must be composed of 15 members, each of whom must be appointed by the Attorney General, as follows: (a) Nine members, each of whom shall serve a 2-year term, who must be selected from among the Compact officers of party states based on the recommendation of the Compact officers of all party states, except that in the absence of the requisite number of Compact officers available to serve, the chief administrators of the criminal history record repositories of nonparty states must be eligible to serve on an interim basis; (b) Two at-large members, nominated by the Director of the FBI, each of whom shall serve a 3-year term, of whom: (i) One must be a representative of the criminal justice agencies of the Federal Government and may not be an employee of the FBI; and (ii) One must be a representative of the noncriminal justice agencies of the Federal Government; (c) Two at-large members, nominated by the Chair of the Council once the Chair is elected pursuant to subsection (3) of this Article VI, each of whom shall serve a 3-year term, of whom: (i) One must be a representative of state or local criminal justice agencies; and (ii) One must be a representative of state or local noncriminal justice agencies; (d) One member who shall serve a 3-year term and who shall simultaneously be a member of the FBI's Advisory Policy Board on Criminal Justice Information Services, nominated by the membership of that Policy Board; and (e) One member, nominated by the Director of the FBI, who shall serve a 3-year term and who must be an employee of the FBI. (3) (a) From its membership, the Council shall elect a Chair and a Vice Chair of the Council. Both the Chair and Vice Chair of the Council: (i) Must be a Compact officer, unless there is no Compact officer on the Council who is willing to serve, in which case the Chair may be an at-large member; and (ii) Shall serve 2-year terms and may be reelected to only one additional 2-year term. (b) The Vice Chair of the Council shall serve as the Chair of the Council in the absence of the Chair. (4) (a) The Council shall meet at least once

each year at the call of the Chair. Each meeting of the Council must be open to the public. The Council shall provide prior public notice in the Federal Register of each meeting of the Council, including the matters to be addressed at the meeting. (b) A majority of the Council or any committee of the Council shall constitute a quorum of the Council or of a committee, respectively, for the conduct of business. A lesser number may meet to hold hearings, take testimony, or conduct any business not requiring a vote. (5) The Council shall make available for public inspection and copying at the Council office within the FBI and shall publish in the Federal Register any rules, procedures, or standards established by the Council. (6) The Council may request from the FBI reports, studies, statistics, or other information or materials that the Council determines to be necessary to enable the Council to perform its duties under this Compact. The FBI, to the extent authorized by law, may provide assistance or information upon a request. (7) The Chair may establish committees as necessary to carry out this Compact and may prescribe their membership, responsibilities, and duration.

Article VII. Ratification of Compact This Compact takes effect upon being entered into by two or more states as between those states and the Federal Government. When additional states subsequently enter into this Compact, it becomes effective among those states and the Federal Government and each party state that has previously ratified it. When ratified, this Compact has the full force and effect of law within the ratifying jurisdictions. The form of ratification must be in accordance with the laws of the executing state.

Article VIII. Miscellaneous Provisions (1) Administration of this Compact may not interfere with the management and control of the Director of the FBI over the FBI's collection and dissemination of criminal history records and the advisory function of the FBI's Advisory Policy Board chartered under the Federal Advisory Committee Act (5 U.S.C. App.) for all purposes other than noncriminal justice. (2) Nothing in this Compact requires the FBI to obligate or expend funds beyond those appropriated to the FBI. (3) Nothing in this Compact diminishes or lessens the obligations, responsibilities, and authorities of any state, whether a party state or a nonparty state, or of any criminal history record repository or other subdivision or component thereof, under the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1973 (Public Law 92-544), or regulations and guidelines promulgated thereunder, including the rules and procedures promulgated by the Council under Article VI(1), regarding the use and dissemination of criminal history records and information.

Article IX. Renunciation (1) This Compact shall bind each party state until renounced by the party state. (2) Any renunciation of this Compact by a party state must: (a) Be effected in the same manner by which the party state ratified this Compact; and (b) Become effective 180 days after written notice of renunciation is provided by the party state to each other party state and to the Federal Government.

Article X. Severability The provisions of this Compact are severable. If any phrase, clause, sentence, or provision of this Compact is declared to be contrary to the constitution of any participating state or to the Constitution of the United States or if the applicability of any phrase, clause, sentence, or provision of this Compact to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this Compact and the applicability of the remainder of the Compact to any government, agency, person, or circumstance is not affected by the severability. If a portion of this Compact is held contrary to the constitution of any party state, all other portions of this Compact remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected, as to all other provisions.

Article XI. Adjudication of Disputes (1) The Council: (a) Has initial authority to make determinations with respect to any dispute regarding: (i) Interpretation of this Compact; (ii) Any rule or standard established by the Council pursuant to Article VI; and (iii) Any dispute or controversy between any parties to this Compact; and (b) Shall hold a hearing concerning any dispute described in subsection (1)(a) at a regularly scheduled meeting of the Council and only render a decision based upon a majority vote of the members of the Council. The decision must be published pursuant to the requirements of Article VI(5). (2) The FBI shall exercise immediate and necessary action to preserve the integrity of the III System, to maintain system policy and standards, to protect the accuracy and privacy of records, and to prevent abuses until the Council holds a hearing on the matters. (3) The FBI or a party state may appeal any decision of the Council to the Attorney General and after that appeal may file suit in the appropriate District Court of the United States that has original jurisdiction of all cases or controversies arising under this Compact. Any suit arising under this Compact and initiated in a state court must be removed to the appropriate District Court of the United States in the manner provided by section 1446 of Title 28, United States Code, or other statutory authority. (Added to NRS by 1999, 771)

2024 Nevada Revised Statutes Chapter 179A - Records of Criminal History and Information Relating to Public Safety NRS 179A.900 - Unlawful acts.

Any person who: 1. Willfully requests, obtains or seeks to obtain records of criminal history under false pretenses; 2. Willfully communicates or seeks to communicate records of criminal history to any agency or person except pursuant to this chapter; or 3. Willfully falsifies any record of criminal history or any record relating to records of criminal history, is guilty of a misdemeanor. (Added to NRS by 1979, 1855)

Title: chapter-179b

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.010 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 179B.020 to 179B.140, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1997, 1644; A 1999, 1288; 2003, 2829; 2005, 2868)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime

Against a Child NRS 179B.020 - "Central Repository" defined.

"Central Repository" means the Central Repository for Nevada Records of Criminal History. (Added to NRS by 1997, 1644)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.023 - "Community notification website" defined.

"Community notification website" means the website on the Internet established and maintained by the Department pursuant to NRS 179B.250. (Added to NRS by 2005, 2867)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.025 - "Convicted" defined.

"Convicted" has the meaning ascribed to it in NRS 179D.035. (Added to NRS by 1999, 1288)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.030 - "Crime against a child" defined.

"Crime against a child" has the meaning ascribed to it in NRS 179D.0357. (Added to NRS by 1997, 1644; A 2007, 2754)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.040 - "Department" defined.

"Department" means the Department of Public Safety. (Added to NRS by 1997, 1644; A 2001, 2578)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.050 - "Director" defined.

"Director" means the Director of the Department. (Added to NRS by 1997, 1644)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.060 - "Division" defined.

"Division" means the Division of Parole and Probation of the Department. (Added to NRS by 1997, 1644)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.070 - "Law enforcement officer" defined.

"Law enforcement officer" includes, but is not limited to: 1. A prosecuting attorney or an attorney from the Office of the Attorney General; 2. A sheriff of a county or a sheriff's deputy; 3. An officer of a metropolitan police department or a police department of an incorporated city; 4. An officer of the Division; 5. An officer of the Department of Corrections; 6. An officer of a law enforcement agency from another jurisdiction; or 7. Any other person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, if the person is seeking information as part of a criminal investigation. (Added to NRS by 1997, 1644; A 2001 Special Session, 225)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.073 - "Offender" defined.

"Offender" means a sex offender or an offender convicted of a crime against a child. (Added to NRS by 2003, 2829)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.075 - "Offender convicted of a crime against a child" defined.

"Offender convicted of a crime against a child" has the meaning ascribed to it in NRS 179D.0559. (Added to NRS by 1999, 1288; A 2007, 2754)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.090 - "Record of registration" defined.

"Record of registration" has the meaning ascribed to it in NRS 179D.070. (Added to NRS by 1997, 1645; A 2011, 220)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.100 - "Requester" defined.

"Requester" means a person who requests information from the community notification website. (Added to NRS by 1997, 1645; A 2005, 2868)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.110 - "Sex offender" defined.

"Sex offender" has the meaning ascribed to it in NRS 179D.095. (Added to NRS by 1997, 1645)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.130 - "Statewide registry" defined.

"Statewide registry" means the statewide registry of sex offenders and offenders convicted of a crime against a child established within the central repository pursuant to NRS 179B.200. (Added to NRS by 1997, 1645)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.140 - "Subject of the search" defined.

"Subject of the search" means the person about whom a requester seeks information. (Added to NRS by 1997, 1645)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.200 - Establishment of registry; contents; search of registry by law enforcement officer; access by other persons; contents deemed record of criminal history for limited purposes.

1. The Director shall establish within the Central Repository a statewide registry of sex offenders and offenders convicted of a crime against a child that consists of the record of registration for each such offender and all other information concerning each such offender that is obtained pursuant to law. 2. The statewide registry must be organized so that a law enforcement officer may search the records of registration in the registry by entering certain search information, including, but not limited to: (a) A name, alias, physical description or address of an offender. (b) A geographic location where an offense was committed. (c) The age, gender, race or general physical description of a victim. (d) The method of operation used by an offender, including, but not limited to: (1) The specific sexual acts committed against a victim; (2) The method of obtaining access to a victim, such as the use of enticements, threats, forced entry or violence against a victim; (3) The type of injuries inflicted on a victim; (4) The types of instruments, weapons or objects used; (5) The type of property taken; and (6) Any other distinctive characteristic of the behavior or personality of an offender. 3. Except as otherwise provided in this subsection or by specific statute, information in the statewide registry may be accessed only by a law enforcement officer in the regular course of the law enforcement officer's duties and officers and employees of the Central Repository. The Director may permit the following persons to have access to information in the statewide registry: (a) Except as otherwise provided in chapter 179A of NRS or by specific statute, an officer or employee of a governmental agency that is investigating the background of a person for the purposes of employment. (b) Any other person for the limited purposes of research or statistical analysis. 4. Information contained in the statewide registry, including, but not limited to, the record of registration of an offender, shall be deemed a record of criminal history only for the purposes of those provisions of chapter 179A of NRS that are consistent with the provisions of this chapter. (Added to NRS by 1997, 1645; A 1999, 1288)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.250 - Establishment, maintenance and content of website; information to be included with each inquiry; duties, authorizations and prohibitions of Central Repository.

1. The Department shall establish and maintain within the Central Repository a community notification website to provide the public with access to certain information contained in the statewide registry in accordance with the procedures set forth in this section. 2. The community notification website is the source of record for information available to the public concerning offenders listed in the statewide registry, and must: (a) Be maintained in a manner that will allow the public to obtain relevant information for each offender by a single query for any given zip code or geographical radius set by the user; (b) Include in its design all the search field capabilities needed for full participation in the Dru Sjodin National Sex Offender Public Website maintained by the Attorney General of the United States pursuant to 42 U.S.C. § 16920; (c) Include, to the extent practicable, links to sex offender safety and education resources; (d) Include instructions on how to seek correction of information that a person contends is erroneous; and (e) Include a warning that the information on the website should not be used to unlawfully injure, harass or commit a crime against any person named in the registry or residing or working at any reported address and a notice that any such action could result in civil or criminal penalties. 3. For each inquiry to the community notification website, the requester may provide: (a) The name of the subject of the search; (b) Any alias of the subject of the search; (c) The zip code of the residence, place of work or school of the subject of the search; or (d) Any other information concerning the identity or location of the subject of the search that is deemed sufficient in the discretion of the Department. 4. For each inquiry to the community notification website made by the requester, the Central Repository shall: (a) Explain the levels of registration and community notification that are assigned to sex offenders pursuant to NRS 179D.010 to 179D.550, inclusive; and (b) Explain that the Central Repository is prohibited by law from disclosing certain information concerning certain offenders, even if those offenders are listed in the statewide registry. 5. If an offender listed in the statewide registry matches the information provided by the requester concerning the identity or location of the subject of the search, the Central Repository shall disclose to the requester information in the statewide registry concerning the offender as provided pursuant to subsection 6. 6. After each inquiry to the community notification website made by the requester, the Central Repository shall inform the requester that: (a) No offender listed in the statewide registry matches the information provided by the requester concerning the identity or location of the subject of the search; (b) The search of the statewide registry has not produced information that is available to the public through the statewide registry; or (c) An offender listed in the statewide registry matches the

information provided by the requester concerning the identity or location of the subject of the search. Except as otherwise provided in subsection 7, if a search of the statewide registry results in a match pursuant to this paragraph, the Central Repository shall provide the requester with the following information: (1) The name of the offender and all aliases that the offender has used or under which the offender has been known. (2) A complete physical description of the offender. (3) A current photograph of the offender. (4) The year of birth of the offender. (5) The complete address of any residence at which the offender resides or will reside. (6) The address of any location where the offender is or will be: (I) A student, as defined in NRS 179D.110; or (II) A worker, as defined in NRS 179D.120. (7) The license plate number and a description of any motor vehicle owned or operated by the offender. (8) The following information for each offense for which the offender has been convicted: (I) The offense that was committed, including a citation to and the text of the specific statute that the offender violated. (II) The court in which the offender was convicted. (III) The name under which the offender was convicted. (IV) The name and location of each penal institution, school, hospital, mental facility or other institution to which the offender was committed for the offense. (V) The city, township or county where the offense was committed. (9) The tier level of registration and community notification assigned to the offender pursuant to NRS 179D.010 to 179D.550, inclusive. (10) Any other information required by federal law. 7. If a search of the statewide registry results in a match pursuant to paragraph (c) of subsection 6, the Central Repository shall not provide the requester with: (a) The identity of any victim of a sexual offense or crime against a child; (b) Any information relating to a Tier I offender unless the offender has been convicted of a sexual offense against a child or a crime against a child; (c) The social security number of the offender; (d) The name of any location where the offender is or will be: (1) A student, as defined in NRS 179D.110; or (2) A worker, as defined in NRS 179D.120; (e) Any reference to arrests of the offender that did not result in conviction; (f) Any other information that is included in the record of registration for the offender other than the information required pursuant to paragraph (c) of subsection 6; or (g) Any other information exempted from disclosure by the Attorney General of the United States pursuant to federal law. 8. The provisions of this section do not prevent law enforcement officers, the Central Repository and its officers and employees, or any other person from: (a) Accessing information in the statewide registry pursuant to NRS 179B.200; (b) Carrying out any duty pursuant to chapter 179D of NRS; or (c) Carrying out any duty pursuant to another provision of law. 9. As used in this section, "Tier I offender" has the meaning ascribed to it in NRS 179D.113. (Added to NRS by 1997, 1646; A 1999, 1289; 2003, 2829, 2845; 2005, 2868; 2007, 2754; 2013, 372; 2017, 2686)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.270 - Restrictions on use of information.

Except as otherwise authorized pursuant to specific statute, a person shall not use information obtained from the community notification website for any purpose related to any of the following: 1. Insurance, including health insurance. 2. Loans. 3. Credit. 4. Employment. 5. Education, scholarships or fellowships. 6. Housing or accommodations. 7. Benefits, privileges or services provided by any business establishment. (Added to NRS by 2005, 2867)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.280 - Misuse of information: Civil liabilities.

Any person who uses information obtained from the community notification website in violation of the provisions of NRS 179B.250 or 179B.270 is liable: 1. In a civil action brought by or on behalf of a person injured by the violation, for damages, attorney's fees and costs incurred as the result of the violation; and 2. In a civil action brought in the name of the State of Nevada by the Attorney General, for a civil penalty not to exceed \$25,000 and for the costs of the action, including investigative costs and attorney's fees. (Added to NRS by 2005, 2868)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.285 - Criminal penalties for using information to commit crime.

In addition to any civil liability provided pursuant to NRS 179B.280, if any person uses information obtained from the community notification website to commit a crime punishable as: 1. A misdemeanor, the person is guilty of a gross misdemeanor. 2. A gross misdemeanor, the person is guilty of a category E felony and shall be punished as provided in NRS 193.130. (Added to NRS by 2007, 2754)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.290 - Misuse of information: Attorney General may file action for injunctive relief.

1. If there is reasonable cause to believe that a person or group of persons has engaged in or is about to engage in any act or practice, or any pattern of acts or practices, which involves the use of information obtained from the community notification website and which violates any provision of this section, NRS 179B.250, 179B.270 or 179B.280, the Attorney General may file an action for injunctive relief in the appropriate district court to prevent the occurrence or continuance of that act or practice or pattern of acts or practices. 2. An injunction pursuant to this section: (a) May be issued without proof of actual damage sustained by any person; and (b) Does not preclude or affect the availability of any other remedy including, without limitation, the criminal prosecution of a violator or the filing or maintenance of a civil action for damages or a civil penalty pursuant to NRS 179B.280. (Added to NRS by 2005, 2868)

2024 Nevada Revised Statutes Chapter 179B - Statewide Registry of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179B.300 - Prohibition on disclosing name of victim; immunity for Central Repository and law enforcement agencies.

1. Information in the statewide registry, including information in the community notification website, that is accessed or disclosed pursuant to the provisions of this chapter must not reveal the name of an individual victim of an offense. 2. The Central Repository and its officers and employees are immune from criminal or civil liability for an act or omission relating to information obtained, maintained or disclosed pursuant to the provisions of this chapter, including, but not limited to, an act or omission relating to: (a) The accuracy of information in the statewide registry; or (b) The disclosure of or the failure to disclose information in the statewide registry. 3. A law enforcement agency and its officers and employees are immune from criminal or civil liability for an act or omission relating to information obtained pursuant to the provisions of this chapter, including, but not limited to, an act or omission relating to: (a) The accuracy of information obtained from the statewide registry; or (b) The disclosure of or the failure to disclose information obtained from the statewide registry. (Added to NRS by 1997, 1647; A 2005, 2870)

Title: chapter-179c

2024 Nevada Revised Statutes Chapter 179C - Registration of Convicted Persons NRS 179C.010 - "Convicted person" defined.

1. Except as otherwise provided in subsection 2, as used in this chapter, unless the context otherwise requires, "convicted person" means: (a) A person convicted in the State of Nevada or convicted in any place other than the State of Nevada of two or more offenses punishable as felonies. (b) A person convicted in the State of Nevada of an offense punishable as a category A felony. (c) A person convicted in the State of Nevada or convicted in any place other than the State of Nevada of a crime that would constitute a category A felony if committed in this State on or after July 1, 2003. 2. For the purposes of this chapter, "convicted person" does not include: (a) A person who has been convicted of a crime against a child, as defined in NRS 179D.0357, or a sexual offense, as defined in NRS 179D.097; or (b) Except as otherwise provided in this chapter, a person whose conviction is or has been set aside in the manner provided by law. [1:123:1955]—(NRS A 1959, 216; 1963, 89; 1967, 519; 1971, 932; 1973, 1061; 1975, 1633; 1979, 322, 1019; 1981, 362, 1295, 1296; 1987, 703; 1991, 789, 2268; 1997, 1325, 1682; 1999, 435; 2003, 2688; 2007, 2756)

2024 Nevada Revised Statutes Chapter 179C - Registration of Convicted Persons NRS 179C.100 - Registration with local law enforcement officer within 48 hours; duties and procedures; registration card may not be required; effect of restoration of civil rights.

1. It is unlawful for a convicted person to be or remain in the State of Nevada for a period of more than 48 hours without, during such 48-hour period, registering with the sheriff of a county or the chief of police of a city in the manner prescribed in this section. 2. A convicted person who does not reside in the State of Nevada but who has a temporary or permanent place of abode outside the State of Nevada, and who comes into the State on five occasions or more during any 30-day period, is subject to the provisions of this chapter. 3. A person who has registered as a convicted person with the sheriff of a county or the chief of police of a city shall register again as provided in this section if the person subsequently commits another offense described or referred to in this chapter. 4. A person required by this section to register shall do so by filing with the sheriff or chief of police a statement in writing, upon a form prescribed and furnished by the sheriff or chief of police, which is signed by the person and which provides the following information: (a) The person's true name and each alias that the person has used or under which the person may have been known; (b) A full and complete description of his or her person; (c) The kind, character and nature of each crime of which the person has been convicted; (d) The place in which the person was convicted of each crime; (e) The name under which the person was convicted in each instance and the date thereof; (f) The name, if any, and the location of each prison, reformatory, jail or other penal institution in which the person was confined or to which the person was sentenced; (g) The location and address of the person's residence, stopping place, living quarters or place of abode, and if more than one residence, stopping place or place of abode, that fact must be stated and the location and address of each given; (h) The kind of residence, stopping place, or place of abode in which the person resides, including whether it is a private residence, hotel, apartment house or other building or structure; (i) The length of time the person has occupied each place of residence, stopping place or place of abode, and the length of time the person expects or intends to remain in the State of Nevada; and (j) Any further information that may be required by the sheriff or chief of police for the purpose of aiding and assisting in carrying into effect the provisions and intent of this chapter. 5. The sheriff of a county or the chief of police of a city shall not require a convicted person to carry a registration card, and no convicted person who is required to register pursuant to this section may be punished for the failure to carry a registration card. 6. When so ordered in the individual case by the district court in which the conviction was obtained, by the State Board of Parole Commissioners or by the State Board of Pardons Commissioners, whichever is appropriate, the provisions of this section do not apply to a convicted person who has had his or her civil rights restored. [2:123:1955]—(NRS A 1969, 406; 1973, 1843; 1979, 1461; 1997, 1326; 2003, 2689)

2024 Nevada Revised Statutes Chapter 179C - Registration of Convicted Persons NRS 179C.110 - Convicted person to notify local law enforcement officer of change of address; procedure.

A convicted person, except a nonresident, who is required to register under the provisions of this chapter and who changes his or her place of residence, stopping place or place of abode, shall, within 48 hours after the change, and a nonresident mentioned in

subsection 2 of NRS 179C.100 who has registered and who changes his or her place of residence, stopping place or place of abode, shall, upon the next entry into the State after the change, notify the sheriff or chief of police of the change and furnish to the sheriff or chief of police the address of his or her new residence, stopping place or place of abode by filing with the sheriff or chief of police a written statement, upon a form prescribed and furnished by the sheriff or chief of police, which is signed by the person and which provides the following information: 1. The person's true name and each alias that the person has used or under which the person may have been known; 2. The kind, character and nature of each crime of which the person has been convicted; 3. The place in which the person was convicted of each crime; 4. The name under which the person was convicted in each instance and the date thereof; and 5. The location and address of the person's residence, stopping place, living quarters or place of abode, and, if there is more than one, the location and address of each residence, stopping place, living quarters or place of abode. [3:123:1955]—(NRS A 1997, 1327)

2024 Nevada Revised Statutes Chapter 179C - Registration of Convicted Persons NRS 179C.120 - Fingerprinting of convicted persons.

Each convicted person, at the time of registering and furnishing the information required by this chapter, shall be fingerprinted by the sheriff or chief of police, who shall cause such fingerprints to be made a part of the record required by this chapter. [4:123:1955]

2024 Nevada Revised Statutes Chapter 179C - Registration of Convicted Persons NRS 179C.160 - Registration information forwarded to Central Repository.

Upon registering a convicted person pursuant to the provisions of this chapter, a sheriff or a chief of police shall forward all information concerning such registration to the Central Repository for Nevada Records of Criminal History in the manner prescribed by the Director of the Department of Public Safety. (Added to NRS by 1997, 1325; A 2001, 2579)

2024 Nevada Revised Statutes Chapter 179C - Registration of Convicted Persons NRS 179C.170 - Registration information placed in separate file; inspection of information; information may be transmitted to certain agencies and persons.

1. The statements and fingerprints provided for in this chapter must at all times be kept by the sheriff or chief of police in a file separate and apart from other files and records maintained and kept by the sheriff or chief of police, and must not be open to inspection by the public, or by any person other than a regular law enforcement officer. 2. Copies of those statements and fingerprints may be transmitted to: (a) The sheriff of any county in this State; (b) The head of any organized police department of any municipality in this State; (c) The head of any department of the State of Nevada engaged in the enforcement of any criminal law of this State; (d) The Nevada Gaming Commission and Nevada Gaming Control Board or any successor thereto; (e) The head of any federal law enforcement agency; (f) Any sheriff or chief of police of a municipality; or (g) The head of any other law enforcement agency in any state or territory outside of this State, if a request is made in writing by such sheriff or other head of a law enforcement agency asking for the record of a certain person named therein, or for the record of a person whose fingerprints reasonably correspond with fingerprints submitted with the request, and stating that the record is deemed necessary for the use of that law enforcement officer or agency in or concerning the investigation of any crime, or any person who is accused of committing a crime, or any crime which is reported to have been committed, and further stating that the record will be used only for that purpose. 3. A sheriff or chief of police shall, upon the written request of a county clerk or registrar of voters, furnish the county clerk or registrar of voters with a list containing the name and current address of the residence of each person required to register pursuant to this chapter. [5:123:1955]—(NRS A 1965, 1031; 1989, 2173)

2024 Nevada Revised Statutes Chapter 179C - Registration of Convicted Persons NRS 179C.200 - Misleading information prohibited.

No person required by any provision of this chapter to furnish a statement shall in such statement give any false or fictitious address or any address other than a true address or intended address, or furnish in the making of any such report any false, untrue or misleading information or statement, relating to any information required by any of the provisions thereof to be made or furnished. [6:123:1955]

2024 Nevada Revised Statutes Chapter 179C - Registration of Convicted Persons NRS 179C.210 - Continuing duty to furnish statement; separate offenses.

The duty to furnish statements when and in the manner provided by this chapter is hereby declared to be a continuing one, and for each day that any person required under the provisions of this chapter to furnish a statement fails to do so, such failure shall constitute a separate offense; provided: 1. That no person may be convicted more than once on account of violations occurring by reason of failure, on a series of days, to furnish such statements; and 2. That nothing contained herein shall be deemed a bar to subsequent prosecutions for violations of the provisions of this chapter occurring subsequent to a prior conviction or acquittal of a violation thereof. [7:123:1955]

2024 Nevada Revised Statutes Chapter 179C - Registration of Convicted Persons NRS 179C.220 - Penalty.

Any person violating the provisions of this chapter is guilty of a misdemeanor. [8:123:1955]—(NRS A 1967, 520)

Title: chapter-179d

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.010 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 179D.015 to 179D.120, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1997, 1647; A 1999, 1291; 2003, 568; 2007, 2762)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.015 - "Campus police department" defined.

"Campus police department" means any campus police department or campus security department at an institution of higher education. (Added to NRS by 2003, 567)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.020 - "Central Repository" defined.

"Central Repository" means the Central Repository for Nevada Records of Criminal History. (Added to NRS by 1997, 1647)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.030 - "Community notification" defined.

"Community notification" means notification of a community pursuant to the provisions of NRS 179D.475. (Added to NRS by 1997, 1647; A 2007, 2763)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.035 - "Convicted" defined.

1. "Convicted" includes, but is not limited to, an adjudication of delinquency by a court having jurisdiction over juveniles if: (a) The adjudication of delinquency is for the commission of a sexual offense that is listed in NRS 62F.225; and (b) The offender was 14 years of age or older at the time of the offense. 2. The term does not include an adjudication of delinquency by a court having jurisdiction over juveniles if, pursuant to NRS 62F.340, the court has relieved the juvenile from being subject to registration and community notification pursuant to NRS 179D.010 to 179D.550, inclusive. (Added to NRS by 1999, 1290; A 2001, 1311, 2795; 2003, 45, 1122, 1389; 2007, 2763; 2017, 2979)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.0357 - "Crime against a child" defined.

"Crime against a child" means any of the following offenses if the victim of the offense was less than 18 years of age when the offense was committed: 1. Kidnapping pursuant to NRS 200.310 to 200.340, inclusive, unless the offender is the parent or guardian of the victim. 2. False imprisonment pursuant to NRS 200.460, unless the offender is the parent or guardian of the victim. 3. Involuntary servitude of a child pursuant to NRS 200.4631, unless the offender is the parent or guardian of the victim. 4. An offense involving sex trafficking pursuant to subsection 2 of NRS 201.300 or prostitution pursuant to NRS 201.320 or 201.395. 5. An attempt to commit an offense listed in this section. 6. An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section. This subsection includes, without limitation, an offense prosecuted in: (a) A tribal court. (b) A court of the United States or the Armed Forces of the United States. 7. An offense against a child committed in another jurisdiction, whether or not the offense would be an offense listed in this section, if the person who committed the offense resides or has resided or is or has been a student or worker in any jurisdiction in which the person is or has been required by the laws of that jurisdiction to register as an offender who has committed a crime against a child because of the offense. This subsection includes, without limitation, an offense prosecuted in: (a) A tribal court. (b) A court of the United States or the Armed Forces of the United States. (c) A court having jurisdiction over juveniles. (Added to NRS by 2007, 2757; A 2013, 1858, 2422; 2019, 2635)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.040 - "Division" defined.

"Division" means the Division of Parole and Probation of the Department of Public Safety. (Added to NRS by 1997, 1647; A 2001, 2579)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.045 - "Institution of higher education" defined.

"Institution of higher education" means: 1. A university, college or community college which is privately owned or which is part of the Nevada System of Higher Education; and 2. A postsecondary educational institution, as defined in NRS 394.099, or any other institution of higher education. (Added to NRS by 2003, 567)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.050 - "Local law enforcement agency" defined.

"Local law enforcement agency" means: 1. The sheriff's office of a county; 2. A metropolitan police department; or 3. A police department of an incorporated city. (Added to NRS by 1997, 1648)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.0557 - "Nonresident offender or sex offender who is a student or worker within this State" and "nonresident offender or sex offender" defined.

"Nonresident offender or sex offender who is a student or worker within this State" or "nonresident offender or sex offender" means an offender or sex offender who is a student or worker within this State but who is not otherwise deemed a resident offender or sex offender pursuant to subsection 2 or 3 of NRS 179D.460. (Added to NRS by 2007, 2757)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.0559 - "Offender convicted of a crime against a child" and "offender" defined.

1. "Offender convicted of a crime against a child" or "offender" means a person who, after July 1, 1956, is or has been convicted of a crime against a child that is listed in NRS 179D.0357. 2. The term includes, without limitation, an offender who is a student or worker within this State but who is not otherwise deemed a resident offender pursuant to subsection 2 or 3 of NRS 179D.460. (Added to NRS by 2007, 2757; A 2017, 2980)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.065 - "Primary address" defined.

"Primary address" means the address at which: 1. A student primarily attends any course of academic or vocational instruction within this state. 2. A worker primarily engages in any type of occupation, employment, work or volunteer service within this state. (Added to NRS by 1999, 1290)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.070 - "Record of registration" defined.

"Record of registration" means a record of registration that contains the information required by NRS 179D.151. (Added to NRS by 1997, 1647; A 2011, 222)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.075 - "Registration" defined.

"Registration" means registration as an offender or sex offender pursuant to NRS 179D.010 to 179D.550, inclusive. (Added to NRS by 2007, 2758)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.080 - "Release" defined.

"Release" means release from incarceration or confinement. The term includes, but is not limited to: 1. Release on probation, parole or any other type of supervised release. 2. Release after a term of incarceration expires. 3. Release from confinement in a school, hospital, mental facility or other institution. (Added to NRS by 1997, 1648)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.090 - "Resides" defined.

"Resides" means the place where an offender resides or, if the offender is incarcerated or confined, the place where the offender will reside upon release. (Added to NRS by 1997, 1648)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.095 - "Sex offender" defined.

1. "Sex offender" means a person who, after July 1, 1956, is or has been convicted of a sexual offense listed in NRS 179D.097. 2. The term includes, without limitation, a sex offender who is a student or worker within this State but who is not otherwise deemed a resident offender pursuant to subsection 2 or 3 of NRS 179D.460. (Added to NRS by 2007, 2758; A 2017, 2980)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.097 - "Sexual offense" defined.

1. "Sexual offense" means any of the following offenses: (a) Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of NRS 200.030. (b) Sexual assault pursuant to NRS 200.366. (c) Statutory sexual seduction pursuant to NRS 200.368. (d) Battery with intent to commit sexual assault pursuant to subsection 4 of NRS 200.400. (e) An offense involving the

administration of a drug to another person with the intent to enable or assist the commission of a felony pursuant to NRS 200.405, if the felony is an offense listed in this subsection. (f) An offense involving the administration of a controlled substance to another person with the intent to enable or assist the commission of a crime of violence, if the crime of violence is an offense listed in this section. (g) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation. (h) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive. (i) Fertility fraud pursuant to paragraph (a) of subsection 1 of NRS 200.975. (j) Incest pursuant to NRS 201.180. (k) Open or gross lewdness pursuant to NRS 201.210. (l) Indecent or obscene exposure pursuant to NRS 201.220. (m) Lewdness with a child pursuant to NRS 201.230. (n) Sexual penetration of a dead human body pursuant to NRS 201.450. (o) Sexual conduct between certain employees of a school or volunteers at a school and a pupil pursuant to NRS 201.540. (p) Sexual conduct between certain employees of a college or university and a student pursuant to NRS 201.550. (q) Luring a child or a person with mental illness pursuant to NRS 201.560, if punished as a felony. (r) Sex trafficking pursuant to NRS 201.300. (s) Any other offense that has an element involving a sexual act or sexual conduct with another. (t) An attempt or conspiracy to commit an offense listed in paragraphs (a) to (s), inclusive. (u) An offense that is determined to be sexually motivated pursuant to NRS 175.547 or 207.193. (v) An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this subsection. This paragraph includes, without limitation, an offense prosecuted in: (1) A tribal court. (2) A court of the United States or the Armed Forces of the United States. (w) An offense of a sexual nature committed in another jurisdiction, whether or not the offense would be an offense listed in this section, if the person who committed the offense resides or has resided or is or has been a student or worker in any jurisdiction in which the person is or has been required by the laws of that jurisdiction to register as a sex offender because of the offense. This paragraph includes, without limitation, an offense prosecuted in: (1) A tribal court. (2) A court of the United States or the Armed Forces of the United States. (3) A court having jurisdiction over juveniles. 2. Except for the offenses described in paragraphs (o) and (p) of subsection 1, the term does not include an offense involving consensual sexual conduct if the victim was: (a) An adult, unless the adult was under the custodial authority of the offender at the time of the offense; or (b) At least 13 years of age and the offender was not more than 4 years older than the victim at the time of the commission of the offense. (Added to NRS by 2007, 2758; A 2013, 1167, 2423; 2015, 1444; 2021, 3463; 2023, 1425)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.100 - "Sexual penetration" defined.

"Sexual penetration" means cunnilingus, fellatio or any intrusion, however slight, of any part of the victim's body or any object manipulated or inserted by a person into the genital or anal openings of the body of the victim. The term includes, but is not limited to, anal intercourse and sexual intercourse in what would be its ordinary meaning. (Added to NRS by 1999, 1290)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.110 - "Student" defined.

"Student" means a person who is enrolled in and attends, on a full-time or part-time basis within this State, any course of academic or vocational instruction conducted by a public or private educational institution or school, including, but not limited to, any of the following institutions or schools: 1. An institution of higher education. 2. A trade school or vocational school. 3. A secondary school. (Added to NRS by 1999, 1290; A 2003, 568; 2007, 2763)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.113 - "Tier I offender" defined.

"Tier I offender" means an offender convicted of a crime against a child or a sex offender other than a Tier II offender or Tier III offender. (Added to NRS by 2007, 2759)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.115 - "Tier II offender" defined.

"Tier II offender" means an offender convicted of a crime against a child or a sex offender, other than a Tier III offender, whose crime against a child is punishable by imprisonment for more than 1 year or whose sexual offense: 1. If committed against a child, constitutes: (a) Luring a child pursuant to NRS 201.560, if punishable as a felony; (b) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation; (c) An offense involving sex trafficking pursuant to NRS 201.300 or prostitution pursuant to NRS 201.320 or 201.395; (d) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive; or (e) Any other offense that is comparable to or more severe than the offenses described in 34 U.S.C. § 20911(3); 2. Involves an attempt or conspiracy to commit any offense described in subsection 1; 3. If committed in another jurisdiction, is an offense that, if committed in this State, would be an offense listed in this section. This subsection includes, without limitation, an offense prosecuted in: (a) A tribal court; or (b) A court of the United States or the Armed Forces of the United States; or 4. Is committed after the person becomes a Tier I offender if any of the person's sexual offenses constitute an offense punishable by imprisonment for more than 1 year. (Added to NRS by 2007, 2759; A 2013, 2424; 2019, 2636)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.117 - "Tier III offender" defined.

"Tier III offender" means an offender convicted of a crime against a child or a sex offender who has been convicted of: 1. Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of NRS 200.030; 2. Sexual assault pursuant to NRS 200.366; 3. Battery with intent to commit sexual assault pursuant to subsection 4 of NRS 200.400; 4. Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation and if the victim of the offense was less than 13 years of age when the offense was committed; 5. Kidnapping pursuant to NRS 200.310 to 200.340, inclusive, if the victim of the offense was less than 18 years of age when the offense was committed, unless the offender is the parent or guardian of the victim; 6. Any sexual offense or crime against a child after the person becomes a Tier II offender; 7. Any other offense that is comparable to or more severe than the offenses described in 42 U.S.C. § 16911(4); 8. An attempt or conspiracy to commit an offense described in subsections 1 to 7, inclusive; or 9. An offense committed in another jurisdiction that, if committed in this State, would be an offense listed in this section. This subsection includes, without limitation, an offense prosecuted in: (a) A tribal court; or (b) A court of the United States or the Armed Forces of the United States. (Added to NRS by 2007, 2759)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.120 - "Worker" defined.

"Worker" means a person who is self-employed or who engages in or who knows or reasonably should know that he or she will engage in any type of occupation, employment, work or volunteer service, whether or not the person engages in or will engage in the occupation, employment, work or volunteer service for compensation. (Added to NRS by 1999, 1291; A 2007, 2763)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.151 - Contents.

1. A record of registration must include, if the information is available: (a) Information identifying the offender or sex offender, including, but not limited to: (1) The name of the offender or sex offender and all aliases that the offender or sex offender has used or under which he or she has been known; (2) A complete physical description of the offender or sex offender, a current photograph of the offender or sex offender and the fingerprints and palm prints of the offender or sex offender; (3) The date of birth and the social security number of the offender or sex offender; (4) The identification number from a driver's license or an identification card issued to the offender or sex offender by this State or any other jurisdiction and a photocopy of such driver's license or identification card; (5) Information indicating whether the DNA profile and DNA record of the offender or sex offender has been entered in CODIS; and (6) Any other information that identifies the offender or sex offender. (b) Except as otherwise provided in paragraph (c), information concerning the residence of the offender or sex offender, including, but not limited to: (1) The address at which the offender or sex offender resides; (2) The length of time the offender or sex offender has resided at that address and the length of time the offender or sex offender expects to reside at that address; (3) The address or location of any other place where the offender or sex offender expects to reside in the future and the length of time the offender or sex offender expects to reside there; and (4) The length of time the offender or sex offender expects to remain in the county where the offender or sex offender resides and in this State. (c) If the offender or sex offender has no fixed residence, the address of any dwelling that is providing the offender or sex offender temporary shelter, or any other location where the offender or sex offender habitually sleeps, including, but not limited to, the cross streets, intersection, direction and identifiable landmarks of the city, county, state and zip code of that location. (d) Information concerning the offender's or sex offender's occupations, employment or work or expected occupations, employment or work, including, but not limited to, the name, address and type of business of all current and expected future employers of the offender or sex offender. (e) Information concerning the offender's or sex offender's volunteer service or expected volunteer service in connection with any activity or organization within this State, including, but not limited to, the name, address and type of each such activity or organization. (f) Information concerning the offender's or sex offender's enrollment or expected enrollment as a student in any public or private educational institution or school within this State, including, but not limited to, the name, address and type of each such educational institution or school. (g) Information concerning whether: (1) The offender or sex offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of the offender's or sex offender's enrollment at an institution of higher education; or (2) The offender or sex offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of the offender's or sex offender's work at an institution of higher education, including, but not limited to, the name, address and type of each such institution of higher education. (h) The license plate number and a description of all motor vehicles registered to or frequently driven by the offender or sex offender. (i) The level of registration and community notification of the offender or sex offender. (j) The criminal history of the offender or sex offender, including, without limitation: (1) The dates of all arrests and convictions of the offender or sex offender; (2) The status of parole, probation or supervised release of the offender or sex offender; (3) The status of the registration of the offender or sex offender; and (4) The existence of any outstanding arrest warrants for the offender or sex offender. (k) The following information for each offense for which the offender or sex offender has been convicted: (1) The court in which the offender or sex offender was convicted; (2) The text of the provision of law defining each offense; (3) The name under which the offender or sex offender was convicted; (4) The name and location of each penal institution, school, hospital, mental facility or other institution to which the offender or sex offender was committed; (5) The specific location where the offense was committed; (6) The age, the gender, the race and a general physical description of the victim; and (7) The method of operation that was used to commit the offense, including, but not limited to: (I) Specific sexual acts committed against the victim;

(II) The method of obtaining access to the victim, such as the use of enticements, threats, forced entry or violence against the victim; (III) The type of injuries inflicted on the victim; (IV) The types of instruments, weapons or objects used; (V) The type of property taken; and (VI) Any other distinctive characteristic of the behavior or personality of the offender or sex offender. (l) Any other information required by federal law. 2. As used in this section: (a) "CODIS" has the meaning ascribed to it in NRS 176.09113. (b) "DNA profile" has the meaning ascribed to it in NRS 176.09115. (c) "DNA record" has the meaning ascribed to it in NRS 176.09116. (Added to NRS by 2011, 220; A 2013, 1075)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.160 - Inspection.

1. Except as otherwise provided by specific statute, the contents of a record of registration: (a) Are confidential and not subject to inspection by the general public. (b) May be inspected only by a law enforcement officer in the regular course of the law enforcement officer's duties or by the offender named in the record of registration. 2. As used in this section, "law enforcement officer" includes, but is not limited to: (a) A prosecuting attorney or an attorney from the Office of the Attorney General; (b) A sheriff of a county or a sheriff's deputy; (c) An officer of a metropolitan police department or a police department of an incorporated city; (d) An officer of the Division; (e) An officer of the Department of Corrections; (f) An officer of a law enforcement agency from another jurisdiction; or (g) Any other person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, if the person is seeking information as part of a criminal investigation. (Added to NRS by 1997, 1649; A 2001 Special Session, 225; 2013, 375)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.170 - Record and information concerning offender or sex offender provided to Federal Bureau of Investigation.

Upon receiving from a local law enforcement agency, pursuant to NRS 179D.010 to 179D.550, inclusive: 1. A record of registration; 2. Fingerprints, palm prints or a photograph of an offender or sex offender; 3. A new address of an offender or sex offender; or 4. Any other updated information, the Central Repository shall immediately provide the record of registration, fingerprints, palm prints, photograph, new address or updated information to the Federal Bureau of Investigation. (Added to NRS by 1997, 1650; A 2003, 569; 2007, 2765)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.441 - Duty to register and to keep registration current.

Each offender convicted of a crime against a child and each sex offender shall: 1. Register initially with the local law enforcement agency of the jurisdiction in which the offender or sex offender was convicted as required pursuant to NRS 179D.445; 2. Register with the appropriate law enforcement agency as required pursuant to NRS 179D.460 and 179D.480; and 3. Keep the registration current as required pursuant to NRS 179D.447. (Added to NRS by 2007, 2760)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.443 - Information required for registration; provision of biological specimen; duties of local law enforcement agency.

1. When an offender convicted of a crime against a child or a sex offender registers with a local law enforcement agency as required pursuant to NRS 179D.445, 179D.460 or 179D.480, or updates the registration as required pursuant to NRS 179D.447: (a) The offender or sex offender shall provide the local law enforcement agency with the following: (1) The name of the offender or sex offender and all aliases that the offender or sex offender has used or under which the offender or sex offender has been known; (2) The social security number of the offender or sex offender; (3) The address of any residence or location at which the offender or sex offender resides or will reside; (4) The name and address of any place where the offender or sex offender is a worker or will be a worker; (5) The name and address of any place where the offender or sex offender is a student or will be a student; (6) The license plate number and a description of all motor vehicles registered to or frequently driven by the offender or sex offender; and (7) Any other information required by federal law. (b) If the offender or sex offender has not previously provided a biological specimen pursuant to NRS 176.09123, 176.0913 or 176.0916, the offender or sex offender shall provide a biological specimen to the local law enforcement agency. The local law enforcement agency shall provide the specimen to the forensic laboratory that has been designated by the county in which the offender or sex offender resides, is present or is a worker or student to conduct or oversee genetic marker analysis for the county pursuant to NRS 176.0917. (c) The local law enforcement agency shall ensure that the record of registration of the offender or sex offender includes, without limitation: (1) A complete physical description of the offender or sex offender, a current photograph of the offender or sex offender and the fingerprints and palm prints of the offender or sex offender; (2) The text of the provision of law defining each offense for which the offender or sex offender is required to register; (3) The criminal history of the offender or sex offender, including, without limitation: (I) The dates of all arrests and convictions of the offender or sex offender; (II) The status of parole, probation or supervised release of the offender or sex offender; (III) The status of the registration of the offender or sex offender; and (IV) The existence of any outstanding arrest warrants for the offender or sex offender; (4) Information indicating whether the DNA profile and DNA record of the offender or sex offender has been entered in

CODIS; (5) The identification number from a driver's license or an identification card issued to the offender or sex offender by this State or any other jurisdiction and a photocopy of such driver's license or identification card; and (6) Any other information required by federal law. 2. As used in this section: (a) "CODIS" has the meaning ascribed to it in NRS 176.09113. (b) "DNA profile" has the meaning ascribed to it in NRS 176.09115. (c) "DNA record" has the meaning ascribed to it in NRS 176.09116. (Added to NRS by 2007, 2760; A 2007, 3262; 2013, 1078)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.445 - Initial registration with local law enforcement agency of jurisdiction in which convicted.

1. In addition to any other registration that is required pursuant to NRS 179D.010 to 179D.550, inclusive, each offender or sex offender who, on or after October 1, 2007, is or has been convicted of a crime against a child or a sexual offense shall register initially with the appropriate local law enforcement agency of the jurisdiction in which the offender or sex offender was convicted pursuant to the provisions of this section. 2. An offender or sex offender shall initially register with a local law enforcement agency as required pursuant to subsection 1: (a) If the offender or sex offender is sentenced to a term of imprisonment for the crime, before being released from incarceration or confinement for the crime; and (b) If the offender or sex offender is not sentenced to a term of imprisonment for the crime, not later than 3 business days after the date on which the offender or sex offender was sentenced for the crime. (Added to NRS by 2007, 2761; A 2007, 3263)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.447 - Duty to update information after change of name, residence, employment or student status; duty of local law enforcement agency.

1. An offender convicted of a crime against a child or a sex offender convicted of a sexual offense who changes his or her name, residence, employment or student status shall, not later than 3 business days after such change of name, residence, employment or student status: (a) Appear in person in at least one of the jurisdictions in which the offender or sex offender resides, is a student or worker; and (b) Provide all information concerning such change to the appropriate local law enforcement agency. 2. The local law enforcement agency shall immediately provide the updated information provided by an offender or sex offender pursuant to subsection 1 to the Central Repository and to all other jurisdictions in which the offender or sex offender is required to register. (Added to NRS by 2007, 2761)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.450 - Registration after conviction; duties and procedure; offender or sex offender informed of duty to register; effect of failure to inform; duties and procedure upon receipt of notification from another jurisdiction or Federal Bureau of Investigation.

1. If the Central Repository receives notice from a court pursuant to NRS 176.0926 that an offender has been convicted of a crime against a child, pursuant to NRS 176.0927 that a sex offender has been convicted of a sexual offense or pursuant to NRS 62F.310 that a juvenile has been adjudicated delinquent for an offense for which the juvenile is subject to registration and community notification pursuant to NRS 62F.205 to 62F.360, inclusive, and 179D.010 to 179D.550, inclusive, the Central Repository shall: (a) If a record of registration has not previously been established for the offender or sex offender, notify the local law enforcement agency so that a record of registration may be established; or (b) If a record of registration has previously been established for the offender or sex offender, update the record of registration for the offender or sex offender and notify the appropriate local law enforcement agencies. 2. If the offender or sex offender named in the notice is granted probation or otherwise will not be incarcerated or confined, the Central Repository shall: (a) Immediately provide notification concerning the offender or sex offender to the appropriate local law enforcement agencies and, if the offender or sex offender resides in a jurisdiction which is outside of this State, to the appropriate law enforcement agency in that jurisdiction; and (b) Except as otherwise provided in NRS 62F.320, immediately provide community notification concerning the offender or sex offender pursuant to the provisions of NRS 179D.475. 3. If an offender or sex offender is incarcerated or confined and has previously been convicted of a crime against a child as described in NRS 179D.0357 or a sexual offense as described in NRS 179D.097, before the offender or sex offender is released: (a) The Department of Corrections or a local law enforcement agency in whose facility the offender or sex offender is incarcerated or confined shall: (I) Inform the offender or sex offender of the requirements for registration, including, but not limited to: (I) The duty to register initially with the appropriate law enforcement agency in the jurisdiction in which the offender or sex offender was convicted if the offender or sex offender is not a resident of that jurisdiction pursuant to NRS 179D.445; (II) The duty to register in this State during any period in which the offender or sex offender is a resident of this State or a nonresident who is a student or worker within this State and the time within which the offender or sex offender is required to register pursuant to NRS 179D.460; (III) The duty to register in any other jurisdiction during any period in which the offender or sex offender is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction; (IV) If the offender or sex offender moves from this State to another jurisdiction, the duty to register with the appropriate law enforcement agency in the other jurisdiction; (V) The duty to notify the local law enforcement agency for the jurisdiction in which the offender or sex offender now resides, in person, and the jurisdiction in which the offender or sex offender formerly resided, in person or in writing, if the offender or sex offender changes the address at which the offender or sex offender resides, including if the offender or sex offender moves from this State to another jurisdiction, or changes the primary address at which the offender or sex offender is a student or worker; and (VI) The duty

to notify immediately the appropriate local law enforcement agency if the offender or sex offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of the offender or sex offender's enrollment at an institution of higher education or if the offender or sex offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of the offender or sex offender's work at an institution of higher education; and (2) Require the offender or sex offender to read and sign a form stating that the requirements for registration have been explained and that the offender or sex offender understands the requirements for registration, and to forward the form to the Central Repository. (b) The Central Repository shall: (1) Update the record of registration for the offender or sex offender; (2) Except as otherwise provided in NRS 62F.320, provide community notification concerning the offender or sex offender pursuant to the provisions of NRS 179D.475; and (3) Provide notification concerning the offender or sex offender to the appropriate local law enforcement agencies and, if the offender or sex offender will reside upon release in a jurisdiction which is outside of this State, to the appropriate law enforcement agency in that jurisdiction. 4. The failure to provide an offender or sex offender with the information or confirmation form required by paragraph (a) of subsection 3 does not affect the duty of the offender or sex offender to register and to comply with all other provisions for registration. 5. If the Central Repository receives notice from another jurisdiction or the Federal Bureau of Investigation that an offender or sex offender is now residing or is a student or worker within this State, the Central Repository shall: (a) Immediately provide notification concerning the offender or sex offender to the appropriate local law enforcement agencies; (b) Establish a record of registration for the offender or sex offender; and (c) Immediately provide community notification concerning the offender or sex offender pursuant to the provisions of NRS 179D.475. (Added to NRS by 1997, 1655; A 1999, 1300; 2001, 2058; 2001 Special Session, 227; 2003, 289, 573, 1122; 2007, 2765, 3252; 2017, 2980)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child
NRS 179D.460 - Registration with local law enforcement agency within 48 hours; duties of offender or sex offender and procedure; local law enforcement agency to inform offender or sex offender of duties after registration; duties of local law enforcement agency when notified of certain information about offender or sex offender who enrolls in or works at institution of higher education.

1. In addition to any other registration that is required pursuant to NRS 179D.450, each offender or sex offender who, after July 1, 1956, is or has been convicted of a crime against a child or a sexual offense shall register with a local law enforcement agency pursuant to the provisions of this section. 2. Except as otherwise provided in subsection 3, if the offender or sex offender resides or is present for 48 hours or more within: (a) A county; or (b) An incorporated city that does not have a city police department, the offender or sex offender shall be deemed a resident offender or sex offender and shall register with the sheriff's office of the county or, if the county or the city is within the jurisdiction of a metropolitan police department, the metropolitan police department, not later than 48 hours after arriving or establishing a residence within the county or the city. 3. If the offender or sex offender resides or is present for 48 hours or more within an incorporated city that has a city police department, the offender or sex offender shall be deemed a resident offender or sex offender and shall register with the city police department not later than 48 hours after arriving or establishing a residence within the city. 4. If the offender or sex offender is a nonresident offender or sex offender who is a student or worker within this State, the offender or sex offender shall register with the appropriate sheriff's office, metropolitan police department or city police department in whose jurisdiction the offender or sex offender is a student or worker not later than 48 hours after becoming a student or worker within this State. 5. A resident or nonresident offender or sex offender shall immediately notify the appropriate local law enforcement agency if: (a) The offender or sex offender is, expects to be or becomes enrolled as a student at an institution of higher education or changes the date of commencement or termination of the offender or sex offender's enrollment at an institution of higher education; or (b) The offender or sex offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of the offender or sex offender's work at an institution of higher education. The offender or sex offender shall provide the name, address and type of each such institution of higher education. 6. To register with a local law enforcement agency pursuant to this section, the offender or sex offender shall: (a) Appear personally at the office of the appropriate local law enforcement agency; (b) Provide all information that is requested by the local law enforcement agency, including, but not limited to, fingerprints and a photograph; and (c) Sign and date the record of registration or some other proof of registration of the local law enforcement agency in the presence of an officer of the local law enforcement agency. 7. When an offender or sex offender registers, the local law enforcement agency shall: (a) Inform the offender or sex offender of the duty to notify the local law enforcement agency if the offender or sex offender changes the address at which the offender or sex offender resides, including if the offender or sex offender moves from this State to another jurisdiction, or changes the primary address at which the offender or sex offender is a student or worker; and (b) Inform the offender or sex offender of the duty to register with the local law enforcement agency in whose jurisdiction the sex offender relocates. 8. After the offender or sex offender registers with the local law enforcement agency, the local law enforcement agency shall forward to the Central Repository the information collected, including the fingerprints and a photograph of the offender or sex offender. 9. If the Central Repository has not previously established a record of registration for an offender or sex offender described in subsection 8, the Central Repository shall: (a) Establish a record of registration for the offender or sex offender; (b) Provide notification concerning the offender or sex offender to the appropriate local law enforcement agencies; and (c) Provide community notification concerning the offender or sex offender pursuant to the provisions of NRS 179D.475. 10. When an offender or sex offender notifies a local law enforcement agency that: (a) The offender or sex offender is, expects to be or becomes enrolled as a student at an institution of

higher education or changes the date of commencement or termination of the offender or sex offender's enrollment at an institution of higher education; or (b) The offender or sex offender is, expects to be or becomes a worker at an institution of higher education or changes the date of commencement or termination of the offender or sex offender's work at an institution of higher education, and provides the name, address and type of each such institution of higher education, the local law enforcement agency shall immediately provide that information to the Central Repository and to the appropriate campus police department. (Added to NRS by 1997, 1657; A 1999, 1302; 2001, 2059; 2003, 575; 2007, 2767, 3253)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.470 - Sex offender to notify appropriate agencies of change of address and provide updated information; duties and procedure.

1. If a sex offender changes the address at which he or she resides, including moving from this State to another jurisdiction, changes the primary address at which he or she is a student or worker or remains in a jurisdiction longer than 30 days after initially reporting a stay of less than 30 days, the sex offender shall, not later than 48 hours after such a change in status, provide notice of the change in status, including, without limitation, the new address, in person, to the local law enforcement agency in whose jurisdiction the sex offender now resides and, in person or in writing, to the local law enforcement agency in whose jurisdiction the sex offender formerly resided and shall provide all other information that is relevant to updating the record of registration, including, but not limited to, any change in the sex offender's name, occupation, employment, work, volunteer service or driver's license and any change in the license number or description of a motor vehicle registered to or frequently driven by the sex offender. 2. Upon receiving a change of address from a sex offender, the local law enforcement agency shall immediately forward the new address and any updated information to the Central Repository and: (a) If the sex offender has changed an address within this State, the Central Repository shall immediately provide notification concerning the sex offender to the local law enforcement agency in whose jurisdiction the sex offender is now residing or is a student or worker and shall notify the local law enforcement agency in whose jurisdiction the sex offender last resided or was a student or worker; or (b) If the sex offender has changed an address from this State to another jurisdiction, the Central Repository shall immediately provide notification concerning the sex offender to the appropriate law enforcement agency in the other jurisdiction and shall notify the local law enforcement agency in whose jurisdiction the sex offender last resided or was a student or worker. 3. In addition to any other requirement pursuant to this section and upon notification of the requirements of this subsection, any sex offender who has no fixed residence shall at least every 30 days notify the local law enforcement agency in whose jurisdiction the sex offender resides if there are any changes in the address of any dwelling that is providing the sex offender temporary shelter or any changes in location where the sex offender habitually sleeps. The court may dismiss any criminal charges filed for failure to comply with this subsection if the sex offender immediately updates his or her record of registration. (Added to NRS by 1997, 1658; A 1999, 1304; 2001, 2061; 2011, 224)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.475 - Community notification.

1. Except as otherwise provided in subsection 3, the Central Repository shall immediately provide all updated information obtained pursuant to NRS 179D.445, 179D.447, 179D.460 or 179D.480 to: (a) The Attorney General of the United States; (b) The appropriate local law enforcement agencies for each jurisdiction in which the offender or sex offender resides or is a student or worker; (c) Each jurisdiction in which the offender or sex offender now resides or is a student or worker and the jurisdiction in which the offender or sex offender most recently resided or was a student or worker, if the offender or sex offender changes the address at which he or she resides or is a student or worker; (d) Any agency responsible for conducting employment-related background checks pursuant to 42 U.S.C. § 5119a; and (e) Any organization, company or person who requests such notification. 2. Except as otherwise provided in subsection 3, a local law enforcement agency: (a) Shall immediately provide all updated information obtained from the Central Repository pursuant to subsection 1 to: (1) Each school, religious organization, youth organization and public housing authority in which the offender or sex offender resides or is a student or worker; (2) Each agency which provides child welfare services as defined in NRS 432B.030; (3) Volunteer organizations in which contact with children or other vulnerable persons might occur; and (4) If the offender or sex offender is a Tier III offender, members of the public who are likely to encounter the offender or sex offender; and (b) May provide any updated information obtained from the Central Repository pursuant to subsection 1 to any other person or entity whom the law enforcement agency determines warrants such notification. 3. An entity or person described in paragraph (e) of subsection 1 or subparagraph (1) of paragraph (a) of subsection 2 may request to receive the updated information obtained pursuant to subsection 1 not less frequently than once every 5 business days. (Added to NRS by 2007, 2762)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.480 - When offender or sex offender is required to appear in person and provide certain information to local law enforcement agency; duties of Central Repository if offender or sex offender fails to comply.

1. Except as otherwise provided in subsection 3, an offender convicted of a crime against a child or a sex offender shall appear in person in at least one jurisdiction in which the offender or sex offender resides or is a student or worker: (a) Not less frequently than annually, if the offender or sex offender is a Tier I offender; (b) Not less frequently than every 180 days, if the offender or sex offender is a Tier II offender; or (c) Not less frequently than every 90 days, if the offender or sex offender is a Tier III offender, and

shall allow the appropriate local law enforcement agency to collect a current set of fingerprints and palm prints, a current photograph and all other information that is relevant to updating the offender or sex offender's record of registration, including, but not limited to, any change in the offender or sex offender's name, occupation, employment, work, volunteer service or driver's license and any change in the license number or description of a motor vehicle registered to or frequently driven by the offender or sex offender. 2. If an offender or sex offender does not comply with the provisions of subsection 1, the Central Repository shall: (a) Immediately notify the appropriate local law enforcement agencies and the Attorney General of the United States; and (b) Update the record of registration for the sex offender to reflect the failure to comply with the provisions of subsection 1. 3. An offender or sex offender is not required to comply with the provisions of subsection 1 during any period in which the offender or sex offender is incarcerated or confined. (Added to NRS by 1997, 1658; A 1999, 1304; 2001, 2061; 2007, 2769)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.490 - Duration of duty to register; termination of duty; procedure; exceptions.

1. An offender convicted of a crime against a child or a sex offender shall comply with the provisions for registration for as long as the offender or sex offender resides or is present within this State or is a nonresident offender or sex offender who is a student or worker within this State, unless the period of time during which the offender or sex offender has the duty to register is reduced pursuant to the provisions of this section. 2. Except as otherwise provided in subsection 3 and NRS 62F.340, the full period of registration is: (a) Fifteen years, if the offender or sex offender is a Tier I offender; (b) Twenty-five years, if the offender or sex offender is a Tier II offender; and (c) The life of the offender or sex offender, if the offender or sex offender is a Tier III offender, exclusive of any time during which the offender or sex offender is incarcerated or confined. 3. If an offender or sex offender complies with the provisions for registration: (a) For an interval of at least 10 consecutive years, if the offender or sex offender is a Tier I offender; or (b) For an interval of at least 25 consecutive years, if the offender or sex offender is a Tier III offender adjudicated delinquent for the offense which required registration as an offender or sex offender, during which the offender or sex offender is not convicted of an offense for which imprisonment for more than 1 year may be imposed, is not convicted of a sexual offense, successfully completes any periods of supervised release, probation or parole, and successfully completes a sex offender treatment program certified by the State or by the Attorney General of the United States, the offender or sex offender may file a petition to reduce the period of time during which the offender or sex offender has a duty to register with the district court in whose jurisdiction the offender or sex offender resides or, if he or she is a nonresident offender or sex offender, in whose jurisdiction the offender or sex offender is a student or worker. For the purposes of this subsection, registration begins on the date that the Central Repository or appropriate agency of another jurisdiction establishes a record of registration for the offender or sex offender or the date that the offender or sex offender is released, whichever occurs later. 4. If the offender or sex offender satisfies the requirements of subsection 3, the court shall hold a hearing on the petition at which the offender or sex offender and any other interested person may present witnesses and other evidence. If the court determines from the evidence presented at the hearing that the offender or sex offender satisfies the requirements of subsection 3, the court shall: (a) If the offender or sex offender is a Tier I offender, reduce the period of time during which the offender or sex offender is required to register by 5 years; and (b) If the offender or sex offender is a Tier III offender adjudicated delinquent for the offense which required registration as an offender or sex offender, reduce the period of time during which the offender or sex offender is required to register from the life of the offender or sex offender to that period of time for which the offender or sex offender meets the requirements of subsection 3. (Added to NRS by 1997, 1659; A 1999, 1305; 2001, 2062; 2007, 2770, 2017, 2982)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.495 - Duty of Central Repository to determine whether person is required to register as a Tier I, Tier II or Tier III offender.

If a person who is required to register pursuant to NRS 179D.010 to 179D.550, inclusive, has been convicted of an offense described in paragraph (s) of subsection 1 of NRS 179D.097, paragraph (e) of subsection 1 or subsection 3 of NRS 179D.115 or subsection 7 or 9 of NRS 179D.117, the Central Repository shall determine whether the person is required to register as a Tier I offender, Tier II offender or Tier III offender. (Added to NRS by 2007, 2762; A 2013, 1168, 2424; 2015, 1445; 2023, 1426)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.550 - Prohibited acts; penalties; duties of local law enforcement agency.

1. Except as otherwise provided in subsection 2, an offender or sex offender who: (a) Fails to register with a local law enforcement agency; (b) Fails to notify the local law enforcement agency of a change of name, residence, employment or student status as required pursuant to NRS 179D.447; (c) Provides false or misleading information to the Central Repository or a local law enforcement agency; or (d) Otherwise violates the provisions of NRS 179D.010 to 179D.550, inclusive, is guilty of a category D felony and shall be punished as provided in NRS 193.130. 2. An offender or sex offender who commits a second or subsequent violation of subsection 1 within 7 years after the first violation is guilty of a category C felony and shall be punished as provided in NRS 193.130. A court shall not grant probation to or suspend the sentence of a person convicted pursuant to this subsection. 3. If a local law enforcement agency is aware that an offender or sex offender in its jurisdiction has failed to comply with a provision of NRS 179D.010 to 179D.550, inclusive, the local law enforcement agency must take any appropriate action to ensure compliance. (Added to NRS by 1997, 1661; A 1999, 1306; 2001, 2063; 2005, 2872; 2007, 100, 2771)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.570 - Duty to share information with certain agencies; requirements of information; regulations.

1. The Central Repository shall, in accordance with the requirements of this section, share information concerning sex offenders and offenders convicted of a crime against a child with: (a) The Nevada Gaming Control Board to carry out the provisions of NRS 463.335 pertaining to the registration of a gaming employee who is a sex offender or an offender convicted of a crime against a child. The Central Repository shall, at least once each calendar month, provide the Nevada Gaming Control Board with the name and other identifying information of each offender who is not in compliance with the provisions of this chapter, in the manner and form agreed upon by the Central Repository and the Nevada Gaming Control Board. (b) The Department of Motor Vehicles to carry out the provisions of NRS 483.283, 483.861 and 483.929. 2. The information shared by the Central Repository pursuant to this section must indicate whether a sex offender or an offender convicted of a crime against a child is in compliance with the provisions of this chapter. 3. The Central Repository shall share information pursuant to this section as expeditiously as possible under the circumstances. 4. The Central Repository may adopt regulations to carry out the provisions of this section. (Added to NRS by 2005, 2871; A 2007, 2772)

2024 Nevada Revised Statutes Chapter 179D - Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child NRS 179D.850 - Name of victim not to be disclosed; immunity from liability for certain entities and their officers and employees for act or omission relating to information obtained, maintained or disclosed.

1. Information that is disclosed pursuant to the provisions of this chapter must not reveal the name of an individual victim of an offense. 2. A law enforcement agency and its officers and employees, the Central Repository and its officers and employees, and a campus police department and its officers and employees are immune from criminal or civil liability for an act or omission relating to information obtained, maintained or disclosed pursuant to the provisions of this chapter, including, but not limited to, an act or omission relating to: (a) The accuracy of information in a record of registration; or (b) The disclosure of or the failure to disclose information pursuant to the provisions of this chapter. (Added to NRS by 1997, 1665; A 2003, 578)

Title: chapter-180

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.002 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 180.0025 to 180.004, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2017, 2940, 2943; A 2019, 2887, 2891)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.0025 - "Board" defined.

"Board" means the Board on Indigent Defense Services created by NRS 180.300. (Added to NRS by 2019, 2880)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.0031 - "Department" defined.

"Department" means the Department of Indigent Defense Services created by NRS 180.400. (Added to NRS by 2019, 2880)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.0035 - "Executive Director" defined.

"Executive Director" means the Executive Director of the Department. (Added to NRS by 2019, 2880)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.004 - "Indigent defense services" defined.

"Indigent defense services" means the provision of legal representation to: 1. An indigent person who is charged with a public offense; or 2. An indigent child who is: (a) Alleged to be delinquent; or (b) In need of supervision pursuant to title 5 of NRS. (Added to NRS by 2017, 2940, 2943; A 2019, 2891)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.006 - Maximum contribution amount for county for provision of indigent defense services; state contributions for provision of indigent defense services in excess of maximum county contribution.

1. The maximum amount that a county may be required to pay for the provision of indigent defense services during a fiscal year is: (a) In a county whose population is less than 100,000: (1) For Fiscal Year 2023-2024, the applicable amount set forth in the table below, as determined by the calculated maximum contribution amount for the county for providing indigent defense services for Fiscal Year 2022-2023, increased by the percentage equal to the lesser of: (I) The cost of inflation, as measured by the Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the United States Department of Labor for the immediately preceding calendar year or, if that index ceases to be published by the United States Department of Labor, the published index that most closely resembles that index, as determined by the Department; or (II) Five percent. Carson

City.....	\$1,903,177
Churchill.....	375,706
Douglas.....	892,658
Elko.....	1,946,335

Esmeralda.....	94,702
Eureka.....	41,808
Humboldt.....	493,319
Lander.....	102,569
Lincoln.....	187,530
Lyon.....	851,690
Mineral.....	95,963
Nye.....	866,049
Pershing.....	258,163
Storey.....	93,593 White
Pine.....	461,448

(2) For each fiscal year after Fiscal Year 2023-2024, an amount equal to the calculated maximum contribution amount for the county for providing indigent defense services for the immediately preceding fiscal year, increased by the percentage equal to the lesser of: (I) The cost of inflation, as measured by the Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the United States Department of Labor for the immediately preceding calendar year or, if that index ceases to be published by the United States Department of Labor, the published index that most closely resembles that index, as determined by the Department; or (II) Five percent. (b) In a county whose population is 100,000 or more: (1) The actual costs to the county for providing indigent defense services for the immediately preceding fiscal year; and (2) The percentage equal to the lesser of: (I) The cost of inflation, as measured by the Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the United States Department of Labor for the immediately preceding calendar year or, if that index ceases to be published by the United States Department of Labor, the published index that most closely resembles that index, as determined by the Department; or (II) Five percent. 2. If a county whose population is less than 100,000 chooses to transfer to the State Public Defender the responsibility of providing representation in: (a) Direct appeals to the appellate court of competent jurisdiction, the cost of providing representation in those cases is a charge against the State and is excluded from the required maximum contribution of the county. (b) Death penalty cases, the State Public Defender shall submit to the county an estimate for the representation. The county is responsible for paying 25 percent of the estimate and shall make such a payment in accordance with NRS 180.110. Such payments count towards the maximum contribution of the county. 3. Except as otherwise provided in subsection 4, a county may seek state contributions for the provision of indigent defense services in excess of the maximum contribution of the county, as determined pursuant to this section, after the county has exceeded its maximum contribution. 4. A county may not seek state contributions for the provision of indigent defense services in excess of the maximum contribution of the county, as determined pursuant to this section, for the costs of any capital improvement projects relating to the provision of indigent defense services, including, without limitation, costs relating to the construction of a room or area in a courthouse in which an attorney who provides indigent defense services may consult with a client or any other capital improvement project that is indirectly related to the provision of indigent defense services. 5. Nothing in this section limits a county from expending more than its maximum contribution for the provision of indigent defense services, as determined pursuant to this section. (Added to NRS by 2023, 3057)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.007 - Procedure for seeking state contribution for provision of indigent defense services.

1. A county may seek state contributions for the provision of indigent defense services in excess of the maximum contribution of the county, as determined pursuant to NRS 180.006, as follows: (a) For a county whose population is less than 100,000, the Executive Director shall include the estimated state contribution for the county for the provision of indigent defense services, based upon the annual reporting of the county pursuant to NRS 260.070, in the budget for the Department to help support the indigent defense services provided by the county. (b) For a county whose population is 100,000 or more, if the county intends to seek state contributions for the provision of indigent defense services in excess of the maximum contribution of the county, as determined pursuant to NRS 180.006, the board of county commissioners for the county, or its designee, shall notify the Department in writing of the intention of the county to seek such contributions in the upcoming biennium, on a form prescribed by the Department, on or before March 1 of the next odd-numbered year. The Executive Director shall include the state contribution for the county in the next budget for the Department to help support the indigent defense services provided by the county. 2. If a county seeks state contributions pursuant to subsection 1, the board of county commissioners for the county, or its designee, shall submit a financial status report to the Department on a form prescribed, and in accordance with the timeline established, by the Department. (Added to NRS by 2023, 3059)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.008 - Compensation and expenses of attorney appointed to represent defendant: Obligations of county; amounts that are not obligation of county.

1. Except as otherwise provided in paragraph (b) of subsection 6 of NRS 180.450 and subsection 1 of NRS 212.070, the compensation and expenses of an attorney appointed to represent a defendant are an obligation of the county unless that county has: (a) Transferred its responsibility for the provision of indigent defense services pursuant to NRS 180.450; or (b) Met the maximum amount as determined pursuant to NRS 180.006. 2. Amounts that are not an obligation of the county pursuant to subsection 1 must be paid from money appropriated to the Department. After the appropriation for such compensation and expenses is exhausted,

money must be allocated from the Reserve for Statutory Contingency Account for the payment of such compensation and expenses. (Added to NRS by 2023, 1888)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.010 - Office created; term; qualifications; private practice of law prohibited; supervision; assignment of additional duties.

1. The Office of State Public Defender is hereby created within the Department of Indigent Defense Services. 2. The Governor shall appoint the State Public Defender for a term of 4 years, and until a successor is appointed and qualified. 3. The State Public Defender is responsible to the Executive Director. 4. The State Public Defender: (a) Must be an attorney licensed to practice law in the State of Nevada. (b) Is in the unclassified service of the State and serves at the pleasure of the Executive Director. (c) Except as otherwise provided in NRS 7.065, shall not engage in the private practice of law. 5. No officer or agency of the State, other than the Executive Director and the deputy director selected by the Executive Director pursuant to NRS 180.420 who is responsible for carrying out the duties provided in NRS 180.430 may supervise the State Public Defender. No officer or agency of the State, other than the Executive Director or deputy director selected by the Executive Director pursuant to NRS 180.420 who is responsible for carrying out the duties provided in NRS 180.430 may assign the State Public Defender duties in addition to those prescribed by this chapter. (Added to NRS by 1971, 1410; A 1973, 707; 1977, 1176; 1989, 202; 1993, 1518; 2019, 2887)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.030 - Employment of deputies and other employees; qualifications of deputies.

1. The State Public Defender may employ: (a) Deputy state public defenders in the unclassified service of the State. (b) Clerical, investigative and other necessary staff in the classified service of the State. 2. Each deputy state public defender must be an attorney licensed to practice law in the State of Nevada, and shall not engage in the practice of law, except in performing the duties of office and as otherwise provided in NRS 7.065. (Added to NRS by 1971, 1411; A 1977, 159; 1981, 1270; 1985, 394; 1989, 202)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.040 - Office; branch offices.

1. The Office of the State Public Defender shall be in Carson City, Nevada, and the Buildings and Grounds Section of the State Public Works Division of the Department of Administration shall provide necessary office space. 2. The State Public Defender may establish branch offices necessary to perform the State Public Defender's duties. The State Public Defender shall designate a deputy state public defender to supervise each such office. (Added to NRS by 1971, 1411)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.050 - Contracts for legal services.

1. The State Public Defender may contract with attorneys licensed to practice law in the State of Nevada and with county public defenders to provide services required by this chapter if it is impracticable for the State Public Defender or the State Public Defender's deputies to provide such services for any reason. 2. All such contract services shall be performed under the supervision and control of the State Public Defender. (Added to NRS by 1971, 1411; A 1973, 706)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.060 - Duties: Representation of indigent persons; contracts to render services.

1. The State Public Defender may, before being designated as counsel for that person pursuant to NRS 171.188, interview an indigent person when the indigent person has been arrested and confined for a public offense or for questioning on suspicion of having committed a public offense. 2. The State Public Defender shall, when designated pursuant to NRS 62D.030 or 171.188, represent without charge each indigent person for whom the State Public Defender is appointed. 3. When representing an indigent person, the State Public Defender shall: (a) Counsel and defend the indigent person at every stage of the proceedings, including, without limitation, during the initial appearance and proceedings relating to admission to bail or the revocation of probation or parole; and (b) Prosecute any appeals or other remedies before or after conviction that the State Public Defender considers to be in the interests of justice. 4. In cases of postconviction proceedings and appeals arising in counties in which the office of public defender has been created pursuant to the provisions of chapter 260 of NRS, where the matter is to be presented to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to Section 4 of Article 6 of the Nevada Constitution, the State Public Defender shall prepare and present the case and the public defender of the county shall assist and cooperate with the State Public Defender. 5. The State Public Defender may contract with any county in which the office of public defender has been created to provide representation for indigent persons when the court, for cause, disqualifies the county public defender or when the county public defender is otherwise unable to provide representation. (Added to NRS by 1971, 1411; A 1973, 358; 1975, 41; 1977, 338; 1985, 1398; 2003, 1124; 2013, 1762; 2019, 2887; 2021, 2267)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.080 - Duties: Reports to Executive Director and participating counties.

1. The State Public Defender shall submit: (a) A report on or before December 1 of each year to the Executive Director and to each participating county containing a statement of: (1) The number of cases that are pending in each participating county; (2) The number of cases in each participating county that were closed in the previous fiscal year; (3) The total number of criminal

defendants represented in each participating county with separate categories specifying the crimes charged and whether the defendant was less than 18 years of age or an adult; (4) The total number of working hours spent by the State Public Defender and the State Public Defender's staff on work for each participating county; (5) The amount and categories of the expenditures made by the State Public Defender's office; and (6) Such other information as requested by the Executive Director of the Department of Indigent Defense Services or the Board on Indigent Defense Services. (b) To each participating county, on or before December 1 of each even-numbered year, the total proposed budget of the State Public Defender for that county, including the projected number of cases and the projected cost of services attributed to the county for the next biennium. 2. As used in this section, "participating county" means each county in which the State Public Defender acts as the public defender for the county. (Added to NRS by 1971, 1412; A 1977, 331; 1995, 498; 2019, 2888, 3127)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.090 - Application.

Except as provided in subsections 4 and 5 of NRS 180.060, the provisions of NRS 180.010 to 180.100, inclusive, apply only to counties in which the office of public defender has not been created pursuant to the provisions of chapter 260 of NRS. (Added to NRS by 1971, 1412; A 1975, 42; 1977, 338; 2019, 2889)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.100 - Other protections and sanctions not excluded.

The provisions of this chapter do not exclude any protection or sanction that the law otherwise provides. (Added to NRS by 1971, 1412)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.110 - Collection of charges to counties for services.

1. Each fiscal year the State Public Defender may collect from the counties amounts which do not exceed those authorized by the Legislature for use of the State Public Defender's services during that year. The amount that a county may be required to pay must not exceed the maximum amount determined in accordance with NRS 180.006. 2. The State Public Defender shall submit to the county an estimate on or before the first day of May and that estimate becomes the final bill unless the county is notified of a change within 2 weeks after the date on which the county contribution is approved by the Legislature. The county shall pay the bill: (a) In full within 30 days after the estimate becomes the final bill or the county receives the revised estimate; or (b) In equal quarterly installments on or before the 1st day of July, October, January and April, respectively. The counties shall pay their respective amounts to the State Public Defender who shall deposit the amounts with the Treasurer of the State of Nevada and shall expend the money in accordance with the State Public Defender's approved budget. (Added to NRS by 1973, 719; A 1975, 714; 1977, 309; 1983, 528; 1991, 995; 2019, 2889; 2023, 3059)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.300 - Creation; members and appointing authorities; members serve without compensation; members holding public office or employed by governmental entity.

1. There is hereby created a Board on Indigent Defense Services within the Department of Indigent Defense Services, consisting of: (a) Thirteen voting members appointed as follows: (1) One member who is an attorney licensed in this State and a member in good standing of the State Bar of Nevada, appointed by the Majority Leader of the Senate. (2) One member who has expertise in the finances of State Government, appointed by the Speaker of the Assembly. (3) One member appointed by the Chief Justice of the Nevada Supreme Court who: (I) Is a retired judge or justice who no longer serves as a judge or justice in any capacity; or (II) Has expertise in juvenile justice and criminal law. (4) One member who is an attorney licensed in this State and a member in good standing of the State Bar of Nevada appointed by the Governor. (5) One member selected by the Board of Governors of the State Bar of Nevada, appointed by the Governor, who: (I) Is an attorney licensed in this State and a member in good standing of the State Bar of Nevada; and (II) Resides in a county whose population is less than 100,000. (6) Four members selected by the Nevada Association of Counties who reside in a county whose population is less than 100,000, appointed by the Governor. One member must have expertise in the finances of local government. (7) Two members selected by the Board of County Commissioners of Clark County, appointed by the Governor. (8) One member selected by the Board of County Commissioners of Washoe County, appointed by the Governor. (9) One member selected jointly by the associations of the State Bar of Nevada who represent members of racial or ethnic minorities, appointed by the Governor. (b) The Chief Justice of the Nevada Supreme Court may designate one person to serve as a nonvoting member to represent the interests of the Court. 2. In addition to the members appointed pursuant to subsection 1, the Governor may appoint up to two additional nonvoting members, one of whom must be upon the recommendation of the Board of Governors of the State Bar of Nevada. 3. Each person appointed to the Board must have: (a) Significant experience providing legal representation to indigent persons who are charged with public offenses or to children who are alleged to be delinquent or in need of supervision; (b) A demonstrated commitment to providing effective legal representation to such indigent persons; or (c) Expertise or experience, as determined by the appointing authority, which qualifies the person to contribute to the purpose of the Board or to carrying out any of its functions. 4. A person must not be appointed to the Board if he or she is currently serving or employed as: (a) A judge, justice or judicial officer; (b) A legislator or other state officer or employee; (c) A prosecuting attorney or an employee thereof; (d) A law enforcement officer or employee of a law enforcement agency; or (e) An attorney who in his or her position may

obtain any financial benefit from the policies adopted by the Board. 5. A person must not be appointed to the Board if he or she is currently employed: (a) Within the Department of Indigent Defense Services; (b) By a public defender; or (c) By any other attorney who provides indigent defense services pursuant to a contract with a county. 6. Each member of the Board: (a) Serves without compensation; and (b) While engaged in the business of the Board, is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally. 7. Each member of the Board who is an officer or employee of a local government must be relieved from his or her duties without loss of his or her regular compensation so that the member may prepare for and attend meetings of the Board and perform any work necessary to carry out the duties of the Board in the most timely manner practicable. A local government shall not require an officer or employee who is a member of the Board to make up the time the member is absent from work to carry out his or her duties as a member, and shall not require the member to take annual vacation or compensatory time for the absence. (Added to NRS by 2019, 2880)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.310 - Terms and reappointment of voting members; selection of Chair; removal of voting members; vacancies; meetings; voting.

1. Except as otherwise provided in this section, the voting members of the Board on Indigent Defense Services are appointed for a term of 3 years and may be reappointed. 2. The Chair of the Board must be selected at the first meeting from among the voting members of the Board and serves until July 1 of the next year. The Chair for the following year must be selected in the same manner before the expiration of the current term of the sitting Chair. The Chair may be selected to serve another term as Chair. 3. The Governor may remove a voting member of the Board for incompetence, neglect of duty, committing any act that constitutes moral turpitude, misfeasance, malfeasance or nonfeasance in office or for any other good cause. 4. A vacancy on the Board must be filled in the same manner as the original appointment by the appointing authority for the remainder of the unexpired term. 5. The Board shall meet regularly upon a call of the Chair. An affirmative vote of a majority of the members of the Board is required to take any action. (Added to NRS by 2019, 2882)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.320 - Duties of Board; adoption of regulations.

1. The Board on Indigent Defense Services shall: (a) Receive reports from the Executive Director and provide direction to the Executive Director concerning measures to be taken by the Department to ensure that indigent defense services are provided in an effective manner throughout this State. (b) Review information from the Department regarding caseloads of attorneys who provide indigent defense services. (c) Direct the Executive Director to conduct any additional audit, investigation or review the Board deems necessary to determine whether minimum standards in the provision of indigent defense services are being followed and provided in compliance with constitutional requirements. (d) Work with the Executive Director to develop procedures for the mandatory collection of data concerning the provision of indigent defense services, including the manner in which such services are provided. (e) Provide direction to the Executive Director concerning annual reports and review drafts of such reports. (f) Review and approve the budget for the Department. (g) Review any recommendations of the Executive Director concerning improvements to the criminal justice system and legislation to improve the provision of indigent defense services in this State. (h) Provide advice and recommendations to the Executive Director on any other matter. 2. In addition to the duties set forth in subsection 1, the Board shall: (a) Establish minimum standards for the delivery of indigent defense services to ensure that such services meet the constitutional requirements and do not create any type of economic disincentive or impair the ability of the defense attorney to provide effective representation. (b) Establish a procedure to receive complaints and recommendations concerning the provision of indigent defense services from any interested person including, without limitation, judges, defendants, attorneys and members of the public. (c) Work with the Department to develop resolutions to complaints or to carry out recommendations. (d) Adopt regulations establishing standards for the provision of indigent defense services including, without limitation: (1) Establishing requirements for specific continuing education and experience for attorneys who provide indigent defense services. (2) Requiring attorneys who provide indigent defense services to track their time and provide reports, and requiring the State Public Defender and counties that employ attorneys or otherwise contract for the provision of indigent defense services to require or include a provision in the employment or other contract requiring compliance with the regulations. (3) Establishing standards to ensure that attorneys who provide indigent defense services track and report information in a uniform manner. (4) Establishing guidelines to be used to determine the maximum caseloads for attorneys who provide indigent defense services. (5) Requiring the Department of Indigent Defense Services and each county that employs or contracts for the provision of indigent defense services to ensure, to the greatest extent possible, consistency in the representation of indigent defendants so that the same attorney represents a defendant through every stage of the case without delegating the representation to others, except that administrative and other tasks which do not affect the rights of the defendant may be delegated. A provision must be included in each employment or other contract of an attorney providing indigent defense services to require compliance with the regulations. (e) Establish recommendations for the manner in which an attorney who is appointed to provide indigent defense services may request and receive reimbursement for expenses related to trial, including, without limitation, expenses for expert witnesses and investigators. (f) Work with the Executive Director and the Dean of the William S. Boyd School of Law of the University of Nevada, Las Vegas, or his or her designee, to determine incentives to recommend offering to law students and attorneys to encourage them to provide indigent defense services, especially in rural areas of the State. (g) Review laws and recommend legislation to ensure indigent defendants are represented in the most effective and constitutional manner. 3. The Board shall adopt regulations to establish hourly rates of compensation for court appearances and other time reasonably spent on

indigent defense services or representation for: (a) In counties whose population is less than 100,000, an attorney, other than a public defender, who is selected pursuant to NRS 7.115 to provide indigent defense services; or (b) In all counties, an attorney who is appointed pursuant to NRS 34.750 to represent a petitioner who files a postconviction petition for habeas corpus. Except for cases in which the most serious crime is a felony punishable by death or by imprisonment for life with or without possibility of parole, the establishment by regulation of rates of compensation pursuant to this subsection does not preclude a governmental entity from contracting with a private attorney who agrees to provide such services for a lesser rate of compensation. 4. The Board shall adopt any additional regulations it deems necessary or convenient to carry out the duties of the Board and the provisions of this chapter. (Added to NRS by 2019, 2882; A 2023, 1888, 3060)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.400 - Creation; Executive Director; employment and contracts for consultants.

1. The Department of Indigent Defense Services is hereby created. 2. The Executive Director of the Department must be appointed by the Governor from a list of three persons recommended by the Board. 3. The Executive Director: (a) Is in the unclassified service of this State; (b) Serves at the pleasure of the Governor, except that the Executive Director may only be removed upon a finding of incompetence, neglect of duty, commission of an act that constitutes moral turpitude, misfeasance, malfeasance or nonfeasance in office or for any other good cause; (c) Must be an attorney licensed to practice law in the State of Nevada; and (d) Must devote his or her entire time to his or her duties and shall not engage in any other gainful employment or occupation. 4. The Executive Director may, within the limits of money available for this purpose, employ or enter into a contract for the services of such employees or consultants as is necessary to carry out the provisions of this chapter. (Added to NRS by 2019, 2884)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.410 - Duties of Executive Director; annual report.

1. The Executive Director shall: (a) Oversee all of the functions of the Department of Indigent Defense Services; (b) Serve as the Secretary of the Board without additional compensation; (c) Report to the Board on Indigent Defense Services regarding the work of the Department and provide such information to the Board as directed by the Board; (d) Assist the Board in determining necessary and appropriate regulations to assist in carrying out the responsibilities of the Department; (e) Establish the proposed budget for the Department and submit the proposed budget for approval of the Board; (f) Prepare an annual report concerning indigent defense services in this State which includes information collected by the Department and such other information as requested by the Board; and (g) Take any other actions necessary to ensure that adequate and appropriate indigent defense services are provided in this State. 2. The report prepared pursuant to paragraph (f) of subsection 1 must be submitted for input from the Board. The final report must be submitted on or before July 1 of each year to the Nevada Supreme Court, the Legislature and the Office of the Governor. The report may include any recommendations for legislation to improve indigent defense services in this State. (Added to NRS by 2019, 2884)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.420 - Deputy directors.

1. In addition to the Executive Director, the Department must include not fewer than two deputy directors selected by the Executive Director who serve at the pleasure of the Executive Director. 2. The deputy directors: (a) Must be attorneys licensed to practice law in the State of Nevada; (b) Are in the unclassified service of this State; and (c) Shall devote their entire time to their duties and shall not engage in any other gainful employment or occupation. (Added to NRS by 2019, 2884)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.430 - Duties of designated Deputy Director.

One deputy director selected pursuant to NRS 180.420 must be responsible for: 1. Overseeing the provision of indigent defense services in counties whose population is less than 100,000. Such oversight must include, without limitation: (a) Oversight of the State Public Defender; and (b) Determining whether attorneys meet the requirements established by the Board on Indigent Defense Services to be eligible to provide indigent defense services and maintaining a list of such attorneys. 2. Developing and providing continuing legal education programs for attorneys who provide indigent defense services. 3. Identifying and encouraging best practices for delivering the most effective indigent defense services. 4. Providing assistance to counties that must revise the manner in which indigent defense services are provided as a result of the regulations adopted by the Board pursuant to NRS 180.320. Such assistance may include, without limitation, assistance developing a plan and estimating the cost to carry out the plan. (Added to NRS by 2019, 2885)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.440 - Duties of other designated Deputy Director.

One deputy director selected pursuant to NRS 180.420 must be responsible for reviewing the manner in which indigent defense services are provided throughout the State. To carry out this responsibility, the deputy director shall: 1. Obtain information from attorneys relating to caseloads, salaries paid to criminal defense attorneys and the manner in which indigent defense services are provided. 2. Conduct on-site visits of court proceedings throughout the State to determine the manner in which indigent defense services are provided, including, without limitation, whether: (a) Minimum standards for the provision of indigent defense services

established by the Board on Indigent Defense Services are being followed; (b) Court rules regarding the provision of indigent defense services are being followed; (c) Indigent defendants are being asked to provide reimbursement for their representation or to take any other actions that violate the constitution, any law, a court rule or a regulation of the Board; and (d) Representation of indigent defendants is being provided in an effective manner. 3. Report to the other deputy director upon a determination that any person is providing indigent defense services in an ineffective or otherwise inappropriate manner. 4. Recommend entering into a corrective action plan with any board of county commissioners of a county which is not meeting the minimum standards for the provision of indigent defense services or is in any other manner deficient in the provision of such services. (Added to NRS by 2019, 2885)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.450 - Corrective action plans.

1. If a corrective action plan is recommended pursuant to NRS 180.440, the deputy director and the board of county commissioners, or its designee, must collaborate on the manner in which the county will meet the minimum standards for the provision of indigent defense services and the time by which the county must meet those minimum standards. Any disagreement must be resolved by the Board. Each corrective action plan must be submitted to and approved by the Board. 2. If the plan established pursuant to subsection 1 will cause the county to expend more money than budgeted by the county in the previous budget year plus inflation for the provision of indigent defense services, the Executive Director shall include the additional amount needed by the county in the next budget for the Department of Indigent Defense Services to help support the indigent defense services provided by the county. If additional money is needed to carry out the plan before the next budget cycle, the Executive Director shall submit a request to the Interim Finance Committee for an allocation from the Contingency Account pursuant to NRS 353.266 to cover the additional costs. 3. For any county that is not required to have an office of public defender pursuant to NRS 260.010, if the additional amount included in the budget of the Department pursuant to subsection 2 is not approved, the board of county commissioners for the county to which the amount applies may determine whether to continue providing indigent defense services for the county or enter into an agreement with the Executive Director to transfer responsibility for the provision of such services to the State Public Defender. 4. If a county does not meet the minimum standards for the provision of indigent defense services within the period established in the corrective action plan for the county, the deputy director shall inform the Executive Director. 5. Upon being informed by the deputy director pursuant to subsection 4 that a county has not complied with a corrective action plan, the Executive Director must review information regarding the provision of indigent defense services in the county and determine whether to recommend establishing another corrective action plan with the board of county commissioners of the county, or its designee. For a county that is not required to have an office of public defender pursuant to NRS 260.010, the Executive Director may instead recommend requiring the board of county commissioners to transfer responsibility for the provision of all indigent defense services for the county to the State Public Defender. The recommendation of the Executive Director must be submitted to and approved by the Board. Once approved, the board of county commissioners shall comply with the decision of the Board. 6. If a county is required to transfer or voluntarily transfers responsibility for the provision of all indigent defense services for the county to the State Public Defender: (a) The board of county commissioners for the county, or its designee, shall notify the State Public Defender in writing on or before November 1 of the next even-numbered year and the responsibilities must transfer at a specified time on or after July 1 of the odd-numbered year following the year in which the notice was given, as determined by the Executive Director. (b) The board of county commissioners for the county shall pay the State Public Defender in the same manner and in an amount determined in the same manner as other counties for which the State Public Defender has responsibility for the provision of indigent defense services. The amount that a county may be required to pay must not exceed the maximum amount determined in accordance with NRS 180.006. (Added to NRS by 2019, 2885; A 2021, 2268; 2023, 3061)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.460 - Transfer of responsibility for provision of indigent defense services.

1. A county that transfers responsibility for the provision of indigent defense services to the State Public Defender pursuant to NRS 180.450 may seek to have the responsibility transferred back to the county by submitting a request to the Executive Director in writing on or before December 31 of an even-numbered year. 2. Upon finding that the county is able to meet minimum standards for the provision of indigent defense services, the Executive Director shall approve transferring the responsibility for the provision of indigent defense services to the county. 3. If the Executive Director denies a request to transfer responsibility for the provision of indigent defense services to a county, the Executive Director must inform the board of county commissioners for the county of the reasons for the denial and the issues that must be resolved before the responsibility for the provision of indigent defense services will be transferred to the county. 4. If the Executive Director approves a request to transfer responsibility for the provision of indigent defense services to the county, the board of county commissioners for the county shall notify the State Public Defender in writing on or before March 1 of the next odd-numbered year and the responsibilities must transfer at a specified time on or after July 1 of the same year in which the notice was given, as determined by the Executive Director. (Added to NRS by 2019, 2887)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.500 - Grants, bequests, devises, donations or gifts; creation of Account; use of money in Account; nonreversion.

1. The Department may apply for and accept any available grants, bequests, devises, donations or gifts from any public or private source to carry out the duties of the Department and Board. 2. Any money received pursuant to subsection 1 must be deposited in

the Special Account for the Support of Indigent Defense Services, which is hereby created in the State General Fund. Interest and income earned on money in the Account must be credited to the Account. Money in the Account may only be used to carry out the duties of the Department and the Board. 3. Any money in the Account remaining at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year. (Added to NRS by 2021, 2267)

2024 Nevada Revised Statutes Chapter 180 - Indigent Defense Services NRS 180.600 - Confidentiality of certain records received, obtained or compiled by Board or Department.

1. Except as otherwise provided in this section and NRS 239.0115, all records received by the Board, the Department or a designee of the Department that are protected by the attorney-client privilege are confidential. 2. Except as otherwise provided in this section and NRS 239.0115, all records obtained or compiled during or after an investigation arising from a complaint received by the Board or the Department that are related to the conduct of an attorney are confidential, unless releasing such records is determined to be necessary for the oversight functions or duties of the Board or Department. 3. The provisions of this section do not prohibit the Board or the Department, at its discretion, from communicating or cooperating with, or providing any records to, any professional licensing board or any other governmental agency that is investigating a complaint against an attorney pertaining to the representation of an indigent client by the attorney. 4. As used in this section, "records" means any records, files, books, documents, papers, information or data that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form. (Added to NRS by 2023, 527)

Title: chapter-189

2024 Nevada Revised Statutes Chapter 189 - Justice Courts NRS 189.005 - Applicability of other provisions of title.

Except as otherwise expressly provided in this chapter, criminal proceedings in justice courts are governed by the provisions of this title. (Added to NRS by 1967, 1467)

2024 Nevada Revised Statutes Chapter 189 - Justice Courts NRS 189.007 - Grounds for dismissal of complaint.

Any complaint, upon motion of the defendant, may be dismissed by the justice of the peace upon any of the following grounds: 1. That the justice of the peace does not have jurisdiction of the offense. 2. That more than one offense is charged in any one count of the complaint. 3. That the facts stated do not constitute a public offense. (Added to NRS by 1979, 36)

2024 Nevada Revised Statutes Chapter 189 - Justice Courts NRS 189.010 - Appeal must be taken within 10 days.

Except as otherwise provided in NRS 177.015, a defendant in a criminal action tried before a justice of the peace may appeal from the final judgment therein to the district court of the county where the court of the justice of the peace is held, at any time within 10 days from the time of the rendition of the judgment. [1911 Cr. Prac. § 662; RL § 7512; NCL § 11309]—(NRS A 1995, 1536)

2024 Nevada Revised Statutes Chapter 189 - Justice Courts NRS 189.020 - Notice of intention to appeal: Filing and service; stay of judgment pending appeal.

1. The party intending to appeal must file with the justice and serve upon the district attorney a notice entitled in the action, setting forth the character of the judgment, and the intention of the party to appeal therefrom to the district court. 2. Stay of judgment pending appeal is governed by NRS 177.105 and 177.115. [1911 Cr. Prac. § 663; RL § 7513; NCL § 11310]—(NRS A 1967, 1467)

2024 Nevada Revised Statutes Chapter 189 - Justice Courts NRS 189.030 - Transmission of transcript, other papers, sound recording and copy of docket to district court.

1. The justice shall, within 10 days after the notice of appeal is filed, transmit to the clerk of the district court the transcript of the case, all other papers relating to the case and a certified copy of the docket. 2. The justice shall give notice to the appellant or the appellant's attorney that the transcript and all other papers relating to the case have been filed with the clerk of the district court. 3. If the district judge so requests, before or after receiving the record, the justice of the peace shall transmit to the district judge the sound recording of the case. [1911 Cr. Prac. § 664; RL § 7514; NCL § 11311]—(NRS A 1973, 631; 1979, 1512)

2024 Nevada Revised Statutes Chapter 189 - Justice Courts NRS 189.035 - Procedure where transcript defective.

1. Except as provided in subsection 2, if the district court finds that the transcript of a case which was recorded by sound recording equipment is materially or extensively defective, the case must be returned for retrial in the justice court from which it came. 2. If all parties to the appeal stipulate to being bound by a particular transcript of the proceedings in the justice court, or stipulate to a particular change in the transcript, an appeal based on that transcript as accepted or changed may be heard by the district court without regard to any defects in the transcript. (Added to NRS by 1979, 1512)

2024 Nevada Revised Statutes Chapter 189 - Justice Courts NRS 189.050 - Action to be judged on record.

An appeal duly perfected transfers the action to the district court to be judged on the record. [Part 1911 Cr. Prac. § 666; RL § 7516; NCL § 11313]—(NRS A 1979, 1512)

2024 Nevada Revised Statutes Chapter 189 - Justice Courts NRS 189.060 - Grounds for dismissal of appeal; enforcement of judgment.

1. The appeal may be dismissed on either of the following grounds: (a) For failure to take the same in time. (b) For failure to appear in the district court when required. 2. If the appeal is dismissed, a copy of the order of dismissal must be remitted to the justice, who may proceed to enforce the judgment. [Part 1911 Cr. Prac. § 666; RL § 7516; NCL § 11313]

2024 Nevada Revised Statutes Chapter 189 - Justice Courts NRS 189.065 - Dismissal for failure to set or reset appeal for hearing.

1. An appeal must be dismissed by the district court unless perfected by application of the defendant, within 60 days after the appeal is filed in the justice court, by having it set for hearing. 2. If an appeal has been set for hearing and the hearing is vacated at the request of the appellant, the appeal must be dismissed unless application is made by the appellant to reset the hearing within 60 days after the date on which the hearing was vacated. (Added to NRS by 1965, 376; A 1985, 57, 972)

2024 Nevada Revised Statutes Chapter 189 - Justice Courts NRS 189.070 - Grounds for dismissal of complaint on appeal.

Any complaint, upon motion of the defendant, may be dismissed upon any of the following grounds: 1. That the justice of the peace did not have jurisdiction of the offense. 2. That more than one offense is charged in any one count of the complaint. 3. That the facts stated do not constitute a public offense. [1911 Cr. Prac. § 667; RL § 7517; NCL § 11314]—(NRS A 1979, 36)

2024 Nevada Revised Statutes Chapter 189 - Justice Courts NRS 189.120 - Appeal by State from order granting defendant's motion to suppress evidence.

1. The State may appeal to the district court from an order of a justice court granting the motion of a defendant to suppress evidence. 2. Such an appeal shall be taken: (a) Within 2 days after the rendition of such an order during a trial or preliminary examination. (b) Within 5 days after the rendition of such an order before a trial or preliminary examination. 3. Upon perfecting such an appeal: (a) After the commencement of a trial or preliminary examination, further proceedings in the trial shall be stayed pending the final determination of the appeal. (b) Before trial or preliminary examination, the time limitation within which a defendant shall be brought to trial shall be extended for the period necessary for the final determination of the appeal. (Added to NRS by 1969, 1079)

Title: chapter-193

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.010 - Definitions.

As used in this title, unless the context otherwise requires, the words and terms defined in NRS 193.011 to 193.0245, inclusive, have the meanings ascribed to them in those sections. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510; 2013, 64)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.011 - "Boat" defined.

"Boat" includes ships, steamers and other structures adapted to navigation or movement from place to place by water. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0115 - "Bond" defined.

"Bond" includes an undertaking. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.012 - "Break" defined.

"Break," when used in connection with the crime of burglary, includes: 1. Breaking or violently detaching any part, internal or external, of a building. 2. Opening, for the purpose of entering therein, any outer door of a building or of any room, apartment or set of apartments therein separately used and occupied, or any window, shutter, scuttle or other thing used for covering or closing any opening thereto or therein, or which gives passage from one part thereof to another. 3. Obtaining entrance into such building or apartment by any threat or artifice, used for that purpose, or by collusion with any person therein. 4. Entering such building, room or apartment by or through any pipe, chimney or other opening, or by excavating or digging through or under a building or the walls or foundation thereof. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0125 - "Building" defined.

"Building" includes every house, shed, boat, watercraft, railway car, tent or booth, whether completed or not, suitable for affording shelter for any human being, or as a place where any property is or will be kept for use, sale or deposit. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.013 - "Corrupt" and "corruptly" defined.

"Corrupt" and "corruptly" import a wrongful desire of a person to acquire or cause some pecuniary or other advantage to himself or herself or another person. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.014 - "Dwelling house" defined.

"Dwelling house" includes every building or structure which has been usually occupied by a person lodging therein at night, and whenever it is so constructed as to consist of two or more parts or rooms occupied or intended to be occupied, whether permanently or temporarily, by different tenants separately by usually lodging therein at night, or for any other separate purpose, each part shall be deemed a separate dwelling house of the tenant occupying it. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0145 - "Enter" defined.

"Enter," when constituting an element or part of a crime, includes the entrance of the offender, or the insertion of any part of the body of the offender, or of any instrument or weapon held in the offender's hand and used or intended to be used to threaten or intimidate a person, or to detach or remove property. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0148 - "Gender identity or expression" defined.

"Gender identity or expression" means the gender-related identity, appearance, expression or behavior of a person, regardless of the person's assigned sex at birth. (Added to NRS by 2013, 64)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0155 - "Indicted," "indictment," "informed against" and "information" defined.

"Indicted" and "indictment" include "informed against" and "information"; and "informed against" and "information" include "indicted" and "indictment." [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.016 - "Judge" defined.

"Judge" includes every judicial officer authorized, alone or with others, to hold or preside over a court of record. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0165 - "Jurors" defined.

"Jurors" include a tales-juror, and extend to jurors in all courts, whether of record or not. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.017 - "Knowingly" defined.

"Knowingly" imports a knowledge that the facts exist which constitute the act or omission of a crime, and does not require knowledge of its unlawfulness. Knowledge of any particular fact may be inferred from the knowledge of such other facts as should put an ordinarily prudent person upon inquiry. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510; 1997, 1600)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0175 - "Malice" and "maliciously" defined.

"Malice" and "maliciously" import an evil intent, wish or design to vex, annoy or injure another person. Malice may be inferred from an act done in willful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a willful disregard of social duty. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.018 - "Neglect," "negligence," "negligent" and "negligently" defined.

"Neglect," "negligence," "negligent" and "negligently" import a want of such attention to the nature or probable consequences of an act or omission as an ordinarily prudent person usually exercises in his or her own business. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510; 1997, 1600)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0185 - "Nighttime" defined.

"Nighttime" includes the period between sunset and sunrise. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.019 - "Officer" and "public officer" defined.

"Officer" and "public officer" include all officers, members and employees of: 1. The State of Nevada; 2. Any political subdivision of this State; 3. Any other special district, public corporation or quasi-public corporation of this State; and 4. Any agency, board or commission established by this State or any of its political subdivisions, and all persons exercising or assuming to exercise any of the powers or functions of a public officer. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0195 - "Owner" defined.

"Owner" of any property includes any person who has a general or special property in the whole or any part thereof, or lawful possession thereof, either actual or constructive. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0205 - "Person" defined.

"Person" includes this State or any other state, government or country which may lawfully own property within this State whenever it is used to designate a party whose property may be the subject of an offense. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS 973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.021 - "Personal property" defined.

"Personal property" includes dogs and all domestic animals and birds, water, gas and electricity, all kinds or descriptions of money, chattels and effects, all instruments or writings completed and ready to be delivered or issued by the maker, whether actually delivered or issued or not, by which any claim, privilege, right, obligation or authority, or any right or title to property, real or personal, is or purports to be, or upon the happening of some future event may be evidenced, created, acknowledged, transferred, increased, diminished, encumbered, defeated, discharged or affected, and every right and interest therein. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0215 - "Prison" defined.

"Prison" means any place designated by law for the keeping of persons held in custody under process of law, or under lawful arrest. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.022 - "Prisoner" defined.

"Prisoner" includes any person held in custody under process of law, or under lawful arrest. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0225 - "Property" defined.

"Property" includes both real and personal property. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.023 - "Railway" or "railroad" defined.

"Railway" or "railroad" includes all railways, railroads and street railways, whether operated by steam, electricity or any other motive power. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0235 - "Real property" defined.

"Real property" includes every estate, interest and right in lands, tenements and hereditaments, corporeal or incorporeal. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.024 - "Signature" defined.

"Signature" includes any memorandum, mark or sign made with intent to authenticate any instrument or writing, or the subscription of any person thereto. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.0245 - "Writing" defined.

"Writing" includes printing. [Part 1911 C&P § 29; RL § 6294; NCL § 9978]—(NRS A 1973, 355; 1983, 815; 1985, 510)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.030 - Construction of provisions of title.

Every provision of this title shall be construed according to the fair import of its terms. [1911 C&P § 30; RL § 6295; NCL § 9979]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.040 - Intent to defraud.

[Replaced in revision by NRS 193.205.]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.045 - Repeated conviction as element or aggravation of offense: Place of former conviction immaterial.

Wherever it is provided in any section of this title that a repeated conviction constitutes an element of an offense or aggravates an offense and affects the determination of penalty, it is immaterial whether such former conviction was obtained in Nevada or elsewhere. (Added to NRS by 1967, 459)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.050 - Conduct constituting crime; prohibited or

unlawful acts; common law.

1. No conduct constitutes a crime unless prohibited by some statute of this State or by some ordinance or like enactment of a political subdivision of this State. 2. An act which is declared to be unlawful by any statute, ordinance or like enactment is prohibited within the meaning of this section and of NRS 193.151. 3. The provisions of the common law relating to the definition of public offenses apply to any public offense which is so prohibited but is not defined, or which is so prohibited but is incompletely defined. 4. This section does not affect the power of a court to punish for contempt or to employ any sanction authorized by law for the enforcement of an order or a civil judgment or decree. [1911 C&P § 35; RL § 6300; NCL § 9984]—(NRS A 1967, 458)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.060 - Construction of provisions similar to existing laws.

The provisions of this title, insofar as they are substantially the same as existing statutes, shall be construed as continuations thereof and not as new enactments. [1911 C&P § 36; RL § 6301; NCL § 9985]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.070 - Effect of provisions upon past offenses.

Nothing contained in any provision of this title shall apply to an offense committed or act done at any time before the day when this title shall take effect. Such an offense shall be punished according to, and such act shall be governed by, the provisions of law existing when it is done or committed, in the same manner as if this title had not been passed. [1911 C&P § 31; RL § 6296; NCL § 9980]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.075 - Effect of repeal of statute: Penalty previously imposed; prior violations.

1. Any repeal, express or implied, of any statute shall not release or extinguish any penalty, forfeiture or liability incurred under such statute, unless the repealing act expressly so provides. 2. The repeal of any law creating a criminal offense does not constitute a bar to the indictment or information and punishment of an act already committed in violation of the law so repealed, unless the intention to bar the indictment and information and punishment is expressly declared in the repealing statute. (Added to NRS by 1971, 144)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.080 - Application to existing civil rights.

Nothing in this title shall be deemed to affect any civil right or remedy existing at the time when it shall take effect by virtue of the common law or of the provision of any statute. [1911 C&P § 32; RL § 6297; NCL § 9981]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.090 - Civil remedies preserved.

The omission to specify or affirm in this title any liability to any damages, penalty, forfeiture or other remedy imposed by law, and allowed to be recovered or enforced in any civil action or proceeding, for any act or omission declared punishable in this title, shall not affect any right to recover or enforce the same. [1911 C&P § 37; RL § 6302; NCL § 9986]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.100 - Proceedings to impeach or remove officers and others preserved.

The omission to specify or affirm in this title any ground of forfeiture of a public office, or other trust or special authority conferred by law, or any power conferred by law to impeach, remove, depose or suspend any public officer or other person holding any trust, appointment or other special authority conferred by law, shall not affect such forfeiture or power, or any proceeding authorized by law to carry into effect such impeachment, removal, deposition or suspension. [1911 C&P § 33; RL § 6298; NCL § 9982]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.105 - Termination of employment, removal from office or impeachment of public employee or officer upon conviction for sale of controlled substance.

1. If, during the course of his or her employment, an employee of the State or of any political subdivision of the State is convicted on or after October 1, 1989, of violating any federal or state law prohibiting the sale of any controlled substance, the employer upon discovery of the conviction shall terminate the employment of the employee. 2. If, during the course of his or her tenure in office, an officer of any county, city or township of the State is convicted on or after October 1, 1989, of violating any federal or state law prohibiting the sale of any controlled substance, the court as part of the penalty for such a conviction shall remove the officer from office. 3. If, during the course of his or her tenure in office, an elected or appointed officer of the State is convicted on or after October 1, 1989, of violating any federal or state law prohibiting the sale of any controlled substance, the prosecuting officer who obtained the conviction shall file a certified copy of the judgment roll with the Secretary of State. The Secretary of State shall lay the certified copy of the judgment roll before the appropriate House of the Legislature at its next session. 4. This section does not apply to a justice or judge of the court system. (Added to NRS by 1989, 186; A 2009, 1074)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.110 - Authority of courts-martial unaffected; punishment for contempt unaffected.

This title does not affect any power conferred by law upon any court-martial, or other military authority, or officer, to impose or

inflict punishment upon offenders; nor any power conferred by law upon any public body, tribunal or officer, to impose or inflict punishment for a contempt. [1911 C&P § 34; RL § 6299; NCL § 9983]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.120 - Classification of crimes.

1. A crime is an act or omission forbidden by law and punishable upon conviction by death, imprisonment, fine or other penal discipline. 2. Every crime which may be punished by death or by imprisonment in the state prison is a felony. 3. Every crime punishable by a fine of not more than \$1,000, or by imprisonment in a county jail for not more than 6 months, is a misdemeanor. 4. Every other crime is a gross misdemeanor. [1911 C&P § 1; RL § 6266; NCL § 9950]—(NRS A 1981, 651)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.130 - Categories and punishment of felonies.

1. Except when a person is convicted of a category A felony, and except as otherwise provided by specific statute, a person convicted of a felony shall be sentenced to a minimum term and a maximum term of imprisonment which must be within the limits prescribed by the applicable statute, unless the statute in force at the time of commission of the felony prescribed a different penalty. The minimum term of imprisonment that may be imposed must not exceed 40 percent of the maximum term imposed. 2. Except as otherwise provided by specific statute, for each felony committed on or after July 1, 1995: (a) A category A felony is a felony for which a sentence of death or imprisonment in the state prison for life with or without the possibility of parole may be imposed, as provided by specific statute. (b) A category B felony is a felony for which the minimum term of imprisonment in the state prison that may be imposed is not less than 1 year and the maximum term of imprisonment that may be imposed is not more than 20 years, as provided by specific statute. (c) A category C felony is a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years. In addition to any other penalty, the court may impose a fine of not more than \$10,000, unless a greater fine is authorized or required by statute. (d) A category D felony is a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 4 years. In addition to any other penalty, the court may impose a fine of not more than \$5,000, unless a greater fine is authorized or required by statute. (e) A category E felony is a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 4 years. Except as otherwise provided in paragraph (b) of subsection 1 of NRS 176A.100 or paragraph (a) of subsection 2 of NRS 453.336, upon sentencing a person who is found guilty of a category E felony, the court shall suspend the execution of the sentence and grant probation to the person upon such conditions as the court deems appropriate. Such conditions of probation may include, but are not limited to, requiring the person to serve a term of confinement of not more than 1 year in the county jail. In addition to any other penalty, the court may impose a fine of not more than \$5,000, unless a greater penalty is authorized or required by statute. [1911 C&P § 18; RL § 6283; NCL § 9967]—(NRS A 1967, 458; 1995, 1167; 1997, 1177; 1999, 1186; 2019, 4419)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.140 - Punishment of gross misdemeanors.

Every person convicted of a gross misdemeanor shall be punished by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment, unless the statute in force at the time of commission of such gross misdemeanor prescribed a different penalty. [1911 C&P § 19; RL § 6284; NCL § 9968]—(NRS A 1967, 459; 1981, 652; 2013, 977)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.150 - Punishment of misdemeanors.

1. Every person convicted of a misdemeanor shall be punished by imprisonment in the county jail for not more than 6 months, or by a fine of not more than \$1,000, or by both fine and imprisonment, unless the statute in force at the time of commission of such misdemeanor prescribed a different penalty. 2. In lieu of all or a part of the punishment which may be imposed pursuant to subsection 1, the convicted person may be sentenced to perform a fixed period of community service pursuant to the conditions prescribed in NRS 176.087. [1911 C&P § 20; RL § 6285; NCL § 9969]—(NRS A 1967, 459; 1981, 487, 652; 1991, 1931; 2001 Special Session, 136)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.151 - Prohibited act is misdemeanor when no penalty imposed.

Whenever the performance of any act is prohibited by any statute, and no penalty for the violation of such statute is imposed, the committing of such act shall be a misdemeanor. [1911 C&P § 23; RL § 6288; NCL § 9972]—(Substituted in revision for NRS 193.170)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.153 - Punishment for attempts.

1. An act done with the intent to commit a crime, and tending but failing to accomplish it, is an attempt to commit that crime. A person who attempts to commit a crime, unless a different penalty is prescribed by statute, shall be punished as follows: (a) If the person is convicted of: (1) Attempt to commit a category A felony, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years. (2) Attempt to commit a category B felony

for which the maximum term of imprisonment authorized by statute is greater than 10 years, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years. (3) Attempt to commit a category B felony for which the maximum term of imprisonment authorized by statute is 10 years or less, for a category C felony as provided in NRS 193.130. (4) Attempt to commit a category C felony, for a category D felony as provided in NRS 193.130, or for a gross misdemeanor by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment. (5) Attempt to commit a category D felony, for a category E felony as provided in NRS 193.130, or for a gross misdemeanor by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment. (6) Attempt to commit a category E felony, for a category E felony as provided in NRS 193.130, or for a gross misdemeanor by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment. (b) If the person is convicted of attempt to commit a misdemeanor, a gross misdemeanor or a felony for which a category is not designated by statute, by imprisonment for not more than one-half the longest term authorized by statute, or by a fine of not more than one-half the largest sum, prescribed upon conviction for the commission of the offense attempted, or by both fine and imprisonment. 2. Nothing in this section protects a person who, in an unsuccessful attempt to commit one crime, does commit another and different one, from the punishment prescribed for the crime actually committed. A person may be convicted of an attempt to commit a crime, although it appears on the trial that the crime was consummated, unless the court in its discretion discharges the jury and directs the defendant to be tried for the crime itself. [1911 C&P § 26; RL § 6291; NCL § 9975]—(NRS A 1981, 158; 1995, 1168; 1997, 1178; 2013, 977)—(Substituted in revision for NRS 193.330)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.155 - Penalty for public offense proportionate to value of property affected or loss resulting from offense.

Every person who is guilty of a public offense proportionate to the value of the property affected or the loss resulting from the offense shall be punished as follows: 1. Where the value of the loss is \$5,000 or more or where the damage results in impairment of public communication, transportation or police and fire protection, for a category C felony as provided in NRS 193.130. 2. Where the value of the loss is \$250 or more but less than \$5,000, for a gross misdemeanor. 3. Where the value of the loss is \$25 or more but less than \$250, for a misdemeanor. 4. Where the value of the loss is less than \$25, by a fine of not more than \$500. (Added to NRS by 1967, 459; A 1995, 1168)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.160 - Penalty for misdemeanor by corporations when not fixed by statute.

In all cases where a corporation is convicted of an offense for the commission of which a natural person would be punishable as for a misdemeanor, and there is no other punishment prescribed by law, the corporation is punishable by a fine not exceeding \$1,000. [1911 C&P § 21; RL § 6286; NCL § 9970]—(NRS A 1981, 652)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.1605 - Minimum punishment for gross misdemeanor committed on property of school, at activity sponsored by school or on school bus.

1. Any person who commits a gross misdemeanor on the property of a public or private school, at an activity sponsored by a public or private school, or on a school bus or at a bus stop used to load and unload a school bus while the bus is engaged in its official duties: (a) Shall be punished by imprisonment in the county jail for not fewer than 15 days but not more than 364 days; and (b) In addition to imprisonment, may be punished by a fine of not more than \$2,000. 2. For the purposes of this section, "school bus" has the meaning ascribed to it in NRS 483.160. (Added to NRS by 1997, 1281; A 2013, 977)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.161 - Felony committed on property of school, at activity sponsored by school or on school bus.

1. Except as otherwise provided in subsection 3 and NRS 193.169, any person who commits a felony on the property of a public or private school, at an activity sponsored by a public or private school or on a school bus while the bus is engaged in its official duties shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of the additional penalty imposed, the court shall consider the following information: (a) The facts and circumstances of the crime; (b) The criminal history of the person; (c) The impact of the crime on any victim; (d) Any mitigating factors presented by the person; and (e) Any other relevant information. The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed. 2. The sentence prescribed by this section: (a) Must not exceed the sentence imposed for the crime; and (b) Runs consecutively with the sentence prescribed by statute for the crime. 3. Unless a greater penalty is provided by specific statute and except as otherwise provided in NRS 193.169, in lieu of an additional term of imprisonment as provided pursuant to subsections 1 and 2, if a felony that resulted in death or substantial bodily harm to the victim was committed on the property of a public or private school when pupils or employees of the school were present or may have been present, at an activity sponsored by a public or private school or on a school bus while the bus was engaged in its official duties, and the person who committed the felony intended to create a great risk of death or substantial bodily harm to more than one person by means of a weapon, device or course of action that would normally be hazardous to the lives of more than one person, the

felony may be deemed a category A felony and the person who committed the felony may be punished by imprisonment in the state prison: (a) For life without the possibility of parole; (b) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 20 years has been served; or (c) For a definite term of 50 years, with eligibility for parole beginning when a minimum of 20 years has been served. 4. Subsections 1 and 2 do not create a separate offense but provide an additional penalty for the primary offense, the imposition of which is contingent upon the finding of the prescribed fact. Subsection 3 does not create a separate offense but provides an alternative penalty for the primary offense, the imposition of which is contingent upon the finding of the prescribed fact. 5. For the purposes of this section, "school bus" has the meaning ascribed to it in NRS 483.160. (Added to NRS by 1989, 2065; A 1991, 1058; 1995, 1424; 1999, 1334; 2007, 3186)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.162 - Felony committed by adult with assistance of child.

1. Except as otherwise provided in NRS 193.169 and 454.306, an adult who, with the assistance of a child: (a) Commits a crime that is punishable as a category A or a category B felony shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. (b) Commits any felony other than a category A or a category B felony shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. 2. In determining the length of the additional penalty imposed pursuant to this section, the court shall consider the following information: (a) The facts and circumstances of the crime; (b) The criminal history of the person; (c) The impact of the crime on any victim; (d) Any mitigating factors presented by the person; and (e) Any other relevant information. The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed. 3. An additional sentence prescribed by this section: (a) Must not exceed the sentence imposed for the crime; and (b) Runs consecutively with the sentence prescribed by statute for the crime. 4. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact. 5. As used in this section: (a) "Adult" means a person who is 18 years of age or older. (b) "Child" means a person who is less than 18 years of age. (Added to NRS by 1997, 260; A 2007, 3187)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.163 - Use of handgun containing metal-penetrating bullet in commission of crime.

1. Except as otherwise provided in NRS 193.169, any person who uses a handgun containing a metal-penetrating bullet in the commission of a crime shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of the additional penalty imposed, the court shall consider the following information: (a) The facts and circumstances of the crime; (b) The criminal history of the person; (c) The impact of the crime on any victim; (d) Any mitigating factors presented by the person; and (e) Any other relevant information. The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed. 2. The sentence prescribed by this section: (a) Must not exceed the sentence imposed for the crime; and (b) Runs consecutively with the sentence prescribed by statute for the crime. 3. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact. 4. As used in this section, "metal-penetrating bullet" has the meaning ascribed to it in NRS 202.273. (Added to NRS by 1983, 800; A 1991, 1059; 2007, 3187)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.165 - Use of deadly weapon or tear gas in commission of crime; restriction on probation and suspension of sentence.

1. Except as otherwise provided in NRS 193.169, any person who uses a firearm or other deadly weapon or a weapon containing or capable of emitting tear gas, whether or not its possession is permitted by NRS 202.375, in the commission of a crime shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of the additional penalty imposed, the court shall consider the following information: (a) The facts and circumstances of the crime; (b) The criminal history of the person; (c) The impact of the crime on any victim; (d) Any mitigating factors presented by the person; and (e) Any other relevant information. The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed. 2. The sentence prescribed by this section: (a) Must not exceed the sentence imposed for the crime; and (b) Runs consecutively with the sentence prescribed by statute for the crime. 3. This section does not create any separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact. 4. The provisions of subsections 1, 2 and 3 do not apply where the use of a firearm, other deadly weapon or tear gas is a necessary element of such crime. 5. The court shall not grant probation to or suspend the sentence of any person who is convicted of using a firearm, other deadly weapon or tear gas in the commission of any of the following crimes: (a) Murder; (b) Kidnapping in the first degree; (c) Sexual assault; or (d) Robbery. 6. As used in this section, "deadly weapon" means: (a) Any instrument which, if used in the ordinary manner contemplated by its design and construction, will or is likely to cause substantial bodily harm or death; (b) Any weapon, device, instrument, material or substance which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing substantial bodily

harm or death; or (c) A dangerous or deadly weapon specifically described in NRS 202.255, 202.265, 202.290, 202.320 or 202.350. (Added to NRS by 1973, 1593; A 1975, 720; 1979, 225; 1981, 2050; 1991, 1059; 1995, 1431; 2007, 3188)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.166 - Felony committed in violation of order for protection or order to restrict conduct; restriction on probation and suspension of sentence.

1. Except as otherwise provided in NRS 193.169, a person who commits a crime that is punishable as a felony, other than a crime that is punishable as a felony pursuant to subsection 6 of NRS 33.400, subsection 5 of NRS 200.378 or subsection 5 of NRS 200.591, in violation of: (a) A temporary or extended order for protection against domestic violence issued pursuant to NRS 33.020; (b) An order for protection against harassment in the workplace issued pursuant to NRS 33.270; (c) A temporary or extended order for the protection of a child issued pursuant to NRS 33.400; (d) An emergency or extended order for protection against high-risk behavior issued pursuant to NRS 33.570 or 33.580; (e) An order for protection against domestic violence issued in an action or proceeding brought pursuant to title 11 of NRS; (f) A temporary or extended order issued pursuant to NRS 200.378; or (g) A temporary or extended order issued pursuant to NRS 200.591, shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison, except as otherwise provided in this subsection, for a minimum term of not less than 1 year and a maximum term of not more than 5 years. If the crime committed by the person is punishable as a category A felony or category B felony, in addition to the term of imprisonment prescribed by statute for that crime, the person shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. 2. In determining the length of the additional penalty imposed pursuant to this section, the court shall consider the following information: (a) The facts and circumstances of the crime; (b) The criminal history of the person; (c) The impact of the crime on any victim; (d) Any mitigating factors presented by the person; and (e) Any other relevant information. The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed. 3. The sentence prescribed by this section: (a) Must not exceed the sentence imposed for the crime; and (b) Runs concurrently or consecutively with the sentence prescribed by statute for the crime, as ordered by the court. 4. The court shall not grant probation to or suspend the sentence of any person convicted of attempted murder, battery which involves the use of a deadly weapon, battery which results in substantial bodily harm or battery which is committed by strangulation as described in NRS 200.481 or 200.485 if an additional term of imprisonment may be imposed for that primary offense pursuant to this section. 5. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact. (Added to NRS by 2003, 1514; A 2005, 953; 2007, 58, 3189; 2009, 86, 227; 2019, 4178; 2021, 600; 2023, 1606)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.167 - Certain crimes committed against person 60 years of age or older or against vulnerable person.

1. Except as otherwise provided in NRS 193.169, any person who commits the crime of: (a) Murder; (b) Attempted murder; (c) Assault; (d) Battery; (e) Kidnapping; (f) Robbery; (g) Sexual assault; (h) Embezzlement of, or attempting or conspiring to embezzle, money or property of a value of \$650 or more; (i) Obtaining, or attempting or conspiring to obtain, money or property of a value of \$650 or more by false pretenses; or (j) Taking money or property from the person of another, against any person who is 60 years of age or older or against a vulnerable person shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished, if the crime is a misdemeanor or gross misdemeanor, by imprisonment in the county jail for a term equal to the term of imprisonment prescribed by statute for the crime, and, if the crime is a felony, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. 2. Except as otherwise provided in NRS 193.169, any person who commits a criminal violation of the provisions of chapter 90 or 91 of NRS against any person who is 60 years of age or older or against a vulnerable person shall, in addition to the term of imprisonment prescribed by statute for the criminal violation, be punished, if the criminal violation is a misdemeanor or gross misdemeanor, by imprisonment in the county jail for a term equal to the term of imprisonment prescribed by statute for the criminal violation, and, if the criminal violation is a felony, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. 3. In determining the length of the additional penalty imposed pursuant to this section, the court shall consider the following information: (a) The facts and circumstances of the crime or criminal violation; (b) The criminal history of the person; (c) The impact of the crime or criminal violation on any victim; (d) Any mitigating factors presented by the person; and (e) Any other relevant information. The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed. 4. The sentence prescribed by this section: (a) Must not exceed the sentence imposed for the crime or criminal violation; and (b) Must run consecutively with the sentence prescribed by statute for the crime or criminal violation. 5. This section does not create any separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact. 6. As used in this section, "vulnerable person" has the meaning ascribed to it in NRS 200.5092. (Added to NRS by 1979, 831; A 1989, 1850; 1991, 1059; 1993, 1; 1999, 42; 2003, 2566; 2005, 1106; 2007, 3190; 2011, 157; 2013, 390; 2015, 803; 2017, 2527, 2833)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.1675 - Commission of crime because of certain actual or perceived characteristics of person or group of persons; burden of proof.

1. Except as otherwise provided in NRS 193.169, any person who, because of the actual or perceived race, color, religion, national

origin, physical or mental disability, sexual orientation or gender identity or expression of another person or group of persons, willfully violates any provision of NRS 200.030, 200.050, 200.280, 200.310, 200.366, 200.380, 200.400, 200.460 to 200.465, inclusive, paragraph (b) of subsection 2 of NRS 200.471, NRS 200.481 which is punishable as a felony, NRS 200.508, 200.5099, subsection 2 of NRS 200.575, NRS 202.448, 205.010 to 205.025, inclusive, 205.060, 205.067, 205.075, NRS 205.0832 which is punishable as a felony, NRS 205.220, 205.226, 205.228, 205.270, 206.150, NRS 206.330 which is punishable as a felony or NRS 207.190 may, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of any additional penalty imposed, the court shall consider the following information: (a) The facts and circumstances of the crime; (b) The criminal history of the person; (c) The impact of the crime on any victim; (d) Any mitigating factors presented by the person; and (e) Any other relevant information. The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of any additional penalty imposed. 2. For the purposes of this section, a person willfully violates any provision of law listed in subsection 1 because of the actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of another person or group of persons if the existence of any such protected characteristic is the primary cause in fact for the commission of the crime, regardless of whether one or more other causes for the commission of the crime exist. For an additional penalty to be imposed pursuant to this section, the prosecuting attorney must prove beyond a reasonable doubt that the person would not have committed the crime but for the existence of such a protected characteristic. 3. If a person willfully violates any provision of law listed in subsection 1, any comment made by the person about the actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of another person or group of persons that the court determines is incidental must not be the sole basis for imposing an additional penalty pursuant to this section, but may be considered in conjunction with other evidence as to the motivation of the person for committing the crime. 4. A sentence imposed pursuant to this section: (a) Must not exceed the sentence imposed for the crime; and (b) Runs consecutively with the sentence prescribed by statute for the crime. 5. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact. (Added to NRS by 1995, 2704; A 1997, 59, 1347; 2001, 664; 2005, 87; 2007, 3191; 2013, 64, 1852; 2021, 1530)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.1677 - Commission of crime because victim is first responder.

1. Except as otherwise provided in NRS 193.169, any person who willfully violates any provision of NRS 200.030, 200.280, 200.310, 200.366, 200.380, 200.400, 200.460, NRS 200.471 which is punishable as a felony, NRS 200.481 which is punishable as a felony, NRS 205.0832 which is punishable as a felony, NRS 205.220, 205.226, 205.228, 205.270 or 206.150 because of the fact that the victim is a first responder may, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of any additional penalty imposed, the court shall consider the following information: (a) The facts and circumstances of the crime; (b) The criminal history of the person; (c) The impact of the crime on any victim; (d) Any mitigating factors presented by the person; and (e) Any other relevant information. The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of any additional penalty imposed. 2. A sentence imposed pursuant to this section: (a) Must not exceed the sentence imposed for the crime; and (b) Runs consecutively with the sentence prescribed by statute for the crime. 3. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact. 4. As used in this section, "first responder" means any peace officer, firefighter or emergency medical provider acting in the normal course of duty. As used in this subsection: (a) "Emergency medical provider" has the meaning ascribed to it in NRS 450B.199. (b) "Firefighter" has the meaning ascribed to it in NRS 450B.071. (c) "Peace officer" has the meaning ascribed to it in NRS 169.125. (Added to NRS by 2017, 4205; A 2019, 1463)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.1678 - Commission of crime because victim is spouse or child of first responder.

1. Except as otherwise provided in NRS 193.169, any person who knowingly and willfully violates any provision of NRS 200.030, 200.280, 200.310, 200.366, 200.380, 200.400, 200.460, NRS 200.471 which is punishable as a felony or NRS 200.481 which is punishable as a felony because of the fact that the victim is the spouse of a first responder or the child of any age of a first responder may, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of any additional penalty imposed, the court shall consider the following information: (a) The facts and circumstances of the crime; (b) The criminal history of the person; (c) The impact of the crime on any victim; (d) Any mitigating factors presented by the person; and (e) Any other relevant information. The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of any additional penalty imposed. 2. A sentence imposed pursuant to this section: (a) Must not exceed the sentence imposed for the crime; and (b) Runs consecutively with the sentence prescribed by statute for the crime. 3. This section does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact. 4. As used in this section, "first responder" means any peace officer, firefighter or

emergency medical provider. As used in this subsection: (a) "Emergency medical provider" has the meaning ascribed to it in NRS 450B.199. (b) "Firefighter" has the meaning ascribed to it in NRS 450B.071. (c) "Peace officer" has the meaning ascribed to it in NRS 169.125. (Added to NRS by 2019,1462)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.168 - Felony committed to promote activities of criminal gang; restriction on probation and suspension of sentence; expert testimony.

1. Except as otherwise provided in subsection 5 and NRS 193.169, any person who is convicted of a felony committed knowingly for the benefit of, at the direction of, or in affiliation with, a criminal gang, with the specific intent to promote, further or assist the activities of the criminal gang, shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of the additional penalty imposed, the court shall consider the following information: (a) The facts and circumstances of the crime; (b) The criminal history of the person; (c) The impact of the crime on any victim; (d) Any mitigating factors presented by the person; and (e) Any other relevant information. The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed. 2. The sentence prescribed by this section: (a) Must not exceed the sentence imposed for the crime; and (b) Runs consecutively with the sentence prescribed by statute for the crime. 3. This section does not create any separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact. 4. The court shall not impose an additional penalty pursuant to this section unless: (a) The indictment or information charging the defendant with the primary offense alleges that the primary offense was committed knowingly for the benefit of, at the direction of, or in affiliation with, a criminal gang, with the specific intent to promote, further or assist the activities of the criminal gang; and (b) The trier of fact finds that allegation to be true beyond a reasonable doubt. 5. The court shall not impose an additional penalty pursuant to this section if the primary offense is a violation of NRS 201.570. 6. Except as otherwise provided in this subsection, the court shall not grant probation to or suspend the sentence of any person convicted of a felony committed for the benefit of, at the direction of, or in affiliation with, a criminal gang if an additional term of imprisonment may be imposed for that primary offense pursuant to this section. The court may, upon the receipt of an appropriate motion, reduce or suspend the sentence imposed for the primary offense if it finds that the defendant rendered substantial assistance in the arrest or conviction of any other principals, accomplices, accessories or coconspirators to the crime, or of any other persons involved in the commission of a felony which was committed for the benefit of, at the direction of, or in affiliation with, a criminal gang. The agency which arrested the defendant must be given an opportunity to support or oppose such a motion before it is granted or denied. If good cause is shown, the motion may be heard in camera. 7. In any proceeding to determine whether an additional penalty may be imposed pursuant to this section, expert testimony is admissible to show particular conduct, status and customs indicative of criminal gangs, including, but not limited to: (a) Characteristics of persons who are members of criminal gangs; (b) Specific rivalries between criminal gangs; (c) Common practices and operations of criminal gangs and the members of those gangs; (d) Social customs and behavior of members of criminal gangs; (e) Terminology used by members of criminal gangs; (f) Codes of conduct, including criminal conduct, of particular criminal gangs; and (g) The types of crimes that are likely to be committed by a particular criminal gang or by criminal gangs in general. 8. As used in this section, "criminal gang" means any combination of persons, organized formally or informally, so constructed that the organization will continue its operation even if individual members enter or leave the organization, which: (a) Has a common name or identifying symbol; (b) Has particular conduct, status and customs indicative of it; and (c) Has as one of its common activities engaging in criminal activity punishable as a felony, other than the conduct which constitutes the primary offense. (Added to NRS by 1991, 1057; A 2007, 3191; 2009, 415)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.1685 - Felony committed with intent to commit, cause, aid, further or conceal act of terrorism.

1. Except as otherwise provided in this section and NRS 193.169, any person who commits a felony with the intent to commit, cause, aid, further or conceal an act of terrorism shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. In determining the length of the additional penalty imposed pursuant to this section, the court shall consider the following information: (a) The facts and circumstances of the crime; (b) The criminal history of the person; (c) The impact of the crime on any victim; (d) Any mitigating factors presented by the person; and (e) Any other relevant information. The court shall state on the record that it has considered the information described in paragraphs (a) to (e), inclusive, in determining the length of the additional penalty imposed. 2. The sentence prescribed by this section: (a) Must not exceed the sentence imposed for the crime; and (b) Runs consecutively with the sentence prescribed by statute for the crime. 3. Unless a greater penalty is provided by specific statute and except as otherwise provided in NRS 193.169, in lieu of an additional term of imprisonment as provided pursuant to subsections 1 and 2, if a felony that resulted in death or substantial bodily harm to the victim was committed with the intent to commit, cause, aid, further or conceal an act of terrorism, the felony may be deemed a category A felony and the person who committed the felony may be punished by imprisonment in the state prison: (a) For life without the possibility of parole; (b) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 20 years has been served; or (c) For a definite term of 50 years, with eligibility for parole beginning when a minimum of 20 years has been served. 4. Subsections 1 and 2 do not create a separate offense but provide an additional penalty for the primary offense, the imposition of which is contingent upon the finding of the

prescribed fact. Subsection 3 does not create a separate offense but provides an alternative penalty for the primary offense, the imposition of which is contingent upon the finding of the prescribed fact. 5. The provisions of this section do not apply to an offense committed in violation of NRS 202.445. 6. As used in this section, "act of terrorism" has the meaning ascribed to it in NRS 202.4415. (Added to NRS by 2003, 2943; A 2007, 3193)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.169 - Limitation on imposition of additional and alternative penalties; alternative allegations.

1. A person who is sentenced to an additional term of imprisonment pursuant to the provisions of subsection 1 of NRS 193.161, NRS 193.162, 193.163, 193.165, 193.166, 193.167, 193.1675, 193.1677, 193.1678, 193.168, subsection 1 of NRS 193.1685, NRS 453.3335, 453.3345, 453.3351 or subsection 1 of NRS 453.3353 must not be sentenced to an additional term of imprisonment pursuant to any of the other listed sections even if the person's conduct satisfies the requirements for imposing an additional term of imprisonment pursuant to another one or more of those sections. 2. A person who is sentenced to an alternative term of imprisonment pursuant to subsection 3 of NRS 193.161, subsection 3 of NRS 193.1685 or subsection 2 of NRS 453.3353 must not be sentenced to an additional term of imprisonment pursuant to subsection 1 of NRS 193.161, NRS 193.162, 193.163, 193.165, 193.166, 193.167, 193.1675, 193.1677, 193.1678, 193.168, 453.3335, 453.3345 or 453.3351 even if the person's conduct satisfies the requirements for imposing an additional term of imprisonment pursuant to another one or more of those sections. 3. This section does not: (a) Affect other penalties or limitations upon probation or suspension of a sentence contained in the sections listed in subsection 1 or 2. (b) Prohibit alleging in the alternative in the indictment or information that the person's conduct satisfies the requirements of more than one of the sections listed in subsection 1 or 2 and introducing evidence to prove the alternative allegations. (Added to NRS by 1991, 1058; A 1995, 2704; 1997, 260; 1999, 1335; 2003, 339, 871, 1515, 2944; 2005, 946; 2007, 3194; 2017, 4206; 2019, 1463)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.170 - Prohibited act is misdemeanor when no penalty imposed.

[Replaced in revision by NRS 193.151.]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.190 - To constitute crime there must be unity of act and intent.

In every crime or public offense there must exist a union, or joint operation of act and intention, or criminal negligence. [1911 C&P § 6; RL § 6271; NCL § 9955]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.200 - Intent: How manifested.

Intention is manifested by the circumstances connected with the perpetration of the offense, and the sound mind and discretion of the person accused. [1911 C&P § 7; RL § 6272; NCL § 9956]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.205 - Intent to defraud.

Whenever an intent to defraud: 1. Shall be made an element of an offense, it shall be sufficient if an intent appears to defraud any person, association or body politic or corporation, whatever. 2. Constitutes a part of a crime, it is not necessary to aver or prove an intent to defraud any particular person. [Part 1911 C&P § 29; RL § 6294; NCL § 9978] + [1911 C&P § 41; RL § 6306; NCL § 9990]—(Substituted in revision for NRS 193.040)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.210 - When person considered to be of sound mind.

A person is of sound mind who is not affected with insanity and who has arrived at the age of 14 years, or before that age if the person knew the distinction between good and evil. [1911 C&P § 4; RL § 6269; NCL § 9953]—(NRS A 1995, 2466; 2001 Special Session, 136; 2003, 1480)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.220 - When voluntary intoxication may be considered.

No act committed by a person while in a state of voluntary intoxication shall be deemed less criminal by reason of his or her condition, but whenever the actual existence of any particular purpose, motive or intent is a necessary element to constitute a particular species or degree of crime, the fact of the person's intoxication may be taken into consideration in determining the purpose, motive or intent. [1911 C&P § 17; RL § 6282; NCL § 9966]—(NRS A 1995, 2466; 2003, 1480)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.225 - Prohibition against certain defenses involving sexual orientation or gender identity or expression of victim.

1. For the purpose of determining the existence of an alleged state of passion in a defendant or the alleged provocation of a defendant by a victim, the alleged state of passion or provocation shall be deemed not to be objectively reasonable if it resulted from

the discovery of, knowledge about or potential disclosure of the actual or perceived sexual orientation or gender identity or expression of the victim, including, without limitation, under circumstances in which the victim made an unwanted nonforcible romantic or sexual advance towards the defendant, or if the defendant and victim dated or had a romantic or sexual relationship. 2. A person is not justified in using force against another person based on the discovery of, knowledge about or potential disclosure of the actual or perceived sexual orientation or gender identity or expression of the victim, including, without limitation, under circumstances in which the victim made an unwanted nonforcible romantic or sexual advance towards the defendant, or if the defendant and victim dated or had a romantic or sexual relationship. (Added to NRS by 2019, 227)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.230 - Lawful resistance to commission of public offense: Who may make.

Lawful resistance to the commission of a public offense may be made: 1. By the party about to be injured. 2. By other parties. (Added to NRS by 1967, 1469)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.240 - Resistance by party about to be injured.

Resistance sufficient to prevent the offense may be made by the party about to be injured: 1. To prevent an offense against his or her person, family or some member of his or her family. 2. To prevent an illegal attempt, by force, to take or injure property in his or her lawful possession. (Added to NRS by 1967, 1469)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.250 - Resistance by other persons.

Any other person, in aid or defense of a person about to be injured, may make resistance sufficient to prevent the offense. (Added to NRS by 1967, 1469)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.260 - Persons acting by command of officers of justice.

Whenever the officers of justice are authorized to act in the prevention of public offenses, other persons, who by their command act in their aid, are justified in so doing. (Added to NRS by 1967, 1469)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.270 - Acts punishable under foreign law.

An act or omission punishable as a crime in this state is not less so because it is also punishable under the laws of another state, government or country, unless the contrary is expressly declared in the law relating thereto. [1911 C&P § 39; RL § 6304; NCL § 9988]—(Substituted in revision for NRS 208.010)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.280 - Defendant allowed to introduce in evidence foreign acquittal.

Whenever, upon the trial of any person for a crime, it appears that the offense was committed in another state or country, under such circumstances that the courts of this state had jurisdiction thereof, and that the defendant has already been acquitted upon the merits, upon a criminal prosecution under the laws of such state or country, founded upon the act or omission with respect to which the defendant is upon trial, such former acquittal may be introduced in evidence by the defendant in the trial. [1911 C&P § 14; RL § 6279; NCL § 9963]—(NRS A 2009, 2734)—(Substituted in revision for NRS 208.020)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.290 - Conviction or acquittal in other county is sufficient defense.

Whenever, upon the trial of any person for a crime, it shall appear that the defendant has already been acquitted or convicted upon the merits, of the same crime, in a court having jurisdiction of such offense in another county of this state, such former acquittal or conviction is a sufficient defense. [1911 C&P § 15; RL § 6280; NCL § 9964]—(Substituted in revision for NRS 208.030)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.300 - Punishment for contempt.

A criminal act which at the same time constitutes contempt of court, and has been punished as such, may also be punished as a crime, but in such case the punishment for contempt may be considered in mitigation. [1911 C&P § 40; RL § 6305; NCL § 9989]—(Substituted in revision for NRS 208.040)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.301 - Omission to perform duty: When not punishable.

No person shall be punished for an omission to perform an act when such act has been performed by another acting in the person's behalf and competent to perform it. [1911 C&P § 16; RL § 6281; NCL § 9965]—(Substituted in revision for NRS 193.320)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.3015 - Definitions.

As used in NRS 193.3015 to 193.309, inclusive, unless the context otherwise required, the words and terms used in NRS 193.302,

193.3025 and 193.303 have the meanings ascribed to them in those sections. (Supplied in revision)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.302 - "Chemical agent" defined.

"Chemical agent" means any chemical which can rapidly produce sensory irritation or disabling physical effects in humans, which disappear within a short time following termination of exposure. The term includes, without limitation, items commonly referred to as tear gas, pepper spray, pepper balls and oleoresin capsicum. (Added to NRS by 2021, 2639)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.3025 - "Peace officer" defined.

"Peace officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive. (Supplied in revision)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.303 - "Physical force" defined.

"Physical force" means the application of physical techniques, chemical agents or weapons to another person. (Supplied in revision)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.304 - Prohibition against use of deadly force.

In carrying out his or her duties, a peace officer shall not use deadly force against a person based on the danger that the person poses to himself or herself, if a reasonable peace officer would believe that the person does not pose an imminent threat of death or serious bodily harm to the peace officer or another person. (Added to NRS by 2021, 2639)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.305 - Prohibited acts relating to choke holds and compressing the airway or restricting the breath of a person; requirement to ensure medical aid rendered to certain persons.

1. In carrying out his or her duties, a peace officer shall not use a choke hold on another person. 2. A peace officer shall not place a person who is in the custody of the peace officer in any position which compresses his or her airway or restricts his or her ability to breathe. A peace officer shall monitor any person who is in the custody of the peace officer for any signs of distress and shall take any actions necessary to place such a person in a recovery position if he or she appears to be in distress or indicates that he or she cannot breathe. 3. If a person who is in the custody of a peace officer indicates that he or she cannot breathe, the peace officer shall ensure that medical aid is rendered to the person by an emergency medical attendant, physician, physician assistant or registered nurse as soon as practicable. 4. If a peace officer, in carrying out his or her duties, uses physical force on another person, the peace officer shall ensure that medical aid is rendered to any person who is injured by the use of such physical force as soon as practicable. 5. As used in this section: (a) "Choke hold" means: (1) A method by which a person applies sufficient pressure to another person to make breathing difficult or impossible, including, without limitation, any pressure to the neck, throat or windpipe that may prevent or hinder breathing or reduce intake of air; or (2) Applying pressure to a person's neck on either side of the windpipe, but not the windpipe itself, to stop the flow of blood to the brain via the carotid arteries. (b) "Emergency medical attendant" means a person licensed as an attendant or certified as an emergency medical technician, advanced emergency medical technician or paramedic pursuant to chapter 450B of NRS. (Added to NRS by 2020, 32nd Special Session, 70; A 2023, 2674)—(Substituted in revision for NRS 193.350)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.306 - Prohibited acts and duties relating to restraint chairs.

1. In carrying out his or her duties, a peace officer shall use a restraint chair on another person only if: (a) The person resists an order of a peace officer in a physically violent or life-threatening manner; (b) A supervising peace officer who has attained the rank of sergeant or higher authorizes the use of a restraint chair; (c) The peace officer informs a member of the medical staff that a restraint chair will be used; (d) A member of the medical staff conducts a medical evaluation of the person immediately before and immediately after the person is placed in the restraint chair; and (e) The law enforcement agency that employs the peace officer creates and maintains a video recording of the incident involving the use of the restraint chair. A peace officer shall not threaten a person with the use of a restraint chair unless the person is resisting an order of the peace officer in a physically violent or life-threatening manner. 2. After a person is placed in a restraint chair: (a) A peace officer shall visually observe the person in the restraint chair until both medical evaluations of the person have been completed pursuant to subsection 1 and at least once every 15 minutes thereafter; (b) If the person in the restraint chair appears to be in distress or indicates that he or she is in distress or requires medical aid, a peace officer shall ensure that medical aid is rendered to the person as soon as practicable; (c) A supervising peace officer who has attained the rank of sergeant or higher shall evaluate whether it is necessary for the person to remain in the restraint chair at least once every 30 minutes after the person has been placed in the restraint chair; (d) The person must not be restrained in the restraint chair for more than 2 hours unless a supervising peace officer who has attained the rank of sergeant or higher approves the use of a restraint chair for more than 2 hours and such use complies with the policy adopted pursuant to this subsection; and (e) The law enforcement agency that employs the peace officer who used the restraint chair shall create and maintain a record of the incident which includes, without limitation: (1) The period for which the person was restrained in the restraint chair; and (2) A description of any injuries sustained by the person as a result of the use of the restraint chair. Each law enforcement agency shall adopt a written policy that establishes the circumstances under which a person may be restrained in a restraint chair for more than 2

hours. 3. A restraint chair must not be used to restrain a person who is pregnant. 4. The provisions of subsections 1, 2 and 3 do not apply to mechanical restraint used pursuant to NRS 433.545 to 433.551, inclusive. As used in this subsection, "mechanical restraint" has the meaning ascribed to it in NRS 433.547. 5. As used in this section, "restraint chair" means a chair that secures a person in an upright sitting position by restricting the movement of the arms, legs and torso of the person. (Added to NRS by 2021, 2639)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.307 - Prohibited acts relating to protests and demonstrations.

1. A peace officer shall not, in response to a protest or demonstration: (a) Discharge a kinetic energy projectile indiscriminately into a crowd or in a manner that intentionally targets the head, pelvis or spine or any other vital area of the body of a person unless the person poses an immediate threat of physical harm or death to the peace officer or others; or (b) Use a chemical agent without first declaring that the protest or demonstration constitutes an unlawful assembly and providing to the persons who are present at the protest or demonstration: (1) Except as otherwise provided in this paragraph, at least three orders to disperse, given in a manner that each order may be heard by those persons, including, without limitation, issuing the order from multiple locations and issuing the order in multiple languages; (2) An egress route from the area where the protest or demonstration is occurring; and (3) A reasonable amount of time to disperse from the area where the protest or demonstration is occurring. If there is an immediate threat of physical harm or death to a person, then no order to disperse must be provided. If there is an immediate threat of harm to property, then only one order to disperse must be provided. 2. As used in this section, "kinetic energy projectile" means any type of device designed to be nonlethal or less lethal than standard ammunition and to be launched from any device as a projectile that may cause bodily injury through the transfer of kinetic energy and blunt force trauma. The term includes, without limitation, items commonly referred to as rubber bullets, plastic bullets, beanbag rounds and foam-tipped plastic rounds. (Added to NRS by 2021, 2639)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.308 - Duty of another peace officer to intervene to prevent or stop unjustified use of physical force; duty to report observation of unjustified use of physical force; retaliation prohibited; training required.

1. Except as otherwise provided in this subsection, a peace officer shall, without regard for chain of command, intervene to prevent or stop another peace officer from using physical force that is not justified in pursuance of the other peace officer's law enforcement duties in carrying out the arrest of a person, placing a person under detention, taking a person into custody or booking a person. The duty to intervene in the use of physical force that is not justified as required by this subsection only applies if: (a) A peace officer observes the use of physical force that is not justified or reasonably should have observed the use of physical force that is not justified; and (b) The circumstances are such that it is safe for the peace officer to intervene. 2. If a peace officer who observes the use of physical force that is not justified is a supervisor of the peace officer who is using such physical force, the peace officer making the observation shall issue a direct order to stop the use of such physical force. 3. A peace officer who observes the use of physical force that is not justified shall report the observation to his or her immediate supervisor unless the observation involves his or her immediate supervisor, in which case the peace officer shall report the observation to the supervisor of his or her immediate supervisor. Such a report must: (a) Include, without limitation: (1) The date, time and location of the incident; (2) The identity, if known, and a description of the participants; and (3) A description of the actions taken as a result of the observation. (b) Be made in writing not later than 10 days after the occurrence of the use of physical force and observation and appended to all other reports of the incident. 4. A member of a law enforcement agency shall not discipline or retaliate in any way against a peace officer solely for: (a) Intervening in the use of physical force that is not justified as required by subsection 1; or (b) Reporting the observation of the use of physical force that is not justified as required by subsection 3. 5. Each law enforcement agency in this State shall train its peace officers on the provisions of this section. (Added to NRS by 2020, 32nd Special Session, 70)—(Substituted in revision for NRS 193.355)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.309 - Duties of law enforcement agencies, the Central Repository for Nevada Records of Criminal History and Attorney General relating to use-of-force data. [Effective on the date that the Director of the Department of Public Safety determines that there is sufficient funding to carry out the provisions of this section.]

1. Each law enforcement agency shall annually make available to the public and on a monthly basis submit to the Central Repository a report that includes, without limitation, a compilation of statistics relating to incidents involving the use of force that occurred during the immediately preceding calendar year, or month, as applicable, including, without limitation: (a) The number of complaints against peace officers employed by the law enforcement agency relating to the use of force and the number of such complaints that were substantiated; and (b) A compilation of statistics relating to incidents involving the use of force that, for each incident, includes, without limitation, all information collected by the National Use-of-Force Data Collection of the Federal Bureau of Investigation. 2. Each law enforcement agency shall submit the report required pursuant to subsection 1 in a manner approved by the Director of the Department of Public Safety and in accordance with the policies, procedures and definitions of the Department. 3. The Central Repository shall make the use-of-force data submitted by each law enforcement agency pursuant to subsection 1 available for access by the public on the Internet website of the Central Repository. 4. The Central Repository may accept gifts, grants and donations from any source for the purpose of carrying out the provisions of this section. 5. To the extent of legislative appropriation, the Office of the Attorney General shall: (a) Review the use-of-force data that is publicly available on the Internet

website of the Central Repository; (b) Prepare a report containing any conclusions or recommendations resulting from its review; and (c) On or before December 1 of each year, submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature the report prepared pursuant to paragraph (b). 6. Each law enforcement agency in this State shall participate in the National Use-of-Force Data Collection of the Federal Bureau of Investigation. 7. Information collected pursuant to this section must not be introduced into evidence or otherwise used in any way against a peace officer during a criminal proceeding. 8. As used in this section: (a) "Central Repository" means the Central Repository for Nevada Records of Criminal History. (b) "Law enforcement agency" means: (1) The sheriff's office of a county; (2) A metropolitan police department; (3) A police department of an incorporated city; (4) The Department of Corrections; (5) The police department for the Nevada System of Higher Education; (6) Any political subdivision of this State employing park rangers to enforce laws within its jurisdiction; or (7) Any political subdivision of this State which has as its primary duty the enforcement of law and which employs peace officers to fulfill its duty. (Added to NRS by 2021, 2638, effective on the date that the Director of the Department of Public Safety determines that there is sufficient funding to carry out the provisions of this section)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.310 - Sending letters: When offense deemed complete; venue.

Whenever any statute makes the sending of a letter criminal, the offense shall be deemed complete from the time it is deposited in any post office or other place, or delivered to any person with intent that it shall be forwarded; and the sender may be proceeded against in the county wherein it was so deposited or delivered, or in which it was received by the person to whom it was addressed. [1911 C&P § 42; RL § 6307; NCL § 9991]—(Substituted in revision for NRS 208.050)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.320 - Omission to perform duty: When not punishable.

[Replaced in revision by NRS 193.301.]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.330 - Punishment for attempts.

[Replaced in revision by NRS 193.153.]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.340 - Required disclosure of certain information by provider of Internet service; penalty; issuance and enforcement of administrative subpoena; fee for information.

1. A provider of Internet service who violates the provisions of 18 U.S.C. § 2703 is guilty of a misdemeanor and shall be punished by a fine of not less than \$50 or more than \$500 for each violation. 2. In investigating criminal activity that involves or may involve the use of a computer, the Attorney General, a district attorney, the sheriff of any county in this State, the head of any organized police department of any municipality in this State, the head of any department of this State engaged in the enforcement of any criminal law of this State and any sheriff or chief of police of a municipality may, if there is reasonable cause to believe that an individual subscriber or customer of a provider of Internet service has committed an offense through the use of the services of the provider of Internet service, issue a subpoena to carry out the procedure set forth in 18 U.S.C. § 2703 to compel the provider of Internet service to provide information concerning the individual subscriber or customer that the provider of Internet service is required to disclose pursuant to 18 U.S.C. § 2703. 3. If a person who has been issued a subpoena pursuant to subsection 2 charges a fee for providing the information, the fee must not exceed the actual cost for providing the information. 4. If a person who has been issued a subpoena pursuant to subsection 2 refuses to produce any information that the subpoena requires, the person who issued the subpoena may apply to the district court for the judicial district in which the investigation is being carried out for the enforcement of the subpoena in the manner provided by law for the enforcement of a subpoena in a civil action. 5. As used in this section, "provider of Internet service" has the meaning ascribed to it in NRS 205.4758, but does not include a public library when it is engaged in providing access to the Internet. (Added to NRS by 2001, 2784; A 2003, 429)

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.350 - Use of force by peace officer: Prohibited acts; requirement to ensure medical aid rendered to person injured.

[Replaced in revision by NRS 193.305.]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.355 - Use of force by peace officer: Duty of another peace officer to intervene to prevent or stop unjustified use of physical force; duty to report observation of unjustified use of physical force; retaliation prohibited; training required.

[Replaced in revision by NRS 193.308.]

2024 Nevada Revised Statutes Chapter 193 - Criminality Generally NRS 193.360 - Duty of state and local law enforcement agencies to submit data relating to crimes manifesting evidence of prejudice based on race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression; limitation on use of data.

1. Each state or local law enforcement agency in this State shall submit on a monthly basis a record of all crimes that manifest

evidence of prejudice based on race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression, including, without limitation, the basis on which any such crime occurred, to the Central Repository for Nevada Records of Criminal History, in accordance with the guidelines adopted by the Director of the Department of Public Safety pursuant to subsection 2 of NRS 179A.175. 2. Data acquired pursuant to this section must be used only for research or statistical purposes and must not contain any information that may reveal the identity of an individual victim of a crime. (Added to NRS by 2021, 236)

Title: chapter-194

2024 Nevada Revised Statutes Chapter 194 - Persons Liable to Punishment for Crime NRS 194.010 - Persons capable of committing crimes.

All persons are liable to punishment except those belonging to the following classes: 1. Children under the age of 8 years. 2. Children between the ages of 8 years and 10 years, unless the child is charged with murder or a sexual offense as defined in NRS 62F.100. 3. Children between the ages of 8 years and 14 years, in the absence of clear proof that at the time of committing the act charged against them they knew its wrongfulness. 4. Persons who committed the act charged or made the omission charged in a state of insanity. 5. Persons who committed the act or made the omission charged under an ignorance or mistake of fact, which disproves any criminal intent, where a specific intent is required to constitute the offense. 6. Persons who committed the act charged without being conscious thereof. 7. Persons who committed the act or made the omission charged, through misfortune or by accident, when it appears that there was no evil design, intention or culpable negligence. 8. Persons, unless the crime is punishable with death, who committed the act or made the omission charged under threats or menaces sufficient to show that they had reasonable cause to believe, and did believe, their lives would be endangered if they refused, or that they would suffer great bodily harm. [1911 C&P § 3; RL § 6268; NCL § 9952]—(NRS A 1979, 145; 1981, 1660; 1995, 2467; 2001 Special Session, 136; 2003, 1480; 2015, 787)

2024 Nevada Revised Statutes Chapter 194 - Persons Liable to Punishment for Crime NRS 194.020 - Persons liable to punishment.

The following persons, except as provided in NRS 194.010, are liable to punishment: 1. A person who commits in the State any crime, in whole or in part. 2. A person who commits out of the State any act which, if committed within it, would be larceny, and is afterward found in the State with any of the stolen property. 3. A person who, being out of the State, counsels, causes, procures, aids or abets another to commit a crime in this State. 4. A person who, being out of the State, abducts or kidnaps, by force or fraud, any person, contrary to the laws of the place where the act is committed, and brings, sends or conveys such person into this State. 5. A person who commits an act without the State which affects persons or property within the State, or the public health, morals or decency of the State, which, if committed within the State, would be a crime. [1911 C&P § 2; RL § 6267; NCL § 9951]

2024 Nevada Revised Statutes Chapter 194 - Persons Liable to Punishment for Crime NRS 194.040 - Jurisdiction of State over public offenses committed by or against Indians in areas of Indian country.

In accordance with the provisions of NRS 41.430, jurisdiction over public offenses committed by or against Indians in the areas of Indian country in Nevada is assumed by the State of Nevada. [Part 1:198:1955] + [Part 2:198:1955] + [Part 3:198:1955]

Title: chapter-195

2024 Nevada Revised Statutes Chapter 195 - Parties to Crimes NRS 195.010 - Classification of parties to crimes.

Parties to crimes are classified as: 1. Principals; and 2. Accessories. [1911 C&P § 8; RL § 6273; NCL § 9957]

2024 Nevada Revised Statutes Chapter 195 - Parties to Crimes NRS 195.020 - Principals.

Every person concerned in the commission of a felony, gross misdemeanor or misdemeanor, whether the person directly commits the act constituting the offense, or aids or abets in its commission, and whether present or absent; and every person who, directly or indirectly, counsels, encourages, hires, commands, induces or otherwise procures another to commit a felony, gross misdemeanor or misdemeanor is a principal, and shall be proceeded against and punished as such. The fact that the person aided, abetted, counseled, encouraged, hired, commanded, induced or procured, could not or did not entertain a criminal intent shall not be a defense to any person aiding, abetting, counseling, encouraging, hiring, commanding, inducing or procuring him or her. [1911 C&P § 9; RL § 6274; NCL § 9958]

2024 Nevada Revised Statutes Chapter 195 - Parties to Crimes NRS 195.030 - Accessories.

1. Every person who is not the spouse or domestic partner of the offender and who, after the commission of a felony, destroys or conceals, or aids in the destruction or concealment of, material evidence, or harbors or conceals such offender with intent that the offender may avoid or escape from arrest, trial, conviction or punishment, having knowledge that such offender has committed a felony or is liable to arrest, is an accessory to the felony. 2. Every person who is not the spouse, domestic partner, brother or sister, parent or grandparent, child or grandchild of the offender, who, after the commission of a gross misdemeanor, harbors, conceals or aids such offender with intent that the offender may avoid or escape from arrest, trial, conviction or punishment, having knowledge

that such offender has committed a gross misdemeanor or is liable to arrest, is an accessory to the gross misdemeanor. 3. As used in this section, "domestic partner" means a person who is in a domestic partnership that is registered or recognized pursuant to chapter 122A of NRS, and that has not been terminated pursuant to that chapter. [1911 C&P § 10; RL § 6275; NCL § 9959]—(NRS A 1959, 294; 2013, 1381; 2017, 294)

2024 Nevada Revised Statutes Chapter 195 - Parties to Crimes NRS 195.040 - Trial and punishment of accessories.

1. An accessory to a felony may be indicted, tried and convicted either in the county where he or she became an accessory, or where the principal felony was committed, whether the principal offender has or has not been convicted, or is or is not amenable to justice, or has been pardoned or otherwise discharged after conviction. Except as otherwise provided in this subsection and except where a different punishment is specially provided by law, the accessory is guilty of a category C felony and shall be punished as provided in NRS 193.130. An accessory to a felony who is the brother or sister, parent or grandparent, child or grandchild of the principal offender and who is an accessory to a felony pursuant to subsection 1 of NRS 195.030 is guilty of a gross misdemeanor. 2. An accessory to a gross misdemeanor may be indicted, tried and convicted in the manner provided for an accessory to a felony and, except where a different punishment is specially provided by law, shall be punished by imprisonment in the county jail for not less than 30 days nor more than 6 months, or by a fine of not less than \$100 nor more than \$500, or by both fine and imprisonment. [1911 C&P § 11; RL § 6276; NCL § 9960]—(NRS A 1959, 294; 1995, 1169; 2013, 1382)

Title: chapter-196

2024 Nevada Revised Statutes Chapter 196 - Crimes Against the Sovereignty of This State NRS 196.010 - Treason.

1. Treason against the people of the State consists in: (a) Levying war against the people of the State; (b) Adhering to its enemies; or (c) Giving them aid and comfort. 2. Treason is a category B felony and is punishable by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years. 3. A person must not be convicted for treason unless upon the testimony of two witnesses to the same overt act or by confession in open court. [1911 C&P § 43; RL § 6308; NCL § 9992]—(NRS A 1967, 459; 1973, 1803; 1995, 1170)

2024 Nevada Revised Statutes Chapter 196 - Crimes Against the Sovereignty of This State NRS 196.020 - "Levying war" defined.

To constitute levying war against the State an actual act of war must be committed. To conspire to levy war is not enough. When persons arise in insurrection with intent to prevent, in general, by force and intimidation, the execution of a statute of this state, or to force its repeal, they shall be guilty of levying war. But an endeavor, although by numbers and force of arms, to resist the execution of a law in a single instance, and for a private purpose, is not levying war. [1911 C&P § 44; RL § 6309; NCL § 9993]

2024 Nevada Revised Statutes Chapter 196 - Crimes Against the Sovereignty of This State NRS 196.030 - Misprision of treason.

A person who has knowledge of the commission of treason, who conceals the crime, and does not, as soon as may be, disclose the treason to the Governor or a justice of the Supreme Court or a judge of the Court of Appeals or the district court, is guilty of misprision of treason which is a category C felony and shall be punished as provided in NRS 193.130. [1911 C&P § 45; RL § 6310; NCL § 9994]—(NRS A 1967, 460; 1979, 1417; 1995, 1170; 2013, 1763)

Title: chapter-197

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.010 - Bribery of executive or administrative officer.

A person who gives, offers or promises, directly or indirectly, any compensation, gratuity or reward to any executive or administrative officer of the State, with the intent to influence the officer with respect to any act, decision, vote, opinion or other proceeding, as such officer, is guilty of a category C felony and shall be punished as provided in NRS 193.130. [Part 1911 C&P § 46; RL § 6311; NCL § 9995]—(NRS A 1967, 460; 1979, 1417; 1995, 1170)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.020 - Bribery of other public officers.

A person who gives, offers or promises, directly or indirectly, any compensation, gratuity or reward to a person executing any of the functions of a public officer other than as specified in NRS 197.010, 199.010 and 218A.960, with the intent to influence the person with respect to any act, decision, vote or other proceeding in the exercise of his or her powers or functions, is guilty of a category C felony and shall be punished as provided in NRS 193.130. [Part 1911 C&P § 46; RL § 6311; NCL § 9995]—(NRS A 1967, 460; 1979, 1417; 1995, 1170)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.030 - Asking or receiving bribe by executive or administrative officer.

An executive or administrative officer or person elected or appointed to an executive or administrative office who asks or receives, directly or indirectly, any compensation, gratuity or reward, or any promise thereof, upon an agreement or understanding that his or her vote, opinion or action upon any matter then pending, or which may by law be brought before him or her in an official capacity, will be influenced thereby, is guilty of a category C felony and shall be punished as provided in NRS 193.130. [Part 1911 C&P § 47; RL § 6312; NCL § 9996]—(NRS A 1967, 460; 1979, 1418; 1995, 1170)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.040 - Asking or receiving bribe by public officer or employee.

A person who executes any of the functions of a public office not specified in NRS 197.030, 199.020 or 218A.965, and a person employed by or acting for the State or for any public officer in the business of the State, who asks or receives, directly or indirectly, any compensation, gratuity or reward, or any promise thereof, upon an agreement or understanding that his or her vote, opinion, judgment, action, decision or other official proceeding will be influenced thereby, or that he or she will do or omit any act or proceeding or in any way neglect or violate any official duty, is guilty of a category C felony and shall be punished as provided in NRS 193.130. [Part 1911 C&P § 47; RL § 6312; NCL § 9996]—(NRS A 1967, 460; 1979, 1418; 1995, 1171)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.050 - Rebate or division of salary unlawful.

1. It is unlawful for any state, county or municipal officer to offer or agree to appoint, or for any person whatever to offer to procure, or to offer to aid in procuring, the appointment of any deputy officer or attache of the state, county or municipal government of this state, for any consideration contemplating any division or rebate of the salary of the deputy or attache during his or her term of office, or for any monetary or other valuable consideration whatsoever, or, after such an appointment is made, to receive or to accept any portion of the salary of the deputy or attache, or to receive any money or other valuable reward whatsoever, as a consideration for retaining the deputy or attache, or as a consideration for procuring, or for aid in obtaining the procuring of, the retention of the deputy or attache in any position to which the deputy or attache may be or has been appointed, or for any purpose whatsoever except in payment of a bona fide debt as provided in NRS 197.070. 2. A person who violates any of the provisions of subsection 1 commits bribery which is a category D felony and shall be punished as provided in NRS 193.130. [1911 C&P § 48; RL § 6313; NCL § 9997] + [Part 1911 C&P § 51; RL § 6316; NCL § 10000]—(NRS A 1967, 461; 1995, 1171)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.060 - Unlawful to agree to divide salary.

1. It is unlawful for any deputy officer or attache of the state, county or municipal government of this state to rebate, refund, pay or divide, to or with his or her principal or to or with any person whatever, any part or portion of his or her salary or compensation now fixed, or that may hereafter be fixed or established, by law, as a consideration either for the making or for the procuring of such an appointment, or for aid in procuring the same, or for the retention, or for the procuring or aid in procuring the retention, of such an appointment as deputy or attache, or to make any division or payment out of his or her salary to this end, except in payment of a bona fide debt as provided in NRS 197.070. 2. A person who violates any of the provisions of subsection 1 commits bribery which is a category D felony and shall be punished as provided in NRS 193.130. [1911 C&P § 49; RL § 6314; NCL § 9998] + [Part 1911 C&P § 51; RL § 6316; NCL § 10000]—(NRS A 1967, 461; 1995, 1171)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.070 - Payment of bona fide debt by deputy or attache.

Nothing in NRS 197.050 and 197.060 shall be construed to relieve any deputy officer or attache from the payment of a bona fide debt, contracted for value received, for which a civil action would lie in a court of law, or to prevent such deputy officer or attache from paying the same out of his or her salary. [1911 C&P § 50; RL § 6315; NCL § 9999]

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.080 - Offering reward for appointment.

Every person who shall give, offer or promise, directly or indirectly, any compensation, gratuity or reward, in consideration that the person or another person shall be appointed to a public office or to a clerkship, deputation or other subordinate position in such office, or that the person or any other person shall be permitted to exercise, perform or discharge any prerogative or duty or receive any emolument of such office, shall be guilty of a gross misdemeanor. [1911 C&P § 52; RL § 6317; NCL § 10001]

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.090 - Interfering with public officer.

Except under circumstances where a greater penalty is provided in NRS 200.481, any person who, by means of any threat, force or violence, attempts to deter or prevent any executive or administrative officer from performing any duty imposed upon the officer by law, or who knowingly resists by force or violence any executive or administrative officer in the performance of the officer's duty, is guilty of a gross misdemeanor. [1911 C&P § 64; RL § 6329; NCL § 10013]—(NRS A 1981, 11)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.100 - Influencing public officer.

1. Every person who shall ask or receive any compensation, gratuity or reward, or any promise thereof: (a) Upon the representation that the person can, directly or indirectly, or in consideration that the person shall, or shall attempt to, directly or indirectly, influence any public officer, whether executive, administrative, judicial or legislative, to refuse, neglect, or defer the performance of any official duty; (b) The right to retain or receive which shall be conditioned that such person shall, directly or indirectly, successfully influence by any means whatever any executive, administrative or legislative officer, in respect to any act, decision, vote, opinion or other proceeding, as such officer; or (c) Upon the representation that the person can, directly or indirectly, or in consideration that the person shall, or shall attempt to, directly or indirectly, influence any public officer, whether executive, administrative, judicial or legislative, in respect to any act, decision, vote, opinion or other proceeding, as such officer, unless it be clearly understood and agreed in good faith between the parties thereto, on both sides, that no means or influence shall be employed except explanation and argument upon the merits, shall be guilty of a gross misdemeanor. 2. In any prosecution under paragraph (c) of subsection 1, evidence of the means actually employed to influence such officer shall be admitted as proof of the means originally contemplated by the defendant. [1911 C&P § 65; RL § 6330; NCL § 10014]

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.110 - Misconduct of public officer.

Every public officer who: 1. Asks or receives, directly or indirectly, any compensation, gratuity or reward, or promise thereof, for omitting or deferring the performance of any official duty or for any official service which has not been actually rendered, except in case of charges for prospective costs or fees demandable in advance in a case allowed by law; or 2. Employs or uses any person, money or property under the public officer's official control or direction, or in the public officer's official custody, for the private benefit or gain of the public officer or another, is guilty of a category E felony and shall be punished as provided in NRS 193.130. [1911 C&P § 66; RL § 6331; NCL § 10015]—(NRS A 1987, 1461; 1999, 2747)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.120 - False impersonation of public officer; intrusion into and refusal to surrender public office.

Every person who shall falsely personate or represent any public officer, or who shall willfully intrude into a public office to which the person has not been duly elected or appointed, or who shall willfully exercise any of the functions or perform any of the duties of such officer, without having duly qualified therefor, as required by law, or who, having been an executive or administrative officer, shall willfully exercise any of the functions of office after his or her right to do so has ceased, or wrongfully refuse to surrender the official seal or any books or papers appertaining to such office, upon the demand of his or her lawful successor, shall be guilty of a gross misdemeanor. [1911 C&P § 67; RL § 6332; NCL § 10016]

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.130 - False report by public officer.

Every public officer who shall knowingly make any false or misleading statement in any official report or statement, under circumstances not otherwise prohibited by law, shall be guilty of a gross misdemeanor. [1911 C&P § 84; RL § 6349; NCL § 10033]

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.140 - Public officer making false certificate.

Every public officer who, being authorized by law to make or give a certificate or other writing, shall knowingly make and deliver as true such a certificate or writing containing any statement which the public officer knows to be false, in a case where the punishment thereof is not expressly prescribed by law, shall be guilty of a gross misdemeanor. [1911 C&P § 110; RL § 6375; NCL § 10059]

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.150 - Falsely auditing or paying claim.

A public officer, or person holding or discharging the duties of any public office or place of trust under the State or in any county, town or city, a part of whose duty it is to audit, allow or pay, or take part in auditing, allowing or paying claims or demands upon the State or a county, town or city, who knowingly audits, allows or pays, or directly or indirectly consents to or in any way connives in the audit, allowance or payment of any claim or demand against the State, county, town or city, which is false or fraudulent or contains any charge, item or claim which is false or fraudulent, shall be punished: 1. Where the amount of the false or fraudulent charge, claim, item or demand is \$650 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. Where the amount of the fraudulent charge, claim, item or demand is less than \$650, for a misdemeanor. [1911 C&P § 111; RL § 6376; NCL § 10060]—(NRS A 1967, 461; 1979, 1418; 1989, 1430; 1995, 1172; 2011, 158)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.160 -

Fraudulently presenting claim to public officer.

Every person who, with the intent to defraud, shall knowingly present for audit, allowance or payment to any officer or board of the State or of any county, city, town, school or other district authorized to audit, allow or pay bills, claims or charges, any false or fraudulent claim, account, writing or voucher or any bill, account or demand containing false or fraudulent charges, items or claims, shall be guilty of a gross misdemeanor. [1911 C&P § 450; RL § 6715; NCL § 10403]—(NRS A 1965, 361)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.170 - Extortion by public officer or employee.

A public officer or employee who: 1. Asks, receives or agrees to receive a fee or other compensation for official service or employment either: (a) In excess of the fee or compensation allowed by statute therefor; or (b) Where a fee or compensation is not allowed by statute therefor; or 2. Requests money, property or anything of value which is not authorized by law, from any person regulated by the public officer or employee, and in a manner which would cause a reasonable person to be intimidated into complying with the request to avoid the risk of adverse action by the public officer or employee, commits extortion which is a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. [1911 C&P § 473; RL § 6738; NCL § 10422]—(NRS A 1967, 462; 1979, 1418; 1995, 1172; 1999, 2747)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.180 - Wrongful exercise of official power.

Any person who willfully takes upon himself or herself to exercise or officiate in any office or place of another, without being lawfully authorized thereto, is guilty of a gross misdemeanor. [1911 C&P § 539; RL § 6804; NCL § 10485]—(NRS A 1967, 462)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.190 - Obstructing public officer.

Every person who, after due notice, shall refuse or neglect to make or furnish any statement, report or information lawfully required of the person by any public officer, or who, in such statement, report or information shall make any willfully untrue, misleading or exaggerated statement, or who shall willfully hinder, delay or obstruct any public officer in the discharge of official powers or duties, shall, where no other provision of law applies, be guilty of a misdemeanor. [1911 C&P § 540; RL § 6805; NCL § 10486]

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.200 - Oppression under color of office.

1. An officer, or a person pretending to be an officer, who unlawfully and maliciously, under pretense or color of official authority: (a) Arrests or detains a person against the person's will; (b) Seizes or levies upon another's property; (c) Dispossesses another of any lands or tenements; or (d) Does any act whereby the person, property or rights of another person are injured, commits oppression. 2. An officer or person committing oppression shall be punished: (a) Where physical force or the immediate threat of physical force is used, for a category D felony as provided in NRS 193.130. (b) Where no physical force or immediate threat of physical force is used, for a gross misdemeanor. [1911 C&P § 541; RL § 6806; NCL § 10487]—(NRS A 1967, 462; 1995, 1172)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.210 - Fraudulent appropriation of property.

An officer who fraudulently appropriates to his or her own use or to the use of another person, or secretes with the intent to appropriate to such a use, any money, evidence of debt or other property entrusted to the officer by virtue of his or her office, shall be punished: 1. Where the amount of the money or the actual value of the property fraudulently appropriated or secreted with the intent to appropriate is \$650 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. Where the amount of the money or the actual value of the property fraudulently appropriated or secreted with the intent to appropriate is less than \$650, for a misdemeanor. [Part 1911 C&P § 80; RL § 6345; NCL § 10029]—(NRS A 1967, 462; 1979, 1419; 1989, 1431; 1995, 1173; 2011, 158)

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.220 - Other violations by officers.

Every public officer or other person who shall willfully disobey any provision of law regulating his or her official conduct in cases for which no other punishment is provided shall be guilty of a misdemeanor. [1911 C&P § 563; RL § 6828; NCL § 10508]

2024 Nevada Revised Statutes Chapter 197 - Crimes By and Against the Executive Power of This State NRS 197.230 - Conviction of public officer forfeits trust.

The conviction of a public officer of any felony or malfeasance in office shall entail, in addition to such other penalty as may be imposed, the forfeiture of his or her office, and shall disqualify the public officer from ever afterward holding any public office in this State. [1911 C&P § 22; RL § 6287; NCL § 9971]

Title: chapter-198

2024 Nevada Revised Statutes Chapter 198 - Crimes Against the Legislative Power NRS 198.010 - Improperly influencing member of legislative body.

Every person who obtains or seeks to obtain money or other thing of value from another person upon a pretense, claim or representation that the person can or will improperly influence in any manner the action of any member of a legislative body in regard to any vote or legislative action, is guilty of a gross misdemeanor. [1911 C&P § 53; RL § 6318; NCL § 10002]—(NRS A 1967, 463)

Title: chapter-199

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.010 - Bribery of judicial officer.

A person who gives, offers or promises, directly or indirectly, any compensation, gratuity or reward to a judicial officer, juror, referee, arbitrator, appraiser, assessor or other person authorized by law to hear or determine any question, matter, cause, proceeding or controversy, with the intent to influence his or her action, vote, opinion or decision thereupon, is guilty of a category C felony and shall be punished as provided in NRS 193.130. [Part 1911 C&P § 46; RL § 6311; NCL § 9995]—(NRS A 1967, 463; 1979, 1419; 1995, 1173)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.020 - Judicial officer who asks for or receives bribe.

A judicial officer who asks or receives, directly or indirectly, any compensation, gratuity or reward, or any promise thereof, upon an agreement or understanding that his or her vote, opinion, judgment, action, decision or other official proceeding will be influenced thereby, or that the judicial officer will do or omit any act or proceeding or in any way neglect or violate any official duty, is guilty of a category C felony and shall be punished as provided in NRS 193.130. [Part 1911 C&P § 47; RL § 6312; NCL § 9996]—(NRS A 1967, 463; 1979, 1419; 1995, 1173)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.030 - Jurors and others accepting bribes.

A juror, referee, arbitrator, appraiser, assessor or other person authorized by law to hear or determine any question, matter, cause, controversy or proceeding, who asks or receives, directly or indirectly, any compensation, gratuity or reward, or any promise thereof, upon an agreement or understanding that his or her vote, opinion, action, judgment or decision will be influenced thereby, is guilty of a category C felony and shall be punished as provided in NRS 193.130. [1911 C&P § 55; RL § 6320; NCL § 10004]—(NRS A 1967, 463; 1979, 1419; 1995, 1173)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.040 - Influencing juror, arbitrator, referee or prospective juror.

Every person who shall influence, or attempt to influence, improperly, in their respective capacities as such, a juror or any person drawn or summoned as a prospective juror in a civil or criminal action or any proceeding, or any person chosen or appointed as an arbitrator or referee, in respect to his or her verdict, judgment, report, award or decision in any cause or matter pending or about to be brought before him or her, or which may prospectively be brought before him or her, in any case or in any manner not provided for by law, shall be guilty of a gross misdemeanor. [1911 C&P § 58; RL § 6323; NCL § 10007]—(NRS A 1965, 621)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.050 - Juror, arbitrator or referee promising verdict or decision or receiving communication.

Every juror and every person chosen or appointed arbitrator or referee who shall make any promise or agreement to give a verdict, judgment, report, award or decision for or against any party, or who shall willfully receive any communication, book, paper, instrument or information relating to a cause or matter pending before him or her, except according to the regular course of proceeding upon the trial or hearing of such cause or matter, shall be guilty of a gross misdemeanor. [1911 C&P § 59; RL § 6324; NCL § 10008]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.060 - Misconduct of officer drawing jury.

Every person charged by law with the preparation of any jury list or list of names from which any jury is to be drawn, and every person authorized by law to assist at the drawing of a grand or petit jury to attend a court or to try any cause or issue, who shall: 1. Place in any such list any name at the request or solicitation, direct or indirect, of any person; 2. Designedly put upon the list of jurors, as having been drawn, any name which was not lawfully drawn for that purpose; 3. Designedly omit to place upon such list any name which was lawfully drawn; 4. Designedly sign or certify a list of such jurors as having been drawn which were not lawfully drawn; 5. Designedly and wrongfully withdraw from the box or other receptacle for the ballots containing the names of such jurors any paper or ballot lawfully placed or belonging there and containing the name of a juror, or omit to place therein any name lawfully drawn or designated or place therein a paper or ballot containing the name of a person not lawfully drawn and

designated as a juror; or 6. In drawing or impaneling such jury, do any act which is unfair, partial or improper in any respect, shall be guilty of a gross misdemeanor. [1911 C&P § 60; RL § 6325; NCL § 10009]—(NRS A 1967, 463)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.070 - Soliciting jury duty.

Every person who shall, directly or indirectly, solicit or request any person charged with the duty of preparing any jury list to put his or her name, or the name of any other person, on any such list shall be guilty of a gross misdemeanor. [1911 C&P § 61; RL § 6326; NCL § 10010]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.080 - Misconduct of officer in charge of jury.

Every person to whose charge a jury shall be committed by a court or magistrate, who shall knowingly, without leave of such court or magistrate, permit them or any one of them to receive any communication from any person, to make any communication to any person, to obtain or receive any book, paper or refreshment, or to leave the jury room, shall be guilty of a gross misdemeanor. [1911 C&P § 62; RL § 6327; NCL § 10011]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.090 - Testimony of offender.

Every person offending against any of the provisions of law relating to bribery or corruption shall be a competent witness against another so offending and shall not be excused from giving testimony tending to criminate himself or herself, but such testimony shall not afterward be used against the person testifying in any judicial proceeding, except for perjury in giving such testimony. [1911 C&P § 63; RL § 6328; NCL § 10012]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.100 - Rescuing prisoner.

1. A person who, by force or fraud, rescues from lawful custody, or from an officer or person having him or her in lawful custody, a prisoner held upon a charge, arrest, commitment, conviction or sentence for felony is guilty of a category C felony and shall be punished as provided in NRS 193.130. 2. A person who rescues a prisoner held upon a charge, arrest, commitment, conviction or sentence for a gross misdemeanor or misdemeanor shall be punished: (a) Where a dangerous weapon is used in the course of the rescue, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. (b) Where no dangerous weapon is so used, for a misdemeanor. [1911 C&P § 71; RL § 6336; NCL § 10020]—(NRS A 1967, 464; 1979, 1420; 1995, 1174)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.110 - Retaking goods from custody of officer.

Every person who shall take from the custody of any officer or other person any personal property in his or her charge under any process of law, or who shall willfully injure or destroy such property, shall be guilty of a gross misdemeanor. [1911 C&P § 72; RL § 6337; NCL § 10021]—(NRS A 1967, 464)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.120 - Definition; penalties.

A person, having taken a lawful oath or made affirmation in a judicial proceeding or in any other matter where, by law, an oath or affirmation is required and no other penalty is prescribed, who: 1. Willfully makes an unqualified statement of that which the person does not know to be true; 2. Swears or affirms willfully and falsely in a matter material to the issue or point in question; 3. Suborns any other person to make such an unqualified statement or to swear or affirm in such a manner; 4. Executes an affidavit pursuant to NRS 15.010 which contains a false statement, or suborns any other person to do so; or 5. Executes an affidavit or other instrument which contains a false statement before a person authorized to administer oaths or suborns any other person to do so, is guilty of perjury or subornation of perjury, as the case may be, which is a category D felony and shall be punished as provided in NRS 193.130. [1911 C&P § 85; A 1949, 111; 1943 NCL § 10034]—(NRS A 1967, 464; 1977, 640; 1979, 1420; 1985, 129, 788; 1987, 654; 1995, 1174)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.125 - "Oath" and "swear" defined.

1. The term "oath" shall include an affirmation and every other mode authorized by law of attesting the truth of that which is stated. 2. A person who shall state any matter under oath shall be deemed to "swear" thereto. [1911 C&P § 88; RL § 6353; NCL § 10037]—(Substituted in revision for NRS 199.170)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.130 - False affidavit or complaint to effect arrest or search.

1. A person who makes, executes or signs or causes to be made, executed or signed, any false or fictitious affidavit, complaint, deposition, or other instrument in writing before any officer or person authorized to administer oaths, for the purpose or with the intent of securing a warrant for the arrest of any other person, or for the purpose of securing a warrant for the searching of the premises, goods, chattels or effects, or of seizing the goods, chattels or effects, or of seizing anything in the possession of any other

person, is guilty of perjury which is a category D felony. 2. A person who commits any of the acts or offenses defined or set out in subsection 1 shall be punished as provided in NRS 193.130. [1:10:1925; NCL § 10526] + [3:10:1925; NCL § 10528]—(NRS A 1967, 464; 1979, 1420; 1995, 1174)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.140 - Use of fictitious name on affidavit or complaint to effect arrest or search.

1. A person who makes, executes or signs, or causes to be made, executed or signed, any affidavit, complaint or other instrument, in writing, before any United States officer or person, or before any state officer or person, authorized to administer oaths, for the purpose or with the intent of securing a warrant for the arrest of any other person, or for the purpose of securing a warrant for the searching of the premises, goods, chattels or effects, or of seizing the goods, chattels or effects, or of seizing anything in the possession of any other person, and signs the same by any other name than his or her true name, is guilty of perjury which is a category D felony. 2. A person who commits any of the acts or offenses defined or set out in subsection 1 shall be punished as provided in NRS 193.130. [2:10:1925; NCL § 10527] + [3:10:1925; NCL § 10528]—(NRS A 1967, 465; 1979, 1420; 1995, 1175)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.145 - Statement made in declaration under penalty of perjury.

A person who, in a declaration made under penalty of perjury: 1. Makes a willful and false statement in a matter material to the issue or point in question; or 2. Willfully makes an unqualified statement of that which the person does not know to be true, or who suborns another to make in such a declaration a statement of the kind described in subsection 1 or 2, is guilty of perjury or subornation of perjury, as the case may be, which is a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1993, 2742; A 1995, 1175)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.150 - Attempt to suborn perjury.

Every person who, without giving, offering or promising a bribe, shall incite or attempt to procure another to commit perjury, or to offer any false evidence, or to withhold true testimony, though no perjury be committed or false evidence offered or true testimony withheld, shall be guilty of a gross misdemeanor. [1911 C&P § 86; RL § 6351; NCL § 10035]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.160 - Procuring execution of innocent person by perjury or subornation of perjury.

A person who, by willful and corrupt perjury or subornation of perjury, procures the conviction and execution of any innocent person is guilty of murder which is a category A felony and, upon conviction thereof, shall be punished by imprisonment in the state prison: 1. For life without the possibility of parole; 2. For life with the possibility of parole, with eligibility for parole beginning when a minimum of 20 years has been served; or 3. For a definite term of 50 years, with eligibility for parole beginning when a minimum of 20 years has been served. [1911 C&P § 87; RL § 6352; NCL § 10036]—(NRS A 1961, 66; 1973, 1803; 1995, 1175)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.180 - Irregularity in administering oath or incompetency of witness no defense.

It shall be no defense to a prosecution for perjury that an oath was administered or taken in an irregular manner or that the defendant was not competent to give the testimony, deposition, certificate or affidavit of which falsehood is alleged. It shall be sufficient that the defendant actually gave such testimony or made such deposition, certificate or affidavit. [1911 C&P § 89; RL § 6354; NCL § 10038]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.190 - Deposition: When deemed to be complete.

The making of a deposition, certificate or affidavit shall be deemed to be complete when it is subscribed and sworn to or affirmed by the defendant with intent that it be uttered or published as true. [1911 C&P § 90; RL § 6355; NCL § 10039]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.200 - Statement of what one does not know to be true.

Every unqualified statement of that which one does not know to be true is equivalent to a statement of that which the person knows to be false. [1911 C&P § 91; RL § 6356; NCL § 10040]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.210 - Offering false evidence.

A person who, upon any trial, hearing, inquiry, investigation or other proceeding authorized by law, offers or procures to be offered in evidence, as genuine, any book, paper, document, record or other instrument in writing, knowing the same to have been forged or fraudulently altered, is guilty of a category D felony and shall be punished as provided in NRS 193.130. [1911 C&P § 92; RL § 6357; NCL § 10041]—(NRS A 1971, 150; 1979, 1421; 1995, 1175)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.220 - Destroying evidence.

Every person who, with intent to conceal the commission of any felony, or to protect or conceal the identity of any person committing the same, or with intent to delay or hinder the administration of the law or to prevent the production thereof at any time, in any court or before any officer, tribunal, judge or magistrate, shall willfully destroy, alter, erase, obliterate or conceal any book, paper, record, writing, instrument or thing shall be guilty of a gross misdemeanor. [1911 C&P § 93; RL § 6358; NCL § 10042]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.230 - Preventing or dissuading person from testifying or producing evidence.

A person who, by persuasion, force, threat, intimidation, deception or otherwise, and with the intent to obstruct the course of justice, prevents or attempts to prevent another person from appearing before any court, or person authorized to subpoena witnesses, as a witness in any action, investigation or other official proceeding, or causes or induces another person to be absent from such a proceeding or evade the process which requires the person to appear as a witness to testify or produce a record, document or other object, shall be punished: 1. Where physical force or the immediate threat of physical force is used, for a category D felony as provided in NRS 193.130. 2. Where no physical force or immediate threat of physical force is used, for a gross misdemeanor. [1911 C&P § 94; RL § 6359; NCL § 10043]—(NRS A 1967, 465; 1979, 1421; 1983, 1683; 1995, 1175)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.240 - Bribing or intimidating witness to influence testimony.

A person who: 1. Gives, offers or promises directly or indirectly any compensation, gratuity or reward to any witness or person who may be called as a witness in an official proceeding, upon an agreement or understanding that his or her testimony will be thereby influenced; or 2. Uses any force, threat, intimidation or deception with the intent to: (a) Influence the testimony of any witness or person who may be called as a witness in an official proceeding; (b) Cause or induce him or her to give false testimony or to withhold true testimony; or (c) Cause or induce him or her to withhold a record, document or other object from the proceeding, is guilty of a category C felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$50,000. [1911 C&P § 56; RL § 6321; NCL § 10005]—(NRS A 1967, 465; 1979, 1421; 1983, 1683; 1995, 1176)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.242 - Limitations on defenses to prosecution for influencing testimony of witness.

It is not a defense to a prosecution under NRS 199.230 or 199.240 to show that: 1. An official proceeding was not pending or about to be instituted; or 2. The testimony sought or the record, document or other object to have been produced would have been legally privileged or inadmissible in evidence. (Added to NRS by 1983, 1682; A 1985, 247)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.250 - Witness accepting bribe.

A person who is or may be a witness upon a trial, hearing, investigation or other proceeding before any court, tribunal or person authorized to hear evidence or take testimony, who asks or receives, directly or indirectly, any compensation, gratuity or reward, or any promise thereof, upon an agreement or understanding that his or her testimony will be influenced thereby, or that the person will be absent from the trial, hearing or other proceeding, is guilty of a category C felony and shall be punished as provided in NRS 193.130. [1911 C&P § 57; RL § 6322; NCL § 10006]—(NRS A 1967, 465; 1979, 1421; 1995, 1176)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.260 - Neglect or refusal to receive person into custody.

Every officer who, in violation of any legal duty, shall willfully neglect or refuse to receive a person into his or her official custody or into a prison under his or her charge shall, in a case where no other punishment is specially provided by law, be guilty of a gross misdemeanor. [1911 C&P § 95; RL § 6360; NCL § 10044]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.270 - Refusal to make arrest or to aid officer.

Every person who, after having been lawfully commanded by any magistrate to arrest another person, shall willfully neglect or refuse so to do, and every person who, after having been lawfully commanded to aid an officer in arresting any person, or in retaking any person who has escaped from lawful custody, or in executing any lawful process, shall willfully neglect or refuse to aid such officer shall be guilty of a misdemeanor. [1911 C&P § 96; RL § 6361; NCL § 10045]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.280 - Resisting public officer.

A person who, in any case or under any circumstances not otherwise specially provided for, willfully resists, delays or obstructs a public officer in discharging or attempting to discharge any legal duty of his or her office shall be punished: 1. Where a firearm is used in the course of such resistance, obstruction or delay, or the person intentionally removes, takes or attempts to remove or take a firearm from the person of, or the immediate presence of, the public officer in the course of such resistance, obstruction or delay, for a category C felony as provided in NRS 193.130. 2. Where a dangerous weapon, other than a firearm, is used in the course of such

resistance, obstruction or delay, or the person intentionally removes, takes or attempts to remove or take a weapon, other than a firearm, from the person of, or the immediate presence of, the public officer in the course of such resistance, obstruction or delay, for a category D felony as provided in NRS 193.130. 3. Where no dangerous weapon is used in the course of such resistance, obstruction or delay, for a misdemeanor. [1911 C&P § 97; RL § 6362; NCL § 10046]—(NRS A 1967, 466; 1979, 1422; 1995, 1176; 2009, 163)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.290 - Compounding crimes.

1. A person who asks or receives, directly or indirectly, any compensation, gratuity or reward, or any promise thereof, upon an agreement or understanding that the person will compound or conceal a crime or violation of a statute, or abstain from testifying thereto, delay a prosecution therefor or withhold any evidence thereof, except in a case where a compromise is allowed by law, shall be punished: (a) For a category D felony as provided in NRS 193.130. (b) For a gross misdemeanor, where the agreement or understanding relates to a gross misdemeanor or misdemeanor, or to a violation of statute for which a pecuniary penalty or forfeiture is prescribed. 2. In any proceeding against a person for compounding a crime, it is not necessary to prove that any person has been convicted of the crime or violation of statute in relation to which an agreement or understanding herein prohibited was made. [1911 C&P § 98; RL § 6363; NCL § 10047]—(NRS A 1967, 466; 1979, 1422; 1995, 1177)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.300 - Intimidating public officer, public employee, juror, referee, arbitrator, appraiser, assessor or similar person.

1. A person shall not, directly or indirectly, address any threat or intimidation to a public officer, public employee, juror, referee, arbitrator, appraiser, assessor or any person authorized by law to hear or determine any controversy or matter, with the intent to induce such a person contrary to his or her duty to do, make, omit or delay any act, decision or determination, if the threat or intimidation communicates the intent, either immediately or in the future: (a) To cause bodily injury to any person; (b) To cause physical damage to the property of any person other than the person addressing the threat or intimidation; (c) To subject any person other than the person addressing the threat or intimidation to physical confinement or restraint; or (d) To do any other act which is not otherwise authorized by law and is intended to harm substantially any person other than the person addressing the threat or intimidation with respect to the person's health, safety, business, financial condition or personal relationships. 2. The provisions of this section must not be construed as prohibiting a person from making any statement in good faith of an intention to report any misconduct or malfeasance by a public officer or employee. 3. A person who violates subsection 1 is guilty of: (a) If physical force or the immediate threat of physical force is used in the course of the intimidation or in the making of the threat: (1) For a first offense, a category C felony and shall be punished as provided in NRS 193.130. (2) For a second or subsequent offense, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. (b) If no physical force or immediate threat of physical force is used in the course of the intimidation or in the making of the threat, a gross misdemeanor. 4. As used in this section, "public employee" means any person who performs public duties for compensation paid by the State, a county, city, local government or other political subdivision of the State or an agency thereof, including, without limitation, a person who performs a service for compensation pursuant to a contract with the State, county, city, local government or other political subdivision of the State or an agency thereof. [1911 C&P § 99; RL § 6364; NCL § 10048]—(NRS A 1967, 466; 1979, 1422; 1993, 930; 1995, 1177; 1997, 433; 2005, 925)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.305 - Preventing or dissuading victim, person acting on behalf of victim, or witness from reporting crime, commencing prosecution or causing arrest.

1. A person who, by intimidating or threatening another person, prevents or dissuades a victim of a crime, a person acting on behalf of the victim or a witness from: (a) Reporting a crime or possible crime to a: (1) Judge; (2) Peace officer; (3) Parole or probation officer; (4) Prosecuting attorney; (5) Warden or other employee at an institution of the Department of Corrections; or (6) Superintendent or other employee at a juvenile correctional institution; (b) Commencing a criminal prosecution or a proceeding for the revocation of a parole or probation, or seeking or assisting in such a prosecution or proceeding; or (c) Causing the arrest of a person in connection with a crime, or who hinders or delays such a victim, agent or witness in an effort to carry out any of those actions is guilty of a category D felony and shall be punished as provided in NRS 193.130. 2. As used in this section, "victim of a crime" means a person against whom a crime has been committed. (Added to NRS by 1983, 1682; A 1995, 1177; 2001 Special Session, 228)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.310 - Malicious prosecution.

A person who maliciously and without probable cause therefor, causes or attempts to cause another person to be arrested or proceeded against for any crime of which that person is innocent: 1. If the crime is a felony, is guilty of a category D felony and shall be punished as provided in NRS 193.130; and 2. If the crime is a gross misdemeanor or misdemeanor, is guilty of a misdemeanor. [1911 C&P § 100; RL § 6365; NCL § 10049]—(NRS A 1967, 466; 1979, 1423; 1995, 1178)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.320 - Inducing lawsuit.

Every person who shall on his or her behalf bring or instigate, incite or encourage another to bring, any false suit at law or in equity, in any court of this State, with intent thereby to distress or harass a defendant therein, shall be guilty of a misdemeanor. [1911 C&P § 101; RL § 6366; NCL § 10050]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.330 - Buying or promising reward by justice or constable.

Every justice of the peace or constable who shall, directly or indirectly, buy or be interested in buying anything in action for the purpose of commencing a suit thereon before a justice of the peace, or who shall give or promise any valuable consideration to any person as an inducement to bring, or as a consideration for having brought, a suit before a justice of the peace, shall be guilty of a misdemeanor. [1911 C&P § 102; RL § 6367; NCL § 10051]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.335 - Failure to appear after admission to bail or release without bail.

1. If a person: (a) Is admitted to bail, whether provided by deposit or surety, or released without bail; (b) Is not recommitted to custody; and (c) Fails to appear at the time and place required by the order admitting him or her to bail or releasing him or her without bail, or any modification thereof, the person is guilty of failing to appear and shall be punished pursuant to the provisions of this section, unless the person surrenders himself or herself not later than 30 days after the date on which the person was required to appear. 2. If a person who fails to appear in violation of subsection 1 was admitted to bail or released without bail incident to prosecution for: (a) One or more felonies, the person is guilty of a category D felony and shall be punished as provided in NRS 193.130. (b) One or more gross misdemeanors but no felonies, the person is guilty of: (1) A gross misdemeanor; or (2) If the person left this State with the intent to avoid prosecution, a category D felony and shall be punished as provided in NRS 193.130. (c) One or more misdemeanors but no felonies or gross misdemeanors, the person is guilty of: (1) A misdemeanor; or (2) If the person left this State with the intent to avoid prosecution, a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1967, 1470; A 1979, 1423; 1995, 1178; 1999, 1848)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.340 - Criminal contempt.

Every person who shall commit a contempt of court of any one of the following kinds shall be guilty of a misdemeanor: 1. Disorderly, contemptuous or insolent behavior committed during the sitting of the court, in its immediate view and presence, and directly tending to interrupt its proceedings or to impair the respect due to its authority; 2. Behavior of like character in the presence of a referee, while actually engaged in a trial or hearing pursuant to an order of court, or in the presence of a jury while actually sitting in the trial of a cause or upon an inquest or other proceeding authorized by law; 3. Breach of the peace, noise or other disturbance directly tending to interrupt the proceedings of a court, jury or referee; 4. Willful disobedience to the lawful process or mandate of a court; 5. Resistance, willfully offered, to its lawful process or mandate; 6. Contumacious and unlawful refusal to be sworn as a witness or, after being sworn, to answer any legal and proper interrogatory; 7. Publication of a false or grossly inaccurate report of its proceedings; or 8. Assuming to be an attorney or officer of a court or acting as such without authority. [1911 C&P § 103; RL § 6368; NCL § 10052]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.350 - Grand juror acting after challenge allowed.

Every grand juror who, with knowledge that a challenge interposed against the grand juror by a defendant has been allowed, shall be present at, or take part, or attempt to take part, in the consideration of the charge against the defendant who interposed such challenge, or the deliberations of the grand jury thereon, shall be guilty of a misdemeanor. [1911 C&P § 104; RL § 6369; NCL § 10053]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.360 - Fraudulent pretenses relative to birth of infant; false representation of entitlement to interest or share in estate of deceased person.

A person who fraudulently or falsely pretends that any infant child was born of a parent whose child is or would be entitled to inherit real property or to receive any personal property, or who falsely represents himself or herself or another to be a person entitled to an interest or share in the estate of a deceased person as executor, administrator, spouse, heir, heiress, legatee, devisee, next of kin or relative of the deceased person, is guilty of a category D felony and shall be punished as provided in NRS 193.130. [1911 C&P § 105; RL § 6370; NCL § 10054]—(NRS A 1979, 1423; 1995, 1178; 2017, 787)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.370 - Substitution of child.

A person to whom a child has been confided for nursing, education or any other purpose, who, with the intent to deceive a person, guardian or relative of the child, substitutes or produces to the parent, guardian or relative another child or person in the place of the child so confided, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. [1911 C&P § 106; RL § 6371; NCL § 10055]—(NRS A 1979, 1423; 1995, 1178)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.380 - Instituting suit in name of another.

Every person who shall institute or prosecute any action or other proceeding in the name of another, without the consent of the other person and contrary to law, shall be guilty of a gross misdemeanor. [1911 C&P § 107; RL § 6372; NCL § 10056]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.410 - Combination to resist process.

Every person who shall enter into a combination with another to resist the execution of any legal process or other mandate of a court of competent jurisdiction, under circumstances not amounting to a riot, shall be guilty of a gross misdemeanor. [1911 C&P § 340; RL § 6605; NCL § 10288]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.430 - Impersonation of officer.

Every person who shall falsely personate a public officer, civil or military, or a police officer, or a private individual having special authority by law to perform an act affecting the rights or interests of another, or who, without authority shall assume any uniform or badge by which such an officer or person is lawfully distinguished, and in such assumed character shall do any act purporting to be official, whereby another is injured or defrauded, shall be guilty of a gross misdemeanor. [1911 C&P § 469; RL § 6734; NCL § 10418]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.440 - Search warrant maliciously procured.

Whoever shall maliciously, and without probable cause, procure a search warrant to be issued and executed shall be deemed guilty of a gross misdemeanor. [1911 C&P § 476; RL § 6741; NCL § 10425]—(NRS A 1967, 467)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.450 - Peace officer exceeding authority in execution of search warrant.

A peace officer who, in executing a search warrant, shall willfully exceed his or her authority, or exercise it with unnecessary severity, shall be deemed guilty of a gross misdemeanor. [1911 C&P § 477; RL § 6742; NCL § 10426]—(NRS A 1967, 467)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.460 - Extortion of confession; refusing accused communication with attorney or friends.

1. An officer or person having the custody and control of the body or liberty of any person under arrest shall not refuse permission to the arrested person to communicate at reasonable times and intervals with his or her friends or with an attorney, or subject any person under arrest to any form of personal violence, intimidation, indignity or threats for the purpose of extorting from that person incriminating statements or a confession. 2. A person violating the provisions of this section shall be punished: (a) Where physical force or the immediate threat of physical force is used in the course of extorting statements or a confession, or where substantial bodily harm to the arrested person results from such violence, intimidation or indignity, for a category D felony as provided in NRS 193.130. (b) Where no physical force or immediate threat of physical force is used in the course of extorting statements or a confession, or where no substantial bodily harm results to the arrested person from such violence, intimidation or indignity, for a gross misdemeanor. (c) Where the only offense is to refuse permission to the arrested person to communicate with his or her friends or with an attorney, for a misdemeanor. [1911 C&P § 542; RL § 6807; NCL § 10488]—(NRS A 1967, 467; 1979, 1423; 1995, 1179)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.470 - Malicious destruction of legal and other notices.

Every person who shall willfully and maliciously remove, damage or destroy: 1. A sign or notice erected or posted by any officer under lawful authority, or by the owner or occupant of the premises where posted; or 2. A legal notice or other legal paper posted in compliance with the requirement of any statute of this State, or under the direction or order of a court, shall be guilty of a misdemeanor. [Part 1911 C&P § 487; RL § 6752; NCL § 10434]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.480 - Penalties.

1. Except as otherwise provided in subsection 2, whenever two or more persons conspire to commit murder, robbery, sexual assault, kidnapping in the first or second degree, arson in the first or second degree, involuntary servitude in violation of NRS 200.463 or 200.464, a violation of any provision of NRS 200.465, trafficking in persons in violation of NRS 200.467 or 200.468, sex trafficking in violation of NRS 201.300, facilitating sex trafficking in violation of NRS 201.301 or a violation of NRS 205.463, each person is guilty of a category B felony and shall be punished: (a) If the conspiracy was to commit robbery, sexual assault, kidnapping in the first or second degree, arson in the first or second degree, involuntary servitude in violation of NRS 200.463 or 200.464, a violation of any provision of NRS 200.465, trafficking in persons in violation of NRS 200.467 or 200.468, sex trafficking in violation of NRS 201.300, facilitating sex trafficking in violation of NRS 201.301 or a violation of NRS 205.463, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years; or (b) If the conspiracy was to commit murder, by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10

years, and may be further punished by a fine of not more than \$5,000. 2. If the conspiracy subjects the conspirators to criminal liability under NRS 207.400, they shall be punished in the manner provided in NRS 207.400. 3. Whenever two or more persons conspire: (a) To commit any crime other than those set forth in subsections 1 and 2, and no punishment is otherwise prescribed by law; (b) Falsely and maliciously to procure another to be arrested or proceeded against for a crime; (c) Falsely to institute or maintain any action or proceeding; (d) To cheat or defraud another out of any property by unlawful or fraudulent means; (e) To prevent another from exercising any lawful trade or calling, or from doing any other lawful act, by force, threats or intimidation, or by interfering or threatening to interfere with any tools, implements or property belonging to or used by another, or with the use or employment thereof; (f) To commit any act injurious to the public health, public morals, trade or commerce, or for the perversion or corruption of public justice or the due administration of the law; or (g) To accomplish any criminal or unlawful purpose, or to accomplish a purpose, not in itself criminal or unlawful, by criminal or unlawful means, each person is guilty of a gross misdemeanor. [1911 C&P § 112; RL § 6377; NCL § 10061]—(NRS A 1975, 509; 1977, 1416, 1631; 1979, 1424; 1983, 1494; 1995, 1179; 1999, 1343; 2013, 2424; 2019, 1810)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.490 - Overt act not necessary.

In any such proceeding for violation of NRS 199.480, it shall not be necessary to prove that any overt act was done in pursuance of such unlawful conspiracy or combination. [1911 C&P § 113; RL § 6378; NCL § 10062]

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.500 - Penalty.

1. A person who counsels, hires, commands or otherwise solicits another to commit kidnapping or arson is guilty of a gross misdemeanor if no criminal act is committed as a result of the solicitation. 2. A person who counsels, hires, commands or otherwise solicits another to commit murder, if no criminal act is committed as a result of the solicitation, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000. (Added to NRS by 1979, 720; A 1987, 1152; 1995, 1180)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.510 - Provisions not applicable to privileged communications between lawyer and client.

The provisions of NRS 199.520, 199.530 and 199.540 do not apply to a lawyer who is communicating with a client within the scope of the privilege set forth in NRS 49.095. (Added to NRS by 1991, 212)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.520 - Disclosure of information to subject of investigation.

An officer or employee of a court or law enforcement agency who, with the intent to obstruct a criminal investigation, directly or indirectly: 1. Notifies any person who is the subject of the investigation about the existence of the investigation; or 2. Discloses to any such person any information obtained in the course of the investigation, is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1991, 212; A 1995, 1180)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.530 - Notification of possible search or seizure.

1. It is unlawful for an officer or employee of a court or law enforcement agency, having knowledge that a person authorized to make a search or seizure has been authorized or is applying for authorization to make a search or seizure, to give notice or attempt to give notice of the possible search or seizure to any person with the intent to obstruct a judicial proceeding or a criminal investigation. 2. A person who violates the provisions of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1991, 212; A 1995, 1180)

2024 Nevada Revised Statutes Chapter 199 - Crimes Against Public Justice NRS 199.540 - Notification of interception of wire, electronic or oral communication or use of pen register or trap and trace device.

1. It is unlawful for an officer or employee of a court or law enforcement agency, or any employee of a provider of electronic communication service, landlord, custodian or other person who is ordered pursuant to subsection 2 of NRS 179.475 to furnish information, facilities and technical assistance necessary to accomplish an authorized interception of a wire, electronic or oral communication, having knowledge that an order has been applied for or has been issued authorizing the interception of a wire, electronic or oral communication in accordance with NRS 179.410 to 179.515, inclusive, to: (a) Give notice of the interception; or (b) Attempt to give notice of the interception, to any person with the intent to obstruct, impede or prevent the interception of the wire, electronic or oral communication. 2. It is unlawful for an officer or employee of a court or law enforcement agency, or any employee of a provider of electronic communication service, landlord, custodian or other person who is ordered pursuant to subsection 2 of NRS 179.475 to furnish information, facilities and technical assistance necessary to accomplish an authorized interception of a wire, electronic or oral communication, having knowledge that an order has been applied for or has been issued authorizing the use of a pen register or trap and trace device to: (a) Give notice of the use of the pen register or device; or (b)

Attempt to give notice of the use of the pen register or device, to any person with the intent to obstruct, impede or prevent that use. 3. A person who violates any provision of subsection 1 or 2 is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1991, 212; A 1995, 1180; 2015, 2494)

Title: chapter-200

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.010 - "Murder" defined.

Murder is the unlawful killing of a human being: 1. With malice aforethought, either express or implied; 2. Caused by a controlled substance which was sold, given, traded or otherwise made available to a person in violation of chapter 453 of NRS; or 3. Caused by a violation of NRS 453.3325. The unlawful killing may be effected by any of the various means by which death may be occasioned. [1911 C&P § 119; RL § 6384; NCL § 10066]—(NRS A 1983, 512; 1985, 1598; 1989, 589; 2005, 1059)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.020 - Malice: Express and implied defined.

1. Express malice is that deliberate intention unlawfully to take away the life of a fellow creature, which is manifested by external circumstances capable of proof. 2. Malice shall be implied when no considerable provocation appears, or when all the circumstances of the killing show an abandoned and malignant heart. [1911 C&P § 120; A 1915, 67; 1919 RL § 6385; NCL § 10067]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.030 - Degrees of murder; penalties.

1. Murder of the first degree is murder which is: (a) Perpetrated by means of poison, lying in wait or torture, or by any other kind of willful, deliberate and premeditated killing; (b) Committed in the perpetration or attempted perpetration of sexual assault, kidnapping, arson, robbery, burglary, invasion of the home, sexual abuse of a child, sexual molestation of a child under the age of 14 years, child abuse or abuse of an older person or vulnerable person pursuant to NRS 200.5099; (c) Committed to avoid or prevent the lawful arrest of any person by a peace officer or to effect the escape of any person from legal custody; (d) Committed on the property of a public or private school, at an activity sponsored by a public or private school or on a school bus while the bus was engaged in its official duties by a person who intended to create a great risk of death or substantial bodily harm to more than one person by means of a weapon, device or course of action that would normally be hazardous to the lives of more than one person; or (e) Committed in the perpetration or attempted perpetration of an act of terrorism. 2. Murder of the second degree is all other kinds of murder. 3. The jury before whom any person indicted for murder is tried shall, if they find the person guilty thereof, designate by their verdict whether the person is guilty of murder of the first or second degree. 4. A person convicted of murder of the first degree is guilty of a category A felony and shall be punished: (a) By death, only if one or more aggravating circumstances are found and any mitigating circumstance or circumstances which are found do not outweigh the aggravating circumstance or circumstances, unless a court has made a finding pursuant to NRS 174.098 that the defendant is a person with an intellectual disability and has stricken the notice of intent to seek the death penalty; or (b) By imprisonment in the state prison: (1) For life without the possibility of parole; (2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 20 years has been served; or (3) For a definite term of 50 years, with eligibility for parole beginning when a minimum of 20 years has been served. A determination of whether aggravating circumstances exist is not necessary to fix the penalty at imprisonment for life with or without the possibility of parole. 5. A person convicted of murder of the second degree is guilty of a category A felony and shall be punished by imprisonment in the state prison: (a) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or (b) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served. 6. As used in this section: (a) "Act of terrorism" has the meaning ascribed to it in NRS 202.4415; (b) "Child abuse" means physical injury of a nonaccidental nature to a child under the age of 18 years; (c) "School bus" has the meaning ascribed to it in NRS 483.160; (d) "Sexual abuse of a child" means any of the acts described in NRS 432B.100; and (e) "Sexual molestation" means any willful and lewd or lascivious act, other than acts constituting the crime of sexual assault, upon or with the body, or any part or member thereof, of a child under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions or sexual desires of the perpetrator or of the child. [1911 C&P § 121; A 1915, 67; 1919, 468; 1947, 302; 1943 NCL § 10068]—(NRS A 1957, 330; 1959, 781; 1960, 399; 1961, 235, 486; 1967, 467, 1470; 1973, 1803; 1975, 1580; 1977, 864, 1541, 1627; 1989, 865, 1451; 1995, 257, 1181; 1999, 1335; 2003, 770, 2944; 2007, 74; 2013, 689)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.033 - Circumstances aggravating first degree murder.

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, at any time before a penalty hearing is conducted for the murder pursuant to NRS 175.552, is or has been convicted of: (a) Another murder and the provisions of subsection 12 do not otherwise apply to that other murder; or (b) A felony involving the use or threat of violence to the person of another and the provisions of subsection 4 do not otherwise apply to that felony. For the purposes of this subsection, a person shall be deemed to have been convicted at the time the jury verdict of guilt is rendered or upon pronouncement of guilt by a judge or judges sitting without a jury. 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, alone or with others, in the commission of, or an attempt to commit or flight

after committing or attempting to commit, any robbery, arson in the first degree, burglary, invasion of the home or kidnapping in the first degree, and the person charged: (a) Killed or attempted to kill the person murdered; or (b) Knew or had reason to know that life would be taken or lethal force used. 5. The murder was committed to avoid or prevent a lawful arrest or to effect an escape from custody. 6. The murder was committed by a person, for himself or herself or another, to receive money or any other thing of monetary value. 7. The murder was committed upon a peace officer or firefighter who was killed while engaged in the performance of his or her official duty or because of an act performed in his or her official capacity, and the defendant knew or reasonably should have known that the victim was a peace officer or firefighter. For the purposes of this subsection, "peace officer" means: (a) An employee of the Department of Corrections who does not exercise general control over offenders imprisoned within the institutions and facilities of the Department, but whose normal duties require the employee to come into contact with those offenders when carrying out the duties prescribed by the Director of the Department. (b) Any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, when carrying out those powers. 8. The murder involved torture or the mutilation of the victim. 9. The murder was committed upon one or more persons at random and without apparent motive. 10. The murder was committed upon a person less than 14 years of age. 11. The murder was committed upon a person because of the actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of that person. 12. The defendant has, in the immediate proceeding, been convicted of more than one offense of murder in the first or second degree. For the purposes of this subsection, a person shall be deemed to have been convicted of a murder at the time the jury verdict of guilt is rendered or upon pronouncement of guilt by a judge or judges sitting without a jury. 13. The person, alone or with others, subjected or attempted to subject the victim of the murder to nonconsensual sexual penetration immediately before, during or immediately after the commission of the murder. For the purposes of this subsection: (a) "Nonconsensual" means against the victim's will or under conditions in which the person knows or reasonably should know that the victim is mentally or physically incapable of resisting, consenting or understanding the nature of his or her conduct, including, but not limited to, conditions in which the person knows or reasonably should know that the victim is dead. (b) "Sexual penetration" means cunnilingus, fellatio or any intrusion, however slight, of any part of the victim's body or any object manipulated or inserted by a person, alone or with others, into the genital or anal openings of the body of the victim, whether or not the victim is alive. The term includes, but is not limited to, anal intercourse and sexual intercourse in what would be its ordinary meaning. 14. The murder was committed on the property of a public or private school, at an activity sponsored by a public or private school or on a school bus while the bus was engaged in its official duties by a person who intended to create a great risk of death or substantial bodily harm to more than one person by means of a weapon, device or course of action that would normally be hazardous to the lives of more than one person. For the purposes of this subsection, "school bus" has the meaning ascribed to it in NRS 483.160. 15. The murder was committed with the intent to commit, cause, aid, further or conceal an act of terrorism. For the purposes of this subsection, "act of terrorism" has the meaning ascribed to it in NRS 202.4415. (Added to NRS by 1977, 1542; A 1981, 521, 2011; 1983, 286; 1985, 1979; 1989, 1451; 1993, 76; 1995, 2, 138, 1490, 2705; 1997, 1293; 1999, 1336; 2001 Special Session, 229; 2003, 2945; 2005, 317; 2017, 1065)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.035 - Circumstances mitigating first degree murder.

Murder of the first degree may be mitigated by any of the following circumstances, even though the mitigating circumstance is not sufficient to constitute a defense or reduce the degree of the crime: 1. The defendant has no significant history of prior criminal activity. 2. The murder was committed while the defendant was under the influence of extreme mental or emotional disturbance. 3. The victim was a participant in the defendant's criminal conduct or consented to the act. 4. The defendant was an accomplice in a murder committed by another person and the defendant's participation in the murder was relatively minor. 5. The defendant acted under duress or under the domination of another person. 6. The youth of the defendant at the time of the crime. 7. Any other mitigating circumstance. (Added to NRS by 1977, 1543)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.040 - "Manslaughter" defined.

1. Manslaughter is the unlawful killing of a human being, without malice express or implied, and without any mixture of deliberation. 2. Manslaughter must be voluntary, upon a sudden heat of passion, caused by a provocation apparently sufficient to make the passion irresistible, or involuntary, in the commission of an unlawful act, or a lawful act without due caution or circumspection. 3. Manslaughter does not include vehicular manslaughter as described in NRS 484B.657. [1911 C&P § 122; RL § 6387; NCL § 10069]—(NRS A 1983, 1014; 1995, 1725; 2005, 79)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.050 - "Voluntary manslaughter" defined.

1. In cases of voluntary manslaughter, there must be a serious and highly provoking injury inflicted upon the person killing, sufficient to excite an irresistible passion in a reasonable person, or an attempt by the person killed to commit a serious personal injury on the person killing. 2. Voluntary manslaughter does not include vehicular manslaughter as described in NRS 484B.657. [1911 C&P § 123; RL § 6388; NCL § 10070]—(NRS A 2005, 79)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.060 - When killing punished as murder.

The killing must be the result of that sudden, violent impulse of passion supposed to be irresistible; for, if there should appear to have been an interval between the assault or provocation given and the killing, sufficient for the voice of reason and humanity to be heard, the killing shall be attributed to deliberate revenge and punished as murder. [1911 C&P § 124; RL § 6389; NCL § 10071]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.070 - "Involuntary manslaughter" defined.

1. Except under the circumstances provided in NRS 484B.550 and 484B.653, involuntary manslaughter is the killing of a human being, without any intent to do so, in the commission of an unlawful act, or a lawful act which probably might produce such a consequence in an unlawful manner, but where the involuntary killing occurs in the commission of an unlawful act, which, in its consequences, naturally tends to destroy the life of a human being, or is committed in the prosecution of a felonious intent, the offense is murder. 2. Involuntary manslaughter does not include vehicular manslaughter as described in NRS 484B.657. [1911 C&P § 125; RL § 6390; NCL § 10072]—(NRS A 1981, 867; 1983, 1014; 1995, 1726; 2005, 79)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.080 - Punishment for voluntary manslaughter.

A person convicted of the crime of voluntary manslaughter is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. [1911 C&P § 126; A 1937, 103; 1931 NCL § 10073]—(NRS A 1979, 1424; 1995, 1182)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.090 - Punishment for involuntary manslaughter.

A person convicted of involuntary manslaughter is guilty of a category D felony and shall be punished as provided in NRS 193.130. [1911 C&P § 126 1/2; added 1937, 103; 1931 NCL § 10073.01]—(NRS A 1967, 468; 1995, 1182)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.110 - Place of trial for homicide.

1. If the injury be inflicted in one county, and the party die within another county, or without the State, the accused shall be tried in the county where the act was done, or the cause of death administered. 2. If the party killing shall be in one county, and the party killed in another county, at the time the cause of death shall be administered, the accused may be tried in either county. [1911 C&P § 128; RL § 6393; NCL § 10075]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.120 - "Justifiable homicide" defined; no duty to retreat under certain circumstances.

1. Justifiable homicide is the killing of a human being in necessary self-defense, or in defense of an occupied habitation, an occupied motor vehicle or a person, against one who manifestly intends or endeavors to commit a crime of violence, or against any person or persons who manifestly intend and endeavor, in a violent, riotous, tumultuous or surreptitious manner, to enter the occupied habitation or occupied motor vehicle, of another for the purpose of assaulting or offering personal violence to any person dwelling or being therein. 2. A person is not required to retreat before using deadly force as provided in subsection 1 if the person: (a) Is not the original aggressor; (b) Has a right to be present at the location where deadly force is used; and (c) Is not actively engaged in conduct in furtherance of criminal activity at the time deadly force is used. 3. As used in this section: (a) "Crime of violence" means any felony for which there is a substantial risk that force or violence may be used against the person or property of another in the commission of the felony. (b) "Motor vehicle" means every vehicle which is self-propelled. [1911 C&P § 129; RL § 6394; NCL § 10076]—(NRS A 1983, 518; 2011, 265; 2015, 1781)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.130 - Bare fear insufficient to justify killing; reasonable fear required; rebuttable presumption under certain circumstances.

1. A bare fear of any of the offenses mentioned in NRS 200.120, to prevent which the homicide is alleged to have been committed, is not sufficient to justify the killing. It must appear that the circumstances were sufficient to excite the fears of a reasonable person and that the person killing really acted under the influence of those fears and not in a spirit of revenge. 2. There is a rebuttable presumption that the circumstances were sufficient to excite the fears of a reasonable person and that the person killing really acted under the influence of those fears and not in a spirit of revenge if the person killing: (a) Knew or reasonably believed that the person who was killed was entering unlawfully and with force, or attempting to enter unlawfully and with force, the occupied habitation or occupied motor vehicle, of another; (b) Knew or reasonably believed that the person who was killed was committing or attempting to commit a crime of violence; and (c) Did not provoke the person who was killed. 3. As used in this section: (a) "Crime of violence" means any felony for which there is a substantial risk that force or violence may be used against the person or property of another in the commission of the felony. (b) "Motor vehicle" means every vehicle which is self-propelled. [1911 C&P § 130; RL § 6395; NCL § 10077]—(NRS A 2015, 1782)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.140 - Justifiable homicide by peace officer.

1. Homicide is justifiable when committed by a peace officer, or person acting under the command and in the aid of the peace officer, in the following cases: (a) In obedience to the judgment of a competent court. (b) When necessary to overcome actual resistance to the execution of the legal process, mandate or order of a court or officer, or in the discharge of a legal duty. (c) When necessary: (1) In retaking an escaped or rescued prisoner who has been committed, arrested for, or convicted of a felony; (2) In attempting, by lawful ways or means and in accordance with the provisions of NRS 171.1455, to apprehend or arrest a person; (3) In lawfully suppressing a riot or preserving the peace; or (4) Except as otherwise provided in NRS 193.304, in protecting against an imminent threat to the life of a person. 2. As used in this section, "peace officer" has the meaning ascribed to it in NRS 169.125. [1911 C&P § 131; RL § 6396; NCL § 10078]—(NRS A 1975, 323; 1993, 931; 2013, 270; 2021, 2642)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.150 - Justifiable or excusable homicide.

All other instances which stand upon the same footing of reason and justice as those enumerated shall be considered justifiable or excusable homicide. [1911 C&P § 132; RL § 6397; NCL § 10079]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.160 - Additional cases of justifiable homicide.

Homicide is also justifiable when committed: 1. In the lawful defense of the slayer, or his or her spouse, parent, child, brother or sister, or of any other person in his or her presence or company, when there is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished; or 2. In the actual resistance of an attempt to commit a felony upon the slayer, in his or her presence, or upon or in a dwelling, or other place of abode in which the slayer is. [1911 C&P § 133; A 1931, 160; 1931 NCL § 10080]—(NRS A 1993, 932; 2017, 787)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.170 - Burden of proving circumstances of mitigation or justifiable or excusable homicide.

The killing of the deceased named in the indictment or information by the defendant being proved, the burden of proving circumstances of mitigation, or that justify or excuse the homicide, will devolve on the accused, unless the proof on the part of the prosecution sufficiently manifests that the crime committed only amounts to manslaughter, or that the accused was justified, or excused in committing the homicide. [1911 C&P § 134; A 1951, 524]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.180 - Excusable homicide by misadventure.

1. Excusable homicide by misadventure occurs when: (a) A person is doing a lawful act, without any intention of killing, yet unfortunately kills another, as where a person is at work with an ax and the head flies off and kills a bystander; or (b) An officer punishing a criminal happens to occasion death, which acts of correction are lawful. 2. If the officer exceeds the sentence under which the officer acts, either in the manner, the instrument, or quantity of punishment, and death ensues, it is manslaughter or murder, according to the circumstances of the case. [1911 C&P § 135; RL § 6400; NCL § 10082]—(NRS A 1985, 1399)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.190 - Justifiable or excusable homicide not punishable.

The homicide appearing to be justifiable or excusable, the person indicted shall, upon trial, be fully acquitted and discharged. [1911 C&P § 136; RL § 6401; NCL § 10083]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.200 - Killing in self-defense.

If a person kills another in self-defense, it must appear that: 1. The danger was so urgent and pressing that, in order to save the person's own life, or to prevent the person from receiving great bodily harm, the killing of the other was absolutely necessary; and 2. The person killed was the assailant, or that the slayer had really, and in good faith, endeavored to decline any further struggle before the mortal blow was given. [1911 C&P § 137; RL § 6402; NCL § 10084]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.210 - Killing of unborn quick child; penalty.

A person who willfully kills an unborn quick child, by any injury committed upon the mother of the child, commits manslaughter and shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. [1911 C&P § 138; RL § 6403; NCL § 10085]—(NRS A 1967, 468; 1979, 1425; 1995, 1182)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.220 - Taking drugs to terminate pregnancy; penalty.

A woman who takes or uses, or submits to the use of, any drug, medicine or substance, or any instrument or other means, with the intent to terminate her pregnancy after the 24th week of pregnancy, unless the same is performed upon herself upon the advice of a physician acting pursuant to the provisions of NRS 442.250, and thereby causes the death of the child of the pregnancy, commits

manslaughter and shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. [1911 C&P § 140; RL § 6405; NCL § 10087]—(NRS A 1967, 468; 1973, 1639; 1979, 1425; 1995, 1183)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.230 - Death resulting from overloading of passenger vessel; penalties.

A person navigating a vessel for gain who willfully or negligently receives so many passengers or such a quantity of other lading on board that by means thereof the vessel sinks, is overset or injured, and thereby a human being is drowned or otherwise killed, commits manslaughter and shall be punished: 1. If the overloading is negligent, for a category D felony as provided in NRS 193.130. 2. If the overloading is willful, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. [1911 C&P § 141; RL § 6406; NCL § 10088]—(NRS A 1967, 468; 1979, 1425; 1995, 1183)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.240 - Owner of animal that kills human being guilty of manslaughter under certain circumstances; penalty.

If the owner or custodian of any vicious or dangerous animal, knowing its propensities, willfully or negligently allows it to go at large, and the animal while at large kills a human being who is not in fault, the owner or custodian commits manslaughter and shall be punished for a category D felony as provided in NRS 193.130. [1911 C&P § 142; RL § 6407; NCL § 10089]—(NRS A 1967, 469; 1995, 1183)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.260 - Death resulting from unlawful manufacture or storage of explosives; penalty.

A person who makes or keeps gunpowder or any other explosive substance in a city or town in any quantity or manner prohibited by law or by ordinance of the municipality commits manslaughter if an explosion thereof occurs whereby the death of a human being is occasioned, and shall be punished for a category D felony as provided in NRS 193.130. [1911 C&P § 144; RL § 6409; NCL § 10091]—(NRS A 1967, 469; 1983, 120; 1995, 1183)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.275 - Justifiable infliction or threat of bodily injury not punishable.

In addition to any other circumstances recognized as justification at common law, the infliction or threat of bodily injury is justifiable, and does not constitute mayhem, battery or assault, if done under circumstances which would justify homicide. (Added to NRS by 1983, 519)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.278 - Information required to be provided to school district of person in secondary school who causes serious bodily injury.

1. If a court determines that a person who is currently enrolled in a secondary school unlawfully caused or attempted to cause serious bodily injury to another person, the court shall provide the information specified in subsection 2 to the school district in which the offender is currently enrolled. 2. The information required to be provided pursuant to subsection 1 must include: (a) The name of the offender; (b) A description of any injury sustained by the other person; (c) A description of any weapon used by the offender; and (d) A description of any threats made by the offender against the other person before, during or after the incident in which the offender injured or attempted to injure the person. (Added to NRS by 1997, 1363)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.280 - Definition; penalty.

Mayhem consists of unlawfully depriving a human being of a member of his or her body, or disfiguring or rendering it useless. If a person cuts out or disables the tongue, puts out an eye, slits the nose, ear or lip, or disables any limb or member of another, or voluntarily, or of purpose, puts out an eye, that person is guilty of mayhem which is a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. [1911 C&P § 151; RL § 6416; NCL § 10098]—(NRS A 1967, 469; 1979, 1425; 1995, 1183)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.290 - Instrument or manner of inflicting injury immaterial.

To constitute mayhem it is immaterial by what means or instrument or in what manner the injury was inflicted. [1911 C&P § 152; RL § 6417; NCL § 10099]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.300 - Injury not resulting in permanent injury; defendant may be convicted of assault.

Whenever upon a trial for mayhem it shall appear that the injury inflicted will not result in any permanent disfiguration of

appearance, diminution of vigor, or other permanent injury, no conviction for maiming shall be had, but the defendant may be convicted of assault in any degree. [1911 C&P § 153; RL § 6418; NCL § 10100]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.310 - Degrees.

1. A person who willfully seizes, confines, inveigles, entices, decoys, abducts, conceals, kidnaps or carries away a person by any means whatsoever with the intent to hold or detain, or who holds or detains, the person for ransom, or reward, or for the purpose of committing sexual assault, extortion or robbery upon or from the person, or for the purpose of killing the person or inflicting substantial bodily harm upon the person, or to exact from relatives, friends, or any other person any money or valuable thing for the return or disposition of the kidnapped person, and a person who leads, takes, entices, or carries away or detains any minor with the intent to keep, imprison, or confine the minor from his or her parents, guardians, or any other person having lawful custody of the minor, or with the intent to hold the minor to unlawful service, or perpetrate upon the person of the minor any unlawful act is guilty of kidnapping in the first degree which is a category A felony. 2. A person who willfully and without authority of law seizes, inveigles, takes, carries away or kidnaps another person with the intent to keep the person secretly imprisoned within the State, or for the purpose of conveying the person out of the State without authority of law, or in any manner held to service or detained against the person's will, is guilty of kidnapping in the second degree which is a category B felony. [1:165:1947; 1943 NCL § 10612.05]—(NRS A 1959, 20; 1979, 39; 1987, 495; 1995, 1184)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.320 - Kidnapping in first degree: Penalties.

A person convicted of kidnapping in the first degree is guilty of a category A felony and shall be punished: 1. Where the kidnapped person suffers substantial bodily harm during the act of kidnapping or the subsequent detention and confinement or in attempted escape or escape therefrom, by imprisonment in the state prison: (a) For life without the possibility of parole; (b) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 15 years has been served; or (c) For a definite term of 40 years, with eligibility for parole beginning when a minimum of 15 years has been served. 2. Where the kidnapped person suffers no substantial bodily harm as a result of the kidnapping, by imprisonment in the state prison: (a) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 5 years has been served; or (b) For a definite term of 15 years, with eligibility for parole beginning when a minimum of 5 years has been served. [2:165:1947; 1943 NCL § 10612.06]—(NRS A 1967, 469; 1973, 1804; 1995, 1184)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.330 - Kidnapping in second degree: Penalties.

A person convicted of kidnapping in the second degree is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$15,000. [3:165:1947; 1943 NCL § 10612.07]—(NRS A 1967, 469; 1979, 1425; 1995, 1185)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.340 - Penalty for aiding or abetting.

1. A person who aids and abets kidnapping in the first degree is guilty of a category A felony and shall be punished for kidnapping in the first degree as provided in NRS 200.320. 2. A person who aids and abets kidnapping in the second degree is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years. [4:165:1947; 1943 NCL § 10612.08]—(NRS A 1967, 470; 1995, 1185)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.350 - Where proceedings may be instituted; consent is not defense.

1. Any proceedings for kidnapping may be instituted either in the county where the offense was committed or in any county through or in which the person kidnapped or confined was taken or kept while under confinement or restraint. 2. Upon the trial for violation of NRS 200.310 to 200.350, inclusive, the consent thereto of the person kidnapped or confined shall not be a defense unless it appears satisfactorily to the jury that such person was above the age of 18 years and that the person's consent was not extorted by threats, duress or fraud. [5:165:1947; 1943 NCL § 10612.09]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.357 - Law enforcement officer required to take child into protective custody if child in danger of being removed from jurisdiction.

A law enforcement officer who is conducting an investigation or making an arrest concerning the abduction of a child shall take the child into protective custody if the law enforcement officer reasonably believes that the child is in danger of being removed from the jurisdiction. (Added to NRS by 1991, 1422)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.359 - Detention, concealment or removal of child from person having lawful custody or from jurisdiction of court and relocation of child by parent without written consent of other parent or court permission: Penalties; limitation on issuance of arrest warrant; restitution; exceptions.

1. A person having a limited right of custody to a child by operation of law or pursuant to an order, judgment or decree of any court,

including a judgment or decree which grants another person rights to custody or visitation of the child, or any parent having no right of custody to the child, who: (a) In violation of an order, judgment or decree of any court willfully detains, conceals or removes the child from a parent, guardian or other person having lawful custody or a right of visitation of the child; or (b) In the case of an order, judgment or decree of any court that does not specify when the right to physical custody or visitation is to be exercised, removes the child from the jurisdiction of the court without the consent of either the court or all persons who have the right to custody or visitation, is guilty of a category D felony and shall be punished as provided in NRS 193.130. 2. Except as otherwise provided in this subsection, a parent who has joint legal and physical custody of a child pursuant to NRS 125C.0015 shall not willfully conceal or remove the child from the custody of the other parent with the specific intent to frustrate the efforts of the other parent to establish or maintain a meaningful relationship with the child. A person who violates this subsection shall be punished as provided in subsection 1 unless the person demonstrates to the satisfaction of the court that he or she violated this subsection to protect the child or himself or herself from an act that constitutes domestic violence pursuant to NRS 33.018. 3. If the mother of a child has primary physical custody pursuant to subsection 2 of NRS 125C.003, the father of the child shall not willfully conceal or remove the child from the physical custody of the mother. If the father of a child has primary physical custody pursuant to subsection 2 of NRS 125C.003, the mother of the child shall not willfully conceal or remove the child from the physical custody of the father. A person who violates this subsection shall be punished as provided in subsection 1. 4. A parent who has joint physical custody of a child pursuant to an order, judgment or decree of a court shall not relocate with the child pursuant to NRS 125C.0065 without the written consent of the non-relocating parent or before the court enters an order granting the parent primary physical custody of the child and permission to relocate with the child, as applicable. A person who violates this subsection shall be punished as provided in subsection 1. 5. A parent who has primary physical custody of a child pursuant to an order, judgment or decree of a court shall not relocate with the child pursuant to NRS 125C.006 without the written consent of the non-relocating parent or the permission of the court. A person who violates this subsection shall be punished as provided in subsection 1. 6. Before an arrest warrant may be issued for a violation of this section, the court must find that: (a) This is the home state of the child, as defined in NRS 125A.085; and (b) There is cause to believe that the entry of a court order in a civil proceeding brought pursuant to chapter 125, 125A or 125C of NRS will not be effective to enforce the rights of the parties and would not be in the best interests of the child. 7. Upon conviction for a violation of this section, the court shall order the defendant to pay restitution for any expenses incurred in locating or recovering the child. 8. The prosecuting attorney may recommend to the judge that the defendant be sentenced as for a misdemeanor and the judge may impose such a sentence if the judge finds that: (a) The defendant has no prior conviction for this offense and the child has suffered no substantial harm as a result of the offense; or (b) The interests of justice require that the defendant be punished as for a misdemeanor. 9. A person who aids or abets any other person to violate this section shall be punished as provided in subsection 1. 10. In addition to the exemption set forth in subsection 11, subsections 4 and 5 do not apply to a person who demonstrates a compelling excuse, to the satisfaction of the court, for relocating with a child in violation of NRS 125C.006 or 125C.0065. 11. This section does not apply to a person who detains, conceals, removes or relocates with a child to protect the child from the imminent danger of abuse or neglect or to protect himself or herself from imminent physical harm, and reported the detention, concealment, removal or relocation to a law enforcement agency or an agency which provides child welfare services within 24 hours after detaining, concealing, removing or relocating with the child, or as soon as the circumstances allowed. As used in this subsection: (a) "Abuse or neglect" has the meaning ascribed to it in paragraph (a) of subsection 4 of NRS 200.508. (b) "Agency which provides child welfare services" has the meaning ascribed to it in NRS 432B.030. (Added to NRS by 1975, 1397; A 1981, 564; 1989, 1678; 1991, 1422; 1993, 1425; 1995, 997, 1185, 1338; 2001 Special Session, 17; 2003, 1005; 2015, 2590)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.364 - Definitions.

As used in NRS 200.364 to 200.3788, inclusive, unless the context otherwise requires: 1. "Forensic laboratory" has the meaning ascribed to it in NRS 176.09117. 2. "Forensic medical examination" has the meaning ascribed to it in NRS 217.300. 3. "Genetic marker analysis" has the meaning ascribed to it in NRS 176.09118. 4. "Offense involving a pupil or child" means any of the following offenses: (a) Sexual conduct between certain employees of a school or volunteers at a school and a pupil pursuant to NRS 201.540. (b) Sexual conduct between certain employees of a college or university and a student pursuant to NRS 201.550. (c) Sexual conduct between certain employees or contractors of or volunteers for an entity which provides services to children and a person under the care, custody, control or supervision of the entity pursuant to NRS 201.555. 5. "Perpetrator" means a person who commits a sexual offense, an offense involving a pupil or child or sex trafficking. 6. "Sex trafficking" means a violation of subsection 2 of NRS 201.300. 7. "Sexual assault forensic evidence kit" means the forensic evidence obtained from a forensic medical examination. 8. "Sexual offense" means any of the following offenses: (a) Sexual assault pursuant to NRS 200.366. (b) Statutory sexual seduction pursuant to NRS 200.368. 9. "Sexual penetration" means cunnilingus, fellatio, or any intrusion, however slight, of any part of a person's body or any object manipulated or inserted by a person into the genital or anal openings of the body of another, including sexual intercourse in its ordinary meaning. The term does not include any such conduct for medical purposes. 10. "Statutory sexual seduction" means ordinary sexual intercourse, anal intercourse or sexual penetration committed by a person 18 years of age or older with a person who is 14 or 15 years of age and who is at least 4 years younger than the perpetrator. 11. "Victim" means a person who is a victim of a sexual offense, an offense involving a pupil or child or sex trafficking. 12. "Victim of sexual assault" has the meaning ascribed to it in NRS 217.280. (Added to NRS by 1977, 1626; A 1979, 572; 1991, 801; 1995, 700; 2009, 231, 1296; 2013, 2426; 2015, 2234; 2017, 2316, 2887, 2888)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.366 - Sexual assault: Definition; penalties; exclusions.

1. A person is guilty of sexual assault if the person: (a) Subjects another person to sexual penetration, or forces another person to make a sexual penetration on themselves or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of the perpetrator's conduct; or (b) Commits a sexual penetration upon a child under the age of 14 years or causes a child under the age of 14 years to make a sexual penetration on themselves or another, or on a beast. 2. Except as otherwise provided in subsections 3 and 4, a person who commits a sexual assault is guilty of a category A felony and shall be punished: (a) If substantial bodily harm to the victim results from the actions of the defendant committed in connection with or as a part of the sexual assault, by imprisonment in the state prison: (1) For life without the possibility of parole; or (2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 15 years has been served. (b) If no substantial bodily harm to the victim results, by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served. 3. Except as otherwise provided in subsection 4, a person who commits a sexual assault against a child under the age of 16 years is guilty of a category A felony and shall be punished: (a) If the crime results in substantial bodily harm to the child, by imprisonment in the state prison for life without the possibility of parole. (b) Except as otherwise provided in paragraph (c), if the crime does not result in substantial bodily harm to the child, by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 25 years has been served. (c) If the crime is committed against a child under the age of 14 years and does not result in substantial bodily harm to the child, by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 35 years has been served. 4. A person who commits a sexual assault against a child under the age of 16 years and who has been previously convicted of: (a) A sexual assault pursuant to this section or any other sexual offense against a child; or (b) An offense committed in another jurisdiction that, if committed in this State, would constitute a sexual assault pursuant to this section or any other sexual offense against a child, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life without the possibility of parole. 5. The provisions of this section do not apply to a person who is less than 18 years of age and who commits any of the acts described in paragraph (b) of subsection 1 if the person is not more than 2 years older than the person upon whom the act was committed unless: (a) The person committing the act uses force or threatens the use of force; or (b) The person committing the act knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of the perpetrator's conduct. 6. For the purpose of this section, "other sexual offense against a child" means any act committed by an adult upon a child constituting: (a) Incest pursuant to NRS 201.180; (b) Lewdness with a child pursuant to NRS 201.230; (c) Sado-masochistic abuse pursuant to NRS 201.262; or (d) Luring a child using a computer, system or network pursuant to NRS 201.560, if punished as a felony. (Added to NRS by 1977, 1626; A 1991, 612; 1995, 1186; 1997, 1179, 1719; 1999, 431; 2003, 2825; 2005, 2874; 2007, 3255; 2015, 2235; 2021, 1392)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.368 - Statutory sexual seduction: Penalties.

A person who commits statutory sexual seduction shall be punished: 1. If the person is 21 years of age or older at the time of the commission of the offense, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. 2. Except as otherwise provided in subsection 3, if the person is under the age of 21 years, for a gross misdemeanor. 3. If the person is under the age of 21 years and has previously been convicted of a sexual offense, as defined in NRS 179D.097, for a category D felony as provided in NRS 193.130. (Added to NRS by 1977, 1627; A 1979, 1426; 1995, 1187; 2001, 703; 2015, 2236)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.373 - Sexual assault of spouse by spouse.

It is no defense to a charge of sexual assault that the perpetrator was, at the time of the assault, married to the victim, if the assault was committed by force or by the threat of force. (Added to NRS by 1967, 470; A 1975, 1141; 1977, 1628; 1987, 1165)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.377 - Victims of certain sexual offenses: Legislative findings and declarations.

The Legislature finds and declares that: 1. This State has a compelling interest in assuring that the victim of a sexual offense, an offense involving a pupil or child or sex trafficking: (a) Reports the sexual offense, offense involving a pupil or child or sex trafficking to the appropriate authorities; (b) Cooperates in the investigation and prosecution of the sexual offense, offense involving a pupil or child or sex trafficking; and (c) Testifies at the criminal trial of the person charged with committing the sexual offense, offense involving a pupil or child or sex trafficking. 2. The fear of public identification and invasion of privacy are fundamental concerns for the victims of sexual offenses, offenses involving a pupil or child or sex trafficking. If these concerns are not addressed and the victims are left unprotected, the victims may refrain from reporting and prosecuting sexual offenses, offenses involving a pupil or child or sex trafficking. 3. A victim of a sexual offense, an offense involving a pupil or child or sex trafficking may be harassed, intimidated and psychologically harmed by a public report that identifies the victim. A sexual offense, an offense involving a pupil or child or sex trafficking is, in many ways, a unique, distinctive and intrusive personal trauma. The consequences of identification are often additional psychological trauma and the public disclosure of private personal experiences. 4. Recent

public criminal trials have focused attention on these issues and have dramatized the need for basic protections for the victims of sexual offenses, offenses involving a pupil or child or sex trafficking. 5. The public has no overriding need to know the individual identity of the victim of a sexual offense, an offense involving a pupil or child or sex trafficking. 6. The purpose of NRS 200.3771 to 200.3774, inclusive, is to protect the victims of sexual offenses, offenses involving a pupil or child or sex trafficking from harassment, intimidation, psychological trauma and the unwarranted invasion of their privacy by prohibiting the disclosure of their identities to the public. (Added to NRS by 1993, 2475; A 2009, 1296; 2013, 2427; 2017, 2317)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.3771 - Victims of certain sexual offenses: Confidentiality of records and reports that reveal identity; when disclosure permitted; penalty.

1. Except as otherwise provided in this section, any information which is contained in: (a) Court records, including testimony from witnesses; (b) Intelligence or investigative data, reports of crime or incidents of criminal activity or other information; (c) Records of criminal history, as that term is defined in NRS 179A.070; and (d) Records in the Central Repository for Nevada Records of Criminal History, that reveals the identity of a victim of a sexual offense, an offense involving a pupil or child or sex trafficking is confidential, including but not limited to the victim's photograph, likeness, name, address or telephone number. 2. A defendant charged with a sexual offense, an offense involving a pupil or child or sex trafficking and the defendant's attorney are entitled to all identifying information concerning the victim in order to prepare the defense of the defendant. The defendant and the defendant's attorney shall not disclose this information except, as necessary, to those persons directly involved in the preparation of the defense. 3. A court of competent jurisdiction may authorize the release of the identifying information, upon application, if the court determines that: (a) The person making the application has demonstrated to the satisfaction of the court that good cause exists for the disclosure; (b) The disclosure will not place the victim at risk of personal harm; and (c) Reasonable notice of the application and an opportunity to be heard have been given to the victim. 4. Nothing in this section prohibits: (a) Any publication or broadcast by the media concerning a sexual offense, an offense involving a pupil or child or sex trafficking. (b) The disclosure of identifying information to any nonprofit organization or public agency whose purpose is to provide counseling, services for the management of crises or other assistance to the victims of crimes if: (1) The organization or agency needs identifying information of victims to offer such services; and (2) The court or a law enforcement agency approves the organization or agency for the receipt of the identifying information. 5. The willful violation of any provision of this section or the willful neglect or refusal to obey any court order made pursuant thereto is punishable as criminal contempt. (Added to NRS by 1993, 2476; A 2009, 1297; 2013, 2427; 2017, 2317)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.3772 - Victims of certain sexual offenses: Procedure for substituting pseudonym for name on files, records and reports; actual identity confidential; when disclosure required; immunity for unintentional disclosure.

1. A victim of a sexual offense, an offense involving a pupil or child or sex trafficking may choose a pseudonym to be used instead of the victim's name on all files, records and documents pertaining to the sexual offense, offense involving a pupil or child or sex trafficking, including, without limitation, criminal intelligence and investigative reports, court records and media releases. 2. A victim who chooses to use a pseudonym shall file a form to choose a pseudonym with the law enforcement agency investigating the sexual offense, offense involving a pupil or child or sex trafficking. The form must be provided by the law enforcement agency. 3. If the victim files a form to use a pseudonym, as soon as practicable the law enforcement agency shall make a good faith effort to: (a) Substitute the pseudonym for the name of the victim on all reports, files and records in the agency's possession; and (b) Notify the prosecuting attorney of the pseudonym. The law enforcement agency shall maintain the form in a manner that protects the confidentiality of the information contained therein. 4. Upon notification that a victim has elected to be designated by a pseudonym, the court shall ensure that the victim is designated by the pseudonym in all legal proceedings concerning the sexual offense, offense involving a pupil or child or sex trafficking. 5. The information contained on the form to choose a pseudonym concerning the actual identity of the victim is confidential and must not be disclosed to any person other than the defendant or the defendant's attorney unless a court of competent jurisdiction orders the disclosure of the information. The disclosure of information to a defendant or the defendant's attorney is subject to the conditions and restrictions specified in subsection 2 of NRS 200.3771. A person who violates this subsection is guilty of a misdemeanor. 6. A court of competent jurisdiction may order the disclosure of the information contained on the form only if it finds that the information is essential in the trial of the defendant accused of the sexual offense, offense involving a pupil or child or sex trafficking, or the identity of the victim is at issue. 7. A law enforcement agency that complies with the requirements of this section is immune from civil liability for unknowingly or unintentionally: (a) Disclosing any information contained on the form filed by a victim pursuant to this section that reveals the identity of the victim; or (b) Failing to substitute the pseudonym of the victim for the name of the victim on all reports, files and records in the agency's possession. (Added to NRS by 1993, 2477; A 2009, 1298; 2013, 2428; 2017, 2318)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.3773 - Victims of certain sexual offenses: Public officer or employee prohibited from disclosing identity; exceptions; penalty.

1. A public officer or employee who has access to any records, files or other documents which include the photograph, likeness, name, address, telephone number or other fact or information that reveals the identity of a victim of a sexual offense, an offense involving a pupil or child or sex trafficking shall not intentionally or knowingly disclose the identifying information to any person other than: (a) The defendant or the defendant's attorney; (b) A person who is directly involved in the investigation, prosecution or

defense of the case; (c) A person specifically named in a court order issued pursuant to NRS 200.3771; or (d) A nonprofit organization or public agency approved to receive the information pursuant to NRS 200.3771. 2. A person who violates the provisions of subsection 1 is guilty of a misdemeanor. (Added to NRS by 1993, 2477; A 2009, 1298; 2013, 2429; 2017, 2319)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.3774 - Victims of certain sexual offenses: Effect of waiver of confidentiality.

The provisions of NRS 200.3771, 200.3772 and 200.3773 do not apply if the victim of the sexual offense, offense involving a pupil or child or sex trafficking voluntarily waives, in writing, the confidentiality of the information concerning the victim's identity. (Added to NRS by 1993, 2478; A 2009, 1299; 2013, 2429; 2017, 2319)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.378 - Court may impose temporary or extended order to restrict conduct of alleged perpetrator, defendant or convicted person; penalty for violation of order; dissemination of order; notice provided in order.

1. In addition to any other remedy provided by law, a person who reasonably believes that the crime of sexual assault has been committed against him or her by another person may petition any court of competent jurisdiction for a temporary or extended order directing the person who allegedly committed the sexual assault to: (a) Stay away from the home, school, business or place of employment of the victim of the alleged sexual assault and any other location specifically named by the court. (b) Refrain from contacting, intimidating, threatening or otherwise interfering with the victim of the alleged sexual assault and any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged sexual assault. (c) Comply with any other restriction which the court deems necessary to protect the victim of the alleged sexual assault or to protect any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged sexual assault. 2. If a defendant charged with a crime involving sexual assault is released from custody before trial or is found guilty at the trial, the court may issue a temporary or extended order or provide as a condition of the release or sentence that the defendant: (a) Stay away from the home, school, business or place of employment of the victim of the alleged sexual assault and any other location specifically named by the court. (b) Refrain from contacting, intimidating, threatening or otherwise interfering with the victim of the alleged sexual assault and any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged sexual assault. (c) Comply with any other restriction which the court deems necessary to protect the victim of the alleged sexual assault or to protect any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged sexual assault. 3. A temporary order may be granted with or without notice to the adverse party. An extended order may be granted only after: (a) Notice of the petition for the order and of the hearing thereon is served upon the adverse party pursuant to the Nevada Rules of Civil Procedure; and (b) A hearing is held on the petition. 4. If an extended order is issued by a justice court, an interlocutory appeal lies to the district court, which may affirm, modify or vacate the order in question. The appeal may be taken without bond, but its taking does not stay the effect or enforcement of the order. 5. Unless a more severe penalty is prescribed by law for the act that constitutes the violation of the order, any person who intentionally violates: (a) A temporary order is guilty of a gross misdemeanor. (b) An extended order is guilty of a category C felony and shall be punished as provided in NRS 193.130. 6. Any court order issued pursuant to this section must: (a) Be in writing; (b) Be personally served on the person to whom it is directed; and (c) Contain the warning that violation of the order: (1) Subjects the person to immediate arrest. (2) Is a gross misdemeanor if the order is a temporary order. (3) Is a category C felony if the order is an extended order. 7. A temporary or extended order issued pursuant to this section must provide notice that a person who is arrested for violating the order will not be admitted to bail sooner than 12 hours after the arrest if: (a) The arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm; (b) The person has previously violated a temporary or extended order for protection; or (c) At the time of the violation or within 2 hours after the violation, the person has: (1) A concentration of alcohol of 0.08 or more in his or her blood or breath; or (2) An amount of a prohibited substance in his or her blood or urine, as applicable, that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 484C.110. (Added to NRS by 2009, 228; A 2017, 322)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.3781 - Petitioner for order: Deferment of costs and fees; free information concerning order; no fee for serving order.

1. The payment of all costs and official fees must be deferred for any person who petitions a court for a temporary or extended order pursuant to NRS 200.378. After any hearing and not later than final disposition of such an application or order, the court shall assess the costs and fees against the adverse party, except that the court may reduce them or waive them, as justice may require. 2. The clerk of the court shall provide a person who petitions the court for a temporary or extended order pursuant to NRS 200.378 and the adverse party, free of cost, with information about the: (a) Availability of temporary and extended orders pursuant to NRS 200.378; (b) Procedure for filing an application for such an order; and (c) Right to proceed without legal counsel. 3. A person who obtains an order pursuant to NRS 200.378 must not be charged any fee to have the order served in this State. (Added to NRS by 2009, 230)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.3782 - Duration of orders; dissolution or modification of orders.

1. A temporary order issued pursuant to NRS 200.378 expires within such time, not to exceed 30 days, as the court fixes. If a petition for an extended order is filed within the period of a temporary order, the temporary order remains in effect until the hearing on the extended order is held. 2. On 2 days' notice to the party who obtained the temporary order, the adverse party may appear and move for its dissolution or modification, and in that event, the court shall proceed to hear and determine such motion as expeditiously as the ends of justice require. 3. An extended order expires within such time, not to exceed 3 years, as the court fixes. A temporary order may be converted by the court, upon notice to the adverse party and a hearing, into an extended order effective for not more than 3 years. 4. A court shall enter a finding of fact providing the basis for the imposition of an extended order effective for more than 1 year. 5. At any time while the extended order is in effect, the party who obtained the extended order or the adverse party may appear and move for its dissolution or modification based on changes of circumstance of the parties, and in that event the court shall proceed to hear and determine such motion as expeditiously as the ends of justice require. 6. This section must not be construed to affect the right of an adverse party to an interlocutory appeal pursuant to NRS 33.030. (Added to NRS by 2009, 230; A 2019, 1910)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.3783 - Order to be transmitted to law enforcement agencies; enforcement.

1. Each court that issues an order pursuant to NRS 200.378 shall transmit, as soon as practicable, a copy of the order to all law enforcement agencies within its jurisdiction. The copy must include a notation of the date on which the order was personally served upon the person to whom it is directed. 2. A peace officer, without a warrant, may arrest and take into custody a person when the peace officer has probable cause to believe that: (a) An order has been issued pursuant to NRS 200.378 to the person to be arrested; (b) The person to be arrested has been served with a copy of the order; and (c) The person to be arrested is acting in violation of the order. 3. Any law enforcement agency in this State may enforce a court order issued pursuant to NRS 200.378. (Added to NRS by 2009, 230)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.37835 - Duty to transmit information concerning temporary or extended order to Central Repository.

Any time a court issues a temporary or extended order for protection against a person alleged to have committed the crime of sexual assault and any time a person serves such an order, or receives any information or takes any other action pursuant to NRS 200.378 to 200.37835, inclusive, the court or person, as applicable, shall cause to be transmitted, in the manner prescribed by the Central Repository for Nevada Records of Criminal History, any information required by the Central Repository in a manner which ensures that the information is received by the Central Repository by the end of the next business day. (Added to NRS by 2019, 2838)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.3784 - Victim to be given certain information and documents concerning case; clerk to keep record of order or condition restricting conduct of defendant.

1. Upon written request of the alleged victim, the prosecuting attorney in any trial brought against a person on a charge of sexual assault shall timely inform the alleged victim of: (a) Any pretrial disposition of the case; (b) The final disposition of the case; and (c) Information from the record of registration pursuant to NRS 179D.151 regarding the defendant, if applicable. 2. If the defendant is found guilty and the court issues an order or provides a condition of the sentence restricting the ability of the defendant to have contact with the victim or witnesses, the clerk of the court shall: (a) Keep a record of the order or condition of the sentence; and (b) Provide a certified copy of the order or condition of the sentence to the victim and other persons named in the order. (Added to NRS by 2009, 230; A 2019, 2848)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.3786 - Sexual assault forensic evidence kits: Duties of medical provider, law enforcement agency and forensic laboratory.

1. Within 72 hours after conducting a forensic medical examination, a medical provider shall notify the law enforcement agency having jurisdiction over the alleged sexual assault of the victim and the law enforcement agency shall take possession of the sexual assault forensic evidence kit. 2. If a law enforcement agency determines it does not have jurisdiction over an alleged sexual assault, the law enforcement agency shall notify the law enforcement agency having proper jurisdiction of such an assault within 5 days after taking possession of the sexual assault forensic evidence kit. After receiving such notice, the law enforcement agency with proper jurisdiction shall take possession of the sexual assault forensic evidence kit. 3. Except as otherwise provided in this subsection, a law enforcement agency shall, not later than 30 days after receiving notice pursuant to subsection 1 or 2 of a sexual assault forensic evidence kit, submit the sexual assault forensic evidence kit to the applicable forensic laboratory responsible for conducting a genetic marker analysis. The provisions of this subsection do not apply to any noninvestigatory sexual assault forensic evidence kit associated with a victim who has chosen to remain anonymous. 4. A law enforcement agency shall, not later than 5 days after receiving notice of a sexual assault forensic evidence kit, assign a criminal complaint number to the evidence. 5. Any law enforcement agency that submits a sexual assault forensic evidence kit to a forensic laboratory shall, immediately following such a submission, notify the victim of the information contained in subsections 1, 2 and 3. 6. A forensic laboratory shall, not later than 120 days after receiving a sexual assault forensic evidence kit from a law enforcement agency, test the sexual assault forensic evidence kit, unless the victim requests, in writing, to defer the genetic marker analysis of the sexual assault forensic evidence kit pursuant to

NRS 178A.220. 7. Upon completion of a genetic marker analysis, the forensic laboratory shall include an eligible DNA profile obtained from the genetic marker analysis in the State DNA Database and CODIS. 8. As used in this section: (a) "CODIS" has the meaning ascribed to it in NRS 176.09113. (b) "State DNA Database" has the meaning ascribed to it in NRS 176.09119. (Added to NRS by 2017, 2885; A 2019, 2848)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.3788 - Statewide program to track sexual assault forensic evidence kits: Requirements; annual report; participation; immunity from civil liability.

1. A statewide program to track sexual assault forensic evidence kits must be established in this State. The Attorney General shall, pursuant to the recommendation of the Sexual Assault Kit Working Group, designate a department or division of the Executive Department of State Government to establish the program. The designated department or division may contract with any appropriate public or private agency, organization or institution to carry out the provisions of this section. 2. The program to track sexual assault forensic evidence kits must: (a) Track the location and status of sexual assault forensic evidence kits, including, without limitation, the initial forensic medical examination, receipt by a law enforcement agency and receipt and genetic marker analysis at a forensic laboratory. (b) Allow providers of health care who perform forensic medical examinations, law enforcement agencies, prosecutors, forensic laboratories and any other entities having sexual assault forensic evidence kits in their custody to track the status and location of sexual assault forensic evidence kits. (c) Allow a victim of sexual assault to anonymously track or receive, by telephone or on an Internet website, updates regarding the status and location of his or her sexual assault forensic evidence kit. 3. The department or division designated pursuant to subsection 1 shall, on or before January 1 and July 1 of each year, submit to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Joint Interim Standing Committee on the Judiciary and post on the Internet website maintained by the department or division a report concerning the statewide program to track sexual assault forensic evidence kits. The report must include: (a) The number of sexual assault forensic evidence kits in the program in each county. (b) The number of sexual assault forensic evidence kits for which genetic marker analysis has been completed for each county for the last 6 months. (c) The number of sexual assault forensic evidence kits added to the program in each county during the last 6 months. (d) The number of sexual assault forensic evidence kits for which genetic marker analysis has been requested but not completed for each county. (e) For this State as a whole and each county, the average and median time between a forensic medical examination and receipt of a sexual assault forensic evidence kit by a forensic laboratory for genetic marker analysis, overall and for the last 6 months. (f) For this State as a whole and each county, the average and median time between receipt of a sexual assault forensic evidence kit by a forensic laboratory and genetic marker analysis, overall and for the last 6 months. (g) The number of sexual assault forensic evidence kits in each county awaiting genetic marker analysis for more than 1 year and 6 months after forensic medical examination. 4. Each law enforcement agency, prosecutor, forensic laboratory and provider of health care who performs forensic medical examinations in this State shall participate in the statewide program to track sexual assault forensic evidence kits for the purpose of tracking the status of any sexual assault forensic evidence kits in the custody of the agency, prosecutor, laboratory or provider, or a third party under contract with such agency, prosecutor, laboratory or provider. 5. Any agency or person who acts pursuant to this section in good faith and without gross negligence is immune from civil liability for those acts. 6. The department or division designated pursuant to subsection 1 may apply for and accept any gift, donation, bequest, grant or other source of money to carry out the provisions of this section. 7. As used in this section, "Sexual Assault Kit Working Group" means the statewide working group led by the Office of the Attorney General to create policies and procedures to address the backlog of sexual assault forensic evidence kits that have not been tested. (Added to NRS by 2017, 2886; A 2019, 2850; 2021, 2517)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.380 - Definition; penalty.

1. Robbery is the unlawful taking of personal property from the person of another, or in the person's presence, against his or her will, by means of force or violence or fear of injury, immediate or future, to his or her person, or the person of a member of his or her family, or of anyone in his or her company at the time of the robbery. A taking is by means of force or fear if force or fear is used to: (a) Obtain or retain possession of the property; (b) Prevent or overcome resistance to the taking; or (c) Facilitate escape. The degree of force used is immaterial if it is used to compel acquiescence to the taking of or escaping with the property. A taking constitutes robbery whenever it appears that, although the taking was fully completed without the knowledge of the person from whom taken, such knowledge was prevented by the use of force or fear. 2. A person who commits robbery is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years. [1911 C&P § 162; RL § 6427; NCL § 10109]—(NRS A 1961, 53; 1967, 470; 1993, 253; 1995, 1187; 2019, 408)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.390 - Administration of poison: Penalty.

A person who willfully and maliciously administers or causes to be administered to or taken by a person, any poison, or other noxious or destructive substance or liquid, with the intention to cause the death of the person, and being thereof duly convicted, is guilty of a category A felony and shall be punished by imprisonment in the state prison: 1. For life with the possibility of parole, with eligibility for parole beginning when a minimum of 5 years has been served; or 2. For a definite term of 15 years, with eligibility for parole beginning when a minimum of 5 years has been served. [1911 C&P § 139; RL § 6404; NCL § 10086]—(NRS A 1967, 471; 1995, 1188)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.400 - Definition; penalties.

1. As used in this section: (a) "Battery" means any willful and unlawful use of force or violence upon the person of another. (b) "Strangulation" has the meaning ascribed to it in NRS 200.481. 2. A person who is convicted of battery with the intent to commit mayhem, robbery or grand larceny is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. 3. A person who is convicted of battery with the intent to kill is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years. 4. A person who is convicted of battery with the intent to commit sexual assault shall be punished: (a) If the crime results in substantial bodily harm to the victim or is committed by strangulation, for a category A felony by imprisonment in the state prison: (1) For life without the possibility of parole; or (2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served. (b) If the crime does not result in substantial bodily harm to the victim and the victim is 16 years of age or older, for a category A felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of life with the possibility of parole. (c) If the crime does not result in substantial bodily harm to the victim and the victim is a child under the age of 16, for a category A felony by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of life with the possibility of parole. In addition to any other penalty, a person convicted pursuant to this subsection may be punished by a fine of not more than \$10,000. [1911 C&P § 148; RL § 6413; NCL § 10095]—(NRS A 1967, 471; 1971, 1385; 1973, 1805; 1977, 1628; 1979, 1426; 1981, 903; 1985, 247; 1991, 123; 1995, 1188; 2005, 2875; 2009, 87; 2015, 2236)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.405 - Administration of drug to aid commission of felony: Penalty.

Unless a greater penalty is provided in NRS 200.408, a person who administers to another person any chloroform, ether, laudanum, or any controlled substance, anesthetic, or intoxicating or emetic agent, with the intent thereby to enable or assist himself or herself or any other person to commit a felony, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years. (Added to NRS by 1987, 1624; A 1995, 1189; 1997, 903)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.408 - Administration of controlled substance to aid commission of crime of violence: Penalty; definitions.

1. A person who causes to be administered to another person any controlled substance without that person's knowledge and with the intent thereby to enable or assist himself or herself or any other person to commit a crime of violence against that person or the property of that person, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. 2. As used in this section: (a) "Controlled substance" includes flunitrazepam and gamma-hydroxybutyrate and each substance for which flunitrazepam or gamma-hydroxybutyrate is an immediate precursor as defined in NRS 453.086. (b) "Crime of violence" means: (1) Any offense involving the use or threatened use of force or violence against the person or property of another; or (2) Any felony for which there is a substantial risk that force or violence may be used against the person or property of another in the commission of the felony. (c) "Without a person's knowledge" means the person is unaware that a substance that can alter the person's ability to appraise conduct or to decline participation in or communicate an unwillingness to participate in conduct has been administered to the person. (Added to NRS by 1997, 902)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.410 - Death resulting from duel; penalty.

If a person fights, by previous appointment or agreement, a duel with a rifle, shotgun, pistol, bowie knife, dirk, smallsword, backsword or other dangerous weapon, and in so doing kills his or her antagonist, or any person, or inflicts such a wound that the party or parties injured die thereof, each such offender is guilty of murder in the first degree, which is a category A felony, and upon conviction thereof shall be punished as provided in subsection 4 of NRS 200.030. [1911 C&P § 157; RL § 6422; NCL § 10104]—(NRS A 1959, 10; 1995, 1189; 1999, 2)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.430 - Incriminating testimony; witness's privilege.

Any person who is present at the time of fighting any duel with deadly weapons, as second, aid, surgeon or spectator, or who advises or gives assistance to such a duel, is a competent witness against any person offending against any of the provisions of NRS 200.410 and may be compelled to appear and give evidence before any justice of the peace, grand jury or court, in the same manner as other witnesses; but the testimony so given may not be used in any prosecution or proceeding, civil or criminal, against the person so testifying. [1911 C&P § 159; RL § 6424; NCL § 10106]—(NRS A 1979, 1426)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.440 - Posting for not fighting; use of contemptuous language.

If any person posts another, or in writing, print or orally uses any reproachable or contemptuous language to or concerning another,

for not fighting a duel, or for not sending or accepting a challenge, the person is guilty of a gross misdemeanor. [1911 C&P § 160; RL § 6425; NCL § 10107]—(NRS A 1959, 10; 1967, 471)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.450 - Challenges to fight; penalties.

1. If a person, upon previous concert and agreement, fights with any other person or gives, sends or authorizes any other person to give or send a challenge verbally or in writing to fight any other person, the person giving, sending or accepting the challenge to fight any other person shall be punished: (a) If the fight does not involve the use of a deadly weapon, for a gross misdemeanor; or (b) If the fight involves the use of a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 2. A person who acts for another in giving, sending, or accepting, either verbally or in writing, a challenge to fight any other person shall be punished: (a) If the fight does not involve the use of a deadly weapon, for a gross misdemeanor; or (b) If the fight involves the use of a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 3. Should death ensue to a person in such a fight, or should a person die from any injuries received in such a fight, the person causing or having any agency in causing the death, either by fighting or by giving or sending for himself or herself or for any other person, or in receiving for himself or herself or for any other person, the challenge to fight, is guilty of murder in the first degree which is a category A felony and shall be punished as provided in subsection 4 of NRS 200.030. [1911 C&P § 161; RL § 6426; NCL § 10108]—(NRS A 1967, 472; 1977, 884; 1979, 1426; 1995, 1189; 1999, 2)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.460 - Definition; penalties.

1. False imprisonment is an unlawful violation of the personal liberty of another, and consists in confinement or detention without sufficient legal authority. 2. A person convicted of false imprisonment shall pay all damages sustained by the person so imprisoned, and, except as otherwise provided in this section, is guilty of a gross misdemeanor. 3. Unless a greater penalty is provided pursuant to subsection 4, if the false imprisonment is committed: (a) By a prisoner in a penal institution without a deadly weapon; or (b) By any other person with the use of a deadly weapon, the person convicted of such a false imprisonment is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years. 4. Unless a greater penalty is provided pursuant to subsection 5, if the false imprisonment is committed by using the person so imprisoned as a shield or to avoid arrest, the person convicted of such a false imprisonment is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 15 years. 5. If the false imprisonment is committed by a prisoner who is in lawful custody or confinement with the use of a deadly weapon, the person convicted of such a false imprisonment is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. [1911 C&P § 175; RL § 6440; NCL § 10122]—(NRS A 1967, 472; 1981, 614; 1995, 1190; 2003, 387)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.463 - Involuntary servitude; penalties.

1. A person who knowingly subjects, or attempts to subject, another person to forced labor or services by: (a) Causing or threatening to cause physical harm to any person; (b) Physically restraining or threatening to physically restrain any person; (c) Abusing or threatening to abuse the law or legal process; (d) Knowingly destroying, concealing, removing, confiscating or possessing any actual or purported passport or other immigration document, or any other actual or purported government identification document, of the person; (e) Extortion; (f) Causing or threatening to cause financial harm to any person; (g) Debt bondage; (h) Peonage; or (i) Using a scheme, plan or pattern intended to cause the person to believe that the failure to perform an act would result in serious harm or physical restraint against any person, is guilty of holding a person in involuntary servitude. 2. Unless a greater penalty is provided in NRS 200.4631, a person who is found guilty of holding a person in involuntary servitude is guilty of a category B felony and shall be punished: (a) Where the victim suffers substantial bodily harm while held in involuntary servitude or in attempted escape or escape therefrom, by imprisonment in the state prison for a minimum term of not less than 7 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$50,000. (b) Where the victim suffers no substantial bodily harm as a result of being held in involuntary servitude, by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$50,000. 3. As used in this section: (a) "Debt bondage" has the meaning ascribed to it in 22 U.S.C. § 7102. (b) "Peonage" means a status or condition of compulsory service based upon real or alleged indebtedness. (Added to NRS by 2005, 87; A 2013, 1853; 2023, 208)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.4631 - Involuntary servitude of minors; penalties.

1. A person who has physical custody of a minor, allows a minor to reside in his or her residence, is in a position of authority over a minor or provides care for any length of time to a minor and who knowingly: (a) Obtains labor or services from the minor by causing or threatening to cause serious harm to the minor or by engaging in a pattern of conduct that results in physical injury to the minor, sexual abuse of the minor or sexual assault of the minor pursuant to NRS 200.366; (b) Benefits, financially or by receiving anything of value other than sexual gratification from the labor or services obtained by the conduct specified in paragraph (a); or (c)

Uses a scheme, plan or pattern intended to cause the minor to believe that the failure to perform an act would result in serious harm or physical restraint against any person, is guilty of holding a minor in involuntary servitude. 2. A person who is found guilty of holding a minor in involuntary servitude is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 15 years has been served, and may be further punished by a fine of at least \$50,000. 3. Consent of the victim to the performance of any labor or services is not a valid defense to a prosecution conducted pursuant to this section. 4. Nothing in this section shall be construed to prohibit a parent or guardian of a child from requiring his or her child to perform common household chores under the threat of the reasonable exercise of discipline by the parent or guardian of the child. 5. For the purposes of this section: (a) "Physical injury" includes, without limitation: (1) A sprain or dislocation; (2) Damage to cartilage; (3) A fracture of a bone or the skull; (4) An injury causing an intracranial hemorrhage or injury to another internal organ; (5) Permanent or temporary disfigurement, including, without limitation, a burn, scalding, cut, laceration, puncture or bite; or (6) Permanent or temporary loss or impairment of a part or organ of the body. (b) "Serious harm" means any harm, whether physical or nonphysical, including, without limitation, psychological, financial or reputational harm, that is sufficiently serious, under the circumstances, to compel a reasonable person of the same background and in the same circumstances as the victim to perform or to continue to provide labor or services to avoid incurring that harm. (c) "Sexual abuse" includes acts upon a child constituting: (1) Lewdness with a child pursuant to NRS 201.230; (2) Sado-masochistic abuse pursuant to NRS 201.262; (3) Sexual assault pursuant to NRS 200.366; (4) Open or gross lewdness pursuant to NRS 201.210; and (5) Mutilation of the genitalia of a female child, aiding, abetting, encouraging or participating in the mutilation of the genitalia of a female child, or removal of a female child from this State for the purpose of mutilating the genitalia of the child pursuant to NRS 200.5083. (Added to NRS by 2013, 1852; A 2023, 209)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.464 - Recruiting, enticing, harboring, transporting, providing or obtaining another person to be held in involuntary servitude; benefiting from another person being held in involuntary servitude; penalty.

Unless a greater penalty is provided pursuant to NRS 200.4631 or 200.468, a person who knowingly: 1. Recruits, entices, harbors, transports, provides or obtains by any means, or attempts to recruit, entice, harbor, transport, provide or obtain by any means, another person, intending or knowing that the person will be held in involuntary servitude; or 2. Benefits, financially or by receiving anything of value, from participating in a violation of NRS 200.463 or 200.4631, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$50,000. (Added to NRS by 2005, 88; A 2007, 1268; 2013, 1854)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.465 - Assuming rights of ownership over another person; purchase or sale of person; penalty.

A person who: 1. Assumes or attempts to assume rights of ownership over another person; 2. Sells or attempts to sell a person to another; 3. Receives money or anything of value in consideration of placing a person in the custody or under the control of another; 4. Buys or attempts to buy a person; 5. Except as otherwise provided in chapter 127 of NRS, pays money or delivers anything of value to another in consideration of having a person placed in his or her custody or under his or her power or control; or 6. Knowingly aids or assists in any manner a person who violates any provision of this section, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$50,000. (Added to NRS by 1989, 1186; A 1995, 1190; 2005, 88)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.466 - Power of court to order restitution for violation of NRS 200.463, 200.464 or 200.465.

1. In addition to any other penalty, the court may order a person convicted of a violation of any provision of NRS 200.463, 200.464 or 200.465 to pay restitution to the victim as provided in subsection 2. 2. Restitution ordered pursuant to this section may include, without limitation: (a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation; (b) The cost of transportation, temporary housing and child care; (c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair; (d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim; (e) The cost of repatriation of the victim to his or her home country, if applicable; and (f) Any and all other losses suffered by the victim as a result of the violation of any provision of NRS 200.463, 200.464 or 200.465. 3. The return of the victim to his or her home country or other absence of the victim from the jurisdiction does not prevent the victim from receiving restitution. 4. As used in this section, "victim" means any person: (a) Against whom a violation of any provision of NRS 200.463, 200.464 or 200.465 has been committed; or (b) Who is the surviving child of such a person. (Added to NRS by 2013, 2425)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.467 - Trafficking in persons for financial gain; penalties.

1. A person shall not transport, procure transportation for or assist in the transportation of or procurement of transportation for another person into the State of Nevada who the person knows or has reason to know does not have the legal right to enter or remain in the United States in exchange for money or other financial gain. 2. A person who violates the provisions of subsection 1 is guilty of trafficking in persons and, unless a greater penalty is provided pursuant to NRS 200.464 or 200.468, shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$50,000. (Added to NRS by 2007, 1267)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.468 - Trafficking in persons for illegal purposes; penalty.

1. A person shall not transport, procure transportation for or assist in the transportation of or procurement of transportation for another person into the State of Nevada whom the person knows or has reason to know does not have the legal right to enter or remain in the United States with the intent to: (a) Subject the person to involuntary servitude or any other act prohibited pursuant to NRS 200.463, 200.4631 or 200.465; (b) Violate any state or federal labor law, including, without limitation, 8 U.S.C. § 1324a; or (c) Commit any other crime which is punishable by not less than 1 year imprisonment in the state prison. 2. A person who violates the provisions of subsection 1 is guilty of trafficking in persons for illegal purposes and shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$50,000. (Added to NRS by 2007, 1267; A 2013, 1854)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.4685 - Trafficking in children; penalty.

1. Except as otherwise provided in this section, a person shall not: (a) Recruit, transport, transfer, harbor, provide, obtain, maintain or solicit a child in furtherance of a transaction, or advertise or facilitate a transaction, pursuant to which a parent of the child or a person with custody of the child places the child in the physical custody of another person who is not a relative of the child, for the purpose of permanently avoiding or divesting himself or herself of responsibility for the child. (b) Sell, transfer or arrange for the sale or transfer of a child to another person for money or anything of value or receive a child in exchange for money or anything of value. 2. The provisions of subsection 1 do not apply to: (a) A placement of a child with a relative, stepparent, child-placing agency or an agency which provides child welfare services; (b) A placement of a child by a child-placing agency or an agency which provides child welfare services; (c) A temporary placement of a child with another person by a parent of the child or a person with legal or physical custody of the child, with an intent to return for the child, including, without limitation, a temporary placement of a child while the parent of the child or the person with legal or physical custody of the child is on vacation, incarcerated, serving in the military, receiving medical treatment or incapacitated; (d) A placement of a child in accordance with NRS 127.330, 159A.205 or 159A.215; (e) A placement of a child that is approved by a court of competent jurisdiction; or (f) Delivery of a child to a provider of emergency services pursuant to NRS 432B.630. 3. A person who violates the provisions of subsection 1 is guilty of trafficking in children and shall be punished for a category C felony as provided in NRS 193.130. 4. As used in this section: (a) "Advertise" has the meaning ascribed to it in NRS 127.310. (b) "Agency which provides child welfare services" has the meaning ascribed to it in NRS 432B.030. (c) "Child" means a person who is less than 18 years of age. (d) "Child-placing agency" has the meaning ascribed to it in NRS 127.220. (Added to NRS by 2015, 2017; A 2017, 889)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.469 - Power of court to order restitution for violation of NRS 200.467, 200.468 or 200.4685.

1. In addition to any other penalty, the court may order a person convicted of violation of any provision of NRS 200.467, 200.468 or 200.4685 to pay restitution to the victim as provided in subsection 2. 2. Restitution ordered pursuant to this section may include, without limitation: (a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation; (b) The cost of transportation, temporary housing and child care; (c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair; (d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim; (e) The cost of repatriation of the victim to his or her home country, if applicable; and (f) Any and all other losses suffered by the victim as a result of the violation of any provision of NRS 200.467, 200.468 or 200.4685. 3. The return of the victim to his or her home country or other absence of the victim from the jurisdiction does not prevent the victim from receiving restitution. 4. As used in this section, "victim" means any person: (a) Against whom a violation of any provision of NRS 200.467, 200.468 or 200.4685 has been committed; or (b) Who is the surviving child of such a person. (Added to NRS by 2013, 2426; A 2015, 2018)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.471 - Assault: Definitions; penalties.

1. As used in this section: (a) "Assault" means: (1) Unlawfully attempting to use physical force against another person; or (2) Intentionally placing another person in reasonable apprehension of immediate bodily harm. (b) "Fire-fighting agency" has the meaning ascribed to it in NRS 239B.020. (c) "Health care facility" means a facility licensed pursuant to chapter 449 of NRS, an office of a person listed in NRS 629.031, a clinic or any other location, other than a residence, where health care is provided. (d) "Officer" means: (1) A person who possesses some or all of the powers of a peace officer; (2) A person employed in a full-time

salaried occupation of fire fighting for the benefit or safety of the public; (3) A member of a volunteer fire department; (4) A jailer, guard or other correctional officer of a city or county jail; (5) A prosecuting attorney of an agency or political subdivision of the United States or of this State; (6) A justice of the Supreme Court, judge of the Court of Appeals, district judge, justice of the peace, municipal judge, magistrate, court commissioner, master or referee, including a person acting pro tempore in a capacity listed in this subparagraph; (7) An employee of this State or a political subdivision of this State whose official duties require the employee to make home visits; (8) A civilian employee or a volunteer of a law enforcement agency whose official duties require the employee or volunteer to: (I) Interact with the public; (II) Perform tasks related to law enforcement; and (III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the law enforcement agency; (9) A civilian employee or a volunteer of a fire-fighting agency whose official duties require the employee or volunteer to: (I) Interact with the public; (II) Perform tasks related to fire fighting or fire prevention; and (III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the fire-fighting agency; or (10) A civilian employee or volunteer of this State or a political subdivision of this State whose official duties require the employee or volunteer to: (I) Interact with the public; (II) Perform tasks related to code enforcement; and (III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for this State or a political subdivision of this State. (e) "Provider of health care" means: (1) A physician, a medical student, a perfusionist, an anesthesiologist assistant or a physician assistant licensed pursuant to chapter 630 of NRS, a practitioner of respiratory care, a homeopathic physician, an advanced practitioner of homeopathy, a homeopathic assistant, an osteopathic physician, a physician assistant or anesthesiologist assistant licensed pursuant to chapter 633 of NRS, a podiatric physician, a podiatry hygienist, a physical therapist, a medical laboratory technician, an optometrist, a chiropractic physician, a chiropractic assistant, a naprapath, a doctor of Oriental medicine, a nurse, a student nurse, a certified nursing assistant, a nursing assistant trainee, a medication aide - certified, a person who provides health care services in the home for compensation, a dentist, a dental student, a dental hygienist, a dental hygienist student, an expanded function dental assistant, an expanded function dental assistant student, a pharmacist, a pharmacy student, an intern pharmacist, an attendant on an ambulance or air ambulance, a psychologist, a social worker, a marriage and family therapist, a marriage and family therapist intern, a clinical professional counselor, a clinical professional counselor intern, a behavior analyst, an assistant behavior analyst, a registered behavior technician, a mental health technician, a licensed dietitian, the holder of a license or a limited license issued under the provisions of chapter 653 of NRS, a public safety officer at a health care facility, an emergency medical technician, an advanced emergency medical technician, a paramedic or a participant in a program of training to provide emergency medical services; or (2) An employee of or volunteer for a health care facility who: (I) Interacts with the public; (II) Performs tasks related to providing health care; and (III) Wears identification, clothing or a uniform that identifies the person as an employee or volunteer of the health care facility. (f) "School employee" means a licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281. (g) "Sporting event" has the meaning ascribed to it in NRS 41.630. (h) "Sports official" has the meaning ascribed to it in NRS 41.630. (i) "Taxicab" has the meaning ascribed to it in NRS 706.8816. (j) "Taxicab driver" means a person who operates a taxicab. (k) "Transit operator" means a person who operates a bus or other vehicle as part of a public mass transportation system. (l) "Utility worker" means an employee of a public utility as defined in NRS 704.020 who official duties require the employee to: (1) Interact with the public; (2) Perform tasks related to the operation of the public utility; and (3) Wear identification, clothing or a uniform that identifies the employee as working for the public utility. 2. A person convicted of an assault shall be punished: (a) If paragraph (c) or (d) does not apply to the circumstances of the crime and the assault is not made with the use of a deadly weapon or the present ability to use a deadly weapon, for a misdemeanor. (b) If the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. (c) If paragraph (d) does not apply to the circumstances of the crime and if the assault: (1) Is committed upon: (I) An officer, a school employee, a taxicab driver, a transit operator or a utility worker who is performing his or her duty; (II) A provider of health care while the provider of health care is performing his or her duty or is on the premises where he or she performs that duty; or (III) A sports official based on the performance of his or her duties at a sporting event; and (2) The person charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, a transit operator, a utility worker or a sports official, for a gross misdemeanor, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. (d) If the assault: (1) Is committed by a probationer, a prisoner who is in lawful custody or confinement or a parolee upon: (I) An officer, a school employee, a taxicab driver, a transit operator or a utility worker who is performing his or her duty; (II) A provider of health care while the provider of health care is performing his or her duty or is on the premises where he or she performs that duty; or (III) A sports official based on the performance of his or her duties at a sporting event; and (2) The probationer, prisoner or parolee charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, a transit operator, a utility worker or a sports official, for a category D felony as provided in NRS 193.130, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. (Added to NRS by 1971, 1384; A 1981, 903; 1985, 248; 1989, 1010; 1991, 124, 774; 1995, 21, 1190, 1321; 1997, 434; 1999, 140; 2001, 380, 986, 987; 2003, 354; 2005, 176; 2007, 1848, 3078; 2009, 74, 2991; 2011, 1336, 1513; 2013, 292, 952, 1763; 2017, 226; 2019, 1810, 2711; 2023, 933, 1587, 1688,

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.481 - Battery: Definitions; penalties.

1. As used in this section: (a) "Battery" means any willful and unlawful use of force or violence upon the person of another. (b) "Child" means a person less than 18 years of age. (c) "Fire-fighting agency" has the meaning ascribed to it in NRS 239B.020. (d) "Officer" means: (1) A person who possesses some or all of the powers of a peace officer; (2) A person employed in a full-time salaried occupation of fire fighting for the benefit or safety of the public; (3) A member of a volunteer fire department; (4) A jailer, guard, matron or other correctional officer of a city or county jail or detention facility; (5) A prosecuting attorney of an agency or political subdivision of the United States or of this State; (6) A justice of the Supreme Court, judge of the Court of Appeals, district judge, justice of the peace, municipal judge, magistrate, court commissioner, master or referee, including, without limitation, a person acting pro tempore in a capacity listed in this subparagraph; (7) An employee of this State or a political subdivision of this State whose official duties require the employee to make home visits; (8) A civilian employee or a volunteer of a law enforcement agency whose official duties require the employee or volunteer to: (I) Interact with the public; (II) Perform tasks related to law enforcement; and (III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the law enforcement agency; (9) A civilian employee or a volunteer of a fire-fighting agency whose official duties require the employee or volunteer to: (I) Interact with the public; (II) Perform tasks related to fire fighting or fire prevention; and (III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the fire-fighting agency; or (10) A civilian employee or volunteer of this State or a political subdivision of this State whose official duties require the employee or volunteer to: (I) Interact with the public; (II) Perform tasks related to code enforcement; and (III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for this State or a political subdivision of this State. (e) "Provider of health care" has the meaning ascribed to it in NRS 200.471. (f) "School employee" means a licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281. (g) "Sporting event" has the meaning ascribed to it in NRS 41.630. (h) "Sports official" has the meaning ascribed to it in NRS 41.630. (i) "Strangulation" means intentionally applying sufficient pressure to another person to make it difficult or impossible for the person to breathe, including, without limitation, applying pressure to the neck, throat or windpipe that may prevent or hinder breathing or reduce the intake of air, or applying any pressure to the neck on either side of the windpipe, but not the windpipe itself, to stop the flow of blood to the brain via the carotid arteries. (j) "Taxicab" has the meaning ascribed to it in NRS 706.8816. (k) "Taxicab driver" means a person who operates a taxicab. (l) "Transit operator" means a person who operates a bus or other vehicle as part of a public mass transportation system. (m) "Utility worker" means an employee of a public utility as defined in NRS 704.020 whose official duties require the employee to: (1) Interact with the public; (2) Perform tasks related to the operation of the public utility; and (3) Wear identification, clothing or a uniform that identifies the employee as working for the public utility. 2. Except as otherwise provided in NRS 200.485, a person convicted of a battery, other than a battery committed by an adult upon a child which constitutes child abuse, shall be punished: (a) If the battery is not committed with a deadly weapon, and no substantial bodily harm to the victim results, except under circumstances where a greater penalty is provided in this section or NRS 197.090, for a misdemeanor. (b) If the battery is not committed with a deadly weapon, and either substantial bodily harm to the victim results or the battery is committed by strangulation, for a category C felony as provided in NRS 193.130. (c) If: (1) The battery is committed upon: (I) An officer, school employee, taxicab driver, transit operator or utility worker who was performing his or her duty; (II) A provider of health care while the provider of health care is performing his or her duty or is on the premises where he or she performs that duty; or (III) A sports official based on the performance of his or her duties at a sporting event; (2) The officer, provider of health care, school employee, taxicab driver, transit operator, utility worker or sports official suffers substantial bodily harm or the battery is committed by strangulation; and (3) The person charged knew or should have known that the victim was an officer, provider of health care, school employee, taxicab driver, transit operator, utility worker or sports official, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, or by a fine of not more than \$10,000, or by both fine and imprisonment. (d) If the battery: (1) Is committed upon: (I) An officer, school employee, taxicab driver, transit operator or utility worker who is performing his or her duty; (II) A provider of health care while the provider of health care is performing his or her duty or is on the premises where he or she performs that duty; or (III) A sports official based on the performance of his or her duties at a sporting event; and (2) The person charged knew or should have known that the victim was an officer, provider of health care, school employee, taxicab driver, transit operator, utility worker or sports official, for a gross misdemeanor, except under circumstances where a greater penalty is provided in this section. (e) If the battery is committed with the use of a deadly weapon, and: (1) No substantial bodily harm to the victim results, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. (2) Substantial bodily harm to the victim results or the battery is committed by strangulation, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000. (f) If the battery is committed by a probationer, a prisoner who is in lawful custody or confinement or a parolee, without the use of a deadly weapon, whether or not substantial bodily harm results and whether or not the battery is committed by strangulation, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years. (g) If the battery is committed by a probationer, a prisoner who is in lawful custody or confinement or a parolee, with the use of a deadly weapon, and: (1) No substantial bodily harm to the victim results, for a category B felony by imprisonment in the state prison for a

minimum term of not less than 2 years and a maximum term of not more than 10 years. (2) Substantial bodily harm to the victim results or the battery is committed by strangulation, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years. (Added to NRS by 1971, 1385; A 1973, 1444; 1975, 1063; 1977, 736; 1979, 213, 1427; 1981, 12, 614; 1983, 673; 1985, 248, 2171; 1987, 515; 1989, 1178; 1991, 154, 774; 1995, 22, 903, 1191, 1321, 1335; 1997, 435, 1180, 1813; 1999, 141; 2001, 381; 2003, 355; 2005, 178; 2009, 87; 2013, 1764; 2017, 228; 2019, 1812; 2023, 936, 2004, 2972)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.485 - Battery which constitutes domestic violence: Penalties; referring child for counseling; right to trial by jury; restriction against probation and suspension; notice of prohibition against owning or possessing firearm; order to surrender, sell or transfer firearm; penalty for violation concerning firearm; definitions.

1. Unless a greater penalty is provided pursuant to subsections 2 to 5, inclusive, or NRS 200.481, a person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018: (a) For the first offense within 7 years, is guilty of a misdemeanor and shall be punished by: (1) Imprisonment in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; and (2) Performing not less than 48 hours, but not more than 120 hours, of community service. The person shall be further punished by a fine of not less than \$200, but not more than \$1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must be not less than 12 consecutive hours and must occur at a time when the person is not required to be at his or her place of employment or on a weekend. (b) For the second offense within 7 years, is guilty of a misdemeanor and shall be punished by: (1) Imprisonment in the city or county jail or detention facility for not less than 20 days, but not more than 6 months; and (2) Performing not less than 100 hours, but not more than 200 hours, of community service. The person shall be further punished by a fine of not less than \$500, but not more than \$1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must not be less than 12 consecutive hours and must occur at a time when the person is not required to be at his or her place of employment or on a weekend. (c) For the third offense within 7 years, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not less than \$1,000, but not more than \$5,000. 2. Unless a greater penalty is provided pursuant to subsection 3 or NRS 200.481, a person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018, if the battery is committed by strangulation as described in NRS 200.481, is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. Unless a greater penalty is provided pursuant to NRS 200.481, a person who has been previously convicted of: (a) A felony that constitutes domestic violence pursuant to NRS 33.018; (b) A battery which constitutes domestic violence pursuant to NRS 33.018, if the battery is committed with the use of a deadly weapon as described in NRS 200.481; or (c) A violation of the law of any other jurisdiction that prohibits the same or similar conduct set forth in paragraph (a) or (b), and who commits a battery which constitutes domestic violence pursuant to NRS 33.018 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and shall be further punished by a fine of not less than \$2,000, but not more than \$5,000. 4. Unless a greater penalty is provided pursuant to NRS 200.481, a person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018, if the battery is committed against a victim who was pregnant at the time of the battery and the person knew or should have known that the victim was pregnant: (a) For the first offense, is guilty of a gross misdemeanor and shall be punished by imprisonment in the county jail for not less than 20 days and may be further punished by a fine of not less than \$500, but not more than \$1,000. (b) For the second or any subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison of a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not less than \$1,000, but not more than \$5,000. 5. Unless a greater penalty is provided pursuant to NRS 200.481, a person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018, if the battery causes substantial bodily harm, is guilty of a category B felony and shall be punished by imprisonment in the state prison of a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not less than \$1,000, but not more than \$5,000. 6. In addition to any other penalty, if a person is convicted of a battery which constitutes domestic violence pursuant to NRS 33.018, the court shall: (a) For the first offense within 7 years, require the person to participate in weekly counseling sessions of not less than 1 1/2 hours per week for not less than 6 months, at his or her expense, in a program for the treatment of persons who commit domestic violence that has been certified pursuant to NRS 439.258. (b) For the second offense within 7 years, require the person to participate in weekly counseling sessions of not less than 1 1/2 hours per week for not less than 12 months, at his or her expense, in a program for the treatment of persons who commit domestic violence that has been certified pursuant to NRS 439.258. If the person resides in this State but the nearest location at which counseling services are available is in another state, the court may allow the person to participate in counseling in the other state in a program for the treatment of persons who commit domestic violence that has been certified pursuant to NRS 439.258. 7. Except as otherwise provided in this subsection, an offense that occurred within 7 years immediately preceding the date of the principal offense or after the principal offense constitutes a prior offense for the purposes of this section: (a) When evidenced by a conviction; or (b) If the offense is conditionally dismissed or the judgment of conviction is set aside pursuant to NRS 176A.240, 176A.260 or 176A.290 or dismissed in connection with successful completion of a diversionary program or specialty court program, without regard to the sequence of the offenses and convictions. An offense which is listed in paragraph (a), (b) or (c) of subsection 3 that occurred on any date preceding the date of the

principal offense or after the principal offense constitutes a prior offense for the purposes of this section when evidenced by a conviction, without regard to the sequence of the offenses and convictions. The facts concerning a prior offense must be alleged in the complaint, indictment or information, must not be read to the jury or proved at trial but must be proved at the time of sentencing and, if the principal offense is alleged to be a felony, must also be shown at the preliminary examination or presented to the grand jury. 8. In addition to any other penalty, the court may require such a person to participate, at his or her expense, in a program of treatment for an alcohol or other substance use disorder that has been certified by the Division of Public and Behavioral Health of the Department of Health and Human Services. 9. If it appears from information presented to the court that a child under the age of 18 years may need counseling as a result of the commission of a battery which constitutes domestic violence pursuant to NRS 33.018, the court may refer the child to an agency which provides child welfare services. If the court refers a child to an agency which provides child welfare services, the court shall require the person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018 to reimburse the agency for the costs of any services provided, to the extent of the convicted person's ability to pay. 10. If a person is charged with committing a battery which constitutes domestic violence pursuant to NRS 33.018 that is punishable as a misdemeanor and may prohibit the person from owning, possessing or having under his or her control or custody any firearm pursuant to NRS 202.360, the person is entitled to a trial by jury pursuant to subsection 1 of NRS 175.011, regardless of whether the person was previously prohibited from owning, possessing or having under his or her control or custody any firearm pursuant to NRS 202.360. 11. A court shall not grant probation to or suspend the sentence of a person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018 that is punishable as a felony. 12. In every judgment of conviction or admonishment of rights issued pursuant to this section, the court shall: (a) Inform the person convicted that he or she is prohibited from owning, possessing or having under his or her custody or control any firearm pursuant to NRS 202.360; and (b) Order the person convicted to permanently surrender, sell or transfer any firearm that he or she owns or that is in his or her possession or under his or her custody or control in the manner set forth in NRS 202.361. 13. A person who violates any provision included in a judgment of conviction or admonishment of rights issued pursuant to this section concerning the surrender, sale, transfer, ownership, possession, custody or control of a firearm is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. The court must include in the judgment of conviction or admonishment of rights a statement that a violation of such a provision in the judgment or admonishment is a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 14. As used in this section: (a) "Agency which provides child welfare services" has the meaning ascribed to it in NRS 432B.030. (b) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of NRS 200.481. (c) "Offense" includes a battery which constitutes domestic violence pursuant to NRS 33.018 or a violation of the law of any other jurisdiction that prohibits the same or similar conduct. (Added to NRS by 1997, 1811; A 1999, 1880; 2001, 11, 432, 2485, 2922, 2932; 2003, 1481; 2005, 29, 533; 2007, 1436, 1438; 2009, 89, 91; 2017, 2457, 3026, 3121, 3183; 2019, 1815, 2857, 4420; 2021, 660, 1316, 2484; 2023, 1607)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.490 - Provoking assault: Penalty.

Every person who shall, by word, sign or gesture, willfully provoke, or attempt to provoke, another person to commit an assault shall be punished by a fine of not more than \$500. [Part 1911 C&P § 150; RL § 6415; NCL § 10097]—(NRS A 1967, 473)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.495 - Definitions; penalties.

1. A professional caretaker who fails to provide such service, care or supervision as is reasonable and necessary to maintain the health or safety of a patient is guilty of criminal neglect of a patient if: (a) The act or omission is aggravated, reckless or gross; (b) The act or omission is such a departure from what would be the conduct of an ordinarily prudent, careful person under the same circumstances that it is contrary to a proper regard for danger to human life or constitutes indifference to the resulting consequences; (c) The consequences of the negligent act or omission could have reasonably been foreseen; and (d) The danger to human life was not the result of inattention, mistaken judgment or misadventure, but the natural and probable result of an aggravated reckless or grossly negligent act or omission. 2. Unless a more severe penalty is prescribed by law for the act or omission which brings about the neglect, a person who commits criminal neglect of a patient: (a) If the neglect results in death, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. (b) If the neglect results in substantial bodily harm, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. (c) If the neglect does not result in death or substantial bodily harm, is guilty of a gross misdemeanor. 3. For the purposes of this section, a patient is not neglected for the sole reason that: (a) According to the patient's desire, the patient is being furnished with treatment by spiritual means through prayer alone in accordance with the tenets and practices of a church or religious denomination. Subsection 1 does not authorize or require any medical care or treatment over the implied or express objection of such a patient. (b) Life-sustaining treatment was withheld or withdrawn in accordance with a valid declaration by the patient or his or her agent pursuant to NRS 162A.790. 4. Upon the conviction of a person for a violation of the provisions of subsection 1, the Attorney General shall give notice of the conviction to the licensing boards which: (a) Licensed the facility in which the criminal neglect occurred; and (b) If applicable, licensed the person so convicted. 5. As used in this section: (a) "Medical facility" has the meaning ascribed to it in NRS 449.0151. (b) "Patient" means a person who resides or receives health

care in a medical facility. (c) "Professional caretaker" means a person who: (1) Holds a license, registration or permit issued pursuant to title 54 or chapter 449 of NRS; (2) Is employed by, an agent of or under contract to perform services for, a medical facility; and (3) Has responsibility to provide care to patients. The term does not include a person who is not involved in the day-to-day operation or management of a medical facility unless that person has actual knowledge of the criminal neglect of a patient and takes no action to cure such neglect. (Added to NRS by 1993, 2497; A 1995, 1192; 2009, 207; 2021, 1604)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.508 - Abuse, neglect or endangerment of child: Penalties; definitions.

1. A person who willfully causes a child who is less than 18 years of age to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect or to be placed in a situation where the child may suffer physical pain or mental suffering as the result of abuse or neglect: (a) If substantial bodily or mental harm results to the child: (1) If the child is less than 14 years of age and the harm is the result of sexual abuse or exploitation, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 15 years has been served; or (2) In all other such cases to which subparagraph (1) does not apply, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years; or (b) If substantial bodily or mental harm does not result to the child: (1) If the person has not previously been convicted of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years; or (2) If the person has previously been convicted of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, unless a more severe penalty is prescribed by law for an act or omission that brings about the abuse or neglect. 2. A person who is responsible for the safety or welfare of a child pursuant to NRS 432B.130 and who permits or allows that child to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect or to be placed in a situation where the child may suffer physical pain or mental suffering as the result of abuse or neglect: (a) If substantial bodily or mental harm results to the child: (1) If the child is less than 14 years of age and the harm is the result of sexual abuse or exploitation, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or (2) In all other such cases to which subparagraph (1) does not apply, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years; or (b) If substantial bodily or mental harm does not result to the child: (1) If the person has not previously been convicted of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct, is guilty of a gross misdemeanor; or (2) If the person has previously been convicted of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct, is guilty of a category C felony and shall be punished as provided in NRS 193.130, unless a more severe penalty is prescribed by law for an act or omission that brings about the abuse or neglect. 3. A person does not commit a violation of subsection 1 or 2 by virtue of the sole fact that the person delivers or allows the delivery of a child to a provider of emergency services pursuant to NRS 432B.630. 4. As used in this section: (a) "Abuse or neglect" means physical or mental injury of a nonaccidental nature, sexual abuse, sexual exploitation, negligent treatment or maltreatment of a child under the age of 18 years, as set forth in paragraph (d) and NRS 432B.070, 432B.100, 432B.110, 432B.140 and 432B.150, under circumstances which indicate that the child's health or welfare is harmed or threatened with harm. (b) "Allow" means to do nothing to prevent or stop the abuse or neglect of a child in circumstances where the person knows or has reason to know that the child is abused or neglected. (c) "Permit" means permission that a reasonable person would not grant and which amounts to a neglect of responsibility attending the care, custody and control of a minor child. (d) "Physical injury" means: (1) Permanent or temporary disfigurement; or (2) Impairment of any bodily function or organ of the body. (e) "Substantial mental harm" means an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior. (Added to NRS by 1971, 772; A 1975, 1141; 1977, 738, 1629; 1985, 1399; 1989, 866, 1510, 1512; 1995, 1193; 1997, 850, 1720; 1999, 470, 472; 2001, 1138, 1264; 2003, 22; 2015, 2237)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5081 - District attorney may refer person suspected of violating NRS 200.508 for treatment or counseling.

1. A district attorney may, if the circumstances indicate that treatment or counseling is needed, refer a person who is suspected of violating a provision of NRS 200.508 to an appropriate public or private agency for treatment or counseling. The district attorney shall obtain the consent of the agency to which the district attorney intends to refer the person before doing so. 2. Nothing in this section limits the discretion of the district attorney to undertake prosecution of a person who has been referred for treatment or counseling pursuant to subsection 1. (Added to NRS by 1981, 1228)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5083 - Mutilation of genitalia of female child: Penalties; definitions.

1. A person who willfully: (a) Mutilates, or aids, abets, encourages or participates in the mutilation of the genitalia of a female child;

or (b) Removes a female child from this State for the purpose of mutilating the genitalia of the child, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. 2. It is not a defense that: (a) The person engaging in the conduct prohibited by subsection 1 believes that the conduct is necessary or appropriate as a matter of custom, ritual or standard practice; or (b) The child, the parent or legal guardian of the child, or another person legally responsible for the child has consented to the conduct prohibited by subsection 1. 3. As used in this section: (a) "Child" means a person who is under 18 years of age. (b) "Mutilates the genitalia of a female child" means the removal or infibulation in whole or in part of the clitoris, vulva, labia major or labia minor for nonmedical purposes. (Added to NRS by 1997, 678)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5085 - Use of nonmedical remedial treatment.

A child is not abused or neglected, nor is the child's health or welfare harmed or threatened for the sole reason that his or her parent or guardian, in good faith, selects and depends upon nonmedical remedial treatment for such child, if such treatment is recognized and permitted under the laws of this State in lieu of medical treatment. (Added to NRS by 1979, 437)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5091 - Policy of State.

It is the policy of this State to provide for the cooperation of law enforcement officials, courts of competent jurisdiction and all appropriate state agencies providing human services in identifying the abuse, neglect, exploitation, isolation and abandonment of older persons and vulnerable persons through the complete reporting of abuse, neglect, exploitation, isolation and abandonment of older persons and vulnerable persons. (Added to NRS by 1981, 1334; A 1997, 1348; 2005, 1107; 2015, 804)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5092 - Definitions.

As used in NRS 200.5091 to 200.50995, inclusive, unless the context otherwise requires: 1. "Abandonment" means: (a) Desertion of an older person or a vulnerable person in an unsafe manner by a caretaker or other person with a legal duty of care; or (b) Withdrawal of necessary assistance owed to an older person or a vulnerable person by a caretaker or other person with an obligation to provide services to the older person or vulnerable person. 2. "Abuse" means willful: (a) Infliction of pain or injury on an older person or a vulnerable person; (b) Deprivation of food, shelter, clothing or services which are necessary to maintain the physical or mental health of an older person or a vulnerable person; (c) Infliction of psychological or emotional anguish, pain or distress on an older person or a vulnerable person through any act, including, without limitation: (1) Threatening, controlling or socially isolating the older person or vulnerable person; (2) Disregarding the needs of the older person or vulnerable person; or (3) Harming, damaging or destroying any property of the older person or vulnerable person, including, without limitation, pets; (d) Nonconsensual sexual contact with an older person or a vulnerable person, including, without limitation: (1) An act that the older person or vulnerable person is unable to understand or to which the older person or vulnerable person is unable to communicate his or her objection; or (2) Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or buttocks of the older person or vulnerable person; or (e) Permitting any of the acts described in paragraphs (a) to (d), inclusive, to be committed against an older person or a vulnerable person. 3. "Exploitation" means any act taken by a person who has the trust and confidence of an older person or a vulnerable person or any use of the power of attorney or guardianship of an older person or a vulnerable person to: (a) Obtain control, through deception, intimidation or undue influence, over the older person's or vulnerable person's money, assets or property with the intention of permanently depriving the older person or vulnerable person of the ownership, use, benefit or possession of his or her money, assets or property; or (b) Convert money, assets or property of the older person or vulnerable person with the intention of permanently depriving the older person or vulnerable person of the ownership, use, benefit or possession of his or her money, assets or property. As used in this subsection, "undue influence" means the improper use of power or trust in a way that deprives a person of his or her free will and substitutes the objectives of another person. The term does not include the normal influence that one member of a family has over another. 4. "Isolation" means preventing an older person or a vulnerable person from having contact with another person by: (a) Intentionally preventing the older person or vulnerable person from receiving visitors, mail or telephone calls, including, without limitation, communicating to a person who comes to visit the older person or vulnerable person or a person who telephones the older person or vulnerable person that the older person or vulnerable person is not present or does not want to meet with or talk to the visitor or caller knowing that the statement is false, contrary to the express wishes of the older person or vulnerable person and intended to prevent the older person or vulnerable person from having contact with the visitor; (b) Physically restraining the older person or vulnerable person to prevent the older person or vulnerable person from meeting with a person who comes to visit the older person or vulnerable person; or (c) Permitting any of the acts described in paragraphs (a) and (b) to be committed against an older person or a vulnerable person. The term does not include an act intended to protect the property or physical or mental welfare of the older person or vulnerable person or an act performed pursuant to the instructions of a physician of the older person or vulnerable person. 5. "Neglect" means the failure of a person or a manager of a facility who has assumed legal responsibility or a contractual obligation for caring for an older person or a vulnerable person or who has voluntarily assumed responsibility for his or her care to provide food, shelter, clothing or services which are necessary to maintain the physical or mental health of the older person or vulnerable person. 6. "Older person" means a person who is 60 years of age or older. 7. "Protective services" means services the purpose of which is to prevent and remedy the abuse, neglect, exploitation, isolation and abandonment of older persons or vulnerable persons. The services may include: (a) The investigation,

evaluation, counseling, arrangement and referral for other services and assistance; and (b) Services provided to an older person or a vulnerable person who is unable to provide for his or her own needs. 8. "Vulnerable person" means a person 18 years of age or older who: (a) Suffers from a condition of physical or mental incapacitation because of a developmental disability, organic brain damage or mental illness; or (b) Has one or more physical or mental limitations that restrict the ability of the person to perform the normal activities of daily living. (Added to NRS by 1981, 1334; A 1983, 1359, 1652; 1995, 2250; 1997, 1348; 1999, 3517; 2003, 491; 2005, 1108; 2015, 804; 2019, 3484; 2023, 1401)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.50925 - "Reasonable cause to believe" and "as soon as reasonably practicable" defined.

For the purposes of NRS 200.5091 to 200.50995, inclusive, a person: 1. Has "reasonable cause to believe" if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred. 2. Acts "as soon as reasonably practicable" if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would act within approximately the same period under those facts and circumstances. (Added to NRS by 1999, 3517; A 2023, 1403)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5093 - Report of abuse, neglect, exploitation, isolation or abandonment of older person or vulnerable person; voluntary and mandatory reports; investigation; penalty.

1. Any person who is described in subsection 4 and who, in a professional or occupational capacity, knows or has reasonable cause to believe that an older person or vulnerable person has been abused, neglected, exploited, isolated or abandoned shall: (a) Except as otherwise provided in subsection 2, report the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to: (1) The local office of the Aging and Disability Services Division of the Department of Health and Human Services; (2) A police department or sheriff's office; or (3) A toll-free telephone service designated by the Aging and Disability Services Division of the Department of Health and Human Services; and (b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the older person or vulnerable person has been abused, neglected, exploited, isolated or abandoned. 2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person involves an act or omission of the Aging and Disability Services Division, another division of the Department of Health and Human Services or a law enforcement agency, the person shall make the report to an agency other than the one alleged to have committed the act or omission. 3. Each agency, after reducing a report to writing, shall forward a copy of the report to the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes. 4. A report must be made pursuant to subsection 1 by the following persons: (a) Every physician, dentist, dental hygienist, expanded function dental assistant, chiropractic physician, naprapath, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, physician assistant licensed pursuant to chapter 630 or 633 of NRS, anesthesiologist assistant, perfusionist, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, clinical alcohol and drug counselor, alcohol and drug counselor, music therapist, athletic trainer, driver of an ambulance, paramedic, licensed dietitian, holder of a license or a limited license issued under the provisions of chapter 653 of NRS, behavior analyst, assistant behavior analyst, registered behavior technician, peer recovery support specialist, as defined in NRS 433.627, peer recovery support specialist supervisor, as defined in NRS 433.629, or other person providing medical services licensed or certified to practice in this State, who examines, attends or treats an older person or vulnerable person who appears to have been abused, neglected, exploited, isolated or abandoned. (b) Any personnel of a hospital or similar institution engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a hospital or similar institution upon notification of the suspected abuse, neglect, exploitation, isolation or abandonment of an older person or vulnerable person by a member of the staff of the hospital. (c) A coroner. (d) Every person who maintains or is employed by an agency to provide personal care services in the home. (e) Every person who maintains or is employed by an agency to provide nursing in the home. (f) Every person who operates, who is employed by or who contracts to provide services for an intermediary service organization as defined in NRS 449.4304. (g) Any employee of the Department of Health and Human Services, except the State Long-Term Care Ombudsman appointed pursuant to NRS 427A.125 and any of his or her advocates or volunteers where prohibited from making such a report pursuant to 45 C.F.R. § 1321.11. (h) Any employee of a law enforcement agency or a county's office for protective services or an adult or juvenile probation officer. (i) Any person who maintains or is employed by a facility or establishment that provides care for older persons or vulnerable persons. (j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding the abuse, neglect, exploitation, isolation or abandonment of an older person or vulnerable person and refers them to persons and agencies where their requests and needs can be met. (k) Every social worker. (l) Any person who owns or is employed by a funeral home or mortuary. (m) Every person who operates or is employed by a community health worker pool, as defined in NRS 449.0028, or with whom a community health worker pool contracts to provide the services of a community health worker, as defined in NRS 449.0027. (n) Every person who is enrolled with the Division of Health Care Financing and Policy of the Department of Health and Human Services to provide doula services to recipients of Medicaid pursuant to NRS 422.27177. 5. A report may be made by any other person. 6. If a person who is required to make a report

pursuant to subsection 1 knows or has reasonable cause to believe that an older person or vulnerable person has died as a result of abuse, neglect, isolation or abandonment, the person shall, as soon as reasonably practicable, report this belief to the appropriate medical examiner or coroner, who shall investigate the cause of death of the older person or vulnerable person and submit to the appropriate local law enforcement agencies, the appropriate prosecuting attorney, the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes his or her written findings. The written findings must include the information required pursuant to the provisions of NRS 200.5094, when possible. 7. A division, office or department which receives a report pursuant to this section shall cause the investigation of the report to commence within 3 working days. A copy of the final report of the investigation conducted by a division, office or department, other than the Aging and Disability Services Division of the Department of Health and Human Services, must be forwarded within 30 days after the completion of the report to the: (a) Aging and Disability Services Division; (b) Repository for Information Concerning Crimes Against Older Persons or Vulnerable Persons created by NRS 179A.450; and (c) Unit for the Investigation and Prosecution of Crimes. 8. If the investigation of a report results in the belief that an older person or vulnerable person is abused, neglected, exploited, isolated or abandoned, the Aging and Disability Services Division of the Department of Health and Human Services or the county's office for protective services may provide protective services to the older person or vulnerable person if the older person or vulnerable person is able and willing to accept them. 9. A person who knowingly and willfully violates any of the provisions of this section is guilty of a misdemeanor. 10. As used in this section, "Unit for the Investigation and Prosecution of Crimes" means the Unit for the Investigation and Prosecution of Crimes Against Older Persons or Vulnerable Persons in the Office of the Attorney General created pursuant to NRS 228.265. (Added to NRS by 1981, 1334; A 1983, 1653; 1985, 1491; 1987, 2130, 2218; 1989, 904; 1991, 135; 1993, 2226; 1995, 2250; 1997, 108, 1349, 2608, 2610, 2637, 2639; 1999, 137, 2242, 2245, 2248, 3518; 2001, 158, 161, 776; 2003, 905; 2005, 1109, 2172; 2007, 746, 1224, 1849, 3080; 2009, 2372, 2445, 2992; 2011, 1093, 1514; 2013, 141, 953; 2015, 806, 2167, 2178; 2017, 702; 2019, 2713, 3485; 2021, 1605, 2623, 2816, 3626; 2023, 1590, 1690, 3433)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5094 - Reports: Manner of making; contents.

1. A person may make a report pursuant to NRS 200.5093 by telephone or, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, by any other means of oral, written or electronic communication that a reasonable person would believe, under those facts and circumstances, is a reliable and swift means of communicating information to the person who receives the report. If the report is made orally, the person who receives the report must reduce it to writing as soon as reasonably practicable. 2. The report must contain the following information, when possible: (a) The name and address of the older person or vulnerable person; (b) The name and address of the person responsible for his or her care, if there is one; (c) The name and address, if available, of the person who is alleged to have abused, neglected, exploited, isolated or abandoned the older person or vulnerable person; (d) The nature and extent of the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person; (e) Any evidence of previous injuries; and (f) The basis of the reporter's belief that the older person or vulnerable person has been abused, neglected, exploited, isolated or abandoned. (Added to NRS by 1981, 1335; A 1983, 1654; 1997, 1351; 1999, 3520; 2005, 1110; 2015, 809; 2019, 3487)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5095 - Reports and records confidential; permissible or required disclosure; penalty. [Effective until the date on which the Nevada Certification Board, or its successor organization, ceases certifying peer recovery support specialists or peer recovery support specialist supervisors.] Reports and records confidential; permissible or required disclosure; penalty. [Effective on the date on which the Nevada Certification Board, or its successor organization, ceases certifying peer recovery support specialists or peer recovery support specialist supervisors.]

1. Reports made pursuant to NRS 200.5093 and 200.5094, and records and investigations relating to those reports, are confidential. 2. A person, law enforcement agency or public or private agency, institution or facility who willfully releases data or information concerning the reports and investigation of the abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons, except: (a) Pursuant to a criminal prosecution; (b) Pursuant to NRS 200.50982; or (c) To persons or agencies enumerated in subsection 3, is guilty of a misdemeanor. 3. Except as otherwise provided in subsection 2 and NRS 200.50982, data or information concerning the reports and investigations of the abuse, neglect, exploitation, isolation or abandonment of an older person or a vulnerable person is available only to: (a) A physician who is providing care to an older person or a vulnerable person who may have been abused, neglected, exploited, isolated or abandoned; (b) An agency responsible for or authorized to undertake the care, treatment and supervision of the older person or vulnerable person; (c) A district attorney or other law enforcement official who requires the information in connection with an investigation of the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person; (d) A court which has determined, in camera, that public disclosure of such information is necessary for the determination of an issue before it; (e) A person engaged in bona fide research, but the identity of the subjects of the report must remain confidential; (f) A grand jury upon its determination that access to such records is necessary in the conduct of its official business; (g) Any comparable authorized person or agency in another jurisdiction; (h) A legal guardian of the older person or vulnerable person, if the identity of the person who was responsible for reporting the alleged abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to the public agency is protected, and the legal guardian of the older person or vulnerable person is not the person suspected of such abuse, neglect, exploitation, isolation or abandonment; (i) If

the older person or vulnerable person is deceased, the executor or administrator of his or her estate, if the identity of the person who was responsible for reporting the alleged abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to the public agency is protected, and the executor or administrator is not the person suspected of such abuse, neglect, exploitation, isolation or abandonment; (j) The older person or vulnerable person named in the report as allegedly being abused, neglected, exploited, isolated or abandoned, if that person is not legally incapacitated; (k) An attorney appointed by a court to represent a protected person in a guardianship proceeding pursuant to NRS 159.0485, if: (1) The protected person is an older person or vulnerable person; (2) The identity of the person who was responsible for reporting the alleged abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to the public agency is protected; and (3) The attorney of the protected person is not the person suspected of such abuse, neglect, exploitation, isolation or abandonment; or (l) The State Guardianship Compliance Office created by NRS 159.341. 4. If the person who is reported to have abused, neglected, exploited, isolated or abandoned an older person or a vulnerable person is the holder of a license or certificate issued pursuant to chapters 449, 630 to 641B, inclusive, 641D, 653 or 654 of NRS, the information contained in the report must be submitted to the board that issued the license. 5. If data or information concerning the reports and investigations of the abuse, neglect, exploitation, isolation or abandonment of an older person or a vulnerable person is made available pursuant to paragraph (b) or (j) of subsection 3 or subsection 4, the name and any other identifying information of the person who made the report must be redacted before the data or information is made available. (Added to NRS by 1981, 1335; A 1983, 1654; 1995, 2252; 1997, 1351; 2003, 906; 2005, 1111; 2011, 1096, 1518; 2015, 810; 2019, 2716, 3488; 2021, 1607; 2023, 1693) 1. Reports made pursuant to NRS 200.5093 and 200.5094, and records and investigations relating to those reports, are confidential. 2. A person, law enforcement agency or public or private agency, institution or facility who willfully releases data or information concerning the reports and investigation of the abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons, except: (a) Pursuant to a criminal prosecution; (b) Pursuant to NRS 200.50982; or (c) To persons or agencies enumerated in subsection 3, is guilty of a misdemeanor. 3. Except as otherwise provided in subsection 2 and NRS 200.50982, data or information concerning the reports and investigations of the abuse, neglect, exploitation, isolation or abandonment of an older person or a vulnerable person is available only to: (a) A physician who is providing care to an older person or a vulnerable person who may have been abused, neglected, exploited, isolated or abandoned; (b) An agency responsible for or authorized to undertake the care, treatment and supervision of the older person or vulnerable person; (c) A district attorney or other law enforcement official who requires the information in connection with an investigation of the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person; (d) A court which has determined, in camera, that public disclosure of such information is necessary for the determination of an issue before it; (e) A person engaged in bona fide research, but the identity of the subjects of the report must remain confidential; (f) A grand jury upon its determination that access to such records is necessary in the conduct of its official business; (g) Any comparable authorized person or agency in another jurisdiction; (h) A legal guardian of the older person or vulnerable person, if the identity of the person who was responsible for reporting the alleged abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to the public agency is protected, and the legal guardian of the older person or vulnerable person is not the person suspected of such abuse, neglect, exploitation, isolation or abandonment; (i) If the older person or vulnerable person is deceased, the executor or administrator of his or her estate, if the identity of the person who was responsible for reporting the alleged abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to the public agency is protected, and the executor or administrator is not the person suspected of such abuse, neglect, exploitation, isolation or abandonment; (j) The older person or vulnerable person named in the report as allegedly being abused, neglected, exploited, isolated or abandoned, if that person is not legally incapacitated; (k) An attorney appointed by a court to represent a protected person in a guardianship proceeding pursuant to NRS 159.0485, if: (1) The protected person is an older person or vulnerable person; (2) The identity of the person who was responsible for reporting the alleged abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to the public agency is protected; and (3) The attorney of the protected person is not the person suspected of such abuse, neglect, exploitation, isolation or abandonment; or (l) The State Guardianship Compliance Office created by NRS 159.341. 4. If the person who is reported to have abused, neglected, exploited, isolated or abandoned an older person or a vulnerable person is the holder of a license or certificate issued pursuant to chapters 449, 630 to 641B, inclusive, 641D, 653 or 654 of NRS or NRS 433.622 to 433.641, inclusive, the information contained in the report must be submitted to the board or agency that issued the license or certificate. 5. If data or information concerning the reports and investigations of the abuse, neglect, exploitation, isolation or abandonment of an older person or a vulnerable person is made available pursuant to paragraph (b) or (j) of subsection 3 or subsection 4, the name and any other identifying information of the person who made the report must be redacted before the data or information is made available. (Added to NRS by 1981, 1335; A 1983, 1654; 1995, 2252; 1997, 1351; 2003, 906; 2005, 1111; 2011, 1096, 1518; 2015, 810; 2019, 2716, 3488; 2021, 1607, 2818; 2023, 1693, effective on the date on which the Nevada Certification Board, or its successor organization, ceases certifying peer recovery support specialists or peer recovery support specialist supervisors)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.50955 - Law enforcement agency: Required to act promptly in obtaining certain warrants.

A law enforcement agency shall promptly seek to obtain a warrant for the arrest of any person the agency has probable cause to believe is criminally responsible for the abuse, neglect, exploitation, isolation or abandonment of an older person or a vulnerable person. (Added to NRS by 1997, 1348; A 2005, 1112; 2015, 811)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.50957 - Person named on account held in joint tenancy may be prosecuted for exploitation.

1. The mere fact that an account of an older person or a vulnerable person is held in joint tenancy pursuant to NRS 100.085 does not, in and of itself, convey to all persons named on the account legal ownership of the account and the deposits and proceeds of the account in a manner that would preclude such a person from committing or being prosecuted for exploitation involving the control or conversion of any deposits or proceeds of the account if the facts and circumstances demonstrate that exploitation has occurred, regardless of whether the intent to commit exploitation arose before, during or after the creation of the account. 2. Nothing in this section shall be construed to relieve the State of its burden of proving beyond a reasonable doubt each element of the crime of exploitation. (Added to NRS by 2023, 1401)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5096 - Immunity from civil or criminal liability for reporting, investigating or submitting information; exception.

1. Except as otherwise provided in subsection 2, immunity from civil or criminal liability extends to every person who, pursuant to NRS 200.5091 to 200.50995, inclusive, in good faith: (a) Participates in the making of a report; (b) Causes or conducts an investigation of alleged abuse, neglect, exploitation, isolation or abandonment of an older person or a vulnerable person; or (c) Submits information contained in a report to a licensing board pursuant to subsection 4 of NRS 200.5095. 2. The immunity provided in subsection 1 does not extend to any person who has: (a) Abused, neglected, exploited, isolated or abandoned the older person or vulnerable person who is the subject of the report or investigation as prohibited by NRS 200.5099; (b) Conspired with another to commit abuse, exploitation or isolation of the older person or vulnerable person who is the subject of the report or investigation as prohibited by NRS 200.50995; or (c) Aided and abetted in or was an accessory to the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person who is the subject of the report or investigation or the conspiracy to commit abuse, exploitation or isolation of the older person or vulnerable person. (Added to NRS by 1981, 1336; A 1995, 2253; 1997, 1352; 2005, 1112; 2015, 811; 2017, 2528, 2834)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5097 - Admissibility of evidence.

In any proceeding resulting from a report made or action taken pursuant to NRS 200.5091 to 200.50995, inclusive, or in any other proceeding, the report or its contents or any other fact related thereto or to the condition of the older person or vulnerable person who is the subject of the report may not be excluded on the ground that the matter would otherwise be privileged against disclosure under chapter 49 of NRS. (Added to NRS by 1981, 1336; A 2005, 1112)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5098 - Duties of Aging and Disability Services Division of Department of Health and Human Services regarding older persons or vulnerable persons; organization and operation of teams for provision of assistance.

1. The Aging and Disability Services Division of the Department of Health and Human Services shall: (a) Identify and record demographic information on the older person or vulnerable person who is alleged to have been abused, neglected, exploited, isolated or abandoned and the person who is alleged to be responsible for such abuse, neglect, exploitation, isolation or abandonment. (b) Obtain information from programs for preventing abuse of older persons or vulnerable persons, analyze and compare the programs, and make recommendations to assist the organizers of the programs in achieving the most efficient and effective service possible. (c) Publicize the provisions of NRS 200.5091 to 200.50995, inclusive. 2. The Administrator of the Aging and Disability Services Division of the Department may organize one or more teams to assist in strategic assessment and planning of protective services, issues regarding the delivery of service, programs or individual plans for preventing, identifying, remedying or treating abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons. Members of the team serve at the invitation of the Administrator and must be experienced in preventing, identifying, remedying or treating abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons. The team may include representatives of other organizations concerned with education, law enforcement or physical or mental health. 3. The team may receive otherwise confidential information and records pertaining to older persons or vulnerable persons to assist in assessing and planning. The confidentiality of any information or records received must be maintained under the terms or conditions required by law. The content of any discussion regarding information or records received by the team pursuant to this subsection is not subject to discovery and a member of the team shall not testify regarding any discussion which occurred during the meeting. Any information disclosed in violation of this subsection is inadmissible in all judicial proceedings. (Added to NRS by 1981, 1335; A 1983, 1655; 1991, 134; 1997, 1352; 2015, 811; 2019, 3489)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.50981 - Sheriff to designate point of contact for Aging and Disability Services Division of Department of Health and Human Services.

1. The sheriff of each county shall designate one employee as a point of contact for the Aging and Disability Services Division of the Department of Health and Human Services. 2. Upon the request of the Aging and Disability Services Division, the employee designated pursuant to subsection 1 shall offer consultation and advice to the Division regarding a report submitted pursuant to NRS 200.5093 and 200.5094 or a request for assistance by the Division relating to abuse, neglect, exploitation, isolation or abandonment

of an older person or vulnerable person. 3. The employee designated pursuant to subsection 1 shall provide his or her contact information to the Administrator of the Aging and Disability Services Division within 20 days after his or her designation as the point of contact. (Added to NRS by 2019, 3483)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.50982 - Disclosure of information concerning reports and investigations to other agencies or legal representative of older person or vulnerable person; disclosure of information concerning suspect in investigation of abuse, neglect, exploitation, isolation or abandonment of older person or vulnerable person.

1. The provisions of NRS 200.5091 to 200.50995, inclusive, do not prohibit: (a) An agency which is investigating a report of abuse, neglect, exploitation, isolation or abandonment, or which provides protective services, from disclosing data or information concerning the reports and investigations of the abuse, neglect, exploitation, isolation or abandonment of an older person or a vulnerable person to other federal, state or local agencies or the legal representatives of the older person or vulnerable person on whose behalf the investigation is being conducted if: (1) The agency making the disclosure determines that the disclosure is in the best interest of the older person or vulnerable person; and (2) Proper safeguards are taken to ensure the confidentiality of the information. (b) An attorney who receives data or information pursuant to paragraph (k) of subsection 3 of NRS 200.5095 from disclosing data or information concerning a report or investigation of the abuse, neglect, exploitation, isolation or abandonment of an older person or vulnerable person to a court of competent jurisdiction in a guardianship proceeding concerning the older person or vulnerable person. 2. If the Aging and Disability Services Division of the Department of Health and Human Services is investigating a report of abuse, neglect, exploitation, isolation or abandonment of an older person or vulnerable person, a law enforcement agency shall, upon request of the Aging and Disability Services Division, provide information relating to any suspect in the investigation as soon as possible. The information must include, when possible: (a) The records of criminal history of the suspect; (b) Whether or not the suspect resides with or near the older person or vulnerable person; and (c) A summary of any events, incidents or arrests which have occurred at the residence of the suspect or the older person or vulnerable person within the past 90 days and which involve physical violence or concerns related to public safety or the health or safety of the older person or vulnerable person. 3. An attorney shall make the disclosure pursuant to paragraph (b) of subsection 1 to the court within 20 days after his or her receipt of data or information concerning a report or investigation of the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person. (Added to NRS by 1995, 2249; A 1997, 1353; 2005, 1112; 2007, 276; 2015, 812; 2019, 3490)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.50984 - Inspection of records pertaining to older person or vulnerable person on whose behalf investigation is conducted.

1. Notwithstanding any other statute to the contrary, the local office of the Aging and Disability Services Division of the Department of Health and Human Services and a county's office for protective services, if one exists in the county where a violation is alleged to have occurred, may for the purpose of investigating an alleged violation of NRS 200.5091 to 200.50995, inclusive, inspect all records pertaining to the older person or vulnerable person on whose behalf the investigation is being conducted, including, but not limited to, that person's medical and financial records. 2. Except as otherwise provided in this subsection, if a guardian has not been appointed for the older person or vulnerable person, the Aging and Disability Services Division or the county's office for protective services shall obtain the consent of the older person or vulnerable person before inspecting those records. If the Aging and Disability Services Division or the county's office for protective services determines that the older person or vulnerable person is unable to consent to the inspection, the inspection may be conducted without his or her consent. Except as otherwise provided in this subsection, if a guardian has been appointed for the older person or vulnerable person, the Aging and Disability Services Division or the county's office for protective services shall obtain the consent of the guardian before inspecting those records. If the Aging and Disability Services Division or the county's office for protective services has reasonable cause to believe that the guardian is abusing, neglecting, exploiting, isolating or abandoning the older person or vulnerable person, the inspection may be conducted without the consent of the guardian, except that if the records to be inspected are in the personal possession of the guardian, the inspection must be approved by a court of competent jurisdiction. (Added to NRS by 1995, 2249; A 1997, 1353, 2611, 2641; 1999, 139, 2242, 2247, 2248, 3521; 2015, 812; 2019, 3491)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.50986 - Petition for removal of guardian of older person or vulnerable person.

The local office of the Aging and Disability Services Division of the Department of Health and Human Services or the county's office for protective services may petition a court in accordance with NRS 159.185, 159.1853 or 159.1905 for the removal of the guardian of an older person or vulnerable person, or the termination or modification of that guardianship, if, based on its investigation, the Aging and Disability Services Division or the county's office of protective services has reasonable cause to believe that the guardian is abusing, neglecting, exploiting, isolating or abandoning the older person or vulnerable person in violation of NRS 200.5091 to 200.50995, inclusive. (Added to NRS by 1995, 2250; A 1997, 1354, 2612, 2641; 1999, 139, 2242, 2248, 3521; 2001, 269; 2003, 1803; 2015, 813; 2019, 3491)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.5099 - Penalties.

1. Except as otherwise provided in subsection 6, any person who abuses an older person or a vulnerable person is guilty: (a) For the first offense, of either of the following, as determined by the court: (1) A category C felony and shall be punished as provided in NRS 193.130; or (2) A gross misdemeanor and shall be punished by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment; or (b) For the second and all subsequent offenses or if the person has been previously convicted of violating a law of any other jurisdiction that prohibits the same or similar conduct, of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 6 years, unless a more severe penalty is prescribed by law for the act or omission which brings about the abuse.

2. Except as otherwise provided in subsection 7, any person who has assumed responsibility, legally, voluntarily or pursuant to a contract, to care for an older person or a vulnerable person and who neglects the older person or vulnerable person, causing the older person or vulnerable person to suffer physical pain or mental suffering, permits or allows the older person or vulnerable person to suffer unjustifiable physical pain or mental suffering or permits or allows the older person or vulnerable person to be placed in a situation where the older person or vulnerable person may suffer physical pain or mental suffering as the result of abuse or neglect is guilty: (a) For the first offense, of either of the following, as determined by the court: (1) A category C felony and shall be punished as provided in NRS 193.130; or (2) A gross misdemeanor and shall be punished by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment; or (b) For the second and all subsequent offenses, of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 6 years, unless a more severe penalty is prescribed by law for the act or omission which brings about the abuse or neglect.

3. Except as otherwise provided in subsection 4, any person who exploits an older person or a vulnerable person shall be punished: (a) For the first offense, if the value of any money, assets and property obtained or used: (1) Is less than \$650, of either of the following, as determined by the court: (I) A category C felony as provided in NRS 193.130; or (II) A gross misdemeanor by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment; (2) Is at least \$650, but less than \$5,000, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, or by a fine of not more than \$10,000, or by both fine and imprisonment; or (3) Is \$5,000 or more, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, or by a fine of not more than \$25,000, or by both fine and imprisonment; or (b) For the second and all subsequent offenses, regardless of the value of any money, assets and property obtained or used, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, or by a fine of not more than \$25,000, or by both fine and imprisonment, unless a more severe penalty is prescribed by law for the act which brought about the exploitation. The monetary value of all of the money, assets and property of the older person or vulnerable person which have been obtained or used, or both, may be combined for the purpose of imposing punishment for an offense charged pursuant to this subsection.

4. If a person exploits an older person or a vulnerable person and the monetary value of any money, assets and property obtained cannot be determined, the person shall be punished: (a) For the first offense, of either of the following, as determined by the court: (1) A category C felony as provided in NRS 193.130; or (2) A gross misdemeanor by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment; or (b) For the second and all subsequent offenses, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, or by a fine of not more than \$25,000, or by both fine and imprisonment, unless a more severe penalty is prescribed by law for the act which brought about the exploitation.

5. Any person who isolates or abandons an older person or a vulnerable person is guilty: (a) For the first offense, of either of the following, as determined by the court: (1) A category C felony and shall be punished as provided in NRS 193.130; or (2) A gross misdemeanor and shall be punished by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment; or (b) For the second and all subsequent offenses, of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$5,000, unless a more severe penalty is prescribed by law for the act or omission which brings about the isolation or abandonment.

6. A person who violates any provision of subsection 1, if substantial bodily or mental harm or death results to the older person or vulnerable person, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, unless a more severe penalty is prescribed by law for the act or omission which brings about the abuse.

7. A person who violates any provision of subsection 2, if substantial bodily or mental harm or death results to the older person or vulnerable person, shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, unless a more severe penalty is prescribed by law for the act or omission which brings about the abuse or neglect.

8. In addition to any other penalty imposed against a person for a violation of any provision of NRS 200.5091 to 200.50995, inclusive, the court shall order the person to pay restitution.

9. As used in this section: (a) "Allow" means to take no action to prevent or stop the abuse or neglect of an older person or a vulnerable person if the person knows or has reason to know that the older person or vulnerable person is being abused or neglected. (b) "Permit" means permission that a reasonable person would not grant and which amounts to a neglect of responsibility attending the care and custody of an older person or a vulnerable person. (c) "Substantial mental harm" means an injury to the intellectual or psychological capacity or the emotional condition of an older person or a vulnerable person as evidenced by an observable and substantial impairment of the ability of the older person or vulnerable person to function within his or her normal range of performance or behavior. (Added to NRS by 1981, 1336; A 1983, 1652, 1655; 1985, 249; 1995, 1194, 2253; 1997, 110, 1354; 2003,

2567; 2005, 1113; 2011, 159; 2013, 978; 2017, 2529, 2835; 2023, 1403)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.50995 - Penalties for conspiracy.

1. A person who conspires with another to commit abuse, exploitation or isolation of an older person or a vulnerable person as prohibited by NRS 200.5099 shall be punished: (a) For the first offense, for a gross misdemeanor by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment; or (b) For the second and all subsequent offenses, for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years. 2. Each person found guilty of such a conspiracy is jointly and severally liable for the restitution ordered by the court pursuant to NRS 200.5099 with each other person found guilty of the conspiracy. (Added to NRS by 1997, 1347; A 2003, 2568; 2005, 1114; 2017, 2531, 2837)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.510 - Definition; penalties; truth may be given in evidence; jury to determine law and fact.

1. A libel is a malicious defamation, expressed by printing, writing, signs, pictures or the like, tending to blacken the memory of the dead, or to impeach the honesty, integrity, virtue, or reputation, or to publish the natural defects of a living person or persons, or community of persons, or association of persons, and thereby to expose them to public hatred, contempt or ridicule. 2. Every person, whether the writer or publisher, convicted of the offense is guilty of a gross misdemeanor. 3. In all prosecutions for libel the truth may be given in evidence to the jury, and, if it shall appear to the jury that the matter charged as libelous is true and was published for good motive and for justifiable ends, the party shall be acquitted, and the jury shall have the right to determine the law and the fact. [1911 C&P § 163; A 1915, 423; 1919 RL § 6428; NCL § 10110]—(NRS A 1967, 473)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.520 - Publication defined.

Any method by which matter charged as libelous may be communicated to another shall be deemed a publication thereof. [1911 C&P § 164; RL § 6429; NCL § 10111]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.530 - Liability of editor or publisher.

Every editor or proprietor of a book, newspaper or serial, and every manager of a copartnership or corporation by which any book, newspaper or serial is issued, is chargeable with the publication of any matter contained in any such book, newspaper or serial, but in every prosecution for libel the defendant may show in his or her defense that the matter complained of was published without his or her knowledge or fault and against his or her wishes by another who had no authority from the defendant to make such publication, and was retracted by the defendant as soon as known with an equal degree of publicity. [1911 C&P § 165; RL § 6430; NCL § 10112]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.540 - Criminal proceedings: Venue.

Every person publishing a libel in this state may be proceeded against in any county where such libelous matter was published or circulated, but a person shall not be proceeded against for the publication of the same libel against the same person in more than one county. [1911 C&P § 166; RL § 6431; NCL § 10113]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.550 - Furnishing libelous information: Penalty.

Every person who shall willfully state, deliver or transmit by any means whatever to any manager, editor, publisher, reporter or other employee of a publisher of any newspaper, magazine, publication, periodical or serial any statement concerning any person or corporation which, if published therein, would be a libel shall be guilty of a misdemeanor. [1911 C&P § 167; RL § 6432; NCL § 10114]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.560 - Threatening to publish libel: Penalty.

Every person who shall threaten another with the publication of a libel concerning the latter, or his or her spouse, parent, child or other family member, and every person who offers to prevent the publication of a libel upon another person upon condition of the payment of, or with intent to extort, money or other valuable consideration from any person, shall be guilty of a gross misdemeanor. [1911 C&P § 168; RL § 6433; NCL § 10115]

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.571 - Harassment: Definition; penalties.

1. A person is guilty of harassment if: (a) Without lawful authority, the person knowingly threatens: (1) To cause bodily injury in the future to the person threatened or to any other person; (2) To cause physical damage to the property of another person; (3) To subject the person threatened or any other person to physical confinement or restraint; or (4) To do any act which is intended to substantially harm the person threatened or any other person with respect to his or her physical or mental health or safety; and (b) The person by words or conduct places the person receiving the threat in reasonable fear that the threat will be carried out. 2. Except where the provisions of subsection 2, 3 or 4 of NRS 200.575 are applicable, a person who is guilty of harassment: (a) For the first

offense, is guilty of a misdemeanor. (b) For the second or any subsequent offense, is guilty of a gross misdemeanor. 3. The penalties provided in this section do not preclude the victim from seeking any other legal remedy available. (Added to NRS by 1989, 897; A 1993, 510; 2001, 2785; 2019, 1818)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.575 - Stalking: Definitions; penalties; entry of finding in judgment of conviction or admonishment of rights.

1. A person who, without lawful authority, willfully or maliciously engages in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, commits the crime of stalking. Except where the provisions of subsection 2, 3 or 4 are applicable, a person who commits the crime of stalking: (a) For the first offense, is guilty of a misdemeanor. (b) For the second offense, is guilty of a gross misdemeanor. (c) For the third or any subsequent offense, is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years, and may be further punished by a fine of not more than \$5,000. 2. Except as otherwise provided in subsection 3 or 4 and unless a more severe penalty is prescribed by law, a person who commits the crime of stalking where the victim is under the age of 16 and the person is 5 or more years older than the victim: (a) For the first offense, is guilty of a gross misdemeanor. (b) For the second offense, is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 5 years, and may be further punished by a fine of not more than \$5,000. (c) For the third or any subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$5,000. 3. A person who commits the crime of stalking and in conjunction therewith threatens the person with the intent to cause the person to be placed in reasonable fear of death or substantial bodily harm commits the crime of aggravated stalking. A person who commits the crime of aggravated stalking shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$5,000. 4. A person who commits the crime of stalking with the use of an Internet or network site, electronic mail, text messaging or any other similar means of communication to publish, display or distribute information in a manner that substantially increases the risk of harm or violence to the victim shall be punished for a category C felony as provided in NRS 193.130. 5. If any act engaged in by a person was part of the course of conduct that constitutes the crime of stalking and was initiated or had an effect on the victim in this State, the person may be prosecuted in this State. 6. Except as otherwise provided in subsection 2 of NRS 200.571, a criminal penalty provided for in this section may be imposed in addition to any penalty that may be imposed for any other criminal offense arising from the same conduct or for any contempt of court arising from the same conduct. 7. If the court finds that a person convicted of stalking pursuant to this section committed the crime against a person listed in subsection 1 of NRS 33.018 and that the victim has an ongoing, reasonable fear of physical harm, the court shall enter the finding in its judgment of conviction or admonishment of rights. 8. If the court includes such a finding in a judgment of conviction or admonishment of rights issued pursuant to this section, the court shall: (a) Inform the person convicted that he or she is prohibited from owning, possessing or having under his or her control or custody any firearm pursuant to NRS 202.360; and (b) Order the person convicted to permanently surrender, sell or transfer any firearm that he or she owns or that is in his or her possession or under his or her custody or control in the manner set forth in NRS 202.361. 9. A person who violates any provision included in a judgment of conviction or admonishment of rights issued pursuant to this section concerning the surrender, sale, transfer, ownership, possession, custody or control of a firearm is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. The court must include in the judgment of conviction or admonishment of rights a statement that a violation of such a provision in the judgment or admonishment is a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 10. The penalties provided in this section do not preclude the victim from seeking any other legal remedy available. 11. As used in this section: (a) "Course of conduct" means a pattern of conduct which consists of two or more acts over a period of time that evidences a continuity of purpose directed at a specific person. (b) "Family or household member" means a spouse, a former spouse, a parent or other person who is related by blood or marriage or is or was actually residing with the person. (c) "Internet or network site" has the meaning ascribed to it in NRS 205.4744. (d) "Network" has the meaning ascribed to it in NRS 205.4745. (e) "Offense" includes, without limitation, a violation of the law of any other jurisdiction that prohibits the same or similar conduct set forth in this section. (f) "Text messaging" means a communication in the form of electronic text or one or more electronic images sent from a telephone or computer to another person's telephone or computer by addressing the communication to the recipient's telephone number. (g) "Without lawful authority" includes acts which are initiated or continued without the victim's consent. The term does not include acts which are otherwise protected or authorized by constitutional or statutory law, regulation or order of a court of competent jurisdiction, including, but not limited to: (1) Picketing which occurs during a strike, work stoppage or any other labor dispute. (2) The activities of a reporter, photographer, camera operator or other person while gathering information for communication to the public if that person is employed or engaged by or has contracted with a newspaper, periodical, press association or radio or television station and is acting solely within that professional capacity. (3) The activities of a person that are carried out in the normal course of his or her

lawful employment. (4) Any activities carried out in the exercise of the constitutionally protected rights of freedom of speech and assembly. (Added to NRS by 1993, 509; A 1995, 59, 1195, 1324; 1999, 1377; 2001, 665, 2785, 2800; 2003, 198; 2009, 3006; 2017, 3123; 2019, 1818)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.581 - Where offense committed.

Harassment, stalking or aggravated stalking shall be deemed to have been committed where the conduct occurred or where the person who was affected by the conduct was located at the time that the conduct occurred. (Added to NRS by 1989, 897; A 1993, 510; 1995, 60; 2001, 666)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.591 - Court may impose temporary or extended order to restrict conduct of alleged perpetrator, defendant or convicted person; penalty for violation of order; dissemination of order; notice provided in order.

1. In addition to any other remedy provided by law, a person who reasonably believes that the crime of stalking, aggravated stalking or harassment is being committed against him or her by another person may petition any court of competent jurisdiction for a temporary or extended order directing the person who is allegedly committing the crime to: (a) Stay away from the home, school, business or place of employment of the victim of the alleged crime and any other location specifically named by the court. (b) Refrain from contacting, intimidating, threatening or otherwise interfering with the victim of the alleged crime and any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged crime. (c) Comply with any other restriction which the court deems necessary to protect the victim of the alleged crime or to protect any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged crime. 2. If a defendant charged with a crime involving harassment, stalking or aggravated stalking is released from custody before trial or is found guilty at the trial, the court may issue a temporary or extended order or provide as a condition of the release or sentence that the defendant: (a) Stay away from the home, school, business or place of employment of the victim of the alleged crime and any other location specifically named by the court. (b) Refrain from contacting, intimidating, threatening or otherwise interfering with the victim of the alleged crime and any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged crime. (c) Comply with any other restriction which the court deems necessary to protect the victim of the alleged crime or to protect any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged crime. 3. A temporary order may be granted with or without notice to the adverse party. An extended order may be granted only after: (a) Notice of the petition for the order and of the hearing thereon is served upon the adverse party pursuant to the Nevada Rules of Civil Procedure; and (b) A hearing is held on the petition. 4. If an extended order is issued by a justice court, an interlocutory appeal lies to the district court, which may affirm, modify or vacate the order in question. The appeal may be taken without bond, but its taking does not stay the effect or enforcement of the order. 5. Unless a more severe penalty is prescribed by law for the act that constitutes the violation of the order, any person who intentionally violates: (a) A temporary order is guilty of a gross misdemeanor. (b) An extended order is guilty of a category C felony and shall be punished as provided in NRS 193.130. 6. Any court order issued pursuant to this section must: (a) Be in writing; (b) Be personally served on the person to whom it is directed; and (c) Contain the warning that violation of the order: (1) Subjects the person to immediate arrest. (2) Is a gross misdemeanor if the order is a temporary order. (3) Is a category C felony if the order is an extended order. 7. A temporary or extended order issued pursuant to this section must provide notice that a person who is arrested for violating the order will not be admitted to bail sooner than 12 hours after the person's arrest if: (a) The arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm; (b) The person has previously violated a temporary or extended order for protection; or (c) At the time of the violation or within 2 hours after the violation, the person has: (1) A concentration of alcohol of 0.08 or more in his or her blood or breath; or (2) An amount of a prohibited substance in his or her blood or urine, as applicable, that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 484C.110. (Added to NRS by 1989, 897; A 1993, 510; 1995, 61, 1324; 2005, 953; 2007, 1020; 2017, 323)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.592 - Petitioner for order: Deferment of costs and fees; free information concerning order; no fee for serving order.

1. The payment of all costs and official fees must be deferred for any person who petitions a court for a temporary or extended order pursuant to NRS 200.591. After any hearing and not later than final disposition of such an application or order, the court shall assess the costs and fees against the adverse party, except that the court may reduce them or waive them, as justice may require. 2. The clerk of the court shall provide a person who petitions the court for a temporary or extended order pursuant to NRS 200.591 and the adverse party, free of cost, with information about the: (a) Availability of temporary and extended orders pursuant to NRS 200.591; (b) Procedure for filing an application for such an order; and (c) Right to proceed without legal counsel. 3. A person who obtains an order pursuant to NRS 200.591 must not be charged any fee to have the order served in this State. (Added to NRS by 2001, 1671)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.594 - Duration of orders; dissolution or modification of orders.

1. A temporary order issued pursuant to NRS 200.591 expires within such time, not to exceed 45 days, as the court fixes. If a

petition for an extended order is filed within the period of a temporary order, the temporary order remains in effect until the hearing on the extended order is held. 2. On 2 days' notice to the party who obtained the temporary order, the adverse party may appear and move its dissolution or modification, and in that event the court shall proceed to hear and determine such motion as expeditiously as the ends of justice require. 3. An extended order expires within such time, not to exceed 2 years, as the court fixes. A temporary order may be converted by the court, upon notice to the adverse party and a hearing, into an extended order effective for no more than 2 years. 4. The court shall enter a finding of fact providing the basis for the imposition of an extended order effective for more than 1 year. 5. At any time while the extended order is in effect, the party who obtained the extended order or the adverse party may appear and move for its dissolution or modification based on changes of circumstance of the parties, and in that event the court shall proceed to hear and determine such motion as expeditiously as the ends of justice require. 6. This section must not be construed to limit the adverse party to an interlocutory appeal pursuant to NRS 200.591. (Added to NRS by 1995, 59; A 2019, 1501, 2838)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.597 - Order to be transmitted to law enforcement agencies; enforcement.

1. Each court that issues an order pursuant to NRS 200.591 shall transmit, as soon as practicable, a copy of the order to all law enforcement agencies within its jurisdiction. The copy must include a notation of the date on which the order was personally served upon the person to whom it is directed. 2. A peace officer, without a warrant, may arrest and take into custody a person when the peace officer has probable cause to believe that: (a) An order has been issued pursuant to NRS 200.591 to the person to be arrested; (b) The person to be arrested has been served with a copy of the order; and (c) The person to be arrested is acting in violation of the order. 3. Any law enforcement agency in this State may enforce a court order issued pursuant to NRS 200.591. (Added to NRS by 1995, 59; A 2005, 955)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.599 - Duty to transmit information concerning temporary or extended order to Central Repository.

Any time a court issues a temporary or extended order for protection against stalking, aggravated stalking or harassment and any time a person serves such an order, or receives any information or takes any other action pursuant to NRS 200.571 to 200.601, inclusive, the court or person, as applicable, shall cause to be transmitted, in the manner prescribed by the Central Repository for Nevada Records of Criminal History, any information required by the Central Repository in a manner which ensures that the information is received by the Central Repository by the end of the next business day. (Added to NRS by 2019, 2838)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.601 - Victim to be given certain information and documents concerning case; clerk to keep record of order or condition restricting conduct of defendant.

1. The prosecuting attorney in any trial brought against a person on a charge of harassment, stalking or aggravated stalking shall inform the alleged victim of the final disposition of the case. 2. If the defendant is found guilty and the court issues an order or provides a condition of the sentence restricting the ability of the defendant to have contact with the victim or witnesses, the clerk of the court shall: (a) Keep a record of the order or condition of the sentence; and (b) Provide a certified copy of the order or condition of the sentence to the victim and other persons named in the order. (Added to NRS by 1989, 898; A 1993, 511)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.603 - Peering, peeping or spying through window, door or other opening of dwelling of another; penalties.

1. A person shall not knowingly enter upon the property or premises of another or upon the property or premises owned by him or her and leased or rented to another with the intent to surreptitiously conceal himself or herself on the property or premises and peer, peep or spy through a window, door or other opening of a building or structure that is used as a dwelling on the property or premises. 2. A person who violates subsection 1 is guilty of: (a) If the person is in possession of a deadly weapon at the time of the violation, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. (b) If the person is not in possession of a deadly weapon at the time of the violation, but is in possession of a photographic or digital camera, video camera or other device capable of recording images or sound at the time of the violation, a gross misdemeanor. (c) If the person is not in possession of a deadly weapon or a photographic or digital camera, video camera or other device capable of recording images or sound at the time of the violation, a misdemeanor. 3. This section does not apply to: (a) A law enforcement officer conducting a criminal investigation or surveillance; (b) A building inspector, building official or other similar authority employed by a governmental body while performing his or her duties; or (c) An employee of a public utility while performing his or her duties. (Added to NRS by 2005, 930)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.604 - Capturing image of private area of another person; distributing, disclosing, displaying, transmitting or publishing image of private area of another person; penalties; exceptions; confidentiality of image.

1. Except as otherwise provided in subsection 4, a person shall not knowingly and intentionally capture an image of the private area of another person: (a) Without the consent of the other person; and (b) Under circumstances in which the other person has a

reasonable expectation of privacy. 2. Except as otherwise provided in subsection 4, a person shall not distribute, disclose, display, transmit or publish an image that the person knows or has reason to know was made in violation of subsection 1. 3. Unless a greater penalty is provided pursuant to NRS 200.780 or 212.188, a person who violates this section: (a) For a first offense, is guilty of a gross misdemeanor. (b) For a second or subsequent offense, is guilty of a category E felony and shall be punished as provided in NRS 193.130. 4. This section does not prohibit any lawful law enforcement or correctional activity, including, without limitation, capturing, distributing, disclosing, displaying, transmitting or publishing an image for the purpose of investigating or prosecuting a violation of this section. 5. If a person is charged with a violation of this section, any image of the private area of a victim that is contained within: (a) Court records; (b) Intelligence or investigative data, reports of crime or incidents of criminal activity or other information; (c) Records of criminal history, as that term is defined in NRS 179A.070; and (d) Records in the Central Repository for Nevada Records of Criminal History, is confidential and, except as otherwise provided in subsections 6 and 7, must not be inspected by or released to the general public. 6. An image that is confidential pursuant to subsection 5 may be inspected or released: (a) As necessary for the purposes of investigation and prosecution of the violation; (b) As necessary for the purpose of allowing a person charged with a violation of this section and his or her attorney to prepare a defense; and (c) Upon authorization by a court of competent jurisdiction as provided in subsection 7. 7. A court of competent jurisdiction may authorize the inspection or release of an image that is confidential pursuant to subsection 5, upon application, if the court determines that: (a) The person making the application has demonstrated to the satisfaction of the court that good cause exists for the inspection or release; and (b) Reasonable notice of the application and an opportunity to be heard have been given to the victim. 8. As used in this section: (a) "Broadcast" means to transmit electronically an image with the intent that the image be viewed by any other person. (b) "Capture," with respect to an image, means to videotape, photograph, film, record by any means or broadcast. (c) "Female breast" means any portion of the female breast below the top of the areola. (d) "Private area" means the naked or undergarment clad genitals, pubic area, buttocks or female breast of a person. (e) "Under circumstances in which the other person has a reasonable expectation of privacy" means: (1) Circumstances in which a reasonable person would believe that he or she could disrobe in privacy, without being concerned that an image of his or her private area would be captured; or (2) Circumstances in which a reasonable person would believe that his or her private area would not be visible to the public, regardless of whether the person is in a public or private place. (Added to NRS by 2007, 642; A 2015, 899, 2239)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.605 - Penalties; definition.

1. A person who engages in hazing is guilty of: (a) A misdemeanor, if no substantial bodily harm results. (b) A gross misdemeanor, if substantial bodily harm results. 2. Consent of a victim of hazing is not a valid defense to a prosecution conducted pursuant to this section. 3. For the purposes of this section, an activity shall be deemed to be "forced" if initiation into or affiliation with a student organization, academic association or athletic team is directly or indirectly conditioned upon participation in the activity. 4. As used in this section, "hazing" means an activity in which a person intentionally or recklessly endangers the physical health of another person for the purpose of initiation into or affiliation with a student organization, academic association or athletic team at a high school, college or university in this state. The term: (a) Includes, without limitation, any physical brutality or brutal treatment, including, without limitation, whipping, beating, branding, forced calisthenics, exposure to the elements or forced consumption of food, liquor, drugs or other substances. (b) Does not include any athletic, curricular, extracurricular or quasi-military practice, conditioning or competition that is sponsored or approved by the high school, college or university. (Added to NRS by 1999, 1065)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.610 - Definitions.

As used in NRS 200.610 to 200.690, inclusive: 1. "Person" includes public officials and law enforcement officers of the State and of a county or municipality or other political subdivision of the State. 2. "Wire communication" means the transmission of writing, signs, signals, pictures and sounds of all kinds by wire, cable, or other similar connection between the points of origin and reception of such transmission, including all facilities and services incidental to such transmission, which facilities and services include, among other things, the receipt, forwarding and delivering of communications. 3. "Radio communication" means the transmission of writing, signs, signals, pictures, and sounds of all kinds by radio or other wireless methods, including all facilities and services incidental to such transmission, which facilities and services include, among other things, the receipt, forwarding and delivering of communications. The term does not include the transmission of writing, signs, signals, pictures and sounds broadcast by amateurs or public or municipal agencies of the State of Nevada, or by others for the use of the general public. (Added to NRS by 1957, 334; A 1985, 512)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.620 - Interception and attempted interception of wire communication prohibited; exceptions.

1. Except as otherwise provided in subsection 5 and NRS 179.410 to 179.515, inclusive, 209.419 and 704.195, it is unlawful for any person to intercept or attempt to intercept any wire communication unless: (a) The interception or attempted interception is made with the prior consent of one of the parties to the communication; and (b) An emergency situation exists and it is impractical to obtain a court order as required by NRS 179.410 to 179.515, inclusive, before the interception, in which event the interception is subject to the requirements of subsection 3. If the application for ratification is denied, any use or disclosure of the information so intercepted is unlawful, and the person who made the interception shall notify the sender and the receiver of the communication that: (1) The communication was intercepted; and (2) Upon application to the court, ratification of the interception was denied. 2. This

section does not apply to any person, or to the officers, employees or agents of any person, engaged in the business of providing service and facilities for wire communication where the interception or attempted interception is to construct, maintain, conduct or operate the service or facilities of that person. 3. Any person who has made an interception in an emergency situation as provided in paragraph (b) of subsection 1 shall, within 72 hours of the interception, make a written application to a justice of the Supreme Court or district judge for ratification of the interception. The interception must not be ratified unless the applicant shows that: (a) An emergency situation existed and it was impractical to obtain a court order before the interception; and (b) Except for the absence of a court order, the interception met the requirements of NRS 179.410 to 179.515, inclusive. 4. NRS 200.610 to 200.690, inclusive, do not prohibit the recording, and NRS 179.410 to 179.515, inclusive, do not prohibit the reception in evidence, of conversations on wire communications installed in the office of an official law enforcement or fire-fighting agency, or a public utility, if the equipment used for the recording is installed in a facility for wire communications or on a telephone with a number listed in a directory, on which emergency calls or requests by a person for response by the law enforcement or fire-fighting agency or public utility are likely to be received. In addition, those sections do not prohibit the recording or reception in evidence of conversations initiated by the law enforcement or fire-fighting agency or public utility from such a facility or telephone in connection with responding to the original call or request, if the agency or public utility informs the other party that the conversation is being recorded. 5. The interception or attempted interception of a wire communication is not unlawful under the circumstances set forth in subsection 1 of NRS 179.463. (Added to NRS by 1957, 334; A 1973, 1748; 1975, 747; 1983, 120, 681; 1989, 659; 2021, 1736)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.630 - Disclosure of existence, content or substance of wire or radio communication prohibited; exceptions.

1. Except as otherwise provided in NRS 179.410 to 179.515, inclusive, and 704.195, a person shall not disclose the existence, content, substance, purport, effect or meaning of any wire or radio communication to any person unless authorized to do so by either the sender or receiver. 2. This section does not apply to any person, or the officers, employees or agents of any person, engaged in furnishing service or facilities for wire or radio communication where the disclosure is made: (a) For the purpose of construction, maintenance, conduct or operation of the service or facilities of such a person; (b) To the intended receiver or his or her agent or attorney; (c) In response to a subpoena issued by a court of competent jurisdiction; or (d) On written demand of other lawful authority. (Added to NRS by 1957, 334; A 1973, 1749; 1989, 660)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.640 - Unauthorized connection with facilities prohibited.

Except as otherwise provided in NRS 179.410 to 179.515, inclusive, and 200.620, a person shall not make any connection, either physically or by induction, with the wire or radio communication facilities of any person engaged in the business of providing service and facilities for communication unless the connection is authorized by the person providing the service and facilities. (Added to NRS by 1957, 335; A 1973, 1749; 1981, 1561)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.650 - Unauthorized, surreptitious intrusion of privacy by listening device prohibited.

Except as otherwise provided in NRS 179.410 to 179.515, inclusive, and 704.195, a person shall not intrude upon the privacy of other persons by surreptitiously listening to, monitoring or recording, or attempting to listen to, monitor or record, by means of any mechanical, electronic or other listening device, any private conversation engaged in by the other persons, or disclose the existence, content, substance, purport, effect or meaning of any conversation so listened to, monitored or recorded, unless authorized to do so by one of the persons engaging in the conversation. (Added to NRS by 1957, 335; A 1973, 1749; 1989, 660)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.690 - Penalties.

1. A person who willfully and knowingly violates NRS 200.620 to 200.650, inclusive: (a) Shall be punished for a category D felony as provided in NRS 193.130. (b) Is liable to a person whose wire or oral communication is intercepted without his or her consent for: (1) Actual damages or liquidated damages of \$100 per day of violation but not less than \$1,000, whichever is greater; (2) Punitive damages; and (3) His or her costs reasonably incurred in the action, including a reasonable attorney's fee, all of which may be recovered by civil action. 2. A good faith reliance by a public utility on a written request for interception by one party to a conversation is a complete defense to any civil or criminal action brought against the public utility on account of the interception. (Added to NRS by 1957, 336; A 1967, 474; 1973, 1749; 1995, 1195)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.700 - Definitions.

As used in NRS 200.700 to 200.760, inclusive, unless the context otherwise requires: 1. "Performance" means any play, film, photograph, computer-generated image, electronic representation, dance or other visual presentation. 2. "Promote" means to produce, direct, procure, manufacture, sell, give, lend, publish, distribute, exhibit, advertise or possess for the purpose of distribution. 3. "Sexual conduct" means sexual intercourse, lewd exhibition of the genitals, fellatio, cunnilingus, bestiality, anal intercourse, excretion, sado-masochistic abuse, masturbation, or the penetration of any part of a person's body or of any object manipulated or inserted by a person into the genital or anal opening of the body of another. 4. "Sexual portrayal" means the

depiction of a person in a manner which appeals to the prurient interest in sex and which does not have serious literary, artistic, political or scientific value. (Added to NRS by 1983, 814; A 1995, 950; 2009, 2662)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.710 - Unlawful to use minor in producing pornography or as subject of sexual portrayal in performance.

1. A person who knowingly uses, encourages, entices or permits a minor to simulate or engage in or assist others to simulate or engage in sexual conduct to produce a performance is guilty of a category A felony and shall be punished as provided in NRS 200.750. 2. A person who knowingly uses, encourages, entices, coerces or permits a minor to be the subject of a sexual portrayal in a performance is guilty of a category A felony and shall be punished as provided in NRS 200.750, regardless of whether the minor is aware that the sexual portrayal is part of a performance. (Added to NRS by 1979, 437; A 1983, 815; 1995, 951, 1196, 1337)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.720 - Promotion of sexual performance of minor unlawful.

A person who knowingly promotes a performance of a minor: 1. Where the minor engages in or simulates, or assists others to engage in or simulate, sexual conduct; or 2. Where the minor is the subject of a sexual portrayal, is guilty of a category A felony and shall be punished as provided in NRS 200.750. (Added to NRS by 1983, 814; A 1995, 951, 1196, 1337)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.725 - Preparing, advertising or distributing materials depicting pornography involving minor unlawful; penalty.

A person who knowingly prepares, advertises or distributes any item or material that depicts a minor engaging in, or simulating, or assisting others to engage in or simulate, sexual conduct is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 15 years, or by a fine of not more than \$15,000, or by both fine and imprisonment. (Added to NRS by 1995, 950; A 1995, 1337)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.727 - Use of Internet to control visual presentation depicting sexual conduct of person under 16 years of age; penalties.

1. Any person who, knowingly, willfully and with the specific intent to view any film, photograph or other visual presentation depicting a person under the age of 16 years engaging in or simulating sexual conduct, uses the Internet to control such a film, photograph or other visual presentation is guilty of: (a) For the first offense, a category C felony and shall be punished as provided in NRS 193.130. (b) For any subsequent offense, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 2. As used in this section, "sexual conduct" means sexual intercourse, fellatio, cunnilingus, bestiality, anal intercourse, excretion, sado-masochistic abuse, masturbation, or the penetration of any object manipulated or inserted by a person into the genital or anal opening of the body of another. (Added to NRS by 2009, 2662)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.730 - Possession of visual presentation depicting sexual conduct of person under 16 years of age unlawful; penalties.

A person who knowingly and willfully has in his or her possession for any purpose any film, photograph or other visual presentation depicting a person under the age of 16 years as the subject of a sexual portrayal or engaging in or simulating, or assisting others to engage in or simulate, sexual conduct: 1. For the first offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 2. For any subsequent offense, is guilty of a category A felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of life with the possibility of parole, and may be further punished by a fine of not more than \$5,000. (Added to NRS by 1983, 814; A 1985, 1412; 1987, 846; 1995, 951, 1196, 1337; 2005, 2876)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.735 - Exemption for purposes of law enforcement.

The provisions of NRS 200.710 to 200.730, inclusive, do not apply to law enforcement personnel during the investigation or prosecution of a violation of the provisions of NRS 200.710 to 200.730, inclusive. (Added to NRS by 1995, 950)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.737 - Use of electronic communication device by minor to possess, transmit or distribute sexual images of minor; penalties.

1. A minor shall not knowingly and willfully use an electronic communication device to transmit or distribute a sexual image of himself or herself to another person. 2. A minor shall not knowingly and willfully use an electronic communication device to transmit or distribute a sexual image of another minor who is older than, the same age as or not more than 4 years younger than the minor transmitting the sexual image. 3. A minor shall not knowingly and willfully possess a sexual image that was transmitted or distributed as described in subsection 1 or 2 if the minor who is the subject of the sexual image is older than, the same age as or not

more than 4 years younger than the minor who possesses the sexual image. It is an affirmative defense to a violation charged pursuant to this subsection if the minor who possesses a sexual image: (a) Did not knowingly purchase, procure, solicit or request the sexual image or take any other action to cause the sexual image to come into his or her possession; and (b) Promptly and in good faith, and without retaining or allowing any person, other than a law enforcement agency or a school official, to access any sexual image: (1) Took reasonable steps to destroy each image; or (2) Reported the matter to a law enforcement agency or a school official and gave the law enforcement agency or school official access to each image. 4. A minor who violates subsection 1: (a) For the first violation: (1) Is a child in need of supervision, as that term is used in title 5 of NRS, and is not a delinquent child; and (2) Is not considered a sex offender or juvenile sex offender and is not subject to registration or community notification as a juvenile sex offender pursuant to title 5 of NRS, or as a sex offender pursuant to NRS 179D.010 to 179D.550, inclusive. (b) For the second or a subsequent violation: (1) Commits a delinquent act, and the court may order the detention of the minor in the same manner as if the minor had committed an act that would have been a misdemeanor if committed by an adult; and (2) Is not considered a sex offender or juvenile sex offender and is not subject to registration or community notification as a juvenile sex offender pursuant to title 5 of NRS, or as a sex offender pursuant to NRS 179D.010 to 179D.550, inclusive. 5. A minor who violates subsection 2: (a) Commits a delinquent act, and the court may order the detention of the minor in the same manner as if the minor had committed an act that would have been a misdemeanor if committed by an adult; and (b) Is not considered a sex offender or juvenile sex offender and is not subject to registration or community notification as a juvenile sex offender pursuant to title 5 of NRS, or as a sex offender pursuant to NRS 179D.010 to 179D.550, inclusive. 6. A minor who violates subsection 3: (a) Is a child in need of supervision, as that term is used in title 5 of NRS, and is not a delinquent child; and (b) Is not considered a sex offender or juvenile sex offender and is not subject to registration or community notification as a juvenile sex offender pursuant to title 5 of NRS, or as a sex offender pursuant to NRS 179D.010 to 179D.550, inclusive. 7. As used in this section: (a) "Electronic communication device" means any electronic device that is capable of transmitting or distributing a sexual image, including, without limitation, a cellular phone, personal digital assistant, computer, computer network and computer system. (b) "Minor" means a person who is under 18 years of age. (c) "School official" means a principal, vice principal, school counselor or school police officer. (d) "Sexual conduct" has the meaning ascribed to it in NRS 200.700. (e) "Sexual image" means any visual depiction, including, without limitation, any photograph or video, of a minor simulating or engaging in sexual conduct or of a minor as the subject of a sexual portrayal. (f) "Sexual portrayal" has the meaning ascribed to it in NRS 200.700. (Added to NRS by 2011, 1060)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.740 - Determination by court or jury of whether person was minor.

For the purposes of NRS 200.710 to 200.737, inclusive, to determine whether a person was a minor, the court or jury may: 1. Inspect the person in question; 2. View the performance; 3. Consider the opinion of a witness to the performance regarding the person's age; 4. Consider the opinion of a medical expert who viewed the performance; or 5. Use any other method authorized by the rules of evidence at common law. (Added to NRS by 1983, 814; A 1995, 951; 2011, 1062)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.750 - Penalties.

A person punishable pursuant to NRS 200.710 or 200.720 shall be punished for a category A felony by imprisonment in the state prison: 1. If the minor is 14 years of age or older, for life with the possibility of parole, with eligibility for parole beginning when a minimum of 5 years has been served, and shall be further punished by a fine of not more than \$100,000. 2. If the minor is less than 14 years of age, for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served, and shall be further punished by a fine of not more than \$100,000. (Added to NRS by 1983, 815; A 1995, 1196; 1997, 1721; 2005, 2876)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.760 - Forfeiture.

All assets derived from or relating to any violation of NRS 200.366, 200.710 to 200.730, inclusive, or 201.230 are subject to forfeiture. A proceeding for their forfeiture may be brought pursuant to NRS 179.1156 to 179.1205, inclusive. (Added to NRS by 1983, 815; A 1985, 639, 1468; 1987, 1384; 1995, 951)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.765 - Definitions.

As used in NRS 200.765 to 200.790, inclusive, unless the context otherwise requires, the words and terms defined in NRS 200.770 and 200.775 have the meanings ascribed to them in those sections. (Added to NRS by 2015, 2233)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.770 - "Intimate image" defined.

"Intimate image": 1. Except as otherwise provided in subsection 2, includes, without limitation, a photograph, film, videotape or other recorded image which depicts: (a) The fully exposed nipple of the female breast of another person, including through transparent clothing; or (b) One or more persons engaged in sexual conduct. 2. Does not include an image which would otherwise constitute an intimate image pursuant to subsection 1, but in which the person depicted in the image: (a) Is not clearly identifiable; (b) Voluntarily exposed himself or herself in a public or commercial setting; or (c) Is a public figure. (Added to NRS by 2015, 2233)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.775 - "Sexual conduct" defined.

"Sexual conduct" has the meaning ascribed to it in NRS 200.700. (Added to NRS by 2015, 2234)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.780 - Unlawful dissemination of intimate image; exceptions; penalty.

1. Except as otherwise provided in subsection 3, a person commits the crime of unlawful dissemination of an intimate image when, with the intent to harass, harm or terrorize another person, the person electronically disseminates or sells an intimate image which depicts the other person and the other person: (a) Did not give prior consent to the electronic dissemination or the sale of the intimate image; (b) Had a reasonable expectation that the intimate image would be kept private and would not be made visible to the public; and (c) Was at least 18 years of age when the intimate image was created. 2. A person who commits the crime of unlawful dissemination of an intimate image is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. The provisions of this section do not apply to the electronic dissemination of an intimate image for the purpose of: (a) A legitimate public interest; (b) Reporting unlawful conduct; (c) Any lawful law enforcement or correctional activity; (d) Investigation or prosecution of a violation of this section; or (e) Preparation for or use in any legal proceeding. 4. A person who commits the crime of unlawful dissemination of an intimate image is not considered a sex offender and is not subject to registration or community notification as a sex offender pursuant to NRS 179D.010 to 179D.550, inclusive. (Added to NRS by 2015, 2234)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.785 - Demands in exchange for removal of intimate image; penalty.

Any person who demands payment of money, property, services or anything else of value from a person in exchange for removing an intimate image from public view is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 2015, 2234)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.790 - Liability of interactive computer service.

1. The provisions of NRS 200.765 to 200.790, inclusive, must not be construed to impose liability on an interactive computer service for any content provided by another person. 2. As used in subsection 1, "interactive computer service" has the meaning ascribed to it in 47 U.S.C. § 230(f)(2). (Added to NRS by 2015, 2234)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.800 - Definitions.

As used in NRS 200.800 to 200.840, inclusive, unless the context otherwise requires, the words and terms defined in NRS 200.810 and 200.820 have the meanings ascribed to them in those sections. (Added to NRS by 2013, 993)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.810 - "Health care procedure" defined.

"Health care procedure" means any medical procedure, other than a surgical procedure, that requires a license to perform pursuant to chapters 630 to 637, inclusive, 639, 640 or 653 of NRS. (Added to NRS by 2013, 993; A 2019, 2717; 2023, 1694)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.820 - "Surgical procedure" defined.

"Surgical procedure" means any invasive medical procedure where a break in the skin is created and there is contact with the mucosa or any minimally invasive medical procedure where a break in the skin is created or which involves manipulation of the internal body cavity beyond a natural or artificial body orifice which requires a license to perform pursuant to chapters 630 to 637, inclusive, 639, 640 or 653 of NRS. (Added to NRS by 2013, 993; A 2019, 2717; 2023, 1694)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.830 - Performance of health care procedure without license; penalties.

A person who performs a health care procedure on another person without a license which results in: 1. Substantial bodily harm other than death to the person who received the procedure: (a) For a first offense, is guilty of a category C felony and shall be punished as provided in NRS 193.130. (b) For any subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and shall be further punished by a fine of not less than \$2,000 but not more than \$5,000. 2. The death of the person who received the procedure, unless a greater penalty is provided by statute, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and shall be further punished by a fine of not less than \$2,000 but not more than \$5,000. A sentence imposed pursuant to this subsection may not be suspended nor may probation be granted. (Added to NRS by 2013, 993)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.840 - Performance of surgical procedure without license; penalties.

A person who performs a surgical procedure on another person without a license which results in: 1. No substantial bodily harm to the person who received the procedure: (a) For a first offense, is guilty of a category C felony and shall be punished as provided in

NRS 193.130. (b) For a second or subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and shall be further punished by a fine of not less than \$2,000 but not more than \$5,000. 2. Substantial bodily harm other than death to the person who received the procedure is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and shall be further punished by a fine of not less than \$2,000 but not more than \$5,000. 3. The death of the person who received the procedure, unless a greater penalty is provided by statute, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and shall be further punished by a fine of not less than \$2,000 but not more than \$5,000. A sentence imposed pursuant to this subsection may not be suspended nor may probation be granted. (Added to NRS by 2013, 994)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.870 - Penalty; definitions.

1. It is unlawful for any entity or person described in paragraphs (a) to (d), inclusive, to require another person to undergo the implantation of a microchip or other permanent identification marker of any kind or nature: (a) An officer or employee of this State or any political subdivision thereof; (b) An employer as a condition of employment; (c) A person licensed to sell or provide insurance pursuant to title 57 of NRS; or (d) A person licensed to participate in a business related to bail pursuant to chapter 697 of NRS. 2. The provisions of this section shall not be construed to prohibit a natural person from voluntarily electing to undergo the implantation of a microchip or other permanent identification marker of any kind or nature. 3. A person who violates the provisions of this section is guilty of a category C felony and shall be punished as provided in NRS 193.130. 4. As used in this section: (a) "Microchip" means a device that is subcutaneously implanted in a person and that is passively or actively capable of transmitting personal information to another device using radio frequency technology. The term does not include a device that is implanted in a person if the device: (1) Is incapable of passively or actively transmitting personal information to another device using radio frequency technology; (2) Is capable of passively or actively transmitting personal information to another device using radio frequency technology and the device: (I) Is used in the diagnosis, monitoring, treatment or prevention of a health condition; and (II) Only transmits such information as is necessary to carry out the diagnosis, monitoring, treatment or prevention of the health condition; or (3) Is any type of hearing aid or hearing implant device. (b) "Voluntarily" means without an incentive or other inducement. (Added to NRS by 2019, 2125)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.900 - Penalties; definitions.

1. A minor shall not knowingly and willfully use an electronic communication device to transmit or distribute, or otherwise knowingly and willfully transmit or distribute, an image of bullying committed against a minor to another person with the intent to encourage, further or promote bullying and to cause harm to the minor. 2. A minor who violates subsection 1: (a) For the first violation, is a child in need of supervision, as that term is used in title 5 of NRS, and is not a delinquent child; and (b) For the second or a subsequent violation, commits a delinquent act, and the court may order the detention of the minor in the same manner as if the minor had committed an act that would have been a misdemeanor if committed by an adult. 3. For the purposes of this section, to determine whether a person who is depicted in an image of bullying is a minor, the court may: (a) Inspect the person in question; (b) View the image; (c) Consider the opinion of a witness to the image regarding the person's age; (d) Consider the opinion of a medical expert who viewed the image; or (e) Use any other method authorized by the rules of evidence at common law. 4. As used in this section: (a) "Bullying" means a willful act which is written, verbal or physical, or a course of conduct on the part of one or more persons which is not otherwise authorized by law and which exposes a person one time or repeatedly and over time to one or more negative actions which is highly offensive to a reasonable person and: (1) Is intended to cause or actually causes the person to suffer harm or serious emotional distress; (2) Poses a threat of immediate harm or actually inflicts harm to another person or to the property of another person; (3) Places the person in reasonable fear of harm or serious emotional distress; or (4) Creates an environment which is hostile to a pupil by interfering with the education of the pupil. (b) "Electronic communication device" means any electronic device that is capable of transmitting or distributing an image of bullying, including, without limitation, a cellular telephone, personal digital assistant, computer, computer network and computer system. (c) "Image of bullying" means any visual depiction, including, without limitation, any photograph or video, of a minor bullying another minor. (d) "Minor" means a person who is under 18 years of age. (Added to NRS by 2013, 1634)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.930 - Penalty; definitions.

1. Except as otherwise provided in subsection 2, a person commits the crime of unlawful installation of a mobile tracking device if the person knowingly installs, conceals or otherwise places a mobile tracking device in or on the motor vehicle of another person without the knowledge and consent of an owner or lessor of the motor vehicle. 2. The provisions of subsection 1 do not apply to a law enforcement agency that installs, conceals or otherwise places a mobile tracking device in or on a motor vehicle in accordance with all applicable requirements of the United States Constitution, the Nevada Constitution and the laws of this State. 3. A person who commits the crime of unlawful installation of a mobile tracking device is guilty of: (a) For the first offense, a misdemeanor. (b) For the second offense, a gross misdemeanor. (c) For the third or any subsequent offense, a category C felony and shall be punished as provided in NRS 193.130. 4. As used in this section, "mobile tracking device" means any device that permits a person to track the movement or location of another person or object through the transmission of any signal, including, without limitation, a radio or

electronic signal. (Added to NRS by 2023, 1109)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.960 - Definitions.

As used in NRS 200.960 to 200.980, inclusive, unless the context otherwise requires, the words and terms defined in NRS 200.965 and 200.970 have the meanings ascribed to them in those sections. (Added to NRS by 2023, 1412)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.965 - Assisted reproduction" defined.

"Assisted reproduction" has the meaning ascribed to it in NRS 126.510. (Added to NRS by 2023, 1412)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.970 - Human reproductive material" defined.

"Human reproductive material" means a gamete or human organism at any stage of development from fertilized ovum to embryo. (Added to NRS by 2023, 1412)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.975 - Fertility fraud; penalties; notice of conviction to professional licensing board.

1. A provider of health care who, in rendering services for assisted reproduction: (a) Knowingly implants his or her own human reproductive material in a patient without the express consent of the patient is guilty of fertility fraud. (b) Knowingly uses or provides a patient with human reproductive material other than the human reproductive material the patient expressly consented to the use or receipt of is guilty of fertility fraud. 2. Unless a greater penalty is provided by statute, a person convicted of the crime of fertility fraud is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000. 3. Upon conviction of a person for the crime of fertility fraud, the Attorney General shall give notice of the conviction to each professional licensing board that has issued a license, certificate or registration to the person. 4. As used in this section, "provider of health care" means a physician or physician assistant licensed pursuant to chapter 630, 630A or 633 of NRS or an advanced practice registered nurse licensed under chapter 632 of NRS. (Added to NRS by 2023, 1412)

2024 Nevada Revised Statutes Chapter 200 - Crimes Against the Person NRS 200.980 - Conveying false information relating to assisted reproduction; penalty; notice of conviction to professional licensing board.

1. A person shall not knowingly convey to a patient false information or information the person reasonably should have known was false relating to assisted reproduction, including, without limitation, false information or information the person reasonably should have known was false concerning: (a) The identity, date of birth or address of the donor at the time of donation; (b) The human reproductive material used or provided to the patient for assisted reproduction; (c) The medical history of the donor or family of the donor, including, without limitation: (1) Past and current illnesses of the donor; and (2) Genetic information of the donor; and (d) The social history of the donor. 2. A person who violates this section is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. Upon conviction of a person for a violation of the provisions of this section, the Attorney General shall give notice of the conviction to each professional licensing board that has issued a license, certificate or registration to the person. 4. As used in this section: (a) "Genetic information" means any information that is obtained from a genetic test. (b) "Genetic test" means a test, including a laboratory test that uses deoxyribonucleic acid extracted from the cells of a person or a diagnostic test, to determine the presence of abnormalities or deficiencies, including carrier status, that: (1) Are linked to physical or mental disorders or impairments; or (2) Indicate a susceptibility to illness, disease, impairment or any other disorder, whether physical or mental. (Added to NRS by 2023, 1413)

Title: chapter-201

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.015 - "Minor child" defined.

For the purposes of NRS 201.015 to 201.080, inclusive, "minor child" means a person who has not reached the age of majority as provided in NRS 129.010 and has not been declared emancipated pursuant to NRS 129.080 to 129.140, inclusive. (Added to NRS by 1965, 1440; A 1987, 1282; 1999, 3568)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.020 - Penalties; jurisdiction.

1. Except as otherwise provided in subsection 2, a person who knowingly fails to provide for the support of his or her: (a) Spouse or former spouse; (b) Minor child; or (c) Child who upon arriving at the age of majority is unable to provide support for himself or herself because of infirmity, incompetency or other legal disability that was contracted before the child reached the age of majority, as ordered by a court, is guilty of a misdemeanor. 2. A person who violates the provisions of subsection 1 is guilty of a category C felony and shall be punished as provided in NRS 193.130 if: (a) The person's arrearages for nonpayment of the child support or

spousal support ordered by a court total \$10,000 or more and have accrued over any period since the date that a court first ordered the defendant to provide for such support; or (b) It is a second or subsequent violation of subsection 1 or an offense committed in another jurisdiction that, if committed in this State, would be a violation of subsection 1, and the person's arrearages for nonpayment of the child support or spousal support ordered by a court total \$5,000 or more and have accrued over any period since the date that a court first ordered the defendant to provide for such support. 3. A prosecution for a violation of subsection 1 may be brought in a court of competent jurisdiction in any county in which: (a) A court has issued a valid order for the defendant to pay child support or spousal support; (b) The defendant resides; (c) The custodial parent or custodian of the child for whom the defendant owes child support resides; (d) The spouse or former spouse to whom the defendant owes spousal support resides; or (e) The child for whom the defendant owes child support resides. [1:170:1923; NCL § 10516]—(NRS A 1965, 1440; 1967, 474; 1969, 271; 1979, 1284; 1983, 1878; 1995, 1196; 1999, 1208, 3568; 2001, 278)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.030 - Institution of proceedings: Verified complaint.

Proceedings under NRS 201.015 to 201.080, inclusive, may be instituted upon complaint made under oath or affirmation by the spouse or child or children, or by any other person, including the district attorney, against any person guilty of an offense named in NRS 201.020. [2:170:1923; NCL § 10517]—(NRS A 1969, 589; 1985, 64; 1999, 3570)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.051 - Affirmative defense: Notice of intent to claim; notice of rebuttal witnesses; notice of provisions of section.

1. Except as otherwise provided in this section, in a prosecution for a violation of NRS 201.020, the defendant may claim as an affirmative defense that he or she was unable to provide the child support or spousal support ordered by a court. 2. In addition to the written notice required by NRS 174.234, a defendant who intends to offer the affirmative defense described in subsection 1 shall, not less than 20 days before trial or at such other time as the court directs, file and serve upon the prosecuting attorney a written notice of his or her intent to claim the affirmative defense. The written notice must include: (a) The specific affirmative defense that the defendant is asserting; and (b) The name and last known address of each witness by whom the defendant proposes to establish the affirmative defense. 3. Not later than 10 days after receiving the written notice set forth in subsection 2 or at such other time as the court directs, the prosecuting attorney shall file and serve upon the defendant a written notice that includes the name and last known address of each witness the prosecuting attorney proposes to offer in rebuttal at trial to discredit the affirmative defense claimed by the defendant. 4. Each party has a continuing duty to file and serve upon the opposing party any change in the last known address of any witness that the party proposes to offer to establish or discredit the affirmative defense described in subsection 1. 5. Each party has a continuing duty to disclose promptly the names and last known addresses of any additional witnesses which come to the attention of that party and which that party proposes to offer to establish or discredit the affirmative defense described in subsection 1. 6. If the defendant or prosecuting attorney fails to comply with the requirements set forth in this section, in addition to any sanctions or protective orders otherwise provided in chapter 174 of NRS, the court may grant a continuance to permit the opposing party time to prepare. 7. A prosecuting attorney shall provide notice of the requirements of this section to a defendant when a complaint is served upon the defendant for a violation of NRS 201.020. 8. For the purposes of this section, a defendant is not "unable to provide the child support or spousal support ordered by a court" if, during the period that the defendant was obligated to provide and failed to provide child support or spousal support, the defendant was: (a) Voluntarily unemployed or underemployed without good cause or to avoid payment of child support or spousal support, including, without limitation, not using reasonable diligence to secure sufficient employment; or (b) Unable to pay the child support or spousal support ordered by a court because of excessive spending, indebtedness or other legal obligation, unless the spending, indebtedness or other legal obligation was not within the control of the defendant. (Added to NRS by 1999, 3567)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.070 - Evidence; spouses are competent witnesses.

1. No other or greater evidence is required to prove the marriage of the spouses, or that the defendant is the parent of the child or children, than is required to prove such facts in a civil action. 2. In no prosecution under NRS 201.015 to 201.080, inclusive, does any existing statute or rule of law prohibiting the disclosure of confidential communications between spouses apply, and both spouses are competent witnesses to testify against each other to any and all relevant matters, including the fact of the marriage and the parentage of any child or children, but neither may be compelled to give evidence incriminating himself or herself. 3. Proof of the failure of the defendant to provide for the support of the spouse, child or children, is prima facie evidence that such failure was knowing. [6:170:1923; NCL § 10521]—(NRS A 1985, 64; 1999, 3570; 2017, 787)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.080 - Uniformity of interpretation.

NRS 201.015 to 201.080, inclusive, shall be so interpreted and construed as to effectuate their general purpose to make uniform the law of those states which enact them. [7:170:1923; NCL § 10522]

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.085 - Definition;

penalty.

1. A person is guilty of paternity fraud if the person: (a) Is ordered by a court to submit, or agrees to submit, to a test for genetic identification to determine the paternity of a child and knowingly assists, aids, abets, solicits or conspires with another person to have someone other than himself submit to the test for the purpose of preventing a determination that he is the father of the child; (b) Submits to a test for genetic identification to determine the paternity of a child in place of the person who has been ordered to submit, or who has agreed to submit, to a test for genetic identification to determine the paternity of a child for the purpose of preventing a determination that the person for whom he is taking the test is the father of the child; or (c) Knowingly assists, aids, abets, solicits or conspires with another person: (1) To commit a violation of paragraph (a) or (b); or (2) To render inaccurate the results of a test for genetic identification to determine the paternity of a child. 2. A person who violates this section is guilty of a gross misdemeanor. (Added to NRS by 2007, 1022)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.090 - "Neglected child," "delinquent child" and "child in need of supervision" defined.

As used in NRS 201.100 and 201.110, unless the context otherwise requires, a "neglected child," "delinquent child" or "child in need of supervision" means any person less than 18 years of age: 1. Who is found begging, receiving or gathering alms, or who is found in any street, road or public place for the purpose of so doing, whether actually begging or doing so under the pretext of selling or offering for sale any article, or of singing or playing on any musical instrument, or of giving any public entertainment or accompanying or being used in aid of any person so doing. 2. Who has no parent or guardian, who has no parent or guardian willing to exercise or capable of exercising proper parental control, or who has no parent or guardian actually exercising such proper parental control, and who is in need of such control. 3. Who is destitute, or who is not provided with the necessities of life by his or her parents, and who has no other means of obtaining such necessities. 4. Whose home is an unfit place for the child, by reason of neglect, cruelty or depravity of either of his or her parents, or of his or her guardians or other person in whose custody or care the child is. 5. Who is found living in any house of ill fame, or with any disreputable person. 6. Who is found wandering and either has no home, no settled place of abode, no visible means of subsistence or no proper guardianship. 7. Who frequents the company of criminals, vagrants or prostitutes, or persons so reputed, or who is in any house of prostitution or assignation. 8. Who unlawfully visits a saloon where any spirituous, vinous or malt liquors are sold, bartered, exchanged or given away. 9. Who habitually uses intoxicating liquors or who uses opium, cocaine, morphine, or other similar drug without the direction of a competent physician. 10. Who persistently or habitually refuses to obey the reasonable and proper orders or directions of his or her parents, guardian or custodian, or who is beyond the control of such person. 11. Who is a habitual truant from school. 12. Who is leading, or from any cause is in danger of leading, an idle, dissolute, lewd or immoral life. 13. Who writes or uses vile, obscene, profane or indecent language, or is guilty of indecent, immoral or lascivious conduct. 14. Who violates any law of this State or any ordinance of any town, city or county of this State defining crime. Any child who is a runaway, unmanageable or a habitual truant is a child in need of supervision as that term is used in title 5 of NRS, and is not a delinquent child. [Part 1:165:1909; A 1911, 382; 1921, 21; 1955, 152]—(NRS A 1973, 1350; 2003, 1125)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.100 - How offense may be termed.

When the charge against any person under NRS 201.090, 201.100 and 201.110 concerns the neglect of a child or children, or the problems of a child in need of supervision, the offense, for convenience, may be termed "contributory neglect," and when it concerns the delinquency of a child or children, for convenience it may be termed "contributory delinquency." [Part 1:165:1909; A 1911, 382; 1921, 21; 1955, 152]—(NRS A 1973, 1351)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.110 - Definition; penalties; exception.

1. Except as otherwise provided in this section, any person who commits any act or omits the performance of any duty, which act or omission causes or tends to cause or encourage any person under the age of 18 to become a "neglected child," "child in need of supervision" or "delinquent child," as defined in NRS 201.090, 201.100 and 201.110 or which act or omission contributes thereto, or any person who, by any act or omission, or by threats, command or persuasion, induces or endeavors to induce any person under the age of 18 to perform any act or to follow any course of conduct or to so live as would cause or manifestly tend to cause any such person to become or to remain a person who is a "neglected child," "child in need of supervision" or "delinquent child," as defined in NRS 201.090, is guilty of contributory neglect or contributory delinquency. Contributory neglect or contributory delinquency is a misdemeanor. 2. A person does not commit a violation of subsection 1 by virtue of the sole fact that the person delivers or induces the delivery of a child to a provider of emergency services pursuant to NRS 432B.630. [Part 1:165:1909; A 1911, 382; 1921, 21; 1955, 152]—(NRS A 1967, 474; 1973, 1351; 2001, 1265)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.150 - Definition; penalty.

Every person who shall endeavor to conceal the birth of a child by any disposition of its dead body, whether the child died before or

after its birth, shall be guilty of a gross misdemeanor. [1911 C&P § 185; RL § 6450; NCL § 10132]

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.160 - Bigamy: Definition; penalty.

1. Bigamy consists in the having of two spouses at one time, knowing that the former spouse is still alive. 2. If a married person marries any other person while the former spouse is alive, the person so offending is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. It is not necessary to prove either of the marriages by the register and certificate thereof, or other record evidence, but those marriages may be proved by such evidence as is admissible to prove a marriage in other cases, and when the second marriage has taken place without this State, cohabitation in this State after the second marriage constitutes the commission of the crime of bigamy. 4. This section does not extend: (a) To a person whose spouse has been continually absent from that person for the space of 5 years before the second marriage, if he or she did not know the spouse to be living within that time. (b) To a person who is, at the time of the second marriage, divorced by lawful authority from the bonds of the former marriage, or to a person where the former marriage has been by lawful authority declared void. [1911 C&P § 191; RL § 6456; NCL § 10138]—(NRS A 1967, 475; 1979, 1428; 1995, 1197; 2017, 787)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.170 - Marrying person already married; penalty.

If a person, being unmarried, knowingly marries the spouse of another, that person is guilty of a category D felony and shall be punished as provided in NRS 193.130. [1911 C&P § 192; RL § 6457; NCL § 10139]—(NRS A 1967, 475; 1979, 1429; 1995, 1198; 2017, 788)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.180 - Incest: Definition; penalty.

Persons being within the degree of consanguinity within which marriages are declared by law to be incestuous and void who intermarry with each other or who commit fornication or adultery with each other shall be punished for a category A felony by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of life with the possibility of parole, and may be further punished by a fine of not more than \$10,000. [1911 C&P § 193; RL § 6458; NCL § 10140]—(NRS A 1979, 1429; 1995, 1198; 2005, 2877)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.190 - Commission of certain sexual acts in public: Definition; penalty.

Except as otherwise provided in NRS 200.366 and 201.230, a person of full age who commits anal intercourse, cunnilingus or fellatio in public is guilty of a category D felony and shall be punished as provided in NRS 193.130. [1911 C&P § 194; A 1951, 524]—(NRS A 1963, 62; 1967, 475; 1973, 95, 254; 1977, 866, 1632; 1993, 515; 1995, 1198)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.210 - Open or gross lewdness; penalty.

1. A person who commits any act of open or gross lewdness is guilty: (a) Except as otherwise provided in this subsection, for the first offense, of a gross misdemeanor. (b) For any subsequent offense, or if the person has previously been convicted of a sexual offense as defined in NRS 179D.097, of a category D felony and shall be punished as provided in NRS 193.130. (c) For an offense committed by a person 18 years of age or older in the presence of a child under the age of 18 years or a vulnerable person as defined in paragraph (a) of subsection 8 of NRS 200.5092, of a category D felony and shall be punished as provided in NRS 193.130. 2. For the purposes of this section, the breast feeding of a child by the mother of the child does not constitute an act of open or gross lewdness. [Part 1911 C&P § 195; A 1921, 112; NCL § 10142]—(NRS A 1963, 63; 1965, 1465; 1967, 476; 1973, 95, 255, 1406; 1977, 866; 1979, 1429; 1983, 206; 1991, 1008; 1995, 127, 1199, 1327; 1997, 2501, 3188; 2015, 2240; 2017, 1380, 2983)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.220 - Indecent or obscene exposure; penalty.

1. A person who makes any open and indecent or obscene exposure of his or her person, or of the person of another, is guilty: (a) Except as otherwise provided in this subsection, for the first offense, of a gross misdemeanor. (b) For any subsequent offense, or if the person has previously been convicted of a sexual offense as defined in NRS 179D.097, of a category D felony and shall be punished as provided in NRS 193.130. (c) For an offense committed by a person 18 years of age or older in the presence of a child under the age of 18 years or a vulnerable person as defined in paragraph (a) of subsection 8 of NRS 200.5092, of a category D felony and shall be punished as provided in NRS 193.130. 2. For the purposes of this section, the breast feeding of a child by the mother of the child does not constitute an act of open and indecent or obscene exposure of her body. [Part 1911 C&P § 195; A 1921, 112; NCL § 10142]—(NRS A 1965, 1465; 1967, 476; 1973, 96, 255, 1406; 1977, 867; 1979, 1429; 1983, 206; 1991, 1008; 1995, 127, 1200, 1327; 1997, 2501, 3189; 2015, 2240; 2017, 1381, 2983)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.230 - Lewdness with child under 16 years; penalties.

1. A person is guilty of lewdness with a child if he or she: (a) Is 18 years of age or older and willfully and lewdly commits any lewd or lascivious act, other than acts constituting the crime of sexual assault, upon or with the body, or any part or member thereof, of a child under the age of 16 years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of that person or of that child; or (b) Is under the age of 18 years and willfully and lewdly commits any lewd or lascivious act, other than acts constituting the crime of sexual assault, upon or with the body, or any part or member thereof, of a child under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of that person or of that child. 2. Except as otherwise provided in subsections 4 and 5, a person who commits lewdness with a child under the age of 14 years is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served, and may be further punished by a fine of not more than \$10,000. 3. Except as otherwise provided in subsection 4, a person who commits lewdness with a child who is 14 or 15 years of age is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years and may be further punished by a fine of not more than \$10,000. 4. Except as otherwise provided in subsection 5, a person who commits lewdness with a child and who has been previously convicted of: (a) Lewdness with a child pursuant to this section or any other sexual offense against a child; or (b) An offense committed in another jurisdiction that, if committed in this State, would constitute lewdness with a child pursuant to this section or any other sexual offense against a child, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life without the possibility of parole. 5. A person who is under the age of 18 years and who commits lewdness with a child under the age of 14 years commits a delinquent act. 6. For the purpose of this section, "other sexual offense against a child" has the meaning ascribed to it in subsection 6 of NRS 200.366. [1911 C&P § 195 1/2; added 1925, 17; A 1947, 24; 1943 NCL § 10143]—(NRS A 1961, 92; 1967, 477; 1973, 96, 255, 1406; 1977, 867, 1632; 1979, 1430; 1983, 207; 1991, 1009; 1995, 1200; 1997, 1722, 2502, 3190; 1999, 470, 472; 2003, 2826; 2005, 2877; 2015, 2241)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.232 - Breast feeding: Legislative intent; authorized in any public or private location where mother is authorized to be.

1. The Legislature finds and declares that: (a) The medical profession in the United States recommends that children from birth to the age of 1 year should be breast fed, unless under particular circumstances it is medically inadvisable. (b) Despite the recommendation of the medical profession, statistics reveal a declining percentage of mothers who are choosing to breast feed their babies. (c) Many new mothers are now choosing to use formula rather than to breast feed even before they leave the hospital, and only a small percentage of all mothers are still breast feeding when their babies are 6 months old. (d) In addition to the benefit of improving bonding between mothers and their babies, breast feeding offers better nutrition, digestion and immunity for babies than does formula feeding, and it may increase the intelligence quotient of a child. Babies who are breast fed have lower rates of death, meningitis, childhood leukemia and other cancers, diabetes, respiratory illnesses, bacterial and viral infections, diarrheal diseases, otitis media, allergies, obesity and developmental delays. (e) Breast feeding also provides significant benefits to the health of the mother, including protection against breast cancer and other cancers, osteoporosis and infections of the urinary tract. The incidence of breast cancer in the United States might be reduced by 25 percent if every woman breast fed all her children until they reached the age of 2 years. (f) The World Health Organization and the United Nations Children's Fund have established as one of their major goals for the decade the encouragement of breast feeding. (g) The social constraints of modern society weigh against the choice of breast feeding and lead new mothers with demanding time schedules to opt for formula feeding to avoid embarrassment, social ostracism or criminal prosecution. (h) Any genuine promotion of family values should encourage public acceptance of this most basic act of nurture between a mother and her baby, and no mother should be made to feel incriminated or socially ostracized for breast feeding her child. 2. Notwithstanding any other provision of law, a mother may breast feed her child in any public or private location where the mother is otherwise authorized to be, irrespective of whether the nipple of the mother's breast is uncovered during or incidental to the breast feeding. 3. As used in this section: (a) "Chronic disease" means a health condition or disease which presents for a period of 3 months or more or is persistent, indefinite or incurable. (b) "Obesity" means a chronic disease characterized by an abnormal and unhealthy accumulation of body fat which is statistically correlated with premature mortality, hypertension, heart disease, diabetes, cancer and other health conditions, and may be indicated by: (1) A body mass index of 30 or higher in adults; (2) A body mass index that is greater than two standard deviations above the World Health Organization's growth standard for children who are at least 5 but less than 19 years of age, or greater than three standard deviations above the standard for children who are less than 5 years of age; (3) A body fat percentage greater than 25 percent for men or 32 percent for women; or (4) A waist size of 40 inches or more for men or 35 inches or more for women. (Added to NRS by 1995, 126; A 2017, 1332)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.235 - Definitions.

In NRS 201.235 to 201.254, inclusive, unless the context otherwise requires: 1. "Community" means the area from which a jury is or would be selected for the court in which the action is tried. 2. "Item" includes any book, leaflet, pamphlet, magazine, booklet, picture, drawing, photograph, film, negative, slide, motion picture, figure, object, article, novelty device, recording, transcription, phonograph record or tape recording, videotape or videodisc, with or without music, or other similar items. 3. "Material" means

anything tangible which is capable of being used or adapted to arouse interest, whether through the medium of reading, observation, sound or in any other manner. 4. "Obscene" means any item, material or performance which: (a) An average person applying contemporary community standards would find, taken as a whole, appeals to prurient interest; (b) Taken as a whole lacks serious literary, artistic, political or scientific value; and (c) Does one of the following: (1) Depicts or describes in a patently offensive way ultimate sexual acts, normal or perverted, actual or simulated. (2) Depicts or describes in a patently offensive way masturbation, excretory functions, sadism or masochism. (3) Lewdly exhibits the genitals. Appeal shall be judged with reference to ordinary adults, unless it appears, from the character of the material or the circumstances of its dissemination, to be designed for children or a clearly defined deviant group. 5. "Performance" means any play, motion picture, dance or other exhibition performed before an audience. [1911 C&P § 196; A 1955, 907]—(NRS A 1963, 1171; 1965, 584; 1971, 205, 493; 1979, 364)—(Substituted in revision for NRS 201.250)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.237 - Exemptions.

The provisions of NRS 201.235 to 201.254, inclusive, do not apply to those universities, schools, museums or libraries which are operated by or are under the direct control of the State, or any political subdivision of the State, or to persons while acting as employees of such organizations. (Added to NRS by 1979, 363)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.239 - Power of county, city or town to regulate obscenity.

The provisions of NRS 201.235 to 201.254, inclusive, do not preclude any county, city or town from adopting an ordinance further regulating obscenity if its provisions do not conflict with these statutes. (Added to NRS by 1979, 364)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.241 - Action to declare item or material obscene and obtain injunction.

1. The district attorney or city attorney of any county or city, respectively, in which there is an item or material which the district attorney or city attorney believes to be obscene, may file a complaint in the district court seeking to have the item or material declared obscene and to enjoin the possessor and the owner from selling, renting, exhibiting, reproducing, manufacturing or distributing it and from possessing it for any purpose other than personal use. 2. In such an action, no temporary restraining order may be issued. 3. A trial on the merits must be held not earlier than 5 days after the answer is filed nor later than 35 days after the complaint is filed. The court shall render a decision within 2 days after the conclusion of the trial. (Added to NRS by 1979, 363; A 1981, 1688)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.243 - Evidence probative of obscenity of material or item.

In prosecutions under NRS 201.235 to 201.254, inclusive, evidence of circumstances of production, dissemination, sale or publicity of the material or item, which indicates it is being commercially exploited by the defendant for its prurient appeal, is probative of the obscenity of the material or item and can justify the conclusion that it is, taken as a whole, without serious literary, artistic, political or scientific value. (Added to NRS by 1979, 364)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.245 - Surrender, seizure and destruction of obscene item or material; undertaking not required for injunction; defendant chargeable with knowledge of contents after service of summons and complaint.

1. If a final judgment declaring an item or material obscene is entered against its owner or possessor, the judgment shall contain a provision directing the owner or possessor to surrender to the sheriff of the county in which the action was brought the item or material declared obscene and a direction to the sheriff to seize and destroy it. 2. In any action brought to declare an item or material obscene, the district attorney or city attorney bringing the action is not required to file an undertaking before an injunction is issued. 3. A sheriff directed to seize an obscene item or material is not liable for damages sustained by reason of the injunction in cases where judgment ultimately is rendered in favor of the person, firm, association or corporation sought to be enjoined. 4. Every person, firm, association or corporation who sells, distributes, or acquires possession with intent to sell or distribute any allegedly obscene item or material, after service upon the person, firm, association or corporation of a summons and complaint in an action brought to declare an item or material obscene is chargeable with knowledge of the contents of the item or material. (Added to NRS by 1979, 363)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.247 - Payment to city or county of value received from sale of obscene materials after judgment or injunction.

If a district court enters a judgment that an item or material is obscene and that item or material, or one substantially identical thereto, is sold after that judgment or injunction, the court shall order an accounting to determine the value of all money and other consideration received by the defendant which was derived from the obscene item or material after the court judged it to be obscene. The defendant shall pay a sum equivalent to that value into the general fund of the city or county which prosecuted the action.

(Added to NRS by 1979, 364)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.249 - Production, sale, distribution, exhibition and possession of obscene items or materials; penalty.

Except as otherwise provided in NRS 201.237 and except under the circumstances described in NRS 200.720 or 200.725, a person is guilty of a misdemeanor who knowingly: 1. Prints, produces or reproduces any obscene item or material for sale or commercial distribution. 2. Publishes, sells, rents, transports in intrastate commerce, or commercially distributes or exhibits any obscene item or material, or offers to do any such things. 3. Has in his or her possession with intent to sell, rent, transport or commercially distribute any obscene item or material. (Added to NRS by 1979, 364; A 1995, 951)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.251 - Coercing acceptance of obscene articles or publications; penalty.

1. A person, firm, association or corporation shall not, as a condition to any sale, allocation, consignment or delivery for resale of any item or material, require that the purchaser or consignee receive for resale any other item or material which is obscene. A person, firm, association or corporation shall not deny or threaten to deny any franchise or impose or threaten to impose any penalty, financial or otherwise, for the failure or refusal of any person to accept any obscene item or material or for the return thereof. 2. A person, firm, association or corporation who violates any provision of this section is guilty of a misdemeanor. (Added to NRS by 1979, 364)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.253 - Obscene, indecent or immoral shows, acts or performances; penalty.

Except under the circumstances described in NRS 200.710, every person who knowingly causes to be performed or exhibited, or engages in the performance or exhibition of, any obscene, indecent or immoral show, act or performance is guilty of a misdemeanor. (Added to NRS by 1967, 482; A 1995, 952)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.254 - Exemption of stagehands and movie projectionists from criminal liability when possessing or exhibiting obscene material directly related to their work.

A motion picture machine operator or a stagehand is not criminally liable for exhibiting or possessing with the intent to exhibit any obscene material if: 1. Such exhibition or possession is a part of the motion picture he or she is projecting or part of the stage show for which he or she is employed as a stagehand; and 2. The operator or stagehand has no financial interest, except wages, and no managerial responsibility in his or her place of employment. (Added to NRS by 1969, 352)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.255 - Penalties.

1. Any person who willfully makes a telephone call and addresses any obscene language, representation or suggestion to or about any person receiving such call or addresses to such other person any threat to inflict injury to the person or property of the person addressed or any member of the person's family is guilty of a misdemeanor. 2. Every person who makes a telephone call with intent to annoy another is, whether or not conversation ensues from making the telephone call, guilty of a misdemeanor. 3. Any violation of subsections 1 and 2 is committed at the place at which the telephone call or calls were made and at the place where the telephone call or calls were received, and may be prosecuted at either place. (Added to NRS by 1967, 98; A 1971, 855)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.256 - Definitions.

As used in NRS 201.256 to 201.2655, inclusive, unless the context otherwise requires, the words and terms defined in NRS 201.257 to 201.264, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1969, 513; A 1997, 1314, 2662)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.2565 - "Distribute" defined.

"Distribute" means to transfer possession with or without consideration. (Added to NRS by 1997, 2662)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.257 - "Harmful to minors" defined.

"Harmful to minors" means that quality of any description or representation, whether constituting all or a part of the material considered, in whatever form, of nudity, sexual conduct, sexual excitement or sado-masochistic abuse which predominantly appeals to the prurient, shameful or morbid interest of minors, is patently offensive to prevailing standards in the adult community with respect to what is suitable material for minors, and is without serious literary, artistic, political or scientific value. (Added to NRS by 1969, 513; A 1981, 1689)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.2581 - "Material"

defined.

"Material" means: 1. A book, pamphlet, magazine, newspaper, printed advertising or other printed or written material; 2. A motion picture, photograph, picture, drawing, statue, sculpture or other visual representation or image; or 3. A transcription, recording or live or recorded telephone message. (Added to NRS by 1997, 2662)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.259 - "Minor" defined.

"Minor" means any person under the age of 18 years, but as applied to the showing of a motion picture excludes any person employed on the premises where the motion picture is shown. (Added to NRS by 1969, 513)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.2595 - "Motion picture" defined.

"Motion picture" means a film or a video recording, whether or not it has been rated appropriate for a particular audience, that is: 1. Placed on a videodisc or videotape; or 2. To be shown in a theater or on television, and includes, without limitation, a cartoon or an animated film. (Added to NRS by 1997, 1314; A 1997, 2663)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.261 - "Nudity" defined.

"Nudity" means: 1. The showing of the human female breast with less than a fully opaque covering of any portion of the areola and nipple; 2. The showing of the human male or female genitals or pubic area with less than a fully opaque covering of any portion thereof; or 3. The depiction of the human male genitals in a discernible turgid state whether or not covered. (Added to NRS by 1969, 513; A 1999, 1360)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.262 - "Sado-masochistic abuse" defined.

"Sado-masochistic abuse" means: 1. Flagellation or torture practiced by or upon a person whether or not clad in undergarments, a mask or bizarre costume; or 2. The condition of being fettered, bound or otherwise physically restrained. (Added to NRS by 1969, 513; A 1981, 1689)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.263 - "Sexual conduct" defined.

"Sexual conduct" means acts of masturbation, sexual penetration or physical contact with a person's unclothed genitals or pubic area. (Added to NRS by 1969, 513; A 2013, 1155)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.264 - "Sexual excitement" defined.

"Sexual excitement" means the condition of human male or female genitals in a state of sexual stimulation or arousal. (Added to NRS by 1969, 513)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.265 - Unlawful acts; penalty.

Except as otherwise provided in NRS 200.720 and 201.2655, and unless a greater penalty is provided pursuant to NRS 201.553 or 201.560, a person is guilty of a misdemeanor if the person knowingly: 1. Distributes or causes to be distributed to a minor material that is harmful to minors, unless the person is the parent, guardian or spouse of the minor. 2. Exhibits for distribution to an adult in such a manner or location as to allow a minor to view or to have access to examine material that is harmful to minors, unless the person is the parent, guardian or spouse of the minor. 3. Sells to a minor an admission ticket or pass for or otherwise admits a minor for monetary consideration to any presentation of material that is harmful to minors, unless the minor is accompanied by his or her parent, guardian or spouse. 4. Misrepresents that he or she is the parent, guardian or spouse of a minor for the purpose of: (a) Distributing to the minor material that is harmful to minors; or (b) Obtaining admission of the minor to any presentation of material that is harmful to minors. 5. Misrepresents his or her age as 18 or over for the purpose of obtaining: (a) Material that is harmful to minors; or (b) Admission to any presentation of material that is harmful to minors. 6. Sells or rents motion pictures which contain material that is harmful to minors on the premises of a business establishment open to minors, unless the person creates an area within the establishment for the placement of the motion pictures and any material that advertises the sale or rental of the motion pictures which: (a) Prevents minors from observing the motion pictures or any material that advertises the sale or rental of the motion pictures; and (b) Is labeled, in a prominent and conspicuous location, "Adults Only." (Added to NRS by 1969, 513; A 1971, 161, 495; 1981, 1689; 1995, 952; 1997, 1314, 2662; 2003, 430, 1375; 2023, 2467)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.2655 - Exemptions.

The provisions of NRS 201.256 to 201.2655, inclusive, do not apply to: 1. A university, community college, school, museum or library which is operated by or which is under the direct control of this state or a political subdivision of this state; or 2. An employee or independent contractor of an institution listed in subsection 1, if the employee or independent contractor is acting within the scope of his or her employment or contractual relationship. (Added to NRS by 1997, 2662)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.270 - Disturbing religious meetings; penalty.

Every person who shall willfully disturb, interrupt or disquiet any assemblage or congregation of people met for religious worship: 1. By noisy, rude or indecent behavior, profane discourse, either within the place where such meeting is held, or so near it as to disturb the order and solemnity of the meeting; 2. By exhibiting shows or plays, or promoting any racing of animals, or gaming of any description, or engaging in any boisterous or noisy amusement; 3. By disturbing in any manner, without authority of law within 1 mile thereof, free passage along a highway to the place of such meeting, or by maliciously cutting or otherwise injuring or disturbing a conveyance or other property belonging to any person in attendance upon such meeting; or 4. By menacing, threatening or assaulting any person therein, shall be guilty of a misdemeanor. [1911 C&P § 213; RL § 6478; NCL § 10161] + [1911 C&P § 332; RL § 6597; NCL § 10280]

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.280 - Selling liquor at camp meetings; penalty.

Every person who shall erect or keep a booth, tent, stall or other contrivance for the purpose of selling or otherwise disposing of any wine, or spirituous or fermented liquors, or any drink of which wine, spirituous or fermented liquors form a part, within 1 mile of any camp or field meeting for religious worship, during the time of holding such meeting, is guilty of a misdemeanor. [1911 C&P § 333; RL § 6598; NCL § 10281]—(NRS A 1967, 477)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.290 - Penalty; exception.

1. Any person who, in any manner, for exhibition or display, puts or causes to be placed any inscription, design, device, symbol, portrait, name, advertisement, words, character, marks or notice, or sets or places any goods, wares and merchandise whatever upon any flag or ensign of the United States, or state flag of this State, or ensign, evidently purporting to be either of the flags or ensign, or who in any manner appends, annexes, or affixes to any such flag or ensign any inscription, design, device, symbol, portrait, name, advertisement, words, marks, notice or token whatever, or who displays or exhibits or causes to be displayed or exhibited any flag or ensign, evidently purporting to be either of the flags, upon which shall in any manner be put, attached, annexed or affixed any inscription, design, device, symbol, portrait, name, advertisement, words, marks, notice or token whatever, or who publicly or willfully mutilates, tramples upon, or who tears down or willfully and maliciously removes while owned by others, or defames, slanders, or speaks evilly or in a contemptuous manner of or otherwise defaces or defiles any of the flags, or ensign, which are public or private property, shall be deemed guilty of a misdemeanor. 2. This section shall not apply to flags or ensigns the property of or used in the service of the United States or of this State, upon which inscriptions, names of actions, words, marks or symbols are placed pursuant to law or authorized regulations. [1911 C&P § 338; A 1919, 438; 1919 RL § 6603; NCL § 10286]

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.295 - Definitions.

As used in NRS 201.295 to 201.440, inclusive, unless the context otherwise requires: 1. "Adult" means a person 18 years of age or older. 2. "Child" means a person less than 18 years of age. 3. "Induce" means to persuade, encourage, inveigle or entice. 4. "Prostitute" means a male or female person who for a fee, monetary consideration or other thing of value engages in sexual intercourse, oral-genital contact or any touching of the sexual organs or other intimate parts of a person for the purpose of arousing or gratifying the sexual desire of either person. 5. "Prostitution" means engaging in sexual conduct with another person in return for a fee, monetary consideration or other thing of value. 6. "Sexual conduct" means any of the acts enumerated in subsection 4. 7. "Transports" means to transport or cause to be transported, by any means of conveyance, into, through or across this State, or to aid or assist in obtaining such transportation. (Added to NRS by 1979, 302; A 1987, 2028; 1997, 295; 2009, 575; 2013, 2430; 2015, 2241; 2017, 4075; 2019, 2629; 2021, 3119)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.300 - Pandering and sex trafficking: Definitions; penalties; exception.

1. A person who without physical force or the immediate threat of physical force, induces an adult to unlawfully become a prostitute or to continue to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution is guilty of pandering which is a category C felony and shall be punished as provided in NRS 193.130. This subsection does not apply to the customer of a prostitute. 2. A person: (a) Is guilty of sex trafficking if the person: (1) Induces, causes, recruits, harbors, transports, provides, obtains or maintains a child to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution; (2) Induces, recruits, harbors, transports, provides, obtains or maintains a person by any means,

knowing, or in reckless disregard of the fact, that threats, violence, force, intimidation, fraud, duress or coercion will be used to cause the person to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution; (3) By threats, violence, force, intimidation, fraud, duress, coercion, by any device or scheme, or by abuse of any position of confidence or authority, or having legal charge, takes, places, harbors, induces, causes, compels or procures a person to engage in prostitution, or to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution; (4) Takes or detains a person with the intent to compel the person by force, violence, threats or duress to marry him or her or any other person; or (5) Receives anything of value with the specific intent of facilitating a violation of this paragraph. (b) Who is found guilty of sex trafficking: (1) An adult is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 3 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. (2) A child: (I) If the child is less than 14 years of age when the offense is committed, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 15 years has been served, and may be further punished by a fine of not more than \$20,000. (II) If the child is at least 14 years of age but less than 16 years of age when the offense is committed, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served, and may be further punished by a fine of not more than \$10,000. (III) If the child is at least 16 years of age but less than 18 years of age when the offense is committed, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 5 years has been served, and may be further punished by a fine of not more than \$10,000. 3. A court shall not grant probation to or suspend the sentence of a person convicted of sex trafficking a child pursuant to subsection 2. 4. Consent of a victim of pandering or sex trafficking to an act of prostitution is not a defense to a prosecution for any of the acts prohibited by this section. 5. In a prosecution for sex trafficking a child pursuant to subsection 2, it is not a defense that the defendant did not have knowledge of the victim's age, nor is reasonable mistake of age a valid defense to a prosecution conducted pursuant to subsection 2. [1:233:1913; 1919 RL p. 3379; NCL § 10537]—(NRS A 1959, 7; 1967, 477; 1977, 1054; 1979, 1430; 1995, 1201; 1997, 295; 2013, 2430; 2019, 796)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.301 - Facilitating sex trafficking; penalty.

1. A person is guilty of facilitating sex trafficking if the person: (a) Facilitates, arranges, provides or pays for the transportation of a person to or within this State with the intent of: (1) Inducing the person to engage in prostitution in violation of subparagraph (1), (2) or (3) of paragraph (a) of subsection 2 of NRS 201.300; (2) Inducing the person to enter any place within this State in which prostitution is practiced, encouraged or allowed for the purpose of sexual conduct or prostitution in violation of subparagraph (1), (2) or (3) of paragraph (a) of subsection 2 of NRS 201.300; or (3) If the person is a child, using the person for any act that is prohibited by NRS 200.710 or 200.720; (b) Sells travel services that facilitate the travel of another person to this State with the knowledge that the other person is traveling to this State for the purpose of: (1) Engaging in sexual conduct with a person who has been induced to engage in sexual conduct or prostitution in violation of subparagraph (1), (2) or (3) of paragraph (a) of subsection 2 of NRS 201.300; (2) Soliciting a child who has been induced to engage in sexual conduct or prostitution in violation of subparagraph (1), (2) or (3) of paragraph (a) of subsection 2 of NRS 201.300; or (3) Engaging in any act involving a child that is prohibited by NRS 200.710 or 200.720; or (c) Travels to or within this State by any means with the intent of engaging in: (1) Sexual conduct with a person who has been induced to engage in sexual conduct or prostitution in violation of subparagraph (1), (2) or (3) of paragraph (a) of subsection 2 of NRS 201.300, with the knowledge that such a person has been induced to engage in such sexual conduct or prostitution; or (2) Any act involving a child that is prohibited by NRS 200.710 or 200.720. 2. A person who is found guilty of facilitating sex trafficking is guilty of a category B felony and: (a) If the victim is 18 years of age or older, shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years. (b) If the victim is less than 18 years of age, shall be punished by imprisonment in the state prison for a minimum term of not less than 3 years and a maximum term of not more than 10 years. (Added to NRS by 2017, 4074)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.303 - Rebuttable presumption that pandering, sex trafficking or facilitating sex trafficking committed under duress.

If a violation of NRS 201.300 or 201.301 is committed by a person who is: 1. Less than 18 years of age at the time of the commission of the violation; 2. Prosecuted in a criminal proceeding as an adult; and 3. A victim of sex trafficking or facilitating sex trafficking, there is a rebuttable presumption that the person who committed the violation acted under duress. (Added to NRS by 2017, 4075)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.305 - Prostitution subculture as admissible evidence for certain purposes.

In a prosecution for pandering or sex trafficking pursuant to NRS 201.300, expert testimony concerning: 1. The prostitution subculture, including, without limitation, the effect of physical, emotional or mental abuse on the beliefs, behavior and perception of the alleged victim of the pandering or sex trafficking that is offered by the prosecution or defense is admissible for any relevant purpose, including, without limitation, to demonstrate: (a) The dynamics of, and the manipulation and psychological control

measures used in, the relationship between a prostitute and a person who engages in pandering or sex trafficking in violation of NRS 201.300; and (b) The normal behavior and language used in the prostitution subculture. 2. The effect of pandering or sex trafficking may not be offered against a defendant pursuant to subsection 1 to prove the occurrence of an act which forms the basis of a criminal charge against the defendant. (Added to NRS by 2015, 2240)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.320 - Living from earnings of prostitute; penalty.

1. A person who knowingly accepts, receives, levies or appropriates any money or other valuable thing, without consideration, from the proceeds of any prostitute, is guilty of living from the earnings of a prostitute and shall be punished: (a) Where physical force or the immediate threat of physical force is used, for a category C felony as provided in NRS 193.130. (b) Where no physical force or immediate threat of physical force is used, for a category D felony as provided in NRS 193.130. 2. Any such acceptance, receipt, levy or appropriation of money or valuable thing upon any proceedings or trial for violation of this section is presumptive evidence of lack of consideration. [3:233:1913; 1919 RL p. 3380; NCL § 10539]—(NRS A 1967, 478; 1979, 303; 1995, 1202; 2019, 2630)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.325 - Power of court to order restitution.

1. In addition to any other penalty, the court may order a person convicted of a violation of any provision of NRS 201.300, 201.320 or 201.395 to pay restitution to the victim as provided in subsection 2. 2. Restitution ordered pursuant to this section may include, without limitation: (a) The cost of medical and psychological treatment, including, without limitation, physical and occupational therapy and rehabilitation; (b) The cost of transportation, temporary housing and child care; (c) The return of property, the cost of repairing damaged property or the full value of the property if it is destroyed or damaged beyond repair; (d) Expenses incurred by a victim in relocating away from the defendant or his or her associates, if the expenses are verified by law enforcement to be necessary for the personal safety of the victim; (e) The cost of repatriation of the victim to his or her home country, if applicable; and (f) Any and all other losses suffered by the victim as a result of the violation of any provision of NRS 201.300, 201.320 or 201.395. 3. The return of the victim to his or her home country or other absence of the victim from the jurisdiction does not prevent the victim from receiving restitution. 4. As used in this section, "victim" means any person: (a) Against whom a violation of any provision of NRS 201.300, 201.320 or 201.395 has been committed; or (b) Who is the surviving child of such a person. (Added to NRS by 2013, 2430; A 2019, 2630)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.345 - Jurisdictional powers of Attorney General.

1. The Attorney General has concurrent jurisdiction with the district attorneys of the counties in this State to prosecute any violation of NRS 201.300, 201.301, 201.320, 201.354 or 201.395. 2. If the Attorney General charges a defendant pursuant to this section, the Attorney General may also charge related offenses if committed in the course of a violation of NRS 201.300, 201.301, 201.320, 201.354 or 201.395. 3. When acting pursuant to this section, the Attorney General may commence an investigation and file a criminal action without leave of court and the Attorney General has exclusive charge of the conduct of the prosecution. (Added to NRS by 2013, 2429; A 2019, 2630; 2021, 165)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.350 - Venue.

It shall not be a defense to a prosecution for any of the acts prohibited in NRS 201.300, 201.320 or 201.395 that any part of such act or acts shall have been committed outside this state, and the offense shall in such case be deemed and alleged to have been committed, and the offender tried and punished, in any county in which the prostitution was consummated, or any overt act in furtherance of the offense shall have been committed. [6:233:1913; 1919 RL p. 3381; NCL § 10542]—(NRS A 2013, 2432; 2019, 2630)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.351 - Forfeiture of assets; temporary restraining order to preserve property subject to forfeiture; use of proceeds derived from forfeiture.

1. All assets derived from or relating to any violation of NRS 201.300, 201.320 or 201.395 are subject to forfeiture pursuant to NRS 179.121 and a proceeding for their forfeiture may be brought pursuant to NRS 179.1156 to 179.121, inclusive. 2. In any proceeding for forfeiture brought pursuant to NRS 179.1156 to 179.121, inclusive, the plaintiff may apply for, and a court may issue without notice or hearing, a temporary restraining order to preserve property which would be subject to forfeiture pursuant to this section if: (a) The forfeitable property is in the possession or control of the party against whom the order will be entered; and (b) The court determines that the nature of the property is such that it can be concealed, disposed of or placed beyond the jurisdiction of the court before a hearing on the matter. 3. A temporary restraining order which is issued without notice may be issued for not more than 30 days and may be extended only for good cause or by consent. The court shall provide notice and hold a hearing on the matter before the order expires. 4. Any proceeds derived from a forfeiture of property pursuant to this section and remaining after the distribution required by subsection 1 of NRS 179.118 must be deposited with the county treasurer and distributed to programs for the prevention of child prostitution or for services to victims which are designated to receive such distributions by the district attorney of the

county. (Added to NRS by 2009, 574; A 2013, 2433; 2019, 2631)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.352 - Additional fine for certain violations.

1. If a person is convicted of a violation of subsection 2 of NRS 201.300, subsection 1 of NRS 201.301, NRS 201.320 or 201.395, the victim of the violation is a child when the offense is committed and physical force or violence or the immediate threat of physical force or violence is used upon the child, the court may, in addition to the term of imprisonment prescribed by statute for the offense and any fine imposed pursuant to subsection 2, impose a fine of not more than \$500,000. 2. If a person is convicted of a violation of subsection 2 of NRS 201.300, subsection 1 of NRS 201.301, NRS 201.320 or 201.395, the victim of the offense is a child when the offense is committed and the offense also involves a conspiracy to commit a violation of subsection 2 of NRS 201.300, subsection 1 of NRS 201.301, NRS 201.320 or 201.395, the court may, in addition to the punishment prescribed by statute for the offense of a provision of subsection 2 of NRS 201.300, subsection 1 of NRS 201.301, NRS 201.320 or 201.395 and any fine imposed pursuant to subsection 1, impose a fine of not more than \$500,000. 3. The provisions of subsections 1 and 2 do not create a separate offense but provide an additional penalty for the primary offense, the imposition of which is contingent upon the finding of the prescribed fact. (Added to NRS by 2009, 574; A 2013, 2433; 2019, 1821, 2631)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.353 - Unlawful for prostitute to engage in prostitution or solicitation for prostitution except in licensed house of prostitution: Penalty; provision of certain information; dismissal.

1. It is unlawful for a prostitute to engage in prostitution or solicitation therefor, except in a licensed house of prostitution. 2. A person who violates subsection 1 is guilty of a misdemeanor. 3. A peace officer who: (a) Detains but does not arrest or issue a citation to a person for a violation of subsection 1 shall, before releasing the person, provide information regarding and opportunities for connecting with social service agencies that may provide assistance to the person. The Department of Health and Human Services shall assist law enforcement agencies in providing information regarding and opportunities for connecting with such social service agencies pursuant to this paragraph. (b) Arrests or issues a citation to a person for a violation of subsection 1 shall, before the person is released from custody or cited: (1) Inform the person that he or she may be eligible for assignment to a preprosecution diversion program established pursuant to NRS 174.032; and (2) Provide the information regarding and opportunities for connecting with social service agencies described in paragraph (a). 4. If, at any time before the trial of a person charged with a violation of subsection 1, the prosecuting attorney has reason to believe that the person is a victim of sex trafficking, the prosecuting attorney shall dismiss the charge. As used in this subsection, "sex trafficking" means a violation of subsection 2 of NRS 201.300. (Added to NRS by 2021, 3119)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.354 - Unlawful for customer to engage in prostitution or solicitation for prostitution except in licensed house of prostitution: Criminal penalties; civil penalty; discharge and dismissal.

1. It is unlawful for a customer to engage in prostitution or solicitation therefor, except in a licensed house of prostitution. 2. Any person who violates subsection 1 by soliciting for prostitution: (a) A child; (b) A peace officer who is posing as a child; or (c) A person who is assisting in an investigation on behalf of a peace officer by posing as a child, is guilty of soliciting a child for prostitution. 3. Except as otherwise provided in subsection 5, a person who violates this section: (a) For a first offense, is guilty of a misdemeanor and shall be punished as provided in NRS 193.150, and by a fine of not less than \$400. (b) For a second offense, is guilty of a gross misdemeanor and shall be punished as provided in NRS 193.140, and by a fine of not less than \$800. (c) For a third or subsequent offense, is guilty of a gross misdemeanor and shall be punished as provided in NRS 193.140, and by a fine of not less than \$1,300. 4. In addition to any other penalty imposed, the court shall order a person who violates subsection 1 to pay a civil penalty of not less than \$200 per offense. The civil penalty must be paid to the district attorney or city attorney of the jurisdiction in which the violation occurred. If the civil penalty imposed pursuant to this subsection: (a) Is not within the person's present ability to pay, in lieu of paying the penalty, the court may allow the person to perform community service for a reasonable number of hours, the value of which would be commensurate with the civil penalty. (b) Is not entirely within the person's present ability to pay, in lieu of paying the entire civil penalty, the court may allow the person to perform community service for a reasonable number of hours, the value of which would be commensurate with the amount of the reduction of the civil penalty. 5. A person who violates this section by soliciting a child for prostitution: (a) For a first offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130, and by a fine of not more than \$5,000. (b) For a second offense, is guilty of a category C felony and shall be punished as provided in NRS 193.130. (c) For a third or subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and maximum term of not more than 6 years, and may be further punished by a fine of not more than \$15,000. The court shall not grant probation to or suspend the sentence of a person punished pursuant to this paragraph. 6. Any civil penalty collected by a district attorney or city attorney pursuant to subsection 4 must be deposited in the county or city treasury, as applicable, to be used for: (a) The enforcement of this section; and (b) Programs of treatment for persons who solicit prostitution which are certified by the Division of Public and Behavioral Health of the Department of Health and Human Services. Not less than 50 percent of the money deposited in the county or city treasury, as applicable, pursuant to this subsection must be used for the enforcement of this section. 7. If a person who

violates subsection 1 is ordered pursuant to NRS 4.373 or 5.055 to participate in a program for the treatment of persons who solicit prostitution, upon fulfillment of the terms and conditions of the program, the court may discharge the person and dismiss the proceedings against the person. If the court discharges the person and dismisses the proceedings against the person, a nonpublic record of the discharge and dismissal must be transmitted to and retained by the Division of Parole and Probation of the Department of Public Safety solely for the use of the courts in determining whether, in later proceedings, the person qualifies under this section for participation in a program of treatment for persons who solicit prostitution. Except as otherwise provided in this subsection, discharge and dismissal under this subsection is without adjudication of guilt and is not a conviction for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose, but is a conviction for the purpose of additional penalties imposed for a second or subsequent conviction or the setting of bail. Discharge and dismissal restores the person discharged, in the contemplation of the law, to the status occupied before the proceedings. The person may not be held thereafter under any law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge the proceedings in response to an inquiry made of the person for any purpose. Discharge and dismissal under this subsection may occur only once with respect to any person. A professional licensing board may consider a proceeding under this subsection in determining suitability for a license or liability to discipline for misconduct. Such a board is entitled for those purposes to a truthful answer from the applicant or licensee concerning any such proceeding with respect to the applicant or licensee. 8. Except as limited by subsection 9, if a person is discharged and the proceedings against the person are dismissed pursuant to subsection 7, the court shall, without a hearing, order sealed all documents, papers and exhibits in that person's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order. The court shall cause a copy of the order to be sent to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order. 9. A professional licensing board is entitled, for the purpose of determining suitability for a license or liability to discipline for misconduct, to inspect and to copy from a record sealed pursuant to this section. (Added to NRS by 1987, 2027; A 1991, 462; 2009, 1245; 2015, 1003; 2017, 1656; 2019, 1910, 3365; 2021, 165, 3119)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.360 - Placing person in house of prostitution; penalties.

1. A person who: (a) Places another in the charge or custody of a third person with the intent that the other person engage in prostitution or who compels the other person to reside with him or her or with any third person for purposes of prostitution, or who compels another person to reside in a house of prostitution; (b) Asks or receives any compensation, gratuity or reward, or promise thereof, for or on account of placing in a house of prostitution or elsewhere a person for the purpose of causing that person to cohabit with someone who is not the person's spouse; (c) Gives, offers or promises any compensation, gratuity or reward, to procure a person to engage in any act of prostitution in any house of prostitution, or elsewhere, against the person's will; (d) Is the spouse, parent, guardian or other legal custodian of a person under the age of 18 and permits, connives at or consents to the minor's being or remaining in any house of prostitution; (e) Lives with or accepts any earnings of a common prostitute, or entices or solicits a person to go to a house of prostitution to engage in sexual conduct with a common prostitute; (f) Decoys, entices, procures or in any manner induces a person to become a prostitute or to become an inmate of a house of prostitution, for purposes of prostitution, or for purposes of employment, or for any purpose whatever, when that person does not know that the house is one of prostitution; or (g) Decoys, entices, procures or in any manner induces a person, under the age of 21 years, to go into or visit, upon any pretext or for any purpose whatever, any house of ill fame or prostitution, or any room or place inhabited or frequented by any prostitute, or used for purposes of prostitution, is guilty of a felony. 2. A person who violates the provisions of subsection 1 shall be punished: (a) Where physical force or the immediate threat of physical force is used upon the other person, for a category C felony as provided in NRS 193.130. (b) Where no physical force or immediate threat of physical force is used, for a category D felony as provided in NRS 193.130. [1911 C&P § 180; RL § 6445; NCL § 10127]—(NRS A 1967, 479; 1979, 303, 1432; 1995, 1203)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.380 - Restriction on location of houses of ill fame; penalty.

1. It shall be unlawful for any owner, or agent of any owner, or any other person to keep any house of ill fame, or to let or rent to any person whatever, for any length of time whatever, to be kept or used as a house of ill fame, or resort for the purposes of prostitution, any house, room or structure situated within 400 yards of any schoolhouse or schoolroom used by any public or common school in the State of Nevada, or within 400 yards of any church, edifice, building or structure erected for and used for devotional services or religious worship in this state. 2. Any person violating the provisions of subsection 1 shall be punished by a fine of not more than \$500. [419:63:1947; 1943 NCL § 6084.429] + [420:63:1947; 1943 NCL § 6084.430] + [1911 C&P § 245; RL § 6510; NCL § 10193] + [1911 C&P § 247; RL § 6512; NCL § 10195]—(NRS A 1967, 480)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.390 - Property on principal business streets not to be rented for purposes of prostitution; penalty.

1. It is unlawful for any owner or agent of any owner or any other person to keep, let or rent for any length of time, or at all, any house fronting on the principal business street or thoroughfare of any of the towns of this state, for the purpose of prostitution or to make or use any entrance or exit way to any house of prostitution from the principal business street or thoroughfare of any of the

towns of this state. 2. Any person violating the provisions of subsection 1 shall be punished by a fine of not more than \$500. [1911 C&P § 246; RL § 6511; NCL § 10194] + [1911 C&P § 247; RL § 6512; NCL § 10195]—(NRS A 1967, 481; 1979, 304)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.395 - Advancing prostitution: Definition; penalty.

1. A person who owns, leases, operates, controls or manages any business or private property is guilty of advancing prostitution if the person: (a) Knows that illegal prostitution is being conducted at the business or upon such private property because the person has been notified, in writing, by a law enforcement agency of at least one incident of illegal prostitution that occurred at the business or upon such private property; (b) Receives notice pursuant to paragraph (a) that the illegal prostitution may result in prosecution for pandering or sex trafficking pursuant to NRS 201.300 or facilitating sex trafficking pursuant to NRS 201.301; and (c) Fails to take reasonable steps to abate such illegal prostitution within 30 days after the date on which the person receives such written notice from the law enforcement agency. 2. Unless a greater penalty is provided by specific statute, a person who is guilty of advancing prostitution shall be punished for a category C felony as provided in NRS 193.130. 3. For the purposes of this section, a person who owns, leases, operates, controls or manages any business or private property shall be deemed to have taken reasonable steps to abate illegal prostitution if the person has: (a) Filed a report of such illegal prostitution with a law enforcement agency; (b) Allowed a law enforcement agency to conduct surveillance or an unrestricted undercover operation; or (c) Used any other available legal means to abate such illegal prostitution. 4. Any action taken to abate illegal prostitution pursuant to this section must comply with any other applicable law of this State, including, without limitation, the provisions of chapters 118A and 118C of NRS. (Added to NRS by 2019, 2628; A 2021, 1379)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.400 - General reputation competent evidence.

In the trial of all cases arising under the provisions of NRS 201.380 and 201.390, evidence of general reputation is competent evidence as to the question of the ill fame of any house alleged to be so kept, and to the question of the ill fame of any person. [1911 C&P § 248; RL § 6513; NCL § 10196]—(NRS A 1979, 304)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.410 - Duties of sheriff and district attorney; failure to act; penalty.

The district attorney and sheriff of each county in this state shall see that the provisions of NRS 201.380 are strictly enforced and carried into effect, and upon neglect so to do, they, or either of them, shall be deemed guilty of a misdemeanor in office and may be proceeded against by accusation as provided in chapter 283 of NRS. [421:63:1947; 1943 NCL § 6084.431]

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.420 - Keeping disorderly house; penalty.

Any person who shall keep any disorderly house, or any house of public resort, by which the peace, comfort or decency of the immediate neighborhood, or of any family thereof, is habitually disturbed, or who shall keep any inn in a disorderly manner, is guilty of a misdemeanor. [1911 C&P § 219; RL § 6484; NCL § 10166]—(NRS A 1967, 481)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.430 - Unlawful advertising of prostitution; penalties.

1. It is unlawful for any person engaged in conduct which is unlawful pursuant to paragraph (b) of subsection 1 of NRS 207.030, or any owner, operator, agent or employee of a house of prostitution, or anyone acting on behalf of any such person, to advertise the unlawful conduct or any house of prostitution: (a) In any public theater, on the public streets of any city or town, or on any public highway; or (b) In any county, city or town where prostitution is prohibited by local ordinance or where the licensing of a house of prostitution is prohibited by state statute. 2. It is unlawful for any person knowingly to prepare or print an advertisement concerning a house of prostitution not licensed for that purpose pursuant to NRS 244.345, or conduct which is unlawful pursuant to paragraph (b) of subsection 1 of NRS 207.030, in any county, city or town where prostitution is prohibited by local ordinance or where the licensing of a house of prostitution is prohibited by state statute. 3. Inclusion in any display, handbill or publication of the address, location or telephone number of a house of prostitution or of identification of a means of transportation to such a house, or of directions telling how to obtain any such information, constitutes prima facie evidence of advertising for the purposes of this section. 4. Any person, company, association or corporation violating the provisions of this section shall be punished: (a) For the first violation within a 3-year period, by imprisonment in the county jail for not more than 6 months, or by a fine of not more than \$1,000, or by both fine and imprisonment. (b) For a second violation within a 3-year period, by imprisonment in the county jail for not less than 30 days nor more than 6 months, and by a fine of not less than \$250 nor more than \$1,000. (c) For a third or subsequent violation within a 3-year period, by imprisonment in the county jail for 6 months and by a fine of not less than \$250 nor more than \$1,000. [1:109:1913; 1919 RL p. 3379; NCL § 10535]—(NRS A 1967, 481; 1979, 305, 604; 1995, 2299)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.440 - Unlawful to permit illegal advertising of houses of prostitution; penalties.

1. In any county, city or town where prostitution is prohibited by local ordinance or where the licensing of a house of prostitution is prohibited by state statute, it is unlawful for any person, company, association or corporation knowingly to allow any person engaged in conduct which is unlawful pursuant to paragraph (b) of subsection 1 of NRS 207.030, or any owner, operator, agent or employee of a house of prostitution, or anyone acting on behalf of any such person, to advertise a house of prostitution in his or her place of business. 2. Any person, company, association or corporation that violates the provisions of this section shall be punished: (a) For the first violation within a 3-year period, by imprisonment in the county jail for not more than 6 months, or by a fine of not more than \$1,000, or by both fine and imprisonment. (b) For a second violation within a 3-year period, by imprisonment in the county jail for not less than 30 days nor more than 6 months, and by a fine of not less than \$250 nor more than \$1,000. (c) For a third or subsequent violation within a 3-year period, by imprisonment in the county jail for 6 months and by a fine of not less than \$250 nor more than \$1,000. [2:109:1913; 1919 RL p. 3379; NCL § 10536]—(NRS A 1967, 481; 1979, 305, 605; 1995, 2300)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.450 - Unlawful act; penalty.

1. A person who commits a sexual penetration on the dead body of a human being is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 5 years has been served, and shall be further punished by a fine of not more than \$20,000. 2. For the purposes of this section, "sexual penetration" means cunnilingus, fellatio or any intrusion, however slight, of any part of a person's body or any object manipulated or inserted by a person into the genital or anal openings of the body of another, including, without limitation, sexual intercourse in what would be its ordinary meaning if practiced upon the living. (Added to NRS by 1983, 344; A 1991, 1010; 1995, 1204; 1997, 2503, 3190; 2005, 2878)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.455 - Bestiality; penalties.

1. A person commits the crime of bestiality if the person knowingly and intentionally: (a) Engages in sexual conduct with an animal; (b) Causes another person to engage in sexual conduct with an animal or aids or abets another person in engaging in sexual conduct with an animal; (c) Permits any sexual conduct with an animal to be conducted on any premises under the control of the person; (d) Engages in, organizes, promotes, conducts, advertises, aids, abets, participates in and is physically present as an observer, or performs any service in the furtherance of an act involving any sexual conduct with an animal; or (e) Photographs or films, for purposes of his or her sexual gratification or the sexual gratification of another person, a person engaged in sexual conduct with an animal. 2. A person who commits the crime of bestiality is guilty of: (a) If the crime does not cause the death of or serious bodily injury to an animal involved in the crime and the person has not previously been convicted of a violation of NRS 574.100 punishable as a felony, a gross misdemeanor. (b) If the crime causes the death of or serious bodily injury to an animal involved in the crime or if the person has previously been convicted of a violation of NRS 574.100 punishable as a felony, a category D felony and shall be punished as provided in NRS 193.130. 3. In addition to any other penalty imposed by the court, the court shall order a person convicted of the crime of bestiality to comply with the following: (a) Relinquishing and permanently forfeiting ownership or possession of all animals which are in the same household as the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010. (b) Not harboring, owning, possessing, keeping or exercising control over any animal, not residing in any household where an animal is present and not working at or volunteering for a business, animal shelter or other place where the person may access an animal, for a period determined by the court. 4. In addition to any other penalty imposed by the court, the court may order a person convicted of the crime of bestiality to comply with any or all of the following: (a) Undergoing a psychological evaluation and any recommended counseling, including, without limitation, any counseling for the treatment of a substance use disorder, and to pay the expenses for the psychological evaluation and any recommended counseling. (b) Paying all reasonable costs incurred for the care and maintenance of the animal involved in the crime and any other animal relinquished by the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010. (c) If the person convicted of the crime of bestiality is not the owner of the animal involved in the crime, reimbursing the owner of the animal for all medical expenses incurred for treating the animal. 5. As used in this section: (a) "Animal" means every living creature other than a human being. (b) "Animal shelter" has the meaning ascribed to it in NRS 574.240. (c) "Licensed veterinarian" has the meaning ascribed to it in NRS 638.007. (d) "Sexual conduct": (1) Means any sexual act involving: (I) The genitalia of a person and the genitalia, anus or mouth of an animal; (II) The genitalia of an animal and the genitalia, anus or mouth of a person; (III) Any insertion, however slight, of any part of the body of a person or of a foreign object into the genitalia or anus of an animal; or (IV) Any touching or fondling by a person, directly or indirectly through clothing, of the genitalia or anus of an animal. (2) Does not include: (I) Any accepted practice of animal husbandry which provides care for an animal; (II) Any accepted method of insemination of an animal for the purpose of procreation; (III) Any accepted practice relating to conformation judging; or (IV) Any accepted medical procedure performed by a licensed veterinarian while engaging in the practice of veterinary medicine or by his or her employee while acting under his or her supervision. (Added to NRS by 2017, 372)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.460 - Sale, acquisition, receipt or transfer for consideration of human organ for transplantation prohibited; penalty.

1. A person shall not knowingly sell, acquire, receive or otherwise transfer for valuable consideration any human organ for use in human transplantation. 2. As used in this section: (a) "Human organ" includes the human kidney, liver, heart, lung, bone marrow and any other part of the human body except blood. (b) "Valuable consideration" does not include the reasonable payments associated with the removal, transportation, implantation, processing, preservation, quality control or storage of a human organ or the expenses of travel, housing and lost wages incurred by the donor in connection with the donation of a human organ. 3. Any person who violates this section is guilty of a misdemeanor. (Added to NRS by 1987, 1498)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.465 - Sexual conduct with arrestee or detainee by law enforcement officer prohibited; penalty.

1. Unless an act committed in violation of this section constitutes sexual assault pursuant to NRS 200.366, a law enforcement officer who voluntarily engages in sexual conduct with a person who is under arrest or is currently detained by the law enforcement officer or any other law enforcement officer is guilty of a category D felony and shall be punished as provided in NRS 193.130. 2. The consent of a person who was under arrest or detained by any law enforcement officer to any sexual conduct with a law enforcement officer is not a defense to a prosecution for any act prohibited by this section. 3. As used in this section, "sexual conduct": (a) Includes acts of masturbation, sexual penetration or physical contact with another person's clothed or unclothed genitals or pubic area to arouse, appeal to or gratify the sexual desires of a person. (b) Does not include acts of a law enforcement officer that are performed to carry out the necessary duties of the law enforcement officer. (Added to NRS by 2019, 836)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.470 - Definitions.

As used in NRS 201.470 to 201.553, inclusive, unless the context otherwise requires, the words and terms defined in NRS 201.480 to 201.530, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1997, 2522; A 2023, 2467)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.480 - "College" defined.

"College" means a college or community college which is privately owned or which is part of the Nevada System of Higher Education. (Added to NRS by 1997, 2522)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.490 - "Private school" defined.

"Private school" has the meaning ascribed to it in NRS 394.103. (Added to NRS by 1997, 2522)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.500 - "Public school" defined.

"Public school" has the meaning ascribed to it in NRS 385.007. (Added to NRS by 1997, 2522)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.510 - "Sado-masochistic abuse" defined.

"Sado-masochistic abuse" has the meaning ascribed to it in NRS 201.262. (Added to NRS by 1997, 2522)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.520 - "Sexual conduct" defined.

"Sexual conduct" means: 1. Ordinary sexual intercourse; 2. Anal intercourse; 3. Fellatio, cunnilingus or other oral-genital contact; 4. Physical contact by a person with the unclothed genitals or pubic area of another person for the purpose of arousing or gratifying the sexual desire of either person; 5. Penetration, however slight, by a person of an object into the genital or anal opening of the body of another person for the purpose of arousing or gratifying the sexual desire of either person; 6. Masturbation or the lewd exhibition of unclothed genitals; 7. Sado-masochistic abuse; or 8. Any lewd or lascivious act upon or with the body, or any part or member thereof, of another person. (Added to NRS by 1997, 2522; A 2015, 2242)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.530 - "University" defined.

"University" means a university which is privately owned or which is part of the Nevada System of Higher Education. (Added to NRS by 1997, 2522)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.540 - Sexual conduct between certain employees of school or volunteers at school and pupil: Penalty; exception.

1. Except as otherwise provided in subsection 2, a person who: (a) Is 21 years of age or older; (b) Is or was employed by a public school or private school in a position of authority or is or was volunteering at a public or private school in a position of authority; and (c) Engages in sexual conduct with a pupil who is 16 years of age or older, who has not received a high school diploma, a

general educational development certificate or an equivalent document and: (1) Who is or was enrolled in or attending the public school or private school at which the person is or was employed or volunteering; or (2) With whom the person has had contact in the course of performing his or her duties as an employee or volunteer, is guilty of a category C felony and shall be punished as provided in NRS 193.130. 2. The provisions of this section do not apply to a person who is married to the pupil at the time an act prohibited by this section is committed. 3. The provisions of this section must not be construed to apply to sexual conduct between two pupils. (Added to NRS by 1997, 2522; A 2001, 703; 2013, 2098; 2015, 1445, 2242; 2017, 2320)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.550 - Sexual conduct between certain employees of college or university and student: Penalty; exception.

1. Except as otherwise provided in subsection 3, a person who: (a) Is 21 years of age or older; (b) Is employed in a position of authority by a college or university; and (c) Engages in sexual conduct with a student who is 16 years of age or older, who has not received a high school diploma, a general educational development certificate or an equivalent document and who is enrolled in or attending the college or university at which the person is employed, is guilty of a category C felony and shall be punished as provided in NRS 193.130. 2. For the purposes of subsection 1, a person shall be deemed to be employed in a position of authority by a college or university if the person is employed as: (a) A teacher, instructor or professor; (b) An administrator; or (c) A head or assistant coach. 3. The provisions of this section do not apply to a person who is married to the student at the time an act prohibited by this section is committed. 4. The provisions of this section must not be construed to apply to sexual conduct between two students. (Added to NRS by 1997, 2523; A 2015, 1446; 2017, 2321)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.553 - Unlawful communication between person in position of authority and pupil: Penalty; exceptions.

1. Except as otherwise provided in subsection 2 and unless a greater penalty is provided by specific statute, a person in a position of authority who knowingly contacts or communicates with or attempts to contact or communicate with a pupil with the intent to: (a) Engage in the commission of a crime punishable as a felony or gross misdemeanor; or (b) Cause or encourage the pupil to: (1) Engage in sexual conduct, either in person or through the use of an electronic communication device; (2) Use an electronic communication device to transmit or distribute a sexual image of himself or herself to the person; (3) Engage in an unlawful act that, if committed by an adult, would be a felony or gross misdemeanor; or (4) Facilitate the commission by the person in a position of authority of a crime punishable as a felony or gross misdemeanor, is guilty of a category C felony and shall be punished as provided in NRS 193.130. 2. The provisions of this section do not apply if the person in a position of authority: (a) Is married to the pupil at the time an act prohibited by this section is committed; (b) Does not have or did not have contact with the pupil in the course of performing any of his or her duties; or (c) Receives from a pupil, by electronic communication device, an unsolicited sexual image or communication of a sexual nature and reports the image or communication to the principal, administrator or other person in charge of the school at which the person is employed or volunteers as soon as reasonably practicable after receipt of the image or communication. 3. As used in this section: (a) "Electronic communication device" has the meaning ascribed to it in NRS 200.737. (b) "Person in a position of authority" means a person who is 18 years of age or older and who: (1) Is or was an employee at or volunteer for a public school or private school; and (2) Has had contact with a pupil in the course of performing his or her duties as an employee or volunteer. (c) "Pupil" means a person who is or was enrolled in or attending a public school or private school. (d) "Sexual conduct" has the meaning ascribed to it in NRS 201.520 and also includes sexual conduct between two persons who are in different physical locations but who are communicating with each other through the use of an electronic communication device. (e) "Sexual image" means any visual depiction, including, without limitation, any photograph or video of a pupil simulating or engaging in sexual conduct or of the pupil as the subject of a sexual portrayal. (f) "Sexual portrayal" has the meaning ascribed to it in NRS 200.700. (Added to NRS by 2023, 2466)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.555 - Sexual conduct between certain employees or contractors of or volunteers for entity providing services to children and children under care, custody, control or supervision of entity: Penalty; exception.

1. Except as otherwise provided in subsection 2, a person who: (a) Is 25 years of age or older; (b) Is in a position of authority as an employee or contractor of or volunteer for an entity which provides services to children; and (c) Engages in sexual conduct with a person who is 16 years of age or older but less than 18 years of age and: (1) Who is under the care, custody, control or supervision of the entity at which the person is employed or volunteering or of which the person is a contractor; and (2) With whom the person has had contact in the course of performing his or her duties as an employee, contractor or volunteer, is guilty of a category C felony and shall be punished as provided in NRS 193.130. 2. The provisions of this section do not apply to a person who is an employee or contractor of or volunteer for an entity which provides services to children and who is married to the person under the care, custody, control or supervision of the entity at the time an act prohibited by this section is committed. 3. A person convicted pursuant to this section is not subject to the registration or community notification requirements of chapter 179D of NRS. 4. As used in this section: (a) "Agency which provides child welfare services" has the meaning ascribed to it in NRS 432B.030. (b) "Department of juvenile justice services" means: (1) In a county whose population is less than 100,000, the probation department of the juvenile court established pursuant to NRS 62G.010 to 62G.070, inclusive; (2) In a county whose population is 100,000 or more but less than 700,000, the department of juvenile services established pursuant to NRS 62G.100 to 62G.170, inclusive; and (3) In a county whose

population is 700,000 or more, the department of juvenile justice services established by ordinance pursuant to NRS 62G.210 or, if a department of juvenile justice services has not been established by ordinance pursuant to NRS 62G.210, the department of juvenile justice services established pursuant to NRS 62G.300 to 62G.370, inclusive. (c) "Entity which provides services to children" means: (1) An agency which provides child welfare services; (2) A department of juvenile justice services; (3) A foster home; or (4) The Youth Parole Bureau. (d) "Foster home" has the meaning ascribed to it in NRS 424.014. (e) "Youth Parole Bureau" has the meaning ascribed to it in NRS 62A.350. (Added to NRS by 2017, 2319)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.560 - Definitions; exceptions; penalties.

1. Except as otherwise provided in subsection 3, a person commits the crime of luring a child if the person knowingly contacts or communicates with or attempts to contact or communicate with: (a) A child who is less than 16 years of age and who is at least 5 years younger than the person with the intent to persuade, lure or transport the child away from the child's home or from any location known to the child's parent or guardian or other person legally responsible for the child to a place other than where the child is located, for any purpose: (1) Without the express consent of the parent or guardian or other person legally responsible for the child; and (2) With the intent to avoid the consent of the parent or guardian or other person legally responsible for the child; or (b) Another person whom he or she believes to be a child who is less than 16 years of age and at least 5 years younger than he or she is, regardless of the actual age of that other person, with the intent to solicit, persuade or lure the person to engage in sexual conduct. 2. Except as otherwise provided in subsection 3, a person commits the crime of luring a person with mental illness if the person knowingly contacts or communicates with a person with mental illness with the intent to persuade, lure or transport the person with mental illness away from his or her home or from any location known to any person legally responsible for the person with mental illness to a place other than where the person with mental illness is located: (a) For any purpose that a reasonable person under the circumstances would know would endanger the health, safety or welfare of the person with mental illness; (b) Without the express consent of the person legally responsible for the person with mental illness; and (c) With the intent to avoid the consent of the person legally responsible for the person with mental illness. 3. The provisions of this section do not apply if the contact or communication is made or attempted with the intent to prevent imminent bodily, emotional or psychological harm to the child, person believed to be a child or person with mental illness. 4. A person who violates or attempts to violate the provisions of this section through the use of a computer, system or network: (a) With the intent to engage in sexual conduct with the child, person believed to be a child or person with mental illness or to cause the child, person believed to be a child or person with mental illness to engage in sexual conduct, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years and may be further punished by a fine of not more than \$10,000; (b) By providing the child, person believed to be a child or person with mental illness with material that is harmful to minors or requesting the child, person believed to be a child or person with mental illness to provide the person with material that is harmful to minors, is guilty of a category C felony and shall be punished as provided in NRS 193.130; or (c) If paragraph (a) or (b) does not apply, is guilty of a gross misdemeanor. 5. A person who violates or attempts to violate the provisions of this section in a manner other than through the use of a computer, system or network: (a) With the intent to engage in sexual conduct with the child, person believed to be a child or person with mental illness or to cause the child, person believed to be a child or person with mental illness to engage in sexual conduct, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years and may be further punished by a fine of not more than \$10,000; (b) By providing the child, person believed to be a child or person with mental illness with material that is harmful to minors or requesting the child, person believed to be a child or person with mental illness to provide the person with material that is harmful to minors, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years and may be further punished by a fine of not more than \$10,000; or (c) If paragraph (a) or (b) does not apply, is guilty of a gross misdemeanor. 6. As used in this section: (a) "Computer" has the meaning ascribed to it in NRS 205.4735. (b) "Harmful to minors" has the meaning ascribed to it in NRS 201.257. (c) "Material" means anything that is capable of being used or adapted to arouse interest, whether through the medium of reading, observation, sound or in any other manner. (d) "Network" has the meaning ascribed to it in NRS 205.4745. (e) "Person with mental illness" means a person who has any mental dysfunction leading to impaired ability to maintain himself or herself and to function effectively in his or her life situation without external support. (f) "Sexual conduct" has the meaning ascribed to it in NRS 201.520. (g) "System" has the meaning ascribed to it in NRS 205.476. (Added to NRS by 2001, 2786; A 2003, 431, 1376; 2007, 183; 2013, 1155)

2024 Nevada Revised Statutes Chapter 201 - Crimes Against Public Decency and Good Morals NRS 201.570 - Definition; penalty.

1. An adult commits the crime of criminal gang recruitment if the adult uses or threatens to use physical violence against a child or against another person, or causes or threatens to cause damage to the property of the child or the property of another person, with the specific intent to coerce, induce or solicit the child: (a) To become a member of a criminal gang; (b) To remain a member of a criminal gang and not withdraw or disassociate from the criminal gang; or (c) To rejoin a criminal gang of which the child is no longer a member or from which the child has withdrawn or disassociated. 2. An adult who commits the crime of criminal gang recruitment is guilty of a category E felony and shall be punished as provided in NRS 193.130. 3. As used in this section: (a)

"Adult" means a person who is 18 years of age or older. (b) "Child" means a person who is less than 18 years of age. (c) "Criminal gang" has the meaning ascribed to it in NRS 193.168. (Added to NRS by 2009, 417)

Title: chapter-202

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.005 - "Fugitive from justice" defined.

As used in this chapter, unless the context otherwise requires, the term "fugitive from justice" means a person who has been found in this State after: 1. Being charged in another state with the commission of a felony and fleeing from that state to avoid prosecution for the felony; or 2. Fleeing from another state to avoid giving testimony in any criminal proceeding. (Added to NRS by 2009, 485)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.015 - "Alcoholic beverage" defined.

For the purposes of NRS 202.015 to 202.065, inclusive, "alcoholic beverage" means: 1. Beer, ale, porter, stout and other similar fermented beverages, including sake and similar products, of any name or description containing one-half of 1 percent or more alcohol by volume, brewed or produced from malt, wholly or in part, or from any substitute therefor. 2. Any beverage obtained by the fermentation of the natural content of fruits or other agricultural products containing sugar, of not less than one-half of 1 percent of alcohol by volume. 3. Any distilled spirits commonly referred to as ethyl alcohol, ethanol or spirits of wine in any form, including all dilutions and mixtures thereof from whatever process produced. (Added to NRS by 1987, 481; A 1991, 168; 2001, 1426; 2005, 1326)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.020 - Purchase, consumption or possession of alcoholic beverage by person under 21 years of age; penalties; sealing of records; exceptions.

1. Except as otherwise provided in this section, a person under 21 years of age who purchases any alcoholic beverage or consumes any alcoholic beverage in any saloon, resort or premises where spirituous, malt or fermented liquors or wines are sold is guilty of a misdemeanor and shall be punished by: (a) Performing not more than 24 hours of community service; (b) Attending the live meeting described in paragraph (a) of subsection 2 of NRS 484C.530 and complying with any other requirements set forth in that section; or (c) Being required to undergo an evaluation in accordance with subsection 2 of NRS 484C.350, or any combination thereof. 2. Except as otherwise provided in this section, a person under 21 years of age who, for any reason, possesses any alcoholic beverage in public is guilty of a misdemeanor and shall be punished by: (a) Performing not more than 24 hours of community service; (b) Attending the live meeting described in paragraph (a) of subsection 2 of NRS 484C.530 and complying with any other requirements set forth in that section; or (c) Being required to undergo an evaluation in accordance with subsection 2 of NRS 484C.350, or any combination thereof. 3. If a person under 21 years of age fulfills the terms and conditions imposed for a violation of subsection 1 or 2, the court shall, without a hearing, order sealed all documents, papers and exhibits in that person's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order. The court shall cause a copy of the order to be sent to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order. 4. A person under 21 years of age is not subject to the criminal penalty set forth in subsection 1 for consuming an alcoholic beverage or subsection 2 if the person requests emergency medical assistance for another person whom he or she reasonably believes is under 21 years of age if the person making the request: (a) Reasonably believes that the person who consumed the alcohol is in need of such assistance because of the alcohol consumption; (b) Is the first person to request emergency medical assistance for the person; (c) Remains with the person until informed that his or her presence is no longer necessary by the emergency medical personnel who respond to the request for assistance for the person; and (d) Cooperates with any provider of emergency medical assistance, any other health care provider who assists the person who may be in need of emergency medical assistance because of alcohol consumption and any law enforcement officer. 5. A person under 21 years of age for whom another person requests emergency medical assistance pursuant to subsection 4 is not subject to the criminal penalty set forth in subsection 1 for consuming an alcoholic beverage or subsection 2. 6. A person under 21 years of age is not subject to the criminal penalty set forth in subsection 1 for consuming an alcoholic beverage or subsection 2 if the person: (a) Requests emergency medical assistance because he or she reasonably believes that he or she is in need of medical assistance because of alcohol consumption; and (b) Cooperates with any provider of emergency medical assistance, any other health care provider who provides assistance to him or her and any law enforcement officer. 7. This section does not preclude a local governmental entity from enacting by ordinance an additional or broader restriction, except that any such ordinance must not conflict with the provisions of subsection 4, 5 or 6 or create criminal liability for a person to whom an exemption set forth in subsection 4, 5 or 6 applies. 8. For the purposes of this section, possession "in public" includes possession: (a) On any street or highway; (b) In any place open to the public; and (c) In any private business establishment which is in effect open to the public. 9. The term does not include: (a) Possession for an established religious purpose; (b) Possession in the presence of the person's parent, spouse or legal guardian who is 21 years of age or older; (c) Possession in accordance with a prescription issued by a person statutorily authorized to issue prescriptions; (d) Possession in private clubs or private establishments; or (e) The selling, handling, serving or transporting of alcoholic beverages by a person in the course of his or her lawful employment by a licensed manufacturer, wholesaler or retailer of alcoholic beverages. [1:272:1947; 1943 NCL § 10594.02]—(NRS A 1967, 482; 1987, 482; 2015, 1450; 2021, 851)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.030 - Minor loitering in place where alcoholic beverages sold.

Any person under 21 years of age who shall loiter or remain on the premises of any saloon where spirituous, malt or fermented liquors or wines are sold shall be punished by a fine of not more than \$500. Nothing in this section shall apply to: 1. Establishments wherein spirituous, malt or fermented liquors or wines are served only in conjunction with regular meals and where dining tables or booths are provided separate from the bar; or 2. Any grocery store or drugstore where spirituous, malt or fermented liquors or wines are not sold by the drink for consumption on the premises. [1:99:1949; A 1955, 144]—(NRS A 1967, 482)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.040 - False representation by person under 21 years of age to obtain intoxicating liquor; penalty; sealing of records.

1. A person who is under 21 years of age and who falsely represents himself or herself to be 21 years of age or older in order to obtain any intoxicating liquor is guilty of a misdemeanor and shall be punished by: (a) Performing not more than 24 hours of community service; (b) Attending the live meeting described in paragraph (a) of subsection 2 of NRS 484C.530 and complying with any other requirements set forth in that section; or (c) Being required to undergo an evaluation in accordance with subsection 2 of NRS 484C.350, or any combination thereof. 2. If a person under 21 years of age fulfills the terms and conditions imposed for a violation of this section, the court shall, without a hearing, order sealed all documents, papers and exhibits in that person's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order. The court shall cause a copy of the order to be sent to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order. [Part 1911 C&P § 241; A 1925, 212; NCL § 10188]—(NRS A 2021, 852)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.055 - Sale or furnishing of alcoholic beverage to minor; aiding minor to purchase or procure alcoholic beverage; policy to prevent minor from obtaining alcoholic beverage through use of Internet.

1. Every person who knowingly: (a) Sells, gives or otherwise furnishes an alcoholic beverage to any person under 21 years of age; (b) Leaves or deposits any alcoholic beverage in any place with the intent that it will be procured by any person under 21 years of age; or (c) Furnishes, gives, or causes to be given any money or thing of value to any person under 21 years of age with the knowledge that the money or thing of value is to be used by the person under 21 years of age to purchase or procure any alcoholic beverage, is guilty of a misdemeanor. 2. Paragraph (a) of subsection 1 does not apply to a parent, guardian or physician of the person under 21 years of age. 3. Every person who sells, gives or otherwise furnishes alcoholic beverages through the use of the Internet shall adopt a policy to prevent a person under 21 years of age from obtaining an alcoholic beverage from the person through the use of the Internet. The policy must include, without limitation, a method for ensuring that the person who delivers the alcoholic beverages obtains the signature of a person who is over the age of 21 years when delivering the beverages and that the packaging or wrapping of the alcoholic beverages when they are shipped is clearly marked with words that describe the alcoholic beverages. A person who fails to adopt a policy pursuant to this subsection is guilty of a misdemeanor and shall be punished by a fine of not more than \$500. (Added to NRS by 1967, 482; A 1969, 22; 1987, 482; 2001, 2788)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.057 - Using person who is less than 18 years of age to distribute material that includes offer for alcoholic beverages.

1. Except as otherwise provided in subsection 2, it is unlawful for a person to employ, allow or use a person who is less than 18 years of age to distribute promotional materials that include an offer for alcoholic beverages for a business, including, without limitation, a gaming establishment, a saloon, a resort or a restaurant. 2. This section does not prohibit the employment of a person who is less than 18 years of age to distribute a publication that includes an advertisement for the sale of alcoholic beverages which is incident to the publication. 3. A person who violates subsection 1 is guilty of a misdemeanor. (Added to NRS by 2001, 1426)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.060 - Saloonkeeper allowing minor to remain in establishment.

Any proprietor, keeper or manager of a saloon or resort where spirituous, malt or fermented liquors or wines are sold, who shall, knowingly, allow or permit any person under the age of 21 years to remain therein shall be punished by a fine of not more than \$500. Nothing in this section shall apply to: 1. Establishments wherein spirituous, malt or fermented liquors or wines are served only in conjunction with regular meals and where dining tables or booths are provided separate from the bar; or 2. Any grocery store or drugstore where spirituous, malt or fermented liquors or wines are not sold by the drink for consumption on the premises. [1:152:1911; A 1955, 85]—(NRS A 1967, 483)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.065 - Sale of alcoholic beverage containing more than 80 percent of alcohol by volume.

1. A person shall not sell an alcoholic beverage containing more than 80 percent of alcohol by volume. 2. A person who violates the provisions of this section is guilty of a misdemeanor. (Added to NRS by 1991, 168)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.067 - Sale, offer for sale, purchase, possession or use of alcohol vaporizing device; use of brand name of alcoholic beverage in advertisement or promotion of alcohol vaporizing device.

1. A person shall not: (a) Sell or offer for sale, purchase, possess or use an alcohol vaporizing device; or (b) Use the brand name of any alcoholic beverage in an advertisement or other promotion of an alcohol vaporizing device. 2. A person who violates any provision of subsection 1 is guilty of a misdemeanor. 3. As used in this section: (a) "Alcohol vaporizing device" means a machine or other device which mixes liquor with pure oxygen or any other gas to produce a vaporized product which is consumed by inhalation. (b) "Liquor" has the meaning ascribed to it in NRS 369.040. (Added to NRS by 2005, 1325)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.170 - Willfully poisoning or adulterating food, water or medicine.

A person who willfully mingles poison or any other harmful substance, including, but not limited to, glass or a razor blade, in any food, drink or medicine intended or prepared for the use of a human being, and a person who willfully poisons any spring, well or reservoir of water, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, or by a fine of not more than \$10,000, or by both fine and imprisonment. [1911 C&P § 276; RL § 6541; NCL § 10224]—(NRS A 1967, 483; 1971, 1060; 1979, 1433; 1995, 1204; 1997, 519)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.175 - Sale, offer for sale, distribution, purchase, possession or use of powdered alcohol.

1. A person shall not sell, offer for sale or otherwise distribute or purchase, possess or use powdered alcohol. 2. A person who violates the provisions of subsection 1 is guilty of a misdemeanor. 3. As used in this section, "powdered alcohol" means any powdered or crystalline substance containing any amount of alcohol that is used for direct consumption or for reconstitution. (Added to NRS by 2015, 1450)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.180 - Deposit of unwholesome substance; carrying on business detrimental to public health on or near route of public travel; deposit of dead body of animal; burning stolen metallic wire.

1. Every person who: (a) Shall deposit, leave or keep, on or near a highway or route of public travel, on land or water, any unwholesome substance; (b) Shall establish, maintain or carry on, upon or near a highway or route of public travel, on land or water, any business, trade or manufacture which is detrimental to the public health; (c) Shall deposit or cast into any lake, creek or river, wholly or partly in this State, the offal from or the dead body of any animal; or (d) Shall knowingly burn stolen metallic wire to remove insulation, shall be guilty of a gross misdemeanor. 2. As used in this section, "stolen metallic wire" means metallic wire that has been taken unlawfully from or without the permission of the owner, whether or not the person who took the metallic wire is or has been prosecuted or convicted for taking the metallic wire. [1911 C&P § 281; RL § 6546; NCL § 10229]—(NRS A 1999, 279)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.185 - Unlawful deposit of dead animal, dirt, garbage or rubbish on public highway.

1. As used in this section: (a) "Dead animals" means all dead animals or parts thereof, including condemned meats, not intended to be used as food. (b) "Dirt" includes loose earth, ashes, manure from barns, stables, corrals and pens, offal from butcher houses and slaughterhouses, and all foul and filthy substances. (c) "Garbage" includes solid or semisolid kitchen refuse subject to decay or putrefaction, and market waste of animal and vegetable matter which has been or was intended to be used as food for humans or animals. (d) "Rubbish" means old tin and iron cans and containers, old wood and paper boxes, old metals, wire, rope, cordage, bottles, bags and bagging, rubber and rubber tires, paper, and all used or castoff articles or material, including old plaster, brick, cement, glass, and all old building material. 2. It shall be unlawful for any person to throw or deposit or cause to be thrown or deposited on any public highway within the State of Nevada, or within a distance of 1,000 feet from the center of any public highway, any dead animal, dirt, garbage or rubbish as defined in subsection 1. 3. Any person violating the provisions of this section shall be guilty of a misdemeanor. [1:178:1925; NCL § 10554] + [2:178:1925; NCL § 10555] + [3:178:1925; NCL § 10556]—(NRS A 1967, 571)—(Substituted in revision for NRS 405.220)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.200 - Advertising goods and services to produce miscarriage.

1. It shall be unlawful for any person: (a) To advertise or publish, or cause to be advertised or published in a newspaper, pamphlet, handbill, book or otherwise, any medicine, nostrum, drug, substance, instrument or device to produce the miscarriage or premature delivery of a woman pregnant with child, or which purports to be, or is represented to be, productive of such miscarriage or premature delivery; or (b) To advertise in any manner his or her services, aid, assistance or advice, or the services, assistance or advice of any other person, in the procurement of such miscarriage or premature delivery. 2. Every person who shall violate the provisions of subsection 1 shall be guilty of a gross misdemeanor. [1911 C&P § 187; RL § 6452; NCL § 10134] + [1911 C&P § 188; RL § 6453; NCL § 10135]—(NRS A 1967, 483)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.210 - Publishing advertisement containing prohibited matter.

The proprietor or proprietors and the manager or managers of any newspaper, periodical or other printed sheet published or printed within this state, which shall contain any advertisement prohibited by NRS 202.200, shall, for each publication of such advertisement, be guilty of a misdemeanor. [1911 C&P § 189; RL § 6454; NCL § 10136]—(NRS A 1967, 484)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.220 - Circulation of publications containing prohibited matter.

Every person who shall knowingly sell, distribute, give away, or in any manner dispose of or exhibit to another person any newspaper, pamphlet, book, periodical, handbill, printed slip or writing, or cause the same to be so sold, distributed, disposed of, or exhibited, containing any advertisement prohibited in NRS 202.200, or containing any description or notice of, or reference to, or information concerning, or direction how or where to procure any medicine, drug, nostrum, substance, device, instrument or service, the advertisement of which is prohibited or declared to be unlawful, shall be guilty of a misdemeanor. [Part 1911 C&P § 190; RL § 6455; NCL § 10137]—(NRS A 1967, 484)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.230 - NRS 202.200, 202.210 and 202.220 not applicable to licensed physicians.

Nothing in NRS 202.200, 202.210 and 202.220 shall be construed to interfere with or apply to legally licensed physicians in the legitimate practice of their profession. [Part 1911 C&P § 190; RL § 6455; NCL § 10137]—(NRS A 1967, 484)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.240 - Advertising treatment, cure or prevention of sexual disorders.

1. It is unlawful for any person to publish or cause to be published, to deliver or distribute or cause to be delivered or distributed in any manner whatsoever, or to post, or display, or knowingly to permit to be posted, displayed, or to remain on any buildings, windows or outhouses, or premises or other surface owned or controlled by him or her in the State of Nevada, or to manufacture or sell, or knowingly to have displayed in or on any window or place where the same could be read by passers-by or the public, any advertisement, label, statement, print or writing which refers to any person or persons from whom, or to any means by which, or to any office or place at which may be obtained any treatment or cure of syphilis, gonorrhea, chancroid, lost manhood, sexual weakness, lost vitality, impotency, seminal emissions, gleet, varicocele or self-abuse, whether described by such names, words, terms or phrases, or by any other names, words, terms or phrases, calculated or intended to convey to the reader the idea that any of the diseases, infirmities, disabilities, conditions or habits are meant or referred to, or which refers to any medicine, article, device or preparation that may be used for the treatment, cure or prevention of any of the diseases, infirmities, disabilities, conditions or habits mentioned in this section. 2. Any person violating any of the provisions of this section is guilty of a misdemeanor. 3. This section does not apply to publications, advertisements or notices of the United States Government, the State of Nevada or of any city or town or other political subdivision of the State of Nevada. [1:221:1921; NCL § 10531] + [2:221:1921; NCL § 10532] + [3:221:1921; NCL § 10533] + [4:221:1921; NCL § 10534]—(NRS A 1967, 484; 1985, 513)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.245 - Shoe-fitting device or machine using X-ray or radiation.

1. A person shall not operate or maintain any shoe-fitting device or shoe-fitting machine which uses fluoroscopic, X-ray or radiation principles. 2. Any person violating the provisions of this section is guilty of a misdemeanor. (Added to NRS by 1960, 119; A 1985, 335)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.246 - Dispensing of prescription glasses by unauthorized person.

It is unlawful: 1. For a wholesale optical supplier or manufacturer to furnish, sell or dispense prescription glasses or lenses, pursuant to an individual prescription, to anyone other than a licensed optometrist, optician or physician. Such licensed optometrist, optician or physician shall dispense such glasses or lenses to the individual for whom the glasses were prescribed. 2. For a person responsible for industrial safety in any business establishment to dispense prescription glasses to the employees of such business establishment. (Added to NRS by 1967, 822)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.248 - Use or sale of liquid silicone.

1. Except for use in the treatment of retinal detachment, it is unlawful for a person to: (a) Inject any liquid silicone substance into the human body; or (b) Sell or offer for sale in this state any liquid silicone substance for the purpose of injection into the human body. 2. A person who violates the provisions of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1975, 120; A 1979, 1433; 1987, 203; 1995, 1204)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2483 - Smoking prohibited in certain areas; voluntary creation of nonsmoking areas; local regulation; posting signs; removal of paraphernalia; enforcement; retaliation prohibited.

1. Except as otherwise provided in subsection 3, smoking in any form is prohibited within indoor places of employment including, but not limited to, the following: (a) Child care facilities; (b) Movie theatres; (c) Video arcades; (d) Government buildings and public places; (e) Malls and retail establishments; (f) All areas of grocery stores; and (g) All indoor areas within restaurants. 2. Without exception, smoking in any form is prohibited within school buildings and on school property. 3. Smoking is not prohibited in: (a) Areas within casinos where loitering by minors is already prohibited by state law pursuant to NRS 463.350; (b) Completely enclosed areas with stand-alone bars, taverns and saloons in which patrons under 21 years of age are prohibited from entering; (c) Age-restricted stand-alone bars, taverns and saloons; (d) Strip clubs or brothels; (e) Retail tobacco stores; (f) The area of a convention facility in which a meeting or trade show is being held, during the time the meeting or trade show is occurring, if the meeting or trade show: (1) Is not open to the public; (2) Is being produced or organized by a business relating to tobacco or a professional association for convenience stores; and (3) Involves the display of tobacco products; and (g) Private residences, including private residences which may serve as an office workplace, except if used as a child care, an adult day care or a health care facility. 4. A supervisor on duty or employee of an age-restricted stand-alone bar, tavern or saloon or a stand-alone bar, tavern or saloon shall not allow a person who is under 21 years of age to loiter in an age-restricted stand-alone bar, tavern or saloon or an area of a stand-alone bar, tavern or saloon where smoking is allowed pursuant to this section. A person who violates the provisions of this subsection is guilty of a misdemeanor. 5. If a supervisor on duty or employee of an age-restricted stand-alone bar, tavern or saloon or a stand-alone bar, tavern or saloon violates the provisions of subsection 4, the age-restricted stand-alone bar, tavern or saloon or stand-alone bar, tavern or saloon is liable for a civil penalty of: (a) For the first offense, \$1,000. (b) For a second or subsequent offense, \$2,000. 6. In any prosecution or other proceeding for a violation of the provisions of subsection 4 or 5, it is no excuse for a supervisor, employee, age-restricted bar, tavern or saloon, or stand-alone bar, tavern or saloon alleged to have committed the violation to plead that a supervisor or employee believed that the person who was permitted to loiter was 21 years of age or older. 7. In areas or establishments where smoking is not prohibited by this section, nothing in state law shall be construed to prohibit the owners of said establishments from voluntarily creating nonsmoking sections or designating the entire establishment as smoke free. 8. Nothing in state law shall be construed to restrict local control or otherwise prohibit a county, city or town from adopting and enforcing local smoking control measures that meet or exceed the minimum applicable standards set forth in this section. 9. "No Smoking" signs or the international "No Smoking" symbol shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this section. Each public place and place of employment where smoking is prohibited shall post, at every entrance, a conspicuous sign clearly stating that smoking is prohibited. All ashtrays and other smoking paraphernalia shall be removed from any area where smoking is prohibited. 10. Health authorities, police officers of cities or towns, sheriffs and their deputies shall, within their respective jurisdictions, enforce the provisions of this section and shall issue citations for violations of this section pursuant to NRS 202.2492 and 202.24925. 11. No person or employer shall retaliate against an employee, applicant or customer for exercising any rights afforded by, or attempts to prosecute a violation of, this section. 12. For the purposes of this section, the following terms have the following definitions: (a) "Age-restricted stand-alone bar, tavern or saloon" means an establishment: (1) Devoted primarily to the sale of alcoholic beverages to be consumed on the premises; (2) In which food service or sales may or may not be incidental food service or sales, in the discretion of the operator of the establishment; (3) In which patrons under 21 years of age are prohibited at all times from entering the premises; and (4) That must be located within: (I) A physically independent building that does not share a common entryway or indoor area with a restaurant, public place or any other indoor workplace where smoking is prohibited by this section; or (II) A completely enclosed area of a larger structure, which may include, without limitation, a strip mall or an airport, provided that indoor windows must remain closed at all times and doors must remain closed when not actively in use. (b) "Casino" means an entity that contains a building or large room devoted to gambling games or wagering on a variety of events. A casino must possess a nonrestricted gaming license as described in NRS 463.0177 and typically uses the word 'casino' as part of its proper name. (c) "Child care facility" has the meaning ascribed to it in NRS 441A.030. (d) "Completely enclosed area" means an area that is enclosed on all sides by any combination of solid walls, windows or doors that extend from the floor to the ceiling. (e) "Government building" means any building or office space owned or occupied by: (1) Any component of the Nevada System of Higher Education and used for any purpose related to the System; (2) The State of Nevada and used for any public purpose; or (3) Any county, city, school district or other political subdivision of the State and used for any public purpose. (f) "Health authority" has the meaning ascribed to it in NRS 202.2485. (g) "Incidental food service or sales" means the service of prepackaged food items including, but not limited to, peanuts, popcorn, chips, pretzels or any other incidental food items that are exempt from food licensing requirements pursuant to subsection 2 of NRS 446.870. (h) "Place of employment" means any enclosed area under the control of a public or private employer which employees frequent during the course of employment including, but not limited to, work areas, restrooms, hallways, employee lounges, cafeterias, conference and meeting rooms, lobbies and reception areas. (i) "Public places" means any enclosed areas to which the public is invited or in which the public is permitted. (j) "Restaurant" means a business which gives or offers for sale food, with or without alcoholic beverages, to the public, guests or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. (k) "Retail tobacco store" means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental. (l) "School building" means all buildings on the grounds of any public school described in NRS 388.020 and any private school as defined in NRS 394.103. (m) "School property" means the grounds of any

public school described in NRS 388.020 and any private school as defined in NRS 394.103. (n) "Smoking" means inhaling, exhaling, burning or carrying any liquid or heated cigar, cigarette or pipe or any other lighted or heated tobacco or plant product intended for inhalation, in any manner or in any form. The term includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, and the use of any oral smoking device. As used in this paragraph, "electronic smoking device": (1) Means any product containing or delivering nicotine, a product made or derived from tobacco or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor or aerosol from the product. (2) Includes any component part of a product described in subparagraph (1), regardless of whether the component part is sold separately. (3) Does not include any product regulated by the United States Food and Drug Administration pursuant to Subchapter V of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 352 et seq. (o) "Stand-alone bar, tavern or saloon" means an establishment: (1) Devoted primarily to the sale of alcoholic beverages to be consumed on the premises; (2) In which food service or sales may or may not be incidental food service or sales, in the discretion of the operator of the establishment; (3) In which smoke from such establishments does not infiltrate into areas where smoking is prohibited under the provisions of this section; and (4) That must be housed in either: (I) A physically independent building that does not share a common entryway or indoor area with a restaurant, public place or any other indoor workplaces where smoking is prohibited by this section; or (II) A completely enclosed area of a larger structure, such as a strip mall or an airport, provided that indoor windows must remain shut at all times and doors must remain closed when not actively in use. (p) "Video arcade" has the meaning ascribed to it in paragraph (d) of subsection 3 of NRS 453.3345. 13. Any statute or regulation inconsistent with this section is null and void. 14. The provisions of this section are severable. If any provision of this section or the application thereof is declared by a court of competent jurisdiction to be invalid or unconstitutional, such declaration shall not affect the validity of the section as a whole or any provision thereof other than the part declared to be invalid or unconstitutional. (Added to NRS by 2006 initiative petition, Ballot Question No. 5, effective December 8, 2006; A 2009, 3008; 2011, 1996, 3560, 3563; 2019, 3590)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2485 - Definitions.

As used in NRS 202.2485 to 202.2497, inclusive: 1. "Alternative nicotine product" means any noncombustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved or ingested by any other means. The term does not include: (a) A vapor product; (b) A product made or derived from tobacco; or (c) Any product regulated by the United States Food and Drug Administration under Subchapter V of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 351 et seq. 2. "Distribute" includes furnishing, giving away or providing products made or derived from tobacco or samples thereof at no cost to promote the product, whether or not in combination with a sale. 3. "Health authority" means the district health officer in a district, or his or her designee, or, if none, the Chief Medical Officer, or his or her designee. 4. "Product made or derived from tobacco" does not include any product regulated by the United States Food and Drug Administration pursuant to Subchapter V of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 351 et seq. 5. "Vapor product": (a) Means any noncombustible product containing nicotine or any other substance that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of the shape or size thereof, that can be used to produce vapor from nicotine or any other substance in a solution or other form, the use or inhalation of which simulates smoking. (b) Includes, without limitation: (1) An electronic cigarette, cigar, cigarillo, pipe, hookah, or vape pen, or a similar product or device; and (2) The components of such a product or device, whether or not sold separately, including, without limitation, vapor cartridges or other container of nicotine or any other substance in a solution or other form that is intended to be used with or in an electronic cigarette, cigar, cigarillo, pipe, hookah, or vape pen, or a similar product or device, atomizers, cartomizers, digital displays, clearomizers, tank systems, flavors, programmable software or other similar products or devices. As used in this subparagraph, "component" means a product or device intended primarily or exclusively to be used with or in an electronic cigarette, cigar, cigarillo, pipe, hookah, or vape pen, or a similar product or device. (c) Does not include any product regulated by the United States Food and Drug Administration pursuant to Subchapter V of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 351 et seq. (Added to NRS by 1993, 2843; A 1995, 2603; 2001, 2788; 2013, 1530; 2015, 1936; 2019, 3594)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.249 - Smoking tobacco: Declaration of public policy; enforcement; imposition of more stringent restrictions.

1. It is the public policy of the State of Nevada and the purpose of NRS 202.2491, 202.24915 and 202.2492 to place restrictions on the smoking of tobacco in public places to protect human health and safety. 2. The quality of air is declared to be affected with the public interest and NRS 202.2491, 202.24915 and 202.2492 are enacted in the exercise of the police power of this state to protect the health, peace, safety and general welfare of its people. 3. Health authorities, police officers of cities or towns, sheriffs and their deputies and other peace officers of this state shall, within their respective jurisdictions, enforce the provisions of NRS 202.2491, 202.24915 and 202.2492. Police officers of cities or towns, sheriffs and their deputies and other peace officers of this state shall, within their respective jurisdictions, enforce the provisions of NRS 202.2493, 202.24935, 202.2494 and 370.521. 4. Except as otherwise provided in subsection 5, an agency, board, commission or political subdivision of this state, including, without limitation, any agency, board, commission or governing body of a local government, shall not impose more stringent restrictions on the smoking, use, sale, distribution, marketing, display or promotion of tobacco or products made or derived from tobacco than are provided by NRS 202.2491, 202.24915, 202.2492, 202.2493, 202.24935, 202.2494 and 370.521. 5. A school district may, with respect to the property, buildings, facilities and vehicles of the school district, impose more stringent restrictions on the smoking,

use, sale, distribution, marketing, display or promotion of tobacco or products made or derived from tobacco than are provided by NRS 202.2491, 202.24915, 202.2492, 202.2493, 202.24935, 202.2494 and 370.521. (Added to NRS by 1975, 462; A 1991, 644; 1993, 2843; 1995, 2603; 1999, 1692; 2001, 2788; 2003, 1007; 2013, 1531; 2019, 3594)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2491 - Smoking tobacco: Unlawful in certain public places; posting signs; designation of areas for smoking.

1. Except as otherwise provided in subsections 5 and 6 and NRS 202.24915, the smoking of tobacco in any form is prohibited if done in any: (a) Public elevator. (b) Public building. (c) Public waiting room, lobby or hallway of any: (1) Medical facility or facility for the dependent as defined in chapter 449 of NRS; or (2) Office of any chiropractic physician, naprapath, dentist, physical therapist, physician, podiatric physician, psychologist, optician, optometrist or doctor of Oriental medicine. (d) Hotel or motel when so designated by the operator thereof. (e) Public area of a store principally devoted to the sale of food for human consumption off the premises. (f) Child care facility. (g) Bus used by the general public, other than a chartered bus, or in any maintenance facility or office associated with a bus system operated by any regional transportation commission. (h) School bus. (i) Video arcade. 2. The person in control of an area listed in paragraph (c), (d), (e) or (g) of subsection 1: (a) Shall post in the area signs prohibiting smoking in any place not designated for that purpose as provided in paragraph (b). (b) May designate separate rooms or portions of the area which may be used for smoking, except for a room or portion of the area of a store described in paragraph (e) of subsection 1 if the room or portion of the area: (1) Is leased to or operated by a person licensed pursuant to NRS 463.160; and (2) Does not otherwise qualify for an exemption set forth in NRS 202.24915. 3. The person in control of a public building: (a) Shall post in the area signs prohibiting smoking in any place not designated for that purpose as provided in paragraph (b). (b) Shall, except as otherwise provided in this subsection, designate a separate area which may be used for smoking. A school district which prohibits the use of tobacco by pupils need not designate an area which may be used by the pupils to smoke. 4. The operator of a restaurant with a seating capacity of 50 or more shall maintain a flexible nonsmoking area within the restaurant and offer each patron the opportunity to be seated in a smoking or nonsmoking area. 5. A business which derives more than 50 percent of its gross receipts from the sale of alcoholic beverages or 50 percent of its gross receipts from gaming operations may be designated as a smoking area in its entirety by the operator of the business. 6. The smoking of tobacco is not prohibited in: (a) Any room or area designated for smoking pursuant to paragraph (b) of subsection 2 or paragraph (b) of subsection 3. (b) A licensed gaming establishment. A licensed gaming establishment may designate separate rooms or areas within the establishment which may or may not be used for smoking. 7. As used in this section: (a) "Child care facility" means an establishment operated and maintained to furnish care on a temporary or permanent basis, during the day or overnight, to five or more children under 18 years of age, if compensation is received for the care of any of those children. The term does not include the home of a natural person who provides child care. (b) "Licensed gaming establishment" has the meaning ascribed to it in NRS 463.0169. (c) "Public building" means any building or office space owned or occupied by: (1) Any component of the Nevada System of Higher Education and used for any purpose related to the System. (2) The State of Nevada and used for any public purpose, other than that used by the Department of Corrections to house or provide other services to offenders. (3) Any county, city, school district or other political subdivision of the State and used for any public purpose. If only part of a building is owned or occupied by an entity described in this paragraph, the term means only that portion of the building which is so owned or occupied. (d) "School bus" has the meaning ascribed to it in NRS 483.160. (e) "Video arcade" means a facility legally accessible to persons under 18 years of age which is intended primarily for the use of pinball and video machines for amusement and which contains a minimum of 10 such machines. (Added to NRS by 1975, 462; A 1977, 649, 958; 1985, 1755; 1987, 428; 1989, 870, 1626; 1991, 591, 644, 1132, 1695; 1993, 363, 2227; 1999, 1692; 2001, 1108; 2001 Special Session, 230; 2003, 289; 2005, 462; 2023, 1694)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.24915 - Smoking tobacco: Allowed under certain circumstances in certain stores that are principally devoted to sale of food for human consumption off premises.

1. A store that is principally devoted to the sale of food for human consumption off the premises may allow the smoking of tobacco in a public area of the store that is leased to or operated by a person who is licensed pursuant to NRS 463.160 if: (a) The entire interior public area of the store is 10,000 square feet or less; or (b) The area: (1) Is segregated from the other public areas of the store by two or more walls or partial walls, or any combination thereof, in a configuration that includes at least one corner; and (2) Contains a method of ventilation which substantially removes smoke from the area. 2. Except as otherwise provided in subsection 3, until January 1, 2007, a store that is principally devoted to the sale of food for human consumption off the premises may allow the smoking of tobacco in a public area of the store that is leased to or operated by a person who is licensed pursuant to NRS 463.160 if the store was constructed before October 1, 1999, or received final approval for construction before October 1, 1999. On or after January 1, 2007, such a store may allow smoking in that public area only if the area contains a method of ventilation which substantially removes smoke from the area. 3. If at any time before January 1, 2007, a store described in subsection 2 remodels 25 percent or more of the square footage of the entire public area within the store, the store may continue to allow the smoking of tobacco in a public area of the store that is leased to or operated by a person who is licensed pursuant to NRS 463.160 only if the store includes as part of the remodeling a method of ventilation which substantially removes smoke from the area. 4. For the purposes of this section, "partial wall" or "wall" may include, without limitation, one or more gaming devices, as defined in NRS 463.0155, if the gaming devices are configured together or in conjunction with other structures to create a barrier that is similar to a

partial wall or wall. (Added to NRS by 1999, 1691; A 2003, 1007)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2492 - Smoking tobacco: Penalty; issuance of citations.

1. A person who violates NRS 202.2491 or 202.24915 is guilty of a misdemeanor. 2. In each health district, the district health officer shall, and, for areas of this state which are not within a health district, the Chief Medical Officer shall, designate one or more of his or her employees to prepare, sign and serve written citations on persons accused of violating NRS 202.2491 or 202.24915. Such an employee: (a) May exercise the authority to prepare, sign and serve those citations only within the geographical jurisdiction of the district or Chief Medical Officer by which he or she is employed; and (b) Shall comply with the provisions of NRS 171.1773. (Added to NRS by 1975, 463; A 1985, 250; 1993, 2844; 1999, 1694)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.24925 - Smoking tobacco: Civil penalty; Account for Health Education for Minors created; administration of Account.

1. In addition to any criminal penalty, a person who violates NRS 202.2491 or 202.24915 is liable for a civil penalty of \$100 for each violation. 2. A health authority within whose jurisdiction a violation of NRS 202.2491 or 202.24915 is committed shall: (a) Collect the civil penalty, and may commence a civil proceeding for that purpose; and (b) Deposit any money collected pursuant to this section with the State Treasurer for credit to the Account for Health Education for Minors, which is hereby created in the State General Fund. 3. The Superintendent of Public Instruction: (a) Shall administer the Account for Health Education for Minors; and (b) May, with the advice of the Chief Medical Officer, expend money in the Account only for programs of education for minors regarding human health. 4. The interest and income earned on the money in the Account for Health Education for Minors, after deducting any applicable charges, must be credited to the Account. 5. All claims against the Account for Health Education for Minors must be paid as other claims against the State are paid. (Added to NRS by 1993, 2843; A 1999, 1694)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2493 - Cigarettes, smokeless products made or derived from tobacco and alternative nicotine products to be sold in unopened package only; owner of retail establishment required to display notice concerning prohibition against sale of certain tobacco, vapor products and alternative nicotine products to persons under 21 years of age; sale of cigarettes by retailer through use of certain displays prohibited; penalties.

1. A person shall not sell, distribute or offer to sell cigarettes, any smokeless product made or derived from tobacco or any alternative nicotine product in any form other than in an unopened package which originated with the manufacturer and bears any health warning required by federal law. A person who violates this subsection shall be punished as provided in chapter 370 of NRS. As used in this subsection, "smokeless product made or derived from tobacco" means any product that consists of cut, ground, powdered or leaf tobacco and is intended to be placed in the oral or nasal cavity. 2. The owner of a retail establishment shall, whenever any product containing, made or derived from tobacco, vapor product, alternative nicotine product or product containing, made or derived from nicotine is being sold or offered for sale at the establishment, display prominently at the point of sale: (a) A notice indicating that: (1) The sale of cigarettes, any product containing, made or derived from tobacco, vapor product, alternative nicotine product or product containing, made or derived from nicotine to persons under 21 years of age is prohibited by law; and (2) The retailer may ask for proof of age to comply with this prohibition; and (b) At least one sign that complies with the requirements of NRS 442.340. A person who violates this subsection shall be punished by a fine of not more than \$100. 3. It is unlawful for any retailer to sell cigarettes through the use of any type of display: (a) Which contains cigarettes and is located in any area to which customers are allowed access; and (b) From which cigarettes are readily accessible to a customer without the assistance of the retailer, except a vending machine used in compliance with NRS 202.2494. A person who violates this subsection shall be punished by a fine of not more than \$500. [1911 C&P § 237; RL § 6502; NCL § 10184] + [1911 C&P § 238; RL § 6503; NCL § 10185] + [1:271:1949; 1943 NCL § 1046.01]—(NRS A 1959, 675; 1961, 379, 625; 1967, 482; 1989, 1955; 1995, 2604; 2007, 2058; 2011, 825; 2013, 1531; 2015, 1936; 2017, 93, 1624, 2273; 2019, 3595; 2021, 444)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.24935 - Sale and distribution of cigarettes and certain other tobacco, vapor and nicotine products to persons under the age of 21 years through use of certain networks prohibited; duties of persons who sell and distribute cigarettes and certain other tobacco, vapor and nicotine products through use of certain networks; submission of certification to Attorney General; penalties.

1. It is unlawful for a person to knowingly sell or distribute cigarettes, cigarette paper, products containing, made or derived from tobacco, vapor products, alternative nicotine products or products containing, made or derived from nicotine to a person under the age of 21 years through the use of a computer network, telephonic network or other electronic network. 2. Every person who sells or distributes cigarettes, cigarette paper, products containing, made or derived from tobacco, vapor products, alternative nicotine products or products containing, made or derived from nicotine to an ultimate consumer in this State through the use of a computer network, telephonic network or electronic network shall: (a) Ensure that the packaging or wrapping of the items when they are shipped is clearly marked with the word "cigarettes" or, if the items being shipped are not cigarettes, the words "tobacco products," "vapor products" or "nicotine products," as applicable. (b) Obtain the full name, date of birth and residential address of the purchaser

and perform an age verification through an independent, third-party age verification service that compares information available from public records to the personal information entered by the person during the ordering process that establishes that the person is over the age of 21 years. 3. Every person who makes sales as described in subsection 2 must certify annually to the Attorney General that the person uses an independent, third-party age verification service as described in paragraph (b) of subsection 2. 4. In addition to or in lieu of any other civil or criminal remedy provided by law, a person who violates this section is subject to: (a) A civil penalty in an amount not more than \$1,000 for each violation; and (b) The suspension or revocation of the license of the person by the Department of Taxation, if the person is licensed pursuant to chapter 370 of NRS. 5. Any violation of subsection 2 constitutes a deceptive trade practice for the purpose of NRS 598.0903 to 598.0999, inclusive. 6. For the purposes of this section, any sale of cigarettes, cigarette paper, products containing, made or derived from tobacco, vapor products, alternative nicotine products or products containing, made or derived from nicotine to a natural person in this State who does not intend to resell the item constitutes a sale to an ultimate consumer. (Added to NRS by 2001, 2787; A 2007, 2060; 2013, 1532; 2019, 3596; 2021, 444, 822)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2494 - Cigarette vending machines lawful in certain public areas; restrictions on coin-operated machines.

1. A cigarette vending machine may be placed in a public area only if persons who are under 21 years of age are prohibited from loitering in that area pursuant to NRS 202.030 or 463.350. 2. A coin-operated vending machine containing cigarettes must not be used to dispense any product not made or derived from tobacco. (Added to NRS by 1993, 2843; A 1995, 2605; 2003, 1203; 2013, 1533)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2496 - Random inspections to enforce compliance with NRS 202.2493, 202.2494 and 370.521; assistance of person under 21 years of age in conducting inspection.

1. As necessary to comply with any applicable federal law, the Attorney General shall conduct random, unannounced inspections at locations where products containing, made or derived from tobacco, vapor products, alternative nicotine products and products containing, made or derived from nicotine are sold, distributed or offered for sale to inspect for and enforce compliance with NRS 202.2493, 202.2494 and 370.521, as applicable. To the extent possible, an inspection of each location must be conducted pursuant to this section at least once every 3 years. For assistance in conducting any such inspection, the Attorney General may contract with: (a) Any sheriff's department; (b) Any police department; or (c) Any other person who will, in the opinion of the Attorney General, perform the inspection in a fair and impartial manner. 2. If the inspector desires to enlist the assistance of a child under the age of 18 for such an inspection, the inspector shall obtain the written consent of the child's parent for such assistance. 3. A person assisting in an inspection pursuant to this section shall, if questioned about his or her age, state his or her true age. 4. If a person under 21 years of age is assisting in an inspection pursuant to this section, the person supervising the inspection shall: (a) Refrain from altering or attempting to alter the appearance of the person to make the person appear to be 21 years of age or older. (b) Photograph the person attempting to purchase an item described in subsection 1 immediately before the inspection is to occur and retain any photographs taken of the person pursuant to this paragraph. 5. The person supervising an inspection using the assistance of a person under 21 years of age shall, within a reasonable time after the inspection is completed: (a) Inform a representative of the business establishment from which the person attempted to purchase an item described in subsection 1 that an inspection has been performed and the results of that inspection. (b) Prepare a report regarding the inspection. The report must include the following information: (1) The name of the person who supervised the inspection and that person's position; (2) The age and date of birth of the person who assisted in the inspection; (3) The name and position of the person from whom the person who assisted in the inspection attempted to purchase an item described in subsection 1; (4) The name and address of the establishment at which the person attempted to purchase an item described in subsection 1; (5) The date and time of the inspection; and (6) The result of the inspection, including whether the inspection resulted in the sale, distribution or offering for sale of an item described in subsection 1 to the person under 21 years of age. 6. No administrative, civil or criminal action based upon an alleged violation of NRS 202.2493, 202.2494 or 370.521 may be brought as a result of an inspection for compliance in which the assistance of a person under 21 years of age has been enlisted to attempt to purchase an item described in subsection 1 unless the inspection has been conducted in accordance with the provisions of this section. (Added to NRS by 1995, 2602; A 2013, 1533; 2015, 1938; 2019, 3597; 2021, 445)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2497 - Attorney General to compile results of inspections.

The Attorney General shall compile the results of inspections performed pursuant to NRS 202.2496 during the immediately preceding fiscal year as is necessary to prepare and submit a report pursuant to 42 U.S.C. § 300x-26(b)(2)(B). (Added to NRS by 1995, 2603)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.253 - Definitions.

As used in NRS 202.253 to 202.369, inclusive: 1. "Antique firearm" has the meaning ascribed to it in 18 U.S.C. § 921(a)(16). 2. "Explosive or incendiary device" means any explosive or incendiary material or substance that has been constructed, altered, packaged or arranged in such a manner that its ordinary use would cause destruction or injury to life or property. 3. "Firearm" means

any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion. 4. "Firearm capable of being concealed upon the person" applies to and includes all firearms having a barrel less than 12 inches in length. 5. "Firearms importer or manufacturer" means a person licensed to import or manufacture firearms pursuant to 18 U.S.C. Chapter 44. 6. "Machine gun" means any weapon which shoots, is designed to shoot or can be readily restored to shoot more than one shot, without manual reloading, by a single function of the trigger. 7. "Motor vehicle" means every vehicle that is self-propelled. 8. "Semiautomatic firearm" means any firearm that: (a) Uses a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next shell or round; (b) Requires a separate function of the trigger to fire each cartridge; and (c) Is not a machine gun. 9. "Unfinished frame or receiver" means a blank, a casting or a machined body that is intended to be turned into the frame or lower receiver of a firearm with additional machining and which has been formed or machined to the point at which most of the major machining operations have been completed to turn the blank, casting or machined body into a frame or lower receiver of a firearm even if the fire-control cavity area of the blank, casting or machined body is still completely solid and unmachined. (Added to NRS by 1977, 879; A 1979, 157; 1989, 1239; 1995, 1151, 2533, 2726; 1997, 662, 826; 2001, 805; 2003, 1350; 2005, 594; 2017, 3126; 2019, 938, 4179; 2021, 3224; 2023, 2436, 2841)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.25305 - Designation; duties.

1. In a county whose population is 100,000 or more: (a) The board of county commissioners of the county shall designate a forensic laboratory or laboratories to conduct tests and perform the other duties set forth in this section. (b) Except as otherwise provided in this paragraph, any law enforcement agency in the county that seizes or recovers a semiautomatic pistol or shell casing from a semiautomatic pistol which was unlawfully possessed, used for an unlawful purpose, recovered from a crime scene or reasonably believed to have been used in or associated with the commission of a crime shall, as soon as practicable after seizing or recovering the semiautomatic pistol or shell casing, deliver the semiautomatic pistol or shell casing to a designated forensic laboratory for the purpose of testing. If a semiautomatic pistol or shell casing is being used as evidence in a criminal case, the semiautomatic pistol or shell casing must be delivered to a designated forensic laboratory as soon as possible after the semiautomatic pistol or shell casing is no longer being used as evidence in the criminal case. (c) Upon receipt of a semiautomatic pistol from a law enforcement agency pursuant to this section, the designated forensic laboratory shall: (1) Test the semiautomatic pistol, which must include, without limitation, firing the semiautomatic pistol and photographing bullets and shell casings; (2) Input the resulting data from the test-fired cartridge case into the National Integrated Ballistic Information Network; and (3) After performing the duties set forth in subparagraphs (1) and (2), return the semiautomatic pistol to the law enforcement agency that delivered the semiautomatic pistol. (d) Upon receipt of a shell casing from a law enforcement agency pursuant to this section, the designated forensic laboratory shall: (1) Conduct a ballistics test on the shell casing; (2) Input the resulting data from the ballistics test into the National Integrated Ballistic Information Network; and (3) After performing the duties set forth in subparagraphs (1) and (2), return the shell casing to the law enforcement agency that delivered the shell casing. (e) In addition to performing the duties set forth in paragraphs (c) and (d), a designated forensic laboratory shall: (1) Coordinate with all participating law enforcement agencies when investigations require the use of the National Integrated Ballistic Information Network; and (2) As feasible, provide expert witness testimony during criminal cases. (f) A designated forensic laboratory may charge a law enforcement agency for its actual costs in performing its duties pursuant to this section. 2. As used in this section: (a) "Designated forensic laboratory" means a forensic laboratory designated by the board of county commissioners pursuant to paragraph (a) of subsection 1. (b) "National Integrated Ballistic Information Network" means the National Integrated Ballistic Information Network established and maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives of the United States Department of Justice. (Added to NRS by 2019, 937)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2544 - Short title.

NRS 202.2544 to 202.2549, inclusive, may be cited as The Background Check Act. (Added to NRS by 2019, 3)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2545 - Legislative declaration.

The Legislature representing the People of the State of Nevada hereby finds and declares that: 1. To promote public safety, federal law currently prohibits felons, domestic abusers, the severely mentally ill and other dangerous people from buying or possessing firearms; 2. Federally licensed firearms dealers are required to run background checks on their prospective buyers to ensure they are not prohibited from buying or possessing firearms; 3. Criminals and other dangerous people can avoid background checks by buying guns from unlicensed firearms sellers, whom they can easily meet online or at gun shows and who are not legally required to run background checks before selling or transferring firearms; 4. Due to this loophole, millions of guns exchange hands each year in the United States without a background check; 5. Most Nevadans live within 10 miles of a licensed gun dealer; 6. We have the right to bear arms, but with rights come responsibilities, including the responsibility to keep guns out of the hands of convicted felons and domestic abusers; and 7. To promote public safety and protect our communities, and to create a fair, level playing field for all gun sellers, the people of the State of Nevada approved The Background Check Initiative in the 2016 General Election with the intent to more effectively enforce current law prohibiting dangerous persons from purchasing and possessing firearms by requiring background checks on all firearms sales and transfers, with reasonable exceptions, including for immediate family members, hunting and self-defense. (Added to NRS by 2019, 3)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2546 - Definitions.

As used in NRS 202.2544 to 202.2549, inclusive, unless the context otherwise requires: 1. "Central Repository" has the meaning ascribed to it in NRS 179A.045. 2. "Hunting" has the meaning ascribed to it in NRS 501.050. 3. "Licensed dealer" means a person who holds a license as a dealer in firearms issued pursuant to 18 U.S.C. § 923(a). 4. "Transferee" means an unlicensed person who wishes or intends to receive a firearm from another unlicensed person. 5. "Transferor" means an unlicensed person who wishes or intends to transfer a firearm to another unlicensed person. 6. "Trapping" has the meaning ascribed to it in NRS 501.090. 7. "Unlicensed person" means a person who does not hold a license as a dealer, importer or manufacturer in firearms issued pursuant to 18 U.S.C. § 923(a). (Added to NRS by 2019, 3)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2547 - Background check required for certain sales or transfers of firearms between unlicensed persons; procedure.

1. Except as otherwise provided in NRS 202.2548, an unlicensed person shall not sell or transfer a firearm to another unlicensed person unless a licensed dealer first conducts a background check on the buyer or transferee in compliance with this section. 2. The seller or transferor and buyer or transferee shall appear jointly with the firearm and request that a licensed dealer conduct a background check on the buyer or transferee. 3. A licensed dealer who agrees to conduct a background check pursuant to this section shall comply with all requirements of federal and state law as though the licensed dealer were selling or transferring the firearm from his or her own inventory to the buyer or transferee, including, but not limited to, all recordkeeping requirements. For the purpose of determining whether the buyer or transferee is eligible to purchase and possess firearms under state and federal law, the licensed dealer shall contact the same agency as though the licensed dealer were selling or transferring the firearm from his or her own inventory to the buyer or transferee. 4. Upon receiving a request for a background check from a licensed dealer pursuant to this section, the Central Repository or any other state or local agency described in subsection 3 shall, in the same manner as it would for the sale of a firearm from the licensed dealer's inventory, perform a background check on the buyer or transferee and notify the licensed dealer of the results of the background check. 5. The seller or transferor may remove the firearm from the business premises while the background check is being conducted if, before the seller or transferor sells or transfers the firearm to the buyer or transferee, the seller or transferor and the buyer or transferee return to the licensed dealer who takes possession of the firearm to complete the sale or transfer. 6. A licensed dealer who agrees to conduct a background check pursuant to this section shall inform the seller or transferor and the buyer or transferee of the response from the agency described in subsection 3. If the response indicates that the buyer or transferee is ineligible to purchase or possess the firearm, the licensed dealer shall return the firearm to the seller or transferor and the seller or transferor shall not sell or transfer the firearm to the buyer or transferee. 7. A licensed dealer may charge a reasonable fee for conducting a background check and facilitating a firearm transfer between unlicensed persons pursuant to this section. (Added to NRS by 2019, 4)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2548 - Exceptions to requirement of background check.

The provisions of NRS 202.2547 do not apply to: 1. The sale or transfer of a firearm by or to any law enforcement agency and, to the extent he or she is acting within the course and scope of his or her employment and official duties, any peace officer, security guard entitled to carry a firearm under NAC 648.345, member of the armed forces or federal official. 2. The sale or transfer of an antique firearm. 3. The sale or transfer of a firearm between immediate family members, which for the purposes of this section means spouses and domestic partners and any of the following relations, whether by whole or half blood, adoption, or step-relation: parents, children, siblings, grandparents, grandchildren, aunts, uncles, nieces and nephews. 4. The transfer of a firearm to an executor, administrator, trustee or personal representative of an estate or a trust that occurs by operation of law upon the death of the former owner of the firearm. 5. A temporary transfer of a firearm to a person who is not prohibited from buying or possessing firearms under state or federal law if such transfer: (a) Is necessary to prevent imminent death or great bodily harm; and (b) Lasts only as long as immediately necessary to prevent such imminent death or great bodily harm. 6. A temporary transfer of a firearm if: (a) The transferor has no reason to believe that the transferee is prohibited from buying or possessing firearms under state or federal law; (b) The transferor has no reason to believe that the transferee will use or intends to use the firearm in the commission of a crime; and (c) Such transfer occurs and the transferee's possession of the firearm following the transfer is exclusively: (1) At an established shooting range authorized by the governing body of the jurisdiction in which such range is located; (2) At a lawful organized competition involving the use of a firearm; (3) While participating in or practicing for a performance by an organized group that uses firearms as a part of the public performance; (4) While hunting or trapping if the hunting or trapping is legal in all places where the transferee possesses the firearm and the transferee holds all licenses or permits required for such hunting or trapping; or (5) While in the presence of the transferor. (Added to NRS by 2019, 4; A 2021, 3225)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.2549 - Penalties for violations.

An unlicensed person who sells or voluntarily transfers one or more firearms to another unlicensed person in violation of NRS 202.2547: 1. For a first offense involving the sale or transfer of one or more firearms, is guilty of a gross misdemeanor; and 2. For a second or subsequent offense involving the sale or transfer of one or more firearms, is guilty of a category C felony and shall be punished as provided in NRS 193.130. (Added to NRS by 2019, 5)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.255 - Setting spring gun or other deadly weapon: Unlawful and permitted uses; penalties.

1. A person who sets a so-called trap, spring pistol, rifle, or other deadly weapon shall be punished: (a) If no injury results therefrom to any human being, for a gross misdemeanor. (b) If injuries not fatal result therefrom to any human being, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. (c) If the death of a human being results therefrom: (1) Under circumstances not rendering the act murder, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000; or (2) Otherwise, for murder which is a category A felony as provided in NRS 200.030. 2. Subsection 1 does not prevent the use of any loaded spring gun, set gun or other device for the destruction of gophers, moles, coyotes or other burrowing rodents or predatory animals by agents or employees of governmental agencies engaged in cooperative predatory animal and rodent control work, but: (a) A loaded spring gun, set gun or other device must not be set within 15 miles of the boundaries of any incorporated city or unincorporated town; and (b) Before setting any such loaded spring gun, set gun or other device on any real property permission must first be obtained from the owner, lessee or administrator thereof. [1911 C&P § 302; RL § 6567; NCL § 10250]—(NRS A 1960, 336; 1967, 485; 1979, 1433; 1995, 1205)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.257 - Possession of firearm when under influence of alcohol, controlled substance or other intoxicating substance; administration of evidentiary test; penalty; forfeiture of firearm.

1. It is unlawful for a person who: (a) Has a concentration of alcohol of 0.08 or more in his or her blood or breath; or (b) Is under the influence of any controlled substance, or is under the combined influence of intoxicating liquor and a controlled substance, or any person who inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders him or her incapable of safely exercising actual physical control of a firearm, to have in his or her actual physical possession any firearm. This prohibition does not apply to the actual physical possession of a firearm by a person who was within the person's personal residence and had the firearm in his or her possession solely for self-defense. 2. Any evidentiary test to determine whether a person has violated the provisions of subsection 1 must be administered in the same manner as an evidentiary test that is administered pursuant to NRS 484C.160 to 484C.250, inclusive, except that submission to the evidentiary test is required of any person who is requested by a police officer to submit to the test. If a person to be tested fails to submit to a required test as requested by a police officer, the officer may apply for a warrant or court order directing that reasonable force be used to the extent necessary to obtain the samples of blood from the person to be tested, if the officer has reasonable cause to believe that the person to be tested was in violation of this section. 3. Any person who violates the provisions of subsection 1 is guilty of a misdemeanor. 4. A firearm is subject to forfeiture pursuant to NRS 179.1156 to 179.1205, inclusive, only if, during the violation of subsection 1, the firearm is brandished, aimed or otherwise handled by the person in a manner which endangered others. 5. As used in this section, the phrase "concentration of alcohol of 0.08 or more in his or her blood or breath" means 0.08 gram or more of alcohol per 100 milliliters of the blood of a person or per 210 liters of his or her breath. (Added to NRS by 1995, 2533; A 1999, 2470; 2003, 2565; 2015, 2534; 2019, 4180)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.260 - Unlawful possession, manufacture or disposition of explosive or incendiary device: Penalty; exceptions.

1. A person who unlawfully possesses, manufactures or disposes of any explosive or incendiary device with the intent to destroy life or property is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 2. This section does not prohibit a person from possessing, manufacturing or using any material, component, substance or device as required for the performance of his or her duties related to mining, agriculture, construction or any other valid occupational purpose, or if the person is authorized by a governmental entity which has lawful control over such matters to use those items in the performance of his or her duties. 3. For the purposes of this section, "dispose of" means give, give away, loan, offer, offer for sale, sell or transfer. [1911 C&P § 306; RL § 6571; NCL § 10254]—(NRS A 1973, 552; 1979, 1434; 1995, 1205; 2001, 805)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.261 - Possession of component of explosive or incendiary device with intent to manufacture explosive or incendiary device: Penalty; exceptions.

1. A person shall not knowingly possess any component of an explosive or incendiary device with the intent to manufacture an explosive or incendiary device. 2. A person who violates subsection 1 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 3. This section does not prohibit a person from possessing, manufacturing or using any material, component, substance or device as required for the performance of his or her duties related to mining, agriculture, construction or any other valid occupational purpose, or if the person is authorized by a governmental entity which has lawful control over such matters to use those items in the performance of his or her duties. (Added to NRS by 2001, 804)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.262 - Possession of explosive or incendiary device in or near certain public or private areas: Penalty; exceptions.

1. Except as otherwise provided in subsection 3, a person shall not possess any explosive or incendiary device or any explosive or incendiary material, substance or component that may be readily converted to an explosive or incendiary device: (a) In or upon any public street or highway in this state; (b) In or near any private habitation, public place or any place open to the public; or (c) In, on or near any public conveyance. 2. A person who violates subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. This section does not prohibit a person from possessing any material, component, substance or device: (a) As required for the performance of his or her duties related to mining, agriculture, construction or any other valid occupational purpose, or if the person is authorized by a governmental entity which has lawful control over such matters to use those items in the performance of his or her duties; (b) In an amount which, if detonated or otherwise exploded, would not ordinarily cause substantial bodily harm to another person or substantial harm to the property of another; or (c) As part of a model rocket or engine for a model rocket that is designed, sold and used for the purpose of propelling a model rocket. (Added to NRS by 2001, 804)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.263 - Unlawful manufacture, purchase, possession, sale, advertisement or transportation of hoax bomb: Penalty; exceptions.

1. A person shall not knowingly manufacture, purchase, possess, sell, advertise for sale or transport a hoax bomb with the intent to: (a) Make a reasonable person believe that the hoax bomb is an explosive or incendiary device; (b) Cause alarm or reaction by an officer, an employee or a volunteer of a public safety agency; or (c) Cause the evacuation of any private or public building, whether or not any threat has been conveyed. 2. A person who violates subsection 1: (a) Is guilty of a gross misdemeanor, unless a greater penalty is provided pursuant to paragraph (b) or (c). (b) In a manner that causes the evacuation of any private or public building, is guilty of a category E felony and shall be punished as provided in NRS 193.130, unless a greater penalty is provided pursuant to paragraph (c). (c) In the furtherance of any other crime punishable as a felony, is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. This section does not prohibit: (a) The purchase, possession, sale, advertising for sale, transportation or use of a military artifact, if the military artifact is harmless or inert, unless the military artifact is used to make a reasonable person believe that the military artifact is an explosive or incendiary device. (b) The authorized manufacture, purchase, possession, sale, transportation or use of any material, substance or device by a member of the Armed Forces of the United States, a fire department or a law enforcement agency if the person is acting lawfully while in the line of duty. (c) The manufacture, purchase, possession, sale, transportation or use of any material, substance or device that is permitted by a specific statute. 4. As used in this section: (a) "Hoax bomb" means anything that by its design, construction, content, characteristics or representation appears to be or to contain: (1) An inoperative facsimile or imitation of an explosive or incendiary device; or (2) An explosive or incendiary device. (b) "Public building" has the meaning ascribed to it in NRS 203.119. (c) "Public safety agency" has the meaning ascribed to it in NRS 239B.020. (Added to NRS by 1991, 816; A 2001, 805; 2013, 757)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.265 - Possession of dangerous weapon on property or in vehicle of school or child care facility; penalty; exceptions.

1. Except as otherwise provided in this section, a person shall not carry or possess while on the property of the Nevada System of Higher Education, a private or public school or child care facility, or while in a vehicle of a private or public school or child care facility: (a) An explosive or incendiary device; (b) A dirk, dagger or switchblade knife; (c) A nunchaku or trefoil; (d) A blackjack or billy club or metal knuckles; (e) A pneumatic gun; (f) A pistol, revolver or other firearm; or (g) Any device used to mark any part of a person with paint or any other substance. 2. Any person who violates subsection 1 is guilty of a gross misdemeanor. 3. This section does not prohibit the possession of a weapon listed in subsection 1 on the property of: (a) A private or public school or child care facility by a: (1) Peace officer; (2) School security guard; or (3) Person having written permission from the president of a branch or facility of the Nevada System of Higher Education or the principal of the school or the person designated by a child care facility to give permission to carry or possess the weapon. (b) A child care facility which is located at or in the home of a natural person by the person who owns or operates the facility so long as the person resides in the home and the person complies with any laws governing the possession of such a weapon. 4. The provisions of this section apply to a child care facility located at or in the home of a natural person only during the normal hours of business of the facility. 5. For the purposes of this section: (a) "Child care facility" means any child care facility that is licensed pursuant to chapter 432A of NRS or licensed by a city or county. (b) "Nunchaku" has the meaning ascribed to it in NRS 202.350. (c) "Pneumatic gun" means any implement designed as a gun that may expel a ball bearing or a pellet by action of pneumatic pressure. The term includes, without limitation, a paintball gun that expels plastic balls filled with paint for the purpose of marking the point of impact. (d) "Switchblade knife" means a spring-blade knife, snap-blade knife or any other knife having the appearance of a pocketknife, any blade of which is 2 or more inches long and which can be released automatically by a flick of a button, pressure on the handle or other mechanical device, or is released by any type of mechanism. The term does not include a knife which has a blade that is held in place by a spring if the blade does not have any type of automatic release. (e) "Trefoil" has the meaning ascribed to it in NRS 202.350. (f) "Vehicle" has the meaning ascribed to "school bus" in NRS 484A.230. (Added to NRS by 1989, 656; A 1993, 364; 1995, 1151; 2001, 806; 2007, 1913; 2015, 1586)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.273 - Unlawful manufacture or sale of certain metal-penetrating bullets: Exceptions; penalty.

1. Except as provided in subsection 2, it is unlawful to manufacture or sell any metal-penetrating bullet capable of being fired from a handgun. 2. A person may manufacture and sell metal-penetrating bullets pursuant to an agreement with a law enforcement agency for the sale of such bullets to that agency. 3. A person who violates the provisions of this section is guilty of a gross misdemeanor. 4. As used in this section, "metal-penetrating bullet" means a bullet whose core: (a) Reduces the normal expansion of the bullet upon impact; and (b) Is at least as hard as the maximum hardness attainable using solid red metal alloys, and which can be used in a handgun. The term does not include any bullet with a copper or brass jacket and a core of lead or a lead alloy, or a bullet made of lead or lead alloys. (Added to NRS by 1983, 800)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.274 - Unlawful import, sale, manufacture, transfer, receipt or possession of certain semiautomatic firearms, devices or parts that modify semiautomatic firearms: Penalties; exceptions.

1. Except as otherwise provided in subsection 3, a person shall not import, sell, manufacture, transfer, receive or possess: (a) Any manual, power-driven or electronic device that is designed such that when the device is attached to a semiautomatic firearm, the device eliminates the need for the operator of a semiautomatic firearm to make a separate movement for each individual function of the trigger and: (1) Materially increases the rate of fire of the semiautomatic firearm; or (2) Approximates the action or rate of fire of a machine gun; (b) Any part or combination of parts that is designed and functions to eliminate the need for the operator of a semiautomatic firearm to make a separate movement for each individual function of the trigger and: (1) Materially increases the rate of fire of a semiautomatic firearm; or (2) Approximates the action or rate of fire of a machine gun; or (c) Any semiautomatic firearm that has been modified in any way that eliminates the need for the operator of the semiautomatic firearm to make a separate movement for each individual function of the trigger and: (1) Materially increases the rate of fire of the semiautomatic firearm; or (2) Approximates the action or rate of fire of a machine gun. 2. A person who violates any provision of this section is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. This section does not apply to: (a) Any employee of a federal, state or local law enforcement agency carrying out official duties. (b) Any member of the Armed Forces of the United States carrying out official duties. (Added to NRS by 2019, 4179)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.275 - Possession, manufacture or disposition of short-barreled rifle or short-barreled shotgun: Penalty; exceptions.

1. Except as otherwise provided in subsection 3, a person who knowingly or willfully possesses, manufactures or disposes of any short-barreled rifle or short-barreled shotgun is guilty of a category D felony and shall be punished as provided in NRS 193.130. 2. For purposes of this section: (a) "Short-barreled rifle" means: (1) A rifle having one or more barrels less than 16 inches in length; or (2) Any weapon made from a rifle, whether by alteration, modification or other means, with an overall length of less than 26 inches. (b) "Short-barreled shotgun" means: (1) A shotgun having one or more barrels less than 18 inches in length; or (2) Any weapon made from a shotgun, whether by alteration, modification or other means, with an overall length of less than 26 inches. 3. This section does not prohibit: (a) The possession or use of any short-barreled rifle or short-barreled shotgun by any peace officer when authorized to do so in the performance of official duties; (b) The possession of any short-barreled rifle or short-barreled shotgun by a person who is licensed as a firearms importer, manufacturer, collector or dealer by the United States Department of the Treasury, or by a person to whom such a rifle or shotgun is registered with the United States Department of the Treasury; or (c) The possession of any short-barreled rifle or short-barreled shotgun that has been determined to be a collector's item pursuant to 26 U.S.C. Chapter 53 or a curio or relic pursuant to 18 U.S.C. Chapter 44. (Added to NRS by 1977, 879; A 1979, 1434; 1991, 1136; 1995, 1206; 2005, 64)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.277 - Changing, altering, removing or obliterating serial number of firearm prohibited; possession of firearm with serial number changed, altered, removed or obliterated prohibited; penalties.

1. A person shall not intentionally change, alter, remove or obliterate the serial number upon any firearm. Any person who violates the provisions of this subsection is guilty of a category C felony and shall be punished as provided in NRS 193.130. 2. A person shall not knowingly possess a firearm on which the serial number has been intentionally changed, altered, removed or obliterated. Any person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1977, 880; A 2003, 1350)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.280 - Discharging firearm in or upon public streets or in places of public resort; throwing deadly missiles; duties of civil, military and peace officers; penalties.

1. Unless a greater penalty is provided in NRS 202.287, a person, whether under the influence of liquor, a controlled substance or otherwise, who maliciously, wantonly or negligently discharges or causes to be discharged any pistol, gun or any other kind of firearm, in or upon any public street or thoroughfare, or in any theater, hall, store, hotel, saloon or any other place of public resort, or throws any deadly missile in a public place or in any place where any person might be endangered thereby, although no injury results, is guilty of a misdemeanor. 2. All civil, military and peace officers shall be vigilant in carrying the provisions of subsection

1 into full force and effect. Any peace officer who neglects his or her duty in the arrest of any such offender is guilty of a gross misdemeanor. [1911 C&P § 304; RL § 6569; NCL § 10252] + [1911 C&P § 305; RL § 6570; NCL § 10253]—(NRS A 1967, 485; 1989, 1240)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.285 - Discharging firearm at or into structure, vehicle, aircraft or watercraft; penalties.

1. A person who willfully and maliciously discharges a firearm at or into any house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building, tent, vessel, aircraft, vehicle, vehicle trailer, semitrailer or house trailer, railroad locomotive, car or tender: (a) If it has been abandoned, is guilty of a misdemeanor unless a greater penalty is provided in NRS 202.287. (b) If it is occupied, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. 2. Whenever a firearm is so discharged at or into any vessel, aircraft, vehicle, vehicle trailer, semitrailer or house trailer, railroad locomotive, car or tender, in motion or at rest, and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the vessel, aircraft, vehicle, vehicle trailer, semitrailer or house trailer, locomotive or railroad car may have run on the trip during which the firearm was discharged at or into it. (Added to NRS by 1979, 157; A 1989, 1240; 1995, 1206; 2019, 231)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.287 - Discharging firearm within or from structure or vehicle; penalties.

1. A person who is in, on or under a structure or vehicle and who maliciously or wantonly discharges or maliciously or wantonly causes to be discharged a firearm within or from the structure or vehicle: (a) If the structure or vehicle is not within an area designated by city or county ordinance as a populated area for the purpose of prohibiting the discharge of weapons, is guilty of a misdemeanor. (b) If the structure or vehicle is within an area designated by city or county ordinance as a populated area for the purpose of prohibiting the discharge of weapons, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. 2. If a firearm is discharged within or out of any vehicle that is in motion or at rest and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the vehicle may have run on the trip during which the firearm was discharged. 3. The provisions of this section do not apply to: (a) A person who lawfully shoots at a game mammal or game bird pursuant to subsection 2 of NRS 503.010. (b) A peace officer while engaged in the performance of his or her official duties. (c) A person who discharges a firearm in a lawful manner and in the course of a lawful business, event or activity. 4. As used in this section: (a) "Structure" means any temporary or permanent structure, including, but not limited to, any tent, house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building. (b) "Vehicle" means any motor vehicle or trailer designed for use with a motor vehicle, whether or not it is self-propelled, operated on rails or propelled by electric power obtained from overhead wires. (Added to NRS by 1989, 1239; A 1993, 2774; 1995, 1152, 1207, 2403, 2409; 2003, 987; 2019, 231)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.290 - Aiming firearm at human being; discharging weapon where person might be endangered; penalty.

Unless a greater penalty is provided in NRS 202.287, a person who willfully: 1. Aims any gun, pistol, revolver or other firearm, whether loaded or not, at or toward any human being; or 2. Discharges any firearm, air gun or other weapon, or throws any deadly missile in a public place or in any place where any person might be endangered thereby, although an injury does not result, is guilty of a gross misdemeanor. [1911 C&P § 344; RL § 6609; NCL § 10292]—(NRS A 1989, 820, 1240, 1243)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.300 - Use or possession of firearm by child under age of 18 years; unlawful to aid or permit child to commit violation; unlawful to store or leave firearm under certain circumstances; penalties; child 14 years of age or older authorized to possess firearm under certain circumstances.

1. Except as otherwise provided in this section, a child under the age of 18 years shall not handle or have in his or her possession or under his or her control, except while accompanied by or under the immediate charge of his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, any firearm of any kind for hunting or target practice or for other purposes. A child who violates this subsection commits a delinquent act and the court may order the detention of the child in the same manner as if the child had committed an act that would have been a felony if committed by an adult. 2. A person who aids or knowingly permits a child to violate subsection 1: (a) Except as otherwise provided in paragraph (b), for the first offense, is guilty of a misdemeanor. (b) For a first offense, if the person knows or has reason to know that there is a substantial risk that the child will use the firearm to commit a violent act, is guilty of a category C felony and shall be punished as provided in NRS 193.130. (c) For a second or any subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 3. A person does not aid or knowingly permit a child to violate subsection 1

if: (a) The firearm was stored in a securely locked container or at a location which a reasonable person would have believed to be secure; (b) The child obtained the firearm as a result of an unlawful entry by any person in or upon the premises where the firearm was stored; (c) The injury or death resulted from an accident which was incident to target shooting, sport shooting or hunting; or (d) The child gained possession of the firearm from a member of the military or a law enforcement officer, while the member or officer was performing his or her official duties. 4. The provisions of subsection 1 do not apply to a child who is a member of the Armed Forces of the United States. 5. Unless a greater penalty is provided by law, a person is guilty of a misdemeanor who: (a) Negligently stores or leaves a firearm at a location under his or her control; and (b) Knows or has reason to know that there is a substantial risk that a child prohibited from handling or having in his or her possession or under his or her control any firearm pursuant to this section may obtain such a firearm. 6. Except as otherwise provided in subsection 9, a child who is 14 years of age or older, who has in his or her possession a valid license to hunt, may handle or have in his or her possession or under his or her control, without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child: (a) A rifle or shotgun that is not a fully automatic firearm, if the child is not otherwise prohibited by law from possessing the rifle or shotgun and the child has the permission of his or her parent or guardian to handle or have in his or her possession or under his or her control the rifle or shotgun; or (b) A firearm capable of being concealed upon the person, if the child has the written permission of his or her parent or guardian to handle or have in his or her possession or under his or her control such a firearm and the child is not otherwise prohibited by law from possessing such a firearm, and the child is traveling to the area in which the child will be hunting or returning from that area and the firearm is not loaded, or the child is hunting pursuant to that license. 7. Except as otherwise provided in subsection 9, a child who is 14 years of age or older may handle or have in his or her possession or under his or her control a rifle or shotgun that is not a fully automatic firearm if the child is not otherwise prohibited by law from possessing the rifle or shotgun, without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, if the child has the permission of his or her parent or guardian to handle or have in his or her possession or under his or her control the rifle or shotgun and the child is: (a) Attending a course of instruction in the responsibilities of hunters or a course of instruction in the safe use of firearms; (b) Practicing the use of a firearm at an established firing range or at any other area where the discharge of a firearm is permitted; (c) Participating in a lawfully organized competition or performance involving the use of a firearm; (d) Within an area in which the discharge of firearms has not been prohibited by local ordinance or regulation and the child is engaging in a lawful hunting activity in accordance with chapter 502 of NRS for which a license is not required; (e) Traveling to or from any activity described in paragraph (a), (b), (c) or (d), and the firearm is not loaded; (f) On real property that is under the control of an adult, and the child has the permission of that adult to possess the firearm on the real property; or (g) At his or her residence. 8. Except as otherwise provided in subsection 9, a child who is 14 years of age or older may handle or have in his or her possession or under his or her control, for the purpose of engaging in any of the activities listed in paragraphs (a) to (g), inclusive, of subsection 7, a firearm capable of being concealed upon the person, without being accompanied by his or her parent or guardian or an adult person authorized by his or her parent or guardian to have control or custody of the child, if the child: (a) Has the written permission of his or her parent or guardian to handle or have in his or her possession or under his or her control such a firearm for the purpose of engaging in such an activity; and (b) Is not otherwise prohibited by law from possessing such a firearm. 9. A child shall not handle or have in his or her possession or under his or her control a loaded firearm if the child is: (a) An occupant of a motor vehicle; (b) Within any residence, including his or her residence, or any building other than a facility licensed for target practice, unless possession of the firearm is necessary for the immediate defense of the child or another person; or (c) Within an area designated by a county or municipal ordinance as a populated area for the purpose of prohibiting the discharge of weapons, unless the child is within a facility licensed for target practice. 10. For the purposes of this section, a firearm is loaded if: (a) There is a cartridge in the chamber of the firearm; (b) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver; or (c) There is a cartridge in the magazine and the magazine is in the firearm or there is a cartridge in the chamber, if the firearm is a semiautomatic firearm. [1911 C&P § 345; RL § 6610; NCL § 10293]—(NRS A 1963, 3; 1991, 1154; 1995, 1152; 1997, 516, 1181; 2019, 4180)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.310 - Sale of firearms to minors; penalty.

Any person in this state who sells or barter to a child who is under the age of 18 years, with reckless disregard of whether the child is under the age of 18 years, or with knowledge or reason to know that the child is under the age of 18 years, a pistol, revolver or a firearm capable of being concealed upon the person is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. [1:164:1955]—(NRS A 1995, 1154; 1997, 519, 1183)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.320 - Drawing deadly weapon in threatening manner.

1. Unless a greater penalty is provided in NRS 202.287, a person having, carrying or procuring from another person any dirk, dirk-knife, sword, sword cane, pistol, gun or other deadly weapon, who, in the presence of two or more persons, draws or exhibits any of such deadly weapons in a rude, angry or threatening manner not in necessary self-defense, or who in any manner unlawfully uses that weapon in any fight or quarrel, is guilty of a misdemeanor. 2. A sheriff, deputy sheriff, marshal, constable or other peace officer shall not be held to answer, under the provisions of subsection 1, for drawing or exhibiting any of the weapons mentioned

therein while in the lawful discharge of his or her duties. [1911 C&P § 174; RL § 6439; NCL § 10121]—(NRS A 1967, 486; 1989, 1240)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.340 - Confiscation and disposition of dangerous weapons by law enforcement agencies.

1. Except as otherwise provided for firearms forfeitable pursuant to NRS 453.301, when any instrument or weapon described in NRS 202.350 is taken from the possession of any person charged with the commission of any public offense or crime or any child charged with committing a delinquent act, the instrument or weapon must be surrendered to: (a) The head of the police force or department of an incorporated city if the possession thereof was detected by any member of the police force of the city; or (b) The chief administrator of a state law enforcement agency, for disposal pursuant to NRS 333.220, if the possession thereof was detected by any member of the agency. In all other cases, the instrument or weapon must be surrendered to the sheriff of the county or the sheriff of the metropolitan police department for the county in which the instrument or weapon was taken. 2. Except as otherwise provided in subsection 5, the governing body of the county or city or the metropolitan police committee on fiscal affairs shall at least once a year order the local law enforcement officer to whom any instrument or weapon is surrendered pursuant to subsection 1 to: (a) Retain the confiscated instrument or weapon for use by the law enforcement agency headed by the officer; (b) Sell the confiscated instrument or weapon to another law enforcement agency; (c) Destroy or direct the destruction of the confiscated instrument or weapon if it is not otherwise required to be destroyed pursuant to subsection 5; (d) Trade the confiscated instrument or weapon to a properly licensed retailer or wholesaler in exchange for equipment necessary for the performance of the agency's duties; or (e) Donate the confiscated instrument or weapon to a museum, the Nevada National Guard or, if appropriate, to another person for use which furthers a charitable or public interest. 3. All proceeds of a sale ordered pursuant to subsection 2 by: (a) The governing body of a county or city must be deposited with the county treasurer or the city treasurer and the county treasurer or the city treasurer shall credit the proceeds to the general fund of the county or city. (b) A metropolitan police committee on fiscal affairs must be deposited in a fund which was created pursuant to NRS 280.220. 4. Any officer receiving an order pursuant to subsection 2 shall comply with the order as soon as practicable. 5. Except as otherwise provided in subsection 6, the officer to whom a confiscated instrument or weapon is surrendered pursuant to subsection 1 shall: (a) Except as otherwise provided in paragraph (c), destroy or direct to be destroyed any instrument or weapon which is determined to be dangerous to the safety of the public. (b) Except as otherwise provided in paragraph (c), return any instrument or weapon, which has not been destroyed pursuant to paragraph (a): (1) Upon demand, to the person from whom the instrument or weapon was confiscated if the person is acquitted of the public offense or crime of which the person was charged; or (2) To the legal owner of the instrument or weapon if the Attorney General or the district attorney determines that the instrument or weapon was unlawfully acquired from the legal owner. If retention of the instrument or weapon is ordered or directed pursuant to paragraph (c), except as otherwise provided in paragraph (a), the instrument or weapon must be returned to the legal owner as soon as practicable after the order or direction is rescinded. (c) Retain the confiscated instrument or weapon held by the officer pursuant to an order of a judge of a court of record or by direction of the Attorney General or district attorney that the retention is necessary for purposes of evidence, until the order or direction is rescinded. (d) Return any instrument or weapon which was stolen to its rightful owner, unless the return is otherwise prohibited by law. 6. Before any disposition pursuant to subsection 5, the officer who is in possession of the confiscated instrument or weapon shall submit a full description of the instrument or weapon to a laboratory which provides forensic services in this State. The director of the laboratory shall determine whether the instrument or weapon: (a) Must be sent to the laboratory for examination as part of a criminal investigation; or (b) Is a necessary addition to a referential collection maintained by the laboratory for purposes relating to law enforcement. [1:93:1913; 1919 RL p. 2710; NCL § 2300] + [2:93:1913; A 1953, 546]—(NRS A 1959, 547; 1967, 1719; 1989, 12, 143, 144; 1995, 304, 1154, 1161)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.350 - Manufacture, importation, possession or use of dangerous weapon or silencer; carrying concealed weapon without permit; penalties; issuance of permit to carry concealed weapon; exceptions.

1. Except as otherwise provided in this section and NRS 202.3653 to 202.369, inclusive, a person within this State shall not: (a) Manufacture or cause to be manufactured, or import into the State, or keep, offer or expose for sale, or give, lend or possess any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sand-club, sandbag or metal knuckles; (b) Manufacture or cause to be manufactured, or import into the State, or keep, offer or expose for sale, or give, lend, possess or use a machine gun or a silencer, unless authorized by federal law; (c) With the intent to inflict harm upon the person of another, possess or use a nunchaku or trefoil; or (d) Carry concealed upon his or her person any: (1) Explosive substance, other than ammunition or any components thereof; (2) Machete; or (3) Pistol, revolver or other firearm, other dangerous or deadly weapon or pneumatic gun. 2. Except as otherwise provided in NRS 202.275 and 212.185, a person who violates any of the provisions of: (a) Paragraph (a) or (c) of subsection 1 or subparagraph (2) of paragraph (d) of subsection 1 is guilty: (1) For the first offense, of a gross misdemeanor. (2) For any subsequent offense, of a category D felony and shall be punished as provided in NRS 193.130. (b) Paragraph (b) of subsection 1 or subparagraph (1) or (3) of paragraph (d) of subsection 1 is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. Except as otherwise provided in this subsection, the sheriff of any county may, upon written application by a resident of that county showing the reason or the purpose for which a concealed weapon is to be carried, issue a permit authorizing the applicant to carry in this State the concealed weapon described in the permit. This subsection does not

authorize the sheriff to issue a permit to a person to carry a pistol, revolver or other firearm. 4. Except as otherwise provided in subsection 5, this section does not apply to: (a) Sheriffs, constables, marshals, peace officers, correctional officers employed by the Department of Corrections, special police officers, police officers of this State, whether active or honorably retired, or other appointed officers. (b) Any person summoned by any peace officer to assist in making arrests or preserving the peace while the person so summoned is actually engaged in assisting such an officer. (c) Any full-time paid peace officer of an agency of the United States or another state or political subdivision thereof when carrying out official duties in the State of Nevada. (d) Members of the Armed Forces of the United States when on duty. 5. The exemptions provided in subsection 4 do not include a former peace officer who is retired for disability unless his or her former employer has approved his or her fitness to carry a concealed weapon. 6. The provisions of paragraph (b) of subsection 1 do not apply to any person who is licensed, authorized or permitted to possess or use a machine gun or silencer pursuant to federal law. The burden of establishing federal licensure, authorization or permission is upon the person possessing the license, authorization or permission. 7. This section shall not be construed to prohibit a qualified law enforcement officer or a qualified retired law enforcement officer from carrying a concealed weapon in this State if he or she is authorized to do so pursuant to 18 U.S.C. § 926B or 926C. 8. As used in this section: (a) "Concealed weapon" means a weapon described in this section that is carried upon a person in such a manner as not to be discernible by ordinary observation. (b) "Honorably retired" means retired in Nevada after completion of 10 years of creditable service as a member of the Public Employees' Retirement System. A former peace officer is not "honorably retired" if he or she was discharged for cause or resigned before the final disposition of allegations of serious misconduct. (c) "Nunchaku" means an instrument consisting of two or more sticks, clubs, bars or rods connected by a rope, cord, wire or chain used as a weapon in forms of Oriental combat. (d) "Pneumatic gun" has the meaning ascribed to it in NRS 202.265. (e) "Qualified law enforcement officer" has the meaning ascribed to it in 18 U.S.C. § 926B(c). (f) "Qualified retired law enforcement officer" has the meaning ascribed to it in 18 U.S.C. § 926C(c). (g) "Silencer" means any device for silencing, muffling or diminishing the report of a firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a silencer or muffler, and any part intended only for use in such assembly or fabrication. (h) "Trefoil" means an instrument consisting of a metal plate having three or more radiating points with sharp edges, designed in the shape of a star, cross or other geometric figure and used as a weapon for throwing. [1:47:1925; NCL § 2302] + [3:47:1925; NCL § 2304]—(NRS A 1959, 548; 1963, 90; 1967, 486; 1973, 190, 900; 1977, 269, 880; 1979, 1435; 1985, 452, 593, 792; 1989, 653; 1995, 1207, 2726; 1997, 826, 1601; 1999, 421, 1208; 2001, 575; 2003, 1351; 2005, 594; 2015, 1587; 2019, 4182)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.357 - Electronic stun device: Use prohibited except for self-defense; possession by certain persons prohibited; sale, gift or other provision to certain persons prohibited; penalties.

1. Except as otherwise provided in this section, a person shall not use an electronic stun device on another person for any purpose other than self-defense. 2. Except as otherwise provided in this section, a person shall not have in his or her possession or under his or her custody or control any electronic stun device if the person: (a) Has been convicted of a felony in this State or any other state, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, unless the person has received a pardon and the pardon does not restrict his or her right to bear arms; (b) Is a fugitive from justice; (c) Has been adjudicated as mentally ill or has been committed to any mental health facility; or (d) Is illegally or unlawfully in the United States. 3. A child under 18 years of age shall not have in his or her possession or under his or her custody or control any electronic stun device. 4. Except as otherwise provided in this section, a person within this State shall not sell, give or otherwise provide an electronic stun device to another person if he or she has actual knowledge that the other person: (a) Is a child under 18 years of age; (b) Has been convicted of a felony in this State or any other state, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, unless the other person has received a pardon and the pardon does not restrict his or her right to bear arms; (c) Is a fugitive from justice; (d) Has been adjudicated as mentally ill or has been committed to any mental health facility; or (e) Is illegally or unlawfully in the United States. 5. A person who violates the provisions of: (a) Subsection 1 or paragraph (a) or (b) of subsection 2 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. (b) Paragraph (c) or (d) of subsection 2 is guilty of a category D felony and shall be punished as provided in NRS 193.130. 6. A child who violates subsection 3 commits a delinquent act and the court may order the detention of the child in the same manner as if the child had committed an act that would have been a felony if committed by an adult. 7. A person who violates the provisions of subsection 4 is guilty of a category D felony and shall be punished as provided in NRS 193.130. 8. The provisions of subsections 1, 2 and 4 do not apply to a peace officer who possesses or uses or sells, gives or otherwise provides to another person an electronic stun device within the scope of his or her duties. 9. As used in this section, "electronic stun device" means a device that: (a) Emits an electrical charge or current that is transmitted by projectile, physical contact or other means; and (b) Is designed to disable a person or animal temporarily or permanently. (Added to NRS by 2005, 266)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.360 - Ownership or possession of firearm by certain persons prohibited; penalties.

1. A person shall not own or have in his or her possession or under his or her custody or control any firearm if the person: (a) Has been convicted of the crime of battery which constitutes domestic violence pursuant to NRS 200.485, or a law of any other

jurisdiction that prohibits the same or substantially similar conduct, committed against or upon: (1) The spouse or former spouse of the person; (2) Any other person with whom the person has had or is having a dating relationship, as defined in NRS 33.018; (3) Any other person with whom the person has a child in common; (4) The parent of the person; or (5) The child of the person or a child for whom the person is the legal guardian. (b) Has been convicted of a felony in this State or any other state, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, unless the person has received a pardon and the pardon does not restrict his or her right to bear arms; (c) Has been convicted of a violation of NRS 200.575 or a law of any other state that prohibits the same or substantially similar conduct and the court entered a finding in the judgment of conviction or admonishment of rights pursuant to subsection 7 of NRS 200.575; (d) Except as otherwise provided in NRS 33.031, is currently subject to: (1) An extended order for protection against domestic violence pursuant to NRS 33.017 to 33.100, inclusive, which includes a statement that the adverse party is prohibited from possessing or having under his or her custody or control any firearm while the order is in effect; or (2) An equivalent order in any other state; (e) Is a fugitive from justice; (f) Is an unlawful user of, or addicted to, any controlled substance; or (g) Is otherwise prohibited by federal law from having a firearm in his or her possession or under his or her custody or control. A person who violates the provisions of this subsection is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 2. A person shall not own or have in his or her possession or under his or her custody or control any firearm if the person: (a) Has been adjudicated as mentally ill or has been committed to any mental health facility by a court of this State, any other state or the United States; (b) Has entered a plea of guilty but mentally ill in a court of this State, any other state or the United States; (c) Has been found guilty but mentally ill in a court of this State, any other state or the United States; (d) Has been acquitted by reason of insanity in a court of this State, any other state or the United States; or (e) Is illegally or unlawfully in the United States. A person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. A person shall not use or carry a firearm during and in relation to, or possess a firearm in furtherance of, the commission of any act in violation of NRS 453.321, 453.322, 453.337, 453.3385 or 453.401. A person who violates the provisions of this subsection is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 4. As used in this section: (a) "Controlled substance" has the meaning ascribed to it in 21 U.S.C. § 802(6). (b) "Firearm" includes any firearm that is loaded or unloaded and operable or inoperable. [2:47:1925; A 1955, 185] + [3:47:1925; NCL § 2304]—(NRS A 1959, 548; 1967, 487; 1979, 1435; 1983, 926; 1985, 453, 594; 1991, 72; 1995, 1208; 1997, 828; 2003, 1352; 2015, 1782, 1806; 2017, 3127; 2019, 1821; 2021, 1320; 2023, 2006)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.361 - Surrender, sale or transfer of firearm by person prohibited from owning or possessing firearm; fee for collection of firearm by local law enforcement agency.

1. If a person is prohibited from owning, possessing or having under his or her custody or control a firearm pursuant to NRS 202.360, the court in which the person is convicted shall order the person to surrender any firearm that the person owns or that is in his or her possession or under his or her custody or control to a designated law enforcement agency, a person designated by court order or a licensed firearm dealer, and the person shall, not later than 24 hours after service of the order: (a) Surrender any firearm that the person owns or that is in his or her possession or under his or her custody or control to the appropriate local law enforcement agency designated by the court in the order; (b) Surrender any firearm that the person owns or that is in his or her possession or under his or her custody or control to a person designated by the court in the order; (c) Sell or transfer any firearm that the person owns or that is in his or her possession or under his or her custody or control to a licensed firearm dealer; or (d) Submit an affidavit: (1) Informing the court that he or she currently does not own or have any firearm in his or her possession or under his or her custody or control; and (2) Acknowledging that failure to surrender, sell or transfer any firearm that he or she owns or has in his or her possession or under his or her custody or control is a violation of the order and state law. 2. If the court orders a person to surrender any firearm to a local law enforcement agency pursuant to paragraph (a) of subsection 1, the law enforcement agency shall provide the person with a receipt which includes a description of each firearm surrendered and the serial number of each firearm surrendered. The person shall, not later than 72 hours or 1 business day, whichever is later, after surrendering any such firearm, provide the receipt to the court. 3. If a person surrenders any firearm to a person designated by the court pursuant to paragraph (b) of subsection 1, the person who surrenders the firearm shall, not later than 72 hours or 1 business day, whichever is later, after the person surrenders any firearm to such person, provide to the court and the appropriate local law enforcement agency the name and address of the person designated in the order and a written description of each firearm surrendered and the serial number of each firearm surrendered to such person. 4. If a person sells or transfers any firearm to a licensed firearm dealer pursuant to paragraph (c) of subsection 1: (a) The licensed firearm dealer shall provide the person with a receipt which includes a description of each firearm sold or transferred and the serial number of each firearm sold or transferred; and (b) The person shall, not later than 72 hours or 1 business day, whichever is later, after such sale or transfer, provide the receipt to the court and the appropriate local law enforcement agency. 5. If there is probable cause to believe that the person has not surrendered, sold or transferred any firearm that the person owns or in the person's possession or under the person's custody or control within 24 hours after service of the order, the court may issue and deliver to any law enforcement officer a search warrant which authorizes the law enforcement officer to enter and search any place where there is probable cause to believe any firearm is located and seize the firearm. 6. A local law enforcement agency may charge and collect a fee from the person for the collection of a firearm pursuant to this section. The fee

must not exceed the cost incurred by the local law enforcement agency to provide the service. 7. As used in this section, "licensed firearm dealer" means a person licensed pursuant to 18 U.S.C. § 923(a). (Added to NRS by 2017, 3125)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.362 - Sale, transfer or disposal of firearm or ammunition to certain persons prohibited; purchase of firearm on behalf of certain persons prohibited; penalty; exceptions.

1. Except as otherwise provided in subsection 3, a person within this State shall not sell, transfer or otherwise dispose of any firearm or ammunition to another person or purchase a firearm on behalf of or for another person with the intent to transfer the firearm to that person if he or she has reasonable cause to believe that the other person: (a) Is under indictment for, or has been convicted of, a felony in this or any other state, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, unless the other person has received a pardon and the pardon does not restrict his or her right to bear arms; (b) Is prohibited from possessing a firearm pursuant to NRS 202.360; or (c) Is a known member of a criminal gang as defined in NRS 193.168. 2. A person who violates the provisions of subsection 1 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. 3. This section does not apply to a person who sells or disposes of any firearm or ammunition to: (a) A licensed importer, licensed manufacturer, licensed dealer or licensed collector who, pursuant to 18 U.S.C. § 925(b), is not precluded from dealing in firearms or ammunition; or (b) A person who has been granted relief from the disabilities imposed by federal laws pursuant to 18 U.S.C. § 925(c) or NRS 179A.163. 4. For purposes of this section, a person has "reasonable cause to believe" if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred. (Added to NRS by 2003, 1349; A 2009, 2490; 2015, 1807)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3621 - Each firearm owned, possessed or under custody or control of person constitutes separate violation.

1. For purposes of prosecuting a violation of NRS 202.360, each firearm owned, possessed or under the custody or control of a person constitutes a separate violation. 2. As used in this section, "firearm" includes any firearm that is loaded or unloaded and operable or inoperable. (Added to NRS by 2023, 2436)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3623 - Provision of locking device with sale or transfer of firearm; notice concerning unlawful storage of firearm; penalty; exception.

1. Every licensed dealer shall: (a) Provide with each firearm sold or otherwise transferred a locking device capable of securing the firearm; and (b) Post in a conspicuous location on its premises and at any other location at which the dealer sells a firearm a sign which is not less than 8.5 inches wide by 11 inches high and which contains, in at least 24-point boldface type, the following: NOTICE Negligent storage of a firearm may result in imprisonment or fine. 2. A licensed dealer who violates any provision of subsection 1 is guilty of a misdemeanor and shall be punished by a fine of not more than \$500. 3. The provisions of this section do not apply to an antique firearm or a firearm that has been determined to be a curio or relic pursuant to 18 U.S.C. Chapter 44. 4. As used in this section: (a) "Licensed dealer" has the meaning ascribed to it in NRS 202.2546. (b) "Locking device" means a device which prohibits the operation or discharge of a firearm and which can only be disabled with the use of a key, a combination, biometric data or other similar means. (Added to NRS by 2023, 2840)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3625 - Unlawful to sell, offer to sell or transfer unfinished frame or receiver: Exceptions; penalties.

1. A person shall not sell, offer to sell or transfer an unfinished frame or receiver unless: (a) The person is: (1) A firearms importer or manufacturer; and (2) The recipient of the unfinished frame or receiver is a firearms importer or manufacturer; or (b) The unfinished frame or receiver is required by federal law to be imprinted with a serial number issued by an importer or manufacturer and the unfinished frame or receiver has been imprinted with the serial number. 2. A person who violates this section: (a) For the first offense, is guilty of a gross misdemeanor; and (b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 2021, 3223)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.363 - Unlawful to possess, purchase, transport or receive unfinished frame or receiver: Exceptions; penalties.

1. A person shall not possess, purchase, transport or receive an unfinished frame or receiver unless: (a) The person is a firearms importer or manufacturer; or (b) The unfinished frame or receiver is required by federal law to be imprinted with a serial number issued by a firearms importer or manufacturer and the unfinished frame or receiver has been imprinted with the serial number. 2. A person who violates this section: (a) For the first offense, is guilty of a gross misdemeanor; and (b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 2021, 3223)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3635 - Unlawful to manufacture, cause to be manufactured, assemble or cause to be assembled firearm without serial number: Exceptions;

penalties.

1. A person shall not manufacture or cause to be manufactured or assemble or cause to be assembled a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless the firearm: (a) Has been rendered permanently inoperable; (b) Is an antique firearm; or (c) Has been determined to be a collector's item pursuant to 26 U.S.C. Chapter 53 or a curio or relic pursuant to 18 U.S.C. Chapter 44. 2. A person who violates this section: (a) For the first offense, is guilty of a gross misdemeanor; and (b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. As used in this section: (a) "Assemble" means to fit together component parts. (b) "Manufacture" means to fabricate, make, form, produce or construct by manual labor or machinery. (Added to NRS by 2021, 3223)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.364 - Unlawful to possess, sell, offer to sell, transfer, purchase, transport or receive firearm without serial number: Exceptions; penalties.

1. A person shall not possess, sell, offer to sell, transfer, purchase, transport or receive a firearm that is not imprinted with a serial number issued by a firearms importer or manufacturer in accordance with federal law and any regulations adopted thereunder unless: (a) The person is: (1) A law enforcement agency; or (2) A firearms importer or manufacturer; or (b) The firearm: (1) Has been rendered permanently inoperable; (2) Was manufactured before 1969; (3) Is an antique firearm; or (4) Has been determined to be a collector's item pursuant to 26 U.S.C. Chapter 53 or a curio or relic pursuant to 18 U.S.C. Chapter 44. 2. A person who violates this section: (a) For the first offense, is guilty of a gross misdemeanor; and (b) For the second or any subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. As used in this section, "law enforcement agency" has the meaning ascribed to it in NRS 239C.065. (Added to NRS by 2021, 3223)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3645 - Exception to prohibition on sale of unfinished frame or receiver or firearm without serial number.

Nothing in the provisions of NRS 202.3625 to 202.364, inclusive, shall be deemed to prohibit the sale of an unfinished frame or receiver or firearm that is not imprinted with a serial number to a firearms importer or manufacturer or a licensed dealer before January 1, 2022. As used in this section, "licensed dealer" has the meaning ascribed to it in NRS 202.2546. (Added to NRS by 2021, 3224)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3653 - Definitions.

As used in NRS 202.3653 to 202.369, inclusive, unless the context otherwise requires: 1. "Concealed firearm" means a loaded or unloaded handgun which is carried upon a person in such a manner as not to be discernible by ordinary observation. 2. "Department" means the Department of Public Safety. 3. "Handgun" has the meaning ascribed to it in 18 U.S.C. § 921(a)(29). 4. "Permit" means a permit to carry a concealed firearm issued pursuant to the provisions of NRS 202.3653 to 202.369, inclusive. (Added to NRS by 1995, 2721; A 1997, 1175; 1999, 850; 2001, 2579; 2005, 596; 2007, 3151; 2013, 1138)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3657 - Application for permit; eligibility; denial or revocation of permit.

1. Any person who is a resident of this State may apply to the sheriff of the county in which he or she resides for a permit on a form prescribed by regulation of the Department. Any person who is not a resident of this State may apply to the sheriff of any county in this State for a permit on a form prescribed by regulation of the Department. Application forms for permits must be furnished by the sheriff of each county upon request. 2. A person applying for a permit may submit one application and obtain one permit to carry all handguns owned by the person. The person must not be required to list and identify on the application each handgun owned by the person. A permit is valid for any handgun which is owned or thereafter obtained by the person to whom the permit is issued. 3. Except as otherwise provided in this section, the sheriff shall issue a permit to any person who is qualified to possess a handgun under state and federal law, who submits an application in accordance with the provisions of this section and who: (a) Is: (1) Twenty-one years of age or older; or (2) At least 18 years of age but less than 21 years of age if the person: (I) Is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard; or (II) Was discharged or released from service in the Armed Forces of the United States, a reserve component thereof or the National Guard under honorable conditions; (b) Is not prohibited from possessing a firearm pursuant to NRS 202.360; and (c) Demonstrates competence with handguns by presenting a certificate or other documentation to the sheriff which shows that the applicant: (1) Successfully completed a course in firearm safety approved by a sheriff in this State; or (2) Successfully completed a course in firearm safety offered by a federal, state or local law enforcement agency, community college, university or national organization that certifies instructors in firearm safety. Such a course must include instruction in the use of handguns and in the laws of this State relating to the use of a firearm. A sheriff may not approve a course in firearm safety pursuant to subparagraph (1) unless the sheriff determines that the course meets any standards that are established by the Nevada Sheriffs' and Chiefs' Association or, if the Nevada Sheriffs' and Chiefs' Association ceases to exist, its legal successor. 4. The sheriff shall deny an application or revoke a permit if the sheriff determines that the applicant or permittee: (a) Has an outstanding warrant for his or her arrest. (b) Has been judicially declared incompetent or insane. (c) Has been voluntarily or involuntarily admitted to a mental health facility during the immediately preceding 5 years. (d) Has

habitually used intoxicating liquor or a controlled substance to the extent that his or her normal faculties are impaired. For the purposes of this paragraph, it is presumed that a person has so used intoxicating liquor or a controlled substance if, during the immediately preceding 5 years, the person has: (1) Been convicted of violating the provisions of NRS 484C.110; or (2) Participated in a program of treatment pursuant to NRS 176A.230 to 176A.245, inclusive. (e) Has been convicted of a crime involving the use or threatened use of force or violence punishable as a misdemeanor under the laws of this or any other state, or a territory or possession of the United States at any time during the immediately preceding 3 years. (f) Has been convicted of a felony in this State or under the laws of any state, territory or possession of the United States. (g) Has been convicted of a crime involving domestic violence or stalking, or is currently subject to a restraining order, injunction or other order for protection against domestic violence. (h) Is currently subject to an emergency or extended order for protection against high-risk behavior issued pursuant to NRS 33.570 or 33.580. (i) Is currently on parole or probation from a conviction obtained in this State or in any other state or territory or possession of the United States. (j) Has, within the immediately preceding 5 years, been subject to any requirements imposed by a court of this State or of any other state or territory or possession of the United States, as a condition to the court's: (1) Withholding of the entry of judgment for a conviction of a felony; or (2) Suspension of sentence for the conviction of a felony. (k) Has made a false statement on any application for a permit or for the renewal of a permit. (l) Has been discharged or released from service in the Armed Forces of the United States, a reserve component thereof or the National Guard under conditions other than honorable conditions and is less than 21 years of age. 5. The sheriff may deny an application or revoke a permit if the sheriff receives a sworn affidavit stating articulable facts based upon personal knowledge from any natural person who is 18 years of age or older that the applicant or permittee has or may have committed an offense or engaged in any other activity specified in subsection 4 which would preclude the issuance of a permit to the applicant or require the revocation of a permit pursuant to this section. 6. If the sheriff receives notification submitted by a court or law enforcement agency of this or any other state, the United States or a territory or possession of the United States that a permittee or an applicant for a permit has been charged with a crime involving the use or threatened use of force or violence, the conviction for which would require the revocation of a permit or preclude the issuance of a permit to the applicant pursuant to this section, the sheriff shall suspend the person's permit or the processing of the person's application until the final disposition of the charges against the person. If a permittee is acquitted of the charges, or if the charges are dropped, the sheriff shall restore his or her permit without imposing a fee. 7. An application submitted pursuant to this section must be completed and signed under oath by the applicant. The applicant's signature must be witnessed by an employee of the sheriff or notarized by a notary public. The application must include: (a) The name, address, place and date of birth, social security number, occupation and employer of the applicant and any other names used by the applicant; (b) A complete set of the applicant's fingerprints taken by the sheriff or his or her agent; (c) A front-view colored photograph of the applicant taken by the sheriff or his or her agent; (d) If the applicant is a resident of this State, the driver's license number or identification card number of the applicant issued by the Department of Motor Vehicles; (e) If the applicant is not a resident of this State, the driver's license number or identification card number of the applicant issued by another state or jurisdiction; (f) If the applicant is a person described in subparagraph (2) of paragraph (a) of subsection 3, proof that the applicant: (1) Is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard, as evidenced by his or her current military identification card; or (2) Was discharged or released from service in the Armed Forces of the United States, a reserve component thereof or the National Guard under honorable conditions, as evidenced by his or her DD Form 214, "Certificate of Release or Discharge from Active Duty," or other document of honorable separation issued by the United States Department of Defense; (g) A nonrefundable fee equal to the nonvolunteer rate charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation to obtain the reports required pursuant to subsection 1 of NRS 202.366; and (h) A nonrefundable fee set by the sheriff not to exceed \$60. (Added to NRS by 1995, 2721; A 1997, 1175; 2001, 612, 618, 2579; 2003, 8, 11; 2007, 3151; 2011, 751, 1779, 3107; 2013, 1139; 2017, 212; 2019, 4184, 4423; 2021, 601)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.366 - Investigation of applicant for permit; issuance or denial of permit; expiration of permit.

1. Upon receipt by a sheriff of an application for a permit, including an application for the renewal of a permit pursuant to NRS 202.3677, the sheriff shall conduct an investigation of the applicant to determine if the applicant is eligible for a permit. In conducting the investigation, the sheriff shall forward a complete set of the applicant's fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report concerning the criminal history of the applicant. The investigation also must include a report from the National Instant Criminal Background Check System. The sheriff shall issue a permit to the applicant unless the applicant is not qualified to possess a handgun pursuant to state or federal law or is not otherwise qualified to obtain a permit pursuant to NRS 202.3653 to 202.369, inclusive, or the regulations adopted pursuant thereto. 2. To assist the sheriff in conducting the investigation, any local law enforcement agency, including the sheriff of any county, may voluntarily submit to the sheriff a report or other information concerning the criminal history of an applicant. 3. Within 120 days after a complete application for a permit is submitted, the sheriff to whom the application is submitted shall grant or deny the application. If the application is denied, the sheriff shall send the applicant written notification setting forth the reasons for the denial. If the application is granted, the sheriff shall provide the applicant with a permit containing a colored photograph of the applicant and containing such other information as may be prescribed by the Department. The permit must be in substantially the following form: NEVADA CONCEALED FIREARM PERMIT County..... Permit Number..... Expires..... Date of Birth.....

Height..... Weight..... Name.....
Address..... City..... Zip..... Photograph
Signature..... Issued by..... Date of Issue..... 4. Unless suspended
or revoked by the sheriff who issued the permit, a permit expires 5 years after the date on which it is issued. 5. As used in this
section, "National Instant Criminal Background Check System" means the national system created by the federal Brady Handgun
Violence Prevention Act, Public Law 103-159. (Added to NRS by 1995, 2723; A 1999, 2094; 2001, 614, 620; 2003, 13, 2846; 2007,
3153; 2011, 754, 1781, 3109; 2013, 1141)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3662 - Confidentiality of information about applicant for permit and permittee.

1. Except as otherwise provided in this section and NRS 202.3665 and 239.0115: (a) An application for a permit, and all information contained within that application; (b) All information provided to a sheriff or obtained by a sheriff in the course of the investigation of an applicant or permittee; (c) The identity of the permittee; and (d) Any records regarding the suspension, restoration or revocation of a permit, are confidential. 2. Any records regarding an applicant or permittee may be released to a law enforcement agency for the purpose of conducting an investigation or prosecution. 3. Statistical abstracts of data compiled by a sheriff regarding permits applied for or issued pursuant to NRS 202.3653 to 202.369, inclusive, including, but not limited to, the number of applications received and permits issued, may be released to any person. (Added to NRS by 1997, 1174; A 1999, 851; 2007, 2077; 2011, 754, 3110)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3663 - Judicial review of denial of application for permit.

If an application for a permit is denied by a sheriff, the applicant who submitted the application may seek a judicial review of the denial by filing a petition in the district court for the county in which the applicant filed the application for a permit. A judicial review conducted pursuant to this section must be limited to a determination of whether the denial was arbitrary, capricious or otherwise characterized by an abuse of discretion and must be conducted in accordance with the procedures set forth in chapter 233B of NRS for reviewing a final decision of an agency. (Added to NRS by 1995, 2724; A 2001, 615)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3665 - Duties of sheriff upon receiving notification that applicant or permittee has been charged with or convicted of crime involving use or threatened use of force or violence.

1. If a sheriff who is processing an application for a permit receives notification pursuant to NRS 202.3657 that the applicant has been: (a) Charged with a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to NRS 202.3657: (1) Suspended the processing of the application until the final disposition of the charges against the applicant; or (2) Resumed the processing of the application following the dropping of charges against the applicant or the acquittal of the applicant. (b) Convicted of a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to NRS 202.3657, denied the application. 2. If a sheriff who has issued a permit to a permittee receives notification pursuant to NRS 202.3657 that the permittee has been: (a) Charged with a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to NRS 202.3657: (1) Suspended the permit of the permittee until the final disposition of the charges against the permittee; or (2) Restored the permit of the permittee following the dropping of charges against the permittee or the acquittal of the permittee. (b) Convicted of a crime involving the use or threatened use of force or violence, the sheriff shall notify any victim of the crime of the fact that the sheriff has, pursuant to NRS 202.3657, revoked the permit of the permittee. 3. The sheriff shall notify a victim pursuant to subsection 1 or 2 not later than 10 days after the date on which the sheriff performs one of the actions listed in subsection 1 or 2 concerning an application or a permit. (Added to NRS by 1999, 850)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3667 - Permittee to carry permit and proper identification when in possession of concealed firearm; penalty.

1. Each permittee shall carry the permit, or a duplicate issued pursuant to the provisions of NRS 202.367, together with proper identification whenever the permittee is in actual possession of a concealed firearm. Both the permit and proper identification must be presented if requested by a peace officer. 2. A permittee who violates the provisions of this section is subject to a civil penalty of \$25 for each violation. (Added to NRS by 1995, 2724)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.367 - Duplicate permit; notification to sheriff of recovered permit; penalty.

1. A permittee shall notify the sheriff who issued his or her permit in writing within 30 days if the permittee's: (a) Permanent address changes; or (b) Permit is lost, stolen or destroyed. 2. The sheriff shall issue a duplicate permit to a permittee if the permittee: (a) Submits a written statement to the sheriff, signed under oath, stating that his or her permit has been lost, stolen or destroyed; and (b) Pays a nonrefundable fee of \$15. 3. If any permittee subsequently finds or recovers his or her permit after being issued a

duplicate permit pursuant to this section, the permittee shall, within 10 days: (a) Notify the sheriff in writing; and (b) Return the duplicate permit to the sheriff. 4. A permittee who fails to notify a sheriff pursuant to the provisions of this section is subject to a civil penalty of \$25. (Added to NRS by 1995, 2724)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3673 - Permittee authorized to carry concealed firearm while on premises of public building; exceptions; penalty.

1. Except as otherwise provided in subsections 2 and 3, a permittee may carry a concealed firearm while the permittee is on the premises of any public building. 2. A permittee shall not carry a concealed firearm while the permittee is on the premises of a public building that is located on the property of a public airport. 3. A permittee shall not carry a concealed firearm while the permittee is on the premises of: (a) A public building that is located on the property of a public school or a child care facility or the property of the Nevada System of Higher Education, unless the permittee has obtained written permission to carry a concealed firearm while he or she is on the premises of the public building pursuant to subparagraph (3) of paragraph (a) of subsection 3 of NRS 202.265. (b) A public building that has a metal detector at each public entrance or a sign posted at each public entrance indicating that no firearms are allowed in the building, unless the permittee is not prohibited from carrying a concealed firearm while he or she is on the premises of the public building pursuant to subsection 4. 4. The provisions of paragraph (b) of subsection 3 do not prohibit: (a) A permittee who is a judge from carrying a concealed firearm in the courthouse or courtroom in which the judge presides or from authorizing a permittee to carry a concealed firearm while in the courtroom of the judge and while traveling to and from the courtroom of the judge. (b) A permittee who is a prosecuting attorney of an agency or political subdivision of the United States or of this State from carrying a concealed firearm while he or she is on the premises of a public building. (c) A permittee who is employed in the public building from carrying a concealed firearm while he or she is on the premises of the public building. (d) A permittee from carrying a concealed firearm while he or she is on the premises of the public building if the permittee has received written permission from the person in control of the public building to carry a concealed firearm while the permittee is on the premises of the public building. 5. A person who violates subsection 2 or 3 is guilty of a misdemeanor. 6. As used in this section: (a) "Child care facility" has the meaning ascribed to it in paragraph (a) of subsection 5 of NRS 202.265. (b) "Public building" means any building or office space occupied by: (1) Any component of the Nevada System of Higher Education and used for any purpose related to the System; or (2) The Federal Government, the State of Nevada or any county, city, school district or other political subdivision of the State of Nevada and used for any public purpose. If only part of the building is occupied by an entity described in this subsection, the term means only that portion of the building which is so occupied. (Added to NRS by 1995, 2725; A 1997, 63; 1999, 2767; 2007, 1914)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3677 - Application for renewal of permit; fees; demonstrated continued competence required.

1. If a permittee wishes to renew his or her permit, the permittee must: (a) Complete and submit to the sheriff who issued the permit an application for renewal of the permit; and (b) Undergo an investigation by the sheriff pursuant to NRS 202.366 to determine if the permittee is eligible for a permit. 2. An application for the renewal of a permit must: (a) Be completed and signed under oath by the applicant; (b) Contain a statement that the applicant is eligible to receive a permit pursuant to NRS 202.3657; (c) Be accompanied by a nonrefundable fee equal to the nonvolunteer rate charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation to obtain the reports required pursuant to subsection 1 of NRS 202.366; and (d) Be accompanied by a nonrefundable fee of \$25. If a permittee fails to renew his or her permit on or before the date of expiration of the permit, the application for renewal must include an additional nonrefundable late fee of \$15. 3. No permit may be renewed pursuant to this section unless the permittee has demonstrated continued competence with handguns by successfully completing a course prescribed by the sheriff renewing the permit. (Added to NRS by 1995, 2725; A 2007, 3154; 2011, 755, 1782, 3110; 2013, 1142)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3678 - Application for certification as qualified retired law enforcement officer; law enforcement agency required to offer certain officers opportunity to obtain qualifications necessary for certification; fees.

1. A retired law enforcement officer who is a resident of this State may apply, on a form prescribed by regulation of the Department, to the sheriff of the county in which he or she resides for any certification required pursuant to 18 U.S.C. § 926C(d) to become a qualified retired law enforcement officer. Application forms for certification must be provided by the sheriff of each county upon request. 2. A law enforcement agency in this State shall offer a retired law enforcement officer who retired from the law enforcement agency the opportunity to obtain the firearms qualification that is necessary to obtain the certification from the sheriff pursuant to subsection 1 at least twice per year at the same facility at which the law enforcement agency provides firearms training for its active law enforcement officers. The law enforcement agency may impose a nonrefundable fee in the amount necessary to pay the expenses for providing the firearms qualification. 3. The sheriff shall provide the certification pursuant to subsection 1 to a retired law enforcement officer who submits a completed application and pays any fee required pursuant to this subsection if the sheriff determines that the officer meets the standards for training and qualifications. The sheriff may impose a nonrefundable fee in the amount necessary to pay the expenses in providing the certification. 4. As used in this section: (a) "Law enforcement agency" has the meaning ascribed to it in NRS 239C.065. (b) "Qualified retired law enforcement officer" has the meaning ascribed to it in 18

U.S.C. § 926C. (Added to NRS by 2005, 593; A 2009, 563)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.368 - Fees to be deposited with county treasurer.

All fees collected pursuant to the provisions of NRS 202.3653 to 202.369, inclusive, must be deposited with the county treasurer of the county in which the fees are collected and: 1. If the county has a metropolitan police department created pursuant to chapter 280 of NRS, credited to the general fund of that metropolitan police department; or 2. If the county does not have a metropolitan police department created pursuant to chapter 280 of NRS, credited to the general fund of that county. (Added to NRS by 1995, 2725; A 2005, 596)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3683 - Immunity of state and local governments from civil liability.

The State or any political subdivision of the State, the Department, a sheriff, law enforcement agency, firearm safety or training instructor or any other person who, in good faith and without gross negligence, acts pursuant to the provisions of NRS 202.3653 to 202.369, inclusive, is immune from civil liability for those acts. Such acts include, but are not limited to, the receipt, review or investigation of an application for a permit, the certification of a retired law enforcement officer, or the issuance, denial, suspension, revocation or renewal of a permit. (Added to NRS by 1995, 2725; A 2005, 596)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3687 - Temporary permits.

1. The provisions of NRS 202.3653 to 202.369, inclusive, do not prohibit a sheriff from issuing a temporary permit. A temporary permit may include, but is not limited to, provisions specifying the period for which the permit is valid. 2. Each sheriff who issues a permit pursuant to the provisions of NRS 202.3653 to 202.369, inclusive, shall provide such information concerning the permit and the person to whom it is issued to the Central Repository for Nevada Records of Criminal History. (Added to NRS by 1995, 2726; A 1999, 2095; 2007, 3154)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3688 - Circumstances in which holder of permit issued by another state may carry concealed firearm in this State.

1. Except as otherwise provided in subsection 2, a person who possesses a permit to carry a concealed firearm that was issued by a state included in the list prepared pursuant to NRS 202.3689 may carry a concealed firearm in this State in accordance with the requirements set forth in NRS 202.3653 to 202.369, inclusive. 2. A person who possesses a permit to carry a concealed firearm that was issued by a state included in the list prepared pursuant to NRS 202.3689 may not carry a concealed firearm in this State if the person: (a) Becomes a resident of this State; and (b) Has not been issued a permit from the sheriff of the county in which he or she resides within 60 days after becoming a resident of this State. (Added to NRS by 2007, 3150; A 2015, 1783)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.3689 - Department to prepare list of states that meet certain requirements concerning permits; Department to provide copy of list to law enforcement agencies in this State; Department to make list available to public.

1. On or before July 1 of each year, the Department shall: (a) Determine whether each state requires a person to complete any training, class or program before the issuance of a permit to carry a concealed firearm in that state. (b) Determine whether each state has an electronic database which identifies each individual who possesses a valid permit to carry a concealed firearm issued by that state and which a law enforcement officer in this State may access at all times through a national law enforcement telecommunications system. (c) Prepare a list of states that meet the requirements of paragraphs (a) and (b). (d) Provide a copy of the list prepared pursuant to paragraph (c) to each law enforcement agency in this State. 2. The Department shall, upon request, make the list prepared pursuant to subsection 1 available to the public. (Added to NRS by 2007, 3150; A 2015, 1783, 2691)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.369 - Regulations.

The Department may adopt such regulations as are necessary to carry out the provisions of NRS 202.3653 to 202.369, inclusive. (Added to NRS by 1995, 2726; A 2005, 596)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.370 - Definitions.

As used in NRS 202.370 to 202.440, inclusive: 1. "Shell," "cartridge" or "bomb" includes all shells, cartridges or bombs capable of being discharged or exploded, when such discharge or explosions will cause or permit the release or emission of tear gas. 2. "Tear gas" includes all liquid, gaseous or solid substances intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispersed in the air. The term does not include a liquid, gaseous or solid substance whose active ingredient is composed of natural substances or products derived from natural substances which cause no permanent injury through being vaporized or otherwise dispersed in the air. 3. "Weapon designed for the use of such shell, cartridge or bomb" includes all revolvers, pistols, fountain pen guns, billies, riot guns or other form of device, portable or fixed, intended for the projection or release of tear gas except those regularly manufactured and sold for use with firearm ammunition. [2:273:1955]—(NRS A 1977,

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.375 - Applicability of NRS 202.370 to 202.440, inclusive, to small weapons containing "CS" tear gas and to certain law enforcement, correctional and military personnel.

1. The provisions of NRS 202.370 to 202.440, inclusive, do not apply to the sale or purchase by any adult, or the possession or use by any person, including a minor but not including a convicted person as defined in NRS 179C.010, of any form of: (a) Cartridge which contains not more than 2 fluid ounces in volume of "CS" tear gas that may be propelled by air or another gas, but not an explosive, in the form of an aerosol spray; or (b) Weapon designed for the use of such a cartridge which does not exceed that size, and which is designed and intended for use as an instrument of self-defense. 2. A seller, before delivering to a purchaser a cartridge or weapon which may be sold pursuant to subsection 1, must record and maintain for not less than 2 years the name and address of the purchaser and the brand name, model number or type, and serial number if there is one, of the weapon or cartridge, or both. 3. The provisions of NRS 202.370 to 202.440, inclusive, do not prohibit police departments or regular salaried peace officers thereof, sheriffs and their regular salaried deputies, the Director, deputy director and superintendents of, and guards employed by, the Department of Corrections, personnel of the Nevada Highway Patrol or the military or naval forces of this state or of the United States from purchasing, possessing or transporting any shells, cartridges, bombs or weapons for official use in the discharge of their duties. 4. As used in this section, "CS" tear gas means a crystalline powder containing ortho-chlorobenzalmalononitrile. (Added to NRS by 1981, 2050; A 2001 Special Session, 232)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.380 - Sale or possession of tear gas bombs or weapons which are not permitted under NRS 202.370 to 202.440, inclusive; penalties.

1. A person, other than a convicted person, who within this state knowingly sells or offers for sale, possesses or transports any form of shell, cartridge or bomb containing or capable of emitting tear gas, or any weapon designed for the use of such shell, cartridge or bomb, except as permitted under the provisions of NRS 202.370 to 202.440, inclusive, is guilty of a gross misdemeanor. 2. A convicted person who owns or has in his or her possession or under his or her custody or control any form of shell, cartridge or bomb containing or capable of emitting tear gas, or any weapon designed for the use of such a shell, cartridge or bomb, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. 3. As used in this section, the term "convicted person" has the meaning ascribed to it in NRS 179C.010. [1:273:1955]—(NRS A 1967, 487; 1975, 116; 1977, 867; 1981, 2051; 1995, 1209)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.390 - Weapon to bear name of manufacturer and serial number; penalty for removal.

1. Each tear gas weapon sold, transported or possessed under the authority of NRS 202.370 to 202.440, inclusive, shall bear the name of the manufacturer and a serial number applied by the manufacturer. 2. No person shall change, alter, remove or obliterate the name of the manufacturer, the serial number or any other mark of identification on any tear gas weapon. Possession of any such weapon upon which the same shall have been changed, altered, removed or obliterated, shall be presumptive evidence that such possessor has changed, altered, removed or obliterated the same. 3. Any person who violates any of the provisions of this section is guilty of a gross misdemeanor. [3:273:1955] + [4:273:1955]—(NRS A 1967, 488)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.400 - Permit for possession, transportation and use in protective system to be issued by sheriff.

1. The sheriff of any county may issue a permit for the possession and transportation of such shells, cartridges, bombs or weapons to any applicant who submits proof that good cause exists for issuance of the permit. 2. The permit may also allow the applicant to install, maintain and operate a protective system involving the use of such shells, cartridges, bombs or weapons in any place which is accurately and completely described in the application for the permit. [5:273:1955]—(NRS A 1973, 338; 1975, 116)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.410 - Applications for permits: Contents.

1. All applications for such permits shall: (a) Be filed in writing; (b) Be signed by the applicant if an individual, or by a member or officer qualified to sign if the applicant is a firm or corporation; and (c) State the name, business in which engaged, business address, a full description of the place or vehicle in which such shells, cartridges, bombs or weapons are to be transported, kept, installed or maintained. 2. If such shells, cartridges, bombs or weapons are to be used in connection with or to constitute a protective system, the application shall also contain the name of the person who is to install such protective system. [6:273:1955]

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.420 - Inspection of permits.

Every person, firm or corporation to whom a permit is issued shall either carry the same upon his or her person or keep the same in the place described in the permit. The permit shall be open to inspection by any peace officer or other person designated by the

authority issuing the permit. [7:273:1955]—(NRS A 1975, 116)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.430 - Revocation of permits.

Permits issued in accordance with NRS 202.370 to 202.440, inclusive, may be revoked by the issuing authority at any time when it shall appear that the need for the possession or transportation of such shells, cartridges, bombs, weapons, or protective system involving the use of the same, has ceased, or that the holder of the permit has engaged in an unlawful business or occupation or has wrongfully made use of such shells, cartridges, bombs or weapons or the permit issued. [8:273:1955]

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.440 - License for retail sale of bombs or weapons; conditions.

The sheriff of any county may also grant licenses in a form to be prescribed by the sheriff, effective for not more than 1 year from the date of issuance, to permit the sale at retail, at the place specified in the license, of such shells, cartridges, bombs or weapons, and to permit the installation and maintenance of protective systems involving the use of such shells, cartridges, bombs or weapons, subject to the following conditions, upon breach of any of which the license shall be subject to forfeiture: 1. Such business shall be carried on only in the building designated in the license. 2. Such license or certified copy thereof must be displayed on the premises in a place where it may easily be read. 3. No such shell, cartridge, bomb or weapon shall be delivered to any person not authorized to possess or transport the same under the provisions of NRS 202.370 to 202.440, inclusive. No protective system involving the use of such shells, cartridges, bombs or weapons shall be installed, nor shall supplies be sold for the maintenance of such system, unless the licensee has personal knowledge of the existence of a valid permit for the operation and maintenance of such system. 4. A complete record must be kept of sales made under the authority of the license, showing the name and address of the purchaser, the quantity and description of the articles purchased, together with the serial number, if any, the number and date of issue of the purchaser's permit, and the signature of the purchaser or purchasing agent. No sale shall be made unless the permit authorizing possession and transportation of shells, cartridges, bombs or weapons is displayed to the seller and the information herein required is copied therefrom. This record shall be open to the inspection of any peace officer or other person designated by the sheriff. [9:273:1955]—(NRS A 1973, 338; 1975, 116)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.441 - Definitions.

As used in NRS 202.441 to 202.449, inclusive, unless the context otherwise requires, the words and terms defined in NRS 202.4415 to 202.4445, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1999, 3; A 2003, 2949; 2007, 996)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.4415 - "Act of terrorism" defined.

1. "Act of terrorism" means any act that involves the use or attempted use of sabotage, coercion or violence which is intended to: (a) Cause great bodily harm or death to the general population; or (b) Cause substantial destruction, contamination or impairment of: (1) Any building or infrastructure, communications, transportation, utilities or services; or (2) Any natural resource or the environment.
2. As used in this section, "coercion" does not include an act of civil disobedience. (Added to NRS by 2003, 2947)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.442 - "Biological agent" defined.

"Biological agent" means any microorganism, virus, infectious substance or other biological substance, material or product, or any component or compound thereof, which is naturally occurring, cultivated, engineered, processed, extracted or manufactured and which is capable of causing: 1. Death or substantial bodily harm; 2. Substantial deterioration or contamination of food, water, equipment, supplies or material of any kind; or 3. Substantial damage to natural resources or the environment. (Added to NRS by 1999, 3; A 2003, 2949)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.4425 - "Chemical agent" defined.

"Chemical agent" means any chemical substance, material or product, or any component or compound thereof, which is naturally occurring, cultivated, engineered, processed, extracted or manufactured and which is capable of causing: 1. Death or substantial bodily harm; 2. Substantial deterioration or contamination of food, water, equipment, supplies or material of any kind; or 3. Substantial damage to natural resources or the environment. (Added to NRS by 2003, 2947)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.443 - "Delivery system" defined.

"Delivery system" means any apparatus, equipment, implement, device or means of delivery which is specifically designed to send, disperse, release, discharge or disseminate any weapon of mass destruction, any biological agent, chemical agent, radioactive agent or other lethal agent or any toxin. (Added to NRS by 1999, 3; A 2003, 2949)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.4431 - "For use as a weapon" defined.

1. "For use as a weapon" means having the capability to be used in a harmful or threatening manner. 2. The term does not include any act that is done lawfully for a prophylactic, protective or peaceful purpose. (Added to NRS by 2003, 2947)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.4432 - "Hoax substance" defined.

"Hoax substance" means any item that appears to a reasonable person to be a weapon of mass destruction, biological agent, chemical agent, radioactive agent or other lethal agent, any toxin or any delivery system for use as a weapon. (Added to NRS by 2007, 995)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.4433 - "Material support" defined.

"Material support" means any financial, logistical, informational or other support or assistance intended to further an act of terrorism. (Added to NRS by 2003, 2947)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.4435 - "Oral, written or electronic communication" defined.

"Oral, written or electronic communication" includes, without limitation, any of the following: 1. A letter, note or any other type of written correspondence. 2. An item of mail or a package delivered by any person or postal or delivery service. 3. A telegraph or wire service, or any other similar means of communication. 4. A telephone, cellular phone, satellite phone, pager or facsimile machine, or any other similar means of communication. 5. A radio, television, cable, closed circuit, wire, wireless, satellite or other audio or video broadcast or transmission, or any other similar means of communication. 6. An audio or video recording or reproduction, or any other similar means of communication. 7. An item of electronic mail, a computer, computer network or computer system, or any other similar means of communication. (Added to NRS by 2003, 2947)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.4437 - "Radioactive agent" defined.

"Radioactive agent" means any radioactive substance, material or product, or any component or compound thereof, which is naturally occurring, cultivated, engineered, processed, extracted or manufactured and which is capable of causing: 1. Death or substantial bodily harm; 2. Substantial deterioration or contamination of food, water, equipment, supplies or material of any kind; or 3. Substantial damage to natural resources or the environment. (Added to NRS by 2003, 2948)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.4439 - "Terrorist" defined.

"Terrorist" means a person who intentionally commits, causes, aids, furthers or conceals an act of terrorism or attempts to commit, cause, aid, further or conceal an act of terrorism. (Added to NRS by 2003, 2948)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.444 - "Toxin" defined.

"Toxin" means any toxic substance, material or product, or any component or compound thereof, which is naturally occurring, cultivated, engineered, processed, extracted or manufactured and which is capable of causing: 1. Death or substantial bodily harm; 2. Substantial deterioration or contamination of food, water, equipment, supplies or material of any kind; or 3. Substantial damage to natural resources or the environment. (Added to NRS by 1999, 3; A 2003, 2949)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.4445 - "Weapon of mass destruction" defined.

"Weapon of mass destruction" means any weapon or device that is designed or intended to create a great risk of death or substantial bodily harm to a large number of persons. (Added to NRS by 2003, 2948)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.445 - Acts of terrorism or attempted acts of terrorism prohibited; penalties.

1. A person shall not knowingly or intentionally commit or cause an act of terrorism or attempt to commit or cause an act of terrorism. 2. A person shall not knowingly or intentionally: (a) Aid, further or conceal or attempt to aid, further or conceal an act of terrorism; (b) Assist, solicit or conspire with another person to commit, cause, aid, further or conceal an act of terrorism; or (c) Provide material support with the intent that such material support be used, in whole or in part, to: (1) Commit, cause, aid, further or conceal an act of terrorism; or (2) Aid a terrorist or conceal a terrorist from detection or capture. 3. A person who violates subsection 1 is guilty of a category A felony and: (a) Shall be punished by imprisonment: (1) For life without the possibility of parole; (2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 20 years has been served; or (3) For a definite term of 50 years, with eligibility for parole beginning when a minimum of 20 years has been served; and (b) Shall further be punished by a fine of at least \$50,000 but not more than \$100,000. 4. A person who violates subsection 2 is guilty of a category A

felony and: (a) Shall be punished by imprisonment: (1) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or (2) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served; and (b) Shall be further punished by a fine of at least \$25,000 but not more than \$50,000. 5. In addition to any other penalty, the court shall order a person who violates the provisions of this section to pay restitution: (a) To each victim for any injuries that are a result of the violation; and (b) To the State of Nevada or a local government for any costs that arise from the violation. (Added to NRS by 2003, 2948)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.446 - Certain acts related to weapons of mass destruction, lethal agents, toxins and delivery systems prohibited; penalties.

1. A person shall not knowingly: (a) Develop, manufacture, produce, assemble, stockpile, transfer, transport, acquire, retain, store, test or possess any weapon of mass destruction, any biological agent, chemical agent, radioactive agent or other lethal agent, any toxin or any delivery system for use as a weapon; or (b) Send, deliver, disperse, release, discharge, disseminate or use any weapon of mass destruction, any biological agent, chemical agent, radioactive agent or other lethal agent, any toxin or any delivery system: (1) With the intent to cause harm, whether or not such harm actually occurs; or (2) Under circumstances reasonably likely to cause harm, whether or not such harm actually occurs. 2. A person shall not knowingly: (a) Attempt to do any act described in subsection 1; or (b) Assist, solicit or conspire with another person to do any act described in subsection 1. 3. A person who violates any provision of subsection 1 is guilty of a category A felony and shall be punished: (a) If the crime does not result in substantial bodily harm or death: (1) By imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served, and shall further be punished by a fine of not more than \$20,000; or (2) By imprisonment in the state prison for a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served, and shall further be punished by a fine of not more than \$20,000. (b) If the crime results in substantial bodily harm or death: (1) By imprisonment in the state prison for life without the possibility of parole, and shall further be punished by a fine of not more than \$50,000; (2) By imprisonment in the state prison for life, with the possibility of parole, with eligibility for parole beginning when a minimum of 20 years has been served, and shall further be punished by a fine of not more than \$50,000; or (3) By imprisonment in the state prison for a definite term of 40 years, with eligibility for parole beginning when a minimum of 20 years has been served, and shall further be punished by a fine of not more than \$50,000. 4. A person who violates any provision of subsection 2 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and shall further be punished by a fine of not more than \$10,000. 5. In addition to any other penalty, the court shall order a person who violates the provisions of this section to pay restitution: (a) To each victim for any injuries that are a result of the violation; and (b) To the State of Nevada or a local government for any costs that arise from the violation. 6. The provisions of this section do not apply to any act that is committed in a lawful manner and in the course of a lawful business, event or activity. (Added to NRS by 1999, 3; A 2003, 2949)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.448 - Making threats or conveying false information concerning acts of terrorism, weapons of mass destruction, lethal agents or toxins prohibited; penalty.

1. A person shall not, through the use of any means of oral, written or electronic communication, knowingly make any threat or convey any false information concerning an act of terrorism or the presence, development, manufacture, production, assemblage, transfer, transportation, acquisition, retention, storage, testing, possession, delivery, dispersion, release, discharge or use of any weapon of mass destruction, any biological agent, chemical agent, radioactive agent or other lethal agent or any toxin with the intent to: (a) Injure, intimidate or alarm any person, whether or not any person is actually injured, intimidated or alarmed thereby; (b) Cause panic or civil unrest, whether or not such panic or civil unrest actually occurs; (c) Extort or profit thereby, whether or not the extortion is actually successful or any profit actually occurs; or (d) Interfere with the operations of or cause economic or other damage to any person or any officer, agency, board, bureau, commission, department, division or other unit of federal, state or local government, whether or not such interference or damage actually occurs. 2. A person who violates any provision of subsection 1 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$5,000. 3. The provisions of this section do not apply to any act that is committed in a lawful manner and in the course of a lawful business, event or activity. (Added to NRS by 1999, 4; A 2003, 2950; 2007, 996)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.449 - Dispersing hoax substance prohibited; penalties.

1. A person shall not, through the use of any means of delivery, including, without limitation, mail, package delivery services, mail couriers or drop payment boxes, disperse or cause to be dispersed any hoax substance with the intent to: (a) Injure, intimidate, alarm or cause mental anguish to any person, whether or not any person is actually injured, intimidated, alarmed or caused mental anguish thereby; (b) Cause any reasonable person to believe that the person was contaminated by or exposed to a biological agent, chemical agent, radioactive agent or other lethal agent, any toxin or any nuclear or explosive substance; (c) Cause panic or civil unrest, whether or not such panic or civil unrest actually occurs; (d) Extort or profit thereby, whether or not the extortion is actually successful or any profit actually occurs; or (e) Interfere with the operations of or cause economic or other damage to any person or

business, whether or not such interference or damage actually occurs. 2. Except as otherwise provided in subsection 3, a person who violates any provision of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. Unless a greater penalty is provided by specific statute, if a person violates any provision of subsection 1 and the violation proximately causes the death of, or substantial bodily harm to, any other person, the person is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$5,000. 4. In addition to any other penalty, the court shall order a person who violates any provision of subsection 1 to pay restitution to any public agency for any expenses of a response to a hoax substance that arise from the violation. 5. As used in this section: (a) "Expenses of a response to a hoax substance" includes, without limitation, the reasonable costs incurred by a public agency in making an appropriate response to or investigation of a hoax substance, including, without limitation, the salary or wages of any person responding to or investigating a hoax substance, the deemed wages of any volunteer of a public agency participating in the response or investigation, the costs for use or operation of any equipment and the costs for the use or expenditure of any resources, fuel or other materials. (b) "Public agency" means an agency, bureau, board, commission, department or division of the State of Nevada or a political subdivision of the State of Nevada that provides police, fire-fighting, rescue or emergency medical services. (Added to NRS by 2007, 995)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.450 - Definition.

1. A public nuisance is a crime against the order and economy of the State. 2. Every place: (a) Wherein any gambling, bookmaking or pool selling is conducted without a license as provided by law, or wherein any swindling game or device, or bucket shop, or any agency therefor is conducted, or any article, apparatus or device useful therefor is kept; (b) Wherein any fighting between animals or birds is conducted; (c) Wherein any dog races are conducted as a gaming activity; (d) Wherein any intoxicating liquors are kept for unlawful use, sale or distribution; (e) Wherein a controlled substance, immediate precursor or controlled substance analog is unlawfully sold, served, stored, kept, manufactured, used or given away; or (f) That is regularly and continuously used by the members of a criminal gang to engage in, or facilitate the commission of, crimes by the criminal gang, is a public nuisance. 3. Every act unlawfully done and every omission to perform a duty, which act or omission: (a) Annoys, injures or endangers the safety, health, comfort or repose of any considerable number of persons; (b) Offends public decency; (c) Unlawfully interferes with, befools, obstructs or tends to obstruct, or renders dangerous for passage, a lake, navigable river, bay, stream, canal, ditch, millrace or basin, or a public park, square, street, alley, bridge, causeway or highway; or (d) In any way renders a considerable number of persons insecure in life or the use of property, is a public nuisance. 4. A building or place which was used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog is a public nuisance if the building or place has not been deemed safe for habitation by the board of health and: (a) The owner of the building or place allows the building or place to be used for any purpose before all materials or substances involving the controlled substance, immediate precursor or controlled substance analog have been removed from or remediated on the building or place by an entity certified or licensed to do so; or (b) The owner of the building or place fails to have all materials or substances involving the controlled substance, immediate precursor or controlled substance analog removed from or remediated on the building or place by an entity certified or licensed to do so within 180 days after the building or place is no longer used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog. 5. Except as otherwise provided in subsections 6 and 7, it is a public nuisance for any person: (a) By force, threat or intimidation, or by fencing or otherwise enclosing, or by any other unlawful means, to prevent or obstruct the free passage or transit over or through any: (1) Highway designated as a United States highway; (2) Highway designated as a state highway pursuant to NRS 408.285; (3) Main, general or minor county road designated pursuant to NRS 403.170; (4) Public road, as defined in subsection 2 of NRS 405.191; (5) State land or other public land; or (6) Land dedicated to public use; or (b) To knowingly misrepresent the status of or assert any right to the exclusive use and occupancy of such a highway, road, state land or other public land or land dedicated to public use, if the person has no leasehold interest, claim or color of title, made or asserted in good faith, in or to the highway, road, state land or other public land or land dedicated to public use. 6. An unlocked gate which is erected and maintained across: (a) A road described in subparagraph (3) or (4) of paragraph (a) of subsection 5 located in a county whose population is less than 100,000, does not, in and of itself, constitute a public nuisance if the gate is erected and maintained in accordance with the rules and regulations of the board of county highway commissioners made pursuant to NRS 403.095. (b) A road described in subparagraph (4) of paragraph (a) of subsection 5 located in a county whose population is 100,000 or more, does not, in and of itself, constitute a public nuisance if the gate is erected and maintained pursuant to an ordinance adopted or an agreement entered into by the board of county commissioners pursuant to NRS 405.280. 7. It is not a public nuisance for a person to fence or otherwise enclose any public land if such fencing or enclosure is authorized or required by a federal agency having jurisdiction over the public land. 8. Agricultural activity conducted on farmland consistent with good agricultural practice and established before surrounding nonagricultural activities is not a public nuisance unless it has a substantial adverse effect on the public health or safety. It is presumed that an agricultural activity which does not violate a federal, state or local law, ordinance or regulation constitutes good agricultural practice. 9. A shooting range is not a public nuisance with respect to any noise attributable to the shooting range if the shooting range is in compliance with the provisions of all applicable statutes, ordinances and regulations concerning noise: (a) As those provisions existed on October 1, 1997, for a shooting range that begins operation on or before October 1, 1997; or (b) As those provisions exist on the date that the shooting range begins operation, for a shooting range in operation after October 1, 1997. A shooting range is not subject to any state or local law related to the control of noise that is adopted or amended after the date set forth in paragraph (a) or (b), as applicable, and does not constitute a

nuisance for failure to comply with any such law. 10. A request for emergency assistance by a tenant as described in NRS 118A.515 and 118B.152 is not a public nuisance. 11. As used in this section: (a) "Board of health" has the meaning ascribed to it in NRS 439.4797. (b) "Controlled substance analog" has the meaning ascribed to it in NRS 453.043. (c) "Criminal gang" has the meaning ascribed to it in NRS 193.168. (d) "Immediate precursor" has the meaning ascribed to it in NRS 453.086. (e) "Shooting range" has the meaning ascribed to it in NRS 40.140. (f) "State land" has the meaning ascribed to it in NRS 383.425. [1911 C&P § 296; A 1941, 64; 1949, 143; 1943 NCL § 10244]—(NRS A 1973, 463; 1977, 1039; 1985, 874; 1997, 951, 1472, 1473, 3129; 1999, 641; 2007, 3129; 2009, 827, 1311; 2017, 285; 2019, 2578; 2021, 1490)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.460 - Unequal damage.

An act which affects a considerable number of persons in any of the ways specified in NRS 202.450 is not less a public nuisance because the extent of the damage is unequal. [1911 C&P § 297; RL § 6562; NCL § 10245]

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.470 - Maintaining or permitting nuisance: Penalty.

Every person who: 1. Shall commit or maintain a public nuisance, for which no special punishment is prescribed; or 2. Shall willfully omit or refuse to perform any legal duty relating to the removal of such nuisance; or 3. Shall let, or permit to be used, any building or boat, or portion thereof, knowing that it is intended to be, or is being used, for committing or maintaining any such nuisance, shall be guilty of a misdemeanor. [1911 C&P § 298; RL § 6563; NCL § 10246]

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.480 - Abatement of nuisance; civil penalty.

1. Any court or magistrate before whom there may be pending any proceeding for a violation of NRS 202.470 shall, in addition to any fine or other punishment which it may impose for such a violation, order: (a) The defendant to abate the nuisance. The abatement must begin within 3 days after the court or magistrate enters the order to abate and must be completed within the time period specified by the court or magistrate. The responsible agency shall supervise the abatement and report to the court or magistrate regarding whether the abatement was successfully completed within the time period specified by the court or magistrate. (b) The defendant to pay a civil penalty of not less than \$500 but not more than \$5,000. If ordered by the court or magistrate, the penalty may be paid in installments. The responsible agency may attempt to collect a civil penalty or installment that is in default in any manner provided by law for the enforcement of a judgment. 2. If a defendant is ordered to abate a nuisance pursuant to subsection 1 and fails to abate the nuisance within the time period specified by the court or magistrate, the responsible agency may assume responsibility and abate the nuisance, at the expense of the defendant. If the responsible agency abates the nuisance, the responsible party shall report to the court or magistrate upon the successful completion of the abatement. 3. Any civil penalty collected pursuant to subsection 1 must be deposited with the treasurer of the responsible agency in an account used solely to pay costs associated with any abatement ordered by a court or magistrate. 4. As used in this section, "responsible agency" means an agency, officer, bureau, board, commission, department, division or any other unit of government of the State or a local government that is designated by a court or magistrate as the party responsible for carrying out any action pursuant to this section. [1911 C&P § 299; RL § 6564; NCL § 10247]—(NRS A 2009, 405)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.483 - "Motor vehicle" defined.

As used in NRS 202.485 and 202.487, unless the context otherwise requires, "motor vehicle" means every vehicle which is self-propelled but not operated upon rails. (Added to NRS by 2017, 2251)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.485 - Leaving child unattended in motor vehicle; penalty; exception.

1. A parent, legal guardian or other person responsible for a child who is 7 years of age or younger shall not knowingly and intentionally leave that child in a motor vehicle if: (a) The conditions present a significant risk to the health and safety of the child; or (b) The engine of the motor vehicle is running or the keys to the vehicle are in the ignition, unless the child is being supervised by and within the sight of a person who is at least 12 years of age. 2. A person who violates the provisions of subsection 1 is guilty of a misdemeanor. The court may suspend the proceedings against a person who is charged with violating subsection 1 and dismiss the proceedings against the person if the person presents proof to the court, within the time specified by the court, that the person has successfully completed an educational program satisfactory to the court. The educational program must include, without limitation, information concerning the dangers of leaving a child unattended or inadequately attended in a motor vehicle. 3. A law enforcement officer or other person rendering emergency services who reasonably believes that a violation of this section has occurred may, without incurring civil liability, use any reasonable means necessary to protect the child and to remove the child from the motor vehicle. 4. No person may be prosecuted under this section if the conduct would give rise to prosecution under any other provision of law. 5. The provisions of this section do not apply to a person who unintentionally locks a motor vehicle with a child in the vehicle. (Added to NRS by 2005, 973; A 2017, 2252)—(Substituted in revision for NRS 202.575)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.487 - Leaving pet unattended

in motor vehicle; exceptions; penalty.

1. Except as otherwise provided in subsection 3, a person shall not allow a pet to remain unattended in a parked or standing motor vehicle if conditions, including, without limitation, extreme heat or cold, present a significant risk to the health and safety of the pet. 2. Any: (a) Peace officer; (b) Animal control officer; (c) Governmental officer or employee whose primary duty is to ensure public safety; (d) Employee or volunteer of any organized fire department; or (e) Member of a search and rescue organization in this State that is under the direct supervision of a sheriff, who reasonably believes that a violation of this section has occurred may, without incurring civil liability, use any reasonable means necessary to protect the pet and to remove the pet from the motor vehicle. 3. The provisions of subsection 1 do not apply to: (a) A police animal or an animal that is used by: (1) A federal law enforcement agency to assist the agency in carrying out the duties of the agency; or (2) A search and rescue organization in this State that is under the direction of a sheriff to assist the organization in carrying out the activities of the organization; or (b) A dog that is under the possession or control of: (1) An animal control officer; or (2) A first responder during an emergency. 4. A pet that is removed from a motor vehicle pursuant to subsection 2 shall be deemed to be an animal being treated cruelly for the purposes of NRS 574.055. A person required by NRS 574.055 to take possession of a pet removed pursuant to this section may take any action relating to the pet specified in NRS 574.055 and is entitled to any lien or immunity from liability that is applicable pursuant to that section. 5. The provisions of this section do not: (a) Interfere with or prohibit any activity, law or right specified in NRS 574.200; or (b) Apply to a person who unintentionally locks a motor vehicle with a pet in the motor vehicle. 6. A person who violates a provision of subsection 1 is guilty of a misdemeanor. 7. As used in this section: (a) "Animal" has the meaning ascribed to it in NRS 574.050. (b) "First responder" has the meaning ascribed to it in NRS 574.050. (c) "Pet" means a domesticated animal owned or possessed by a person for the purpose of pleasure or companionship and includes, without limitation, a cat or dog. (d) "Police animal" has the meaning ascribed to it in NRS 574.050. (Added to NRS by 2017, 2251)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.500 - Dangerous or vicious dogs: Unlawful acts; penalties.

1. For the purposes of this section, a dog is: (a) "Dangerous" if: (1) It is so declared pursuant to subsection 2; or (2) Without provocation, on two separate occasions within 18 months, it behaved menacingly, to a degree that would lead a reasonable person to defend himself or herself against substantial bodily harm, when the dog was: (I) Off the premises of its owner or keeper; or (II) Not confined in a cage, pen or vehicle. (b) "Provoked" when it is tormented or subjected to pain. (c) "Vicious" if: (1) Without being provoked, it killed or inflicted substantial bodily harm upon a human being; or (2) After its owner or keeper had been notified by a law enforcement agency that the dog is dangerous, the dog continued the behavior described in paragraph (a). 2. A dog may be declared dangerous by a law enforcement agency if it is used in the commission of a crime by its owner or keeper. 3. A dog may not be found dangerous or vicious: (a) Based solely on the breed of the dog; or (b) Because of a defensive act against a person who was committing or attempting to commit a crime or who provoked the dog. 4. A person who knowingly: (a) Owns or keeps a vicious dog, for more than 7 days after the person has actual notice that the dog is vicious; or (b) Transfers ownership of a vicious dog after the person has actual notice that the dog is vicious, is guilty of a misdemeanor. 5. If substantial bodily harm results from an attack by a dog known to be vicious, its owner or keeper is guilty of a category D felony and shall be punished as provided in NRS 193.130. In lieu of, or in addition to, a penalty provided in this subsection, the judge may order the vicious dog to be humanely destroyed. 6. A local authority shall not adopt or enforce an ordinance or regulation that deems a dog dangerous or vicious based solely on the breed of the dog. 7. This section does not apply to a dog used by a law enforcement officer in the performance of his or her duty. 8. As used in this section, "local authority" means the governing board of a county, city or other political subdivision having authority to enact laws or ordinances or promulgate regulations relating to dogs. [1911 C&P § 176; RL § 6441; NCL § 10123]—(NRS A 1967, 488; 1993, 2887; 1995, 1209; 2013, 426)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.510 - Doors of public buildings to swing outward.

1. The doors of all theaters, opera houses, school buildings, churches, public halls, or places used for public entertainments, exhibitions or meetings, which are used exclusively or in part for admission to or egress from the same, or any part thereof, shall be so hung and arranged as to open outwardly, and during any exhibition, entertainment or meeting shall be kept unlocked and unfastened, and in such condition that in case of danger or necessity, immediate escape from such building shall not be prevented or delayed. 2. Every agent or lessee of any such building who shall rent the same or allow it to be used for any of the public purposes mentioned in subsection 1 without having the doors thereof hung and arranged as provided in this section shall, for each violation of any provision of this section, be guilty of a misdemeanor. [1911 C&P § 316; RL § 6581; NCL § 10264]

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.530 - Reckless riding or driving of horse on public street or highway; exceptions.

1. Except as otherwise provided in subsection 2, a person is guilty of a misdemeanor who: (a) Rides or drives a horse upon a public street or highway in a manner likely to endanger the safety or life of another person on the public street or highway. (b) While riding or driving a horse upon a public street or highway, creates or participates in any noise, disturbance or other demonstration calculated or intended to frighten, intimidate or disturb any person. 2. The provisions of this section do not apply to a peace officer who rides

or drives a horse while performing duties as a peace officer if the peace officer: (a) Is responding to an emergency call or is in pursuit of a suspected violator of the law; or (b) Determines that noncompliance with any such provision is necessary to carry out his or her duties. [1911 C&P § 324; RL § 6589; NCL § 10272]—(NRS A 2001, 996)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.540 - Dangerous exhibitions.

Every proprietor, lessee or occupant of any place of amusement, plat of ground or building, who shall allow it to be used for an exhibition of skill in throwing any sharp instrument or in shooting any bow gun, pistol or firearm of any description, at or toward any human being, shall be guilty of a misdemeanor. [1911 C&P § 325; RL § 6590; NCL § 10273]

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.550 - Placing of lethal bait on public domain.

1. It is unlawful for any person to place any lethal bait on the public domain: (a) Within 3 miles of any place of habitation, whether occupied or vacant; or (b) At any other place unless it is marked by a steel or wooden post extending not less than 4 feet above the ground, having the uppermost 8 inches painted red and bearing a suitable sign advising of the presence of lethal bait. The post must be installed in the immediate vicinity of the bait, and the post and sign must be maintained at all times during which the lethal bait is exposed; or (c) At any place by distribution from an airplane except upon written permit first obtained from the Committee to Control Predatory Animals. 2. Any person violating any provision of subsection 1 is guilty of a misdemeanor. 3. Every person other than the person who placed the bait, post or sign, who willfully removes any lethal bait, or post or sign advising of the presence of any lethal bait, is guilty of a misdemeanor. [1911 C&P § 326.1; added 1953, 524] + [1911 C&P § 326.2; added 1953, 524]—(NRS A 1985, 748)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.560 - Removal of doors from discarded refrigerators, iceboxes and deep-freeze lockers.

1. Any person who discards or abandons in any place accessible to children, or who has in his or her possession, any refrigerator, icebox or deep-freeze locker, having a capacity of 1 1/2 cubic feet or more which is no longer in use and which has not had the door removed, shall be punished by a fine of not more than \$500. 2. Any owner, lessee or manager who knowingly permits such abandoned or discarded refrigerator, icebox or deep-freeze locker to remain on premises under his or her control without having the door removed shall be punished by a fine of not more than \$500. 3. Guilt of a violation of this section shall not in itself render one guilty of manslaughter, battery or other crime against a person who may suffer death or injury from entrapment in such refrigerator, icebox, or deep-freeze locker. 4. The provisions of this section shall not apply to any vendor or seller of refrigerators, iceboxes or deep-freeze lockers who keeps or stores them for sale purposes, if the vendor or seller takes reasonable precautions to secure effectively the door of any such refrigerator, icebox or deep-freeze locker so as to prevent entrance by children small enough to fit therein. [1911 C&P § 326.5; added 1953, 206]—(NRS A 1967, 488)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.580 - Removal, damage or destruction of signal or apparatus for police or fire alarm; impairing effectiveness of or installing inoperable system for fire protection.

1. Every person who willfully and maliciously removes, damages or destroys any rope, wire, bell, signal, instrument or apparatus for the communication of alarms of fire or police calls is guilty of an offense proportionate to the value of the property removed, damaged or destroyed, but in no event less than a misdemeanor. 2. Every contractor who willfully or maliciously installs or causes to be installed in any structure a fire protection system knowing it to be inoperable, or who impairs the effectiveness of a fire protection system in any structure to an extent that a person in the structure would be endangered in the event of a fire, shall be punished by the permanent revocation of every license issued to the contractor by this state or any political subdivision authorizing the contractor to install fire protection systems, and for a gross misdemeanor. 3. The conviction of a person for a violation of the provisions of subsection 2 does not preclude the prosecution of that person for deceptive trade practices, fraud or similar crimes. 4. As used in this section: (a) "Automatic fire extinguishing system" means a system approved by the State Fire Marshal that is installed in a structure and designed to extinguish a specific type of fire. This type of system includes dry chemical, carbon dioxide, halogenated agent, steam, high-expansion foam, foam extinguishing and liquid agent systems. (b) "Automatic fire sprinkler system" means a system of underground or overhead pipes, or both, to which sprinklers are attached that is installed in a structure and designed to discharge water automatically when activated by heat from a fire and to sound an alarm when the system is in operation. (c) "Contractor" means any person, including a subcontractor, employee or agent of the contractor, who, for another person and for compensation or with the intention or expectation of receiving compensation, undertakes to install or cause to be installed, by himself or herself or by or through others, in any structure, a fire protection system. (d) "Fire alarm system" means a system composed of a control unit and a combination of electrical devices that is designed to sound an alarm in the event of a fire and that may be activated manually, automatically or in both ways. (e) "Fire protection system" includes an automatic fire sprinkler system, an automatic fire extinguishing system, a fire alarm system and a standpipe system. (f) "Standpipe system" means a system of pipes, valves, connectors and related equipment that is attached to a water supply and designed so that water can be discharged through a hose attached to a connector for the purpose of extinguishing a fire. (g) "Structure" includes a building, bridge, tunnel and power

plant. [1911 C&P § 487; RL § 6752; NCL § 10434]—(NRS A 1967, 489; 1989, 1044)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.582 - Removal, damage or destruction of certain property to obtain scrap metal; penalties.

1. A person who willfully and maliciously removes, damages or destroys any utility property, agricultural infrastructure or other agricultural property, property maintained by the State or a local government, construction site or existing structure to obtain scrap metal shall be punished pursuant to the provisions of this section. 2. Except as otherwise provided in subsection 3, if the value of the property removed, damaged or destroyed as described in subsection 1 is: (a) Less than \$500, a person who violates the provisions of subsection 1 is guilty of a misdemeanor. (b) Five hundred dollars or more, a person who violates the provisions of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. If the removal, damage or destruction described in subsection 1 causes an interruption in the service provided by any utility property, a person who violates the provisions of subsection 1 is guilty of a category C felony and shall be punished as provided in NRS 193.130. 4. In addition to any other penalty, the court shall order a person who violates the provisions of subsection 1 to pay restitution and: (a) For the first offense, to perform 100 hours of community service. (b) For a second offense, to perform 200 hours of community service. (c) For a third or subsequent offense, to perform up to 300 hours of community service for up to 1 year, as determined by the court. 5. In determining the value of the property removed, damaged or destroyed as described in subsection 1, the cost of replacing or repairing the property or repairing the utility property, agricultural infrastructure, agricultural property, construction site or existing structure, if necessary, must be added to the value of the property. 6. As used in this section: (a) "Scrap metal" has the meaning ascribed to it in NRS 647.017. (b) "Utility property" means any facility, equipment or other property owned, maintained or used by a company or a city, county or other political subdivision of this State to furnish cable television or other video service, broadband service, telecommunication service, telephone service, natural gas service, water service, sewer service, storm water collection or disposal service or electric service, regardless of whether the facility, property or equipment is currently used to furnish such service. (Added to NRS by 2009, 1242; A 2013, 319, 1959)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.585 - Directing light emitted from laser device at aircraft with intent to interfere with operation of aircraft; penalty.

1. A person shall not willfully direct at an aircraft any light emitted from a laser device or other source which is capable of interfering with the vision of a person operating the aircraft with the intent to interfere with the operation of the aircraft. 2. A person who violates this section: (a) If the violation does not result in injury to any person on the aircraft or damage to the aircraft, is guilty of a misdemeanor. (b) If the violation results in injury to any person on the aircraft or damage to the aircraft or any equipment used to assist in the navigation or operation of the aircraft, is guilty of a category E felony and shall be punished as provided in NRS 193.130. 3. As used in this section: (a) "Aircraft" means any contrivance intended for and capable of transporting persons through airspace. (b) "Laser device" means a device that uses the natural oscillations of atoms or molecules between energy levels for generating coherent electromagnetic radiation in the ultraviolet, visible or infrared region of the spectrum and when discharged exceeds one milliwatt continuous wave. (Added to NRS by 2007, 209)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.595 - Performance of act or neglect of duty in willful or wanton disregard of safety of persons or property; penalty.

Unless a greater penalty is otherwise provided by statute and except under the circumstances described in NRS 484B.653, a person who performs any act or neglects any duty imposed by law in willful or wanton disregard of the safety of persons or property shall be punished: 1. If the act or neglect does not result in the substantial bodily harm or death of a person, for a gross misdemeanor. 2. If the act or neglect results in the substantial bodily harm or death of a person, for a category C felony as provided in NRS 193.130. (Added to NRS by 1995, 466; A 1995, 1332)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.750 - "Explosive" defined.

As used in NRS 202.750 to 202.840, inclusive, the term "explosive" means: 1. Gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuses (other than electric circuit breakers), detonators and other detonating agents, smokeless powders, other explosive or incendiary devices and any chemical compounds, mechanical mixtures or device that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing that ignition by fire, by friction, by concussion, by percussion, or by detonation of the compound, mixture or device or any part thereof may cause an explosion; or 2. Any explosive material included in the list of explosive materials published in the Federal Register and revised annually by the Attorney General of the United States pursuant to 18 U.S.C. §§ 841 et seq. (Added to NRS by 1971, 1280; A 2009, 21)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.760 - Shipment or receipt of explosives by certain persons unlawful.

It is unlawful for any person: 1. Who is under indictment for, or has been convicted in any court of, a crime relating to the practice of shipping or transporting explosives that is punishable by imprisonment for a term exceeding 1 year; 2. Who is a fugitive from justice; 3. Who is an unlawful user of or addicted to any depressant or stimulant drug or any controlled substance; or 4. Who has

been judicially declared mentally ill or who has been committed to a hospital as mentally ill, to ship or transport any explosive within the State or to receive any explosive which has been shipped or transported within the State. (Added to NRS by 1971, 1280; A 1973, 26; 1987, 1548; 2003, 2691)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.770 - Seizure and forfeiture of explosives.

Any explosive involved or used or intended to be used in any violation of NRS 202.750 to 202.840, inclusive, or any other law or ordinance shall be subject to seizure or forfeiture of those materials. (Added to NRS by 1971, 1281)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.780 - Transportation or receipt of explosives for unlawful purpose; penalties.

A person who transports or receives, or attempts to transport or receive within the State, any explosive with the knowledge or intent that it will be used to kill, injure or intimidate a person or unlawfully to damage or destroy any building, vehicle or real property is guilty of a category B felony and shall be punished: 1. If no substantial bodily harm results, by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, or by a fine of not less than \$2,000 nor more than \$10,000, or by both fine and imprisonment. 2. If substantial bodily harm results, by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, or by a fine of not less than \$2,000 nor more than \$20,000, or by both fine and imprisonment. (Added to NRS by 1971, 1281; A 1973, 1806; 1995, 1210)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.790 - Authorized transportation or receipt of explosives for lawful purpose not prohibited.

Nothing in NRS 202.760 to 202.790, inclusive, shall be construed to prevent any person from transporting or receiving any explosive pursuant to any authority granted by the Federal Government or this state or for any lawful purpose. (Added to NRS by 1971, 1281)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.820 - Use or possession of explosives during commission of felony; penalties.

1. A person who: (a) Uses an explosive to commit any felony; or (b) Carries an explosive unlawfully during the commission of any felony, is guilty of a separate felony unless the use of an explosive is a necessary element of the other crime. 2. A person who commits the offense described in subsection 1 is guilty of a category B felony and shall be punished: (a) For the first offense, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. (b) For the second or any subsequent offense, by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years. (Added to NRS by 1971, 1281; A 1979, 1436; 1995, 1210)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.830 - Use of explosives to damage or destroy property prohibited; penalties.

1. Unless a greater penalty is provided pursuant to subsection 2, a person who maliciously damages or destroys, attempts to damage or destroy, or conspires with another person to damage or destroy, by means of an explosive, any building, vehicle or real property in the State: (a) If no substantial bodily harm results, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, or by a fine of not less than \$2,000 nor more than \$10,000, or by both fine and imprisonment. (b) If substantial bodily harm results, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, or by a fine of not less than \$2,000 nor more than \$20,000, or by both fine and imprisonment. 2. A person who maliciously damages or destroys, attempts to damage or destroy, or conspires with another person to damage or destroy, by means of an explosive, any building, vehicle or real property in the State, knowing or having reason to believe that a human being is therein at the time, is guilty of a category A felony and shall be punished by imprisonment in the state prison: (a) For life without the possibility of parole; (b) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or (c) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served, in the discretion of the jury, or of the court upon a plea of guilty or guilty but mentally ill. (Added to NRS by 1971, 1282; A 1973, 1807; 1995, 1210; 2009, 21)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.840 - Bomb threats prohibited; penalties.

A person who through the use of the mail, written note, telephone, telegraph, radio broadcast or other means of communication, willfully makes any threat, or maliciously conveys false information knowing it to be false, concerning an attempt or alleged attempt being made, or to be made, to kill, injure or intimidate any person or unlawfully to damage or destroy any building, vehicle, aircraft or other real or personal property by means of any explosive, bomb, spring trap or mechanism known or commonly thought to be

dangerous to human life, limb or safety is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. (Added to NRS by 1971, 1282; A 1973, 552; 1979, 1436; 1995, 1211)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.870 - Definitions.

As used in NRS 202.870 to 202.894, inclusive, unless the context otherwise requires, the words and terms defined in NRS 202.873 and 202.876 have the meanings ascribed to them in those sections. (Added to NRS by 1999, 3521)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.873 - "Law enforcement agency" defined.

"Law enforcement agency" means: 1. The Office of the Attorney General or the office of a district attorney within this State and any attorney, investigator, special investigator or employee who is acting in his or her professional or occupational capacity for such an office; or 2. Any other law enforcement agency within this State and any peace officer or employee who is acting in his or her professional or occupational capacity for such an agency. (Added to NRS by 1999, 3521)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.876 - "Violent or sexual offense" defined.

"Violent or sexual offense" means any act that, if prosecuted in this State, would constitute any of the following offenses: 1. Murder or voluntary manslaughter pursuant to NRS 200.010 to 200.260, inclusive. 2. Mayhem pursuant to NRS 200.280. 3. Kidnapping pursuant to NRS 200.310 to 200.340, inclusive. 4. Sexual assault pursuant to NRS 200.366. 5. Robbery pursuant to NRS 200.380. 6. Administering poison or another noxious or destructive substance or liquid with intent to cause death pursuant to NRS 200.390. 7. Battery with intent to commit a crime pursuant to NRS 200.400. 8. Administering a drug or controlled substance to another person with the intent to enable or assist the commission of a felony or crime of violence pursuant to NRS 200.405 or 200.408. 9. False imprisonment pursuant to NRS 200.460 if the false imprisonment involves the use or threatened use of force or violence against the victim or the use or threatened use of a firearm or a deadly weapon. 10. Assault with a deadly weapon pursuant to NRS 200.471. 11. Battery which is committed with the use of a deadly weapon or which results in substantial bodily harm as described in NRS 200.481 or battery which is committed by strangulation as described in NRS 200.481 or 200.485. 12. An offense involving pornography and a minor pursuant to NRS 200.710 or 200.720. 13. Open or gross lewdness pursuant to NRS 201.210. 14. Lewdness with a child pursuant to NRS 201.230. 15. An offense involving pandering or sex trafficking in violation of NRS 201.300, prostitution in violation of NRS 201.320 or advancing prostitution in violation of NRS 201.395. 16. Coercion pursuant to NRS 207.190, if the coercion involves the use or threatened use of force or violence against the victim or the use or threatened use of a firearm or a deadly weapon. 17. An attempt, conspiracy or solicitation to commit an offense listed in this section. (Added to NRS by 1999, 3521; A 2009, 93; 2013, 1156, 2434; 2019, 2631; 2021, 3192)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.879 - "Reasonable cause to believe" and "as soon as reasonably practicable" defined; authorized manner of making report and communicating information.

For the purposes of NRS 202.870 to 202.894, inclusive, a person: 1. Has "reasonable cause to believe" if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred. 2. Acts "as soon as reasonably practicable" if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would act within approximately the same period under those facts and circumstances. 3. May make a report by telephone or, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, by any other means of oral, written or electronic communication that a reasonable person would believe, under those facts and circumstances, is a reliable and swift means of communicating information to the person who receives the information. (Added to NRS by 1999, 3522)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.882 - Duty to report violent or sexual offense against child 12 years of age or younger; penalty for failure to report; contents of report.

1. Except as otherwise provided in NRS 202.885 and 202.888, a person who knows or has reasonable cause to believe that another person has committed a violent or sexual offense against a child who is 12 years of age or younger shall: (a) Report the commission of the violent or sexual offense against the child to a law enforcement agency; and (b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the other person has committed the violent or sexual offense against the child. 2. A person who knowingly and willfully violates the provisions of subsection 1 is guilty of a misdemeanor. 3. A report made pursuant to this section must include, without limitation: (a) If known, the name of the child and the name of the person who committed the violent or sexual offense against the child; (b) The location where the violent or sexual offense was committed; and (c) The facts and circumstances which support the person's belief that the violent or sexual offense was committed. (Added to NRS by 1999, 3523)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.885 - Limitation on prosecution or conviction for failure to report.

1. A person may not be prosecuted or convicted pursuant to NRS 202.882 unless a court in this State or any other jurisdiction has entered a judgment of conviction against a culpable actor for: (a) The violent or sexual offense against the child; or (b) Any other offense arising out of the same facts as the violent or sexual offense against the child. 2. For any violation of NRS 202.882, an indictment must be found or an information or complaint must be filed within 1 year after the date on which: (a) A court in this State or any other jurisdiction has entered a judgment of conviction against a culpable actor as provided in subsection 1; or (b) The violation is discovered, whichever occurs later. 3. For the purposes of this section: (a) A court in "any other jurisdiction" includes, without limitation, a tribal court or a court of the United States or the Armed Forces of the United States. (b) "Convicted" and "conviction" mean a judgment based upon: (1) A plea of guilty, guilty but mentally ill or nolo contendere; (2) A finding of guilty or guilty but mentally ill by a jury or a court sitting without a jury; (3) An adjudication of delinquency or finding of guilty or guilty but mentally ill by a court having jurisdiction over juveniles; or (4) Any other admission or finding of guilty or guilty but mentally ill in a criminal action or a proceeding in a court having jurisdiction over juveniles. (c) A court "enters" a judgment of conviction against a person on the date on which guilt is admitted, adjudicated or found, whether or not: (1) The court has imposed a sentence, a penalty or other sanction for the conviction; or (2) The person has exercised any right to appeal the conviction. (d) "Culpable actor" means a person who: (1) Causes or perpetrates an unlawful act; (2) Aids, abets, commands, counsels, encourages, hires, induces, procures or solicits another person to cause or perpetrate an unlawful act; or (3) Is a principal in any degree, accessory before or after the fact, accomplice or conspirator to an unlawful act. (Added to NRS by 1999, 3523; A 2003, 1483; 2007, 1440)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.888 - Persons exempt from duty to report.

The provisions of NRS 202.882 do not apply to a person who: 1. Is less than 16 years of age; 2. Is, by blood or marriage, the spouse, brother, sister, parent, grandparent, child or grandchild of: (a) The child who is the victim of the violent or sexual offense; or (b) The person who committed the violent or sexual offense against the child; 3. Suffers from a mental or physical impairment or disability that, in light of all the surrounding facts and circumstances, would make it impracticable for the person to report the commission of the violent or sexual offense against the child to a law enforcement agency; 4. Knows or has reasonable cause to believe that reporting the violent or sexual offense against the child to a law enforcement agency would place the person or any other person who is related to him or her by blood or marriage or who resides in the same household as he or she resides, whether or not the other person is related to him or her by blood or marriage, in imminent danger of suffering substantial bodily harm; 5. Became aware of the violent or sexual offense against the child through a communication or proceeding that is protected by a privilege set forth in chapter 49 of NRS; or 6. Is acting in his or her professional or occupational capacity and is required to report the abuse or neglect of a child pursuant to NRS 392.303 or 432B.220. (Added to NRS by 1999, 3524; A 2017, 2067)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.891 - Immunity from civil or criminal liability; presumption that report was made in good faith.

1. If a person who is required to make a report pursuant to NRS 202.882 makes such a report in good faith and in accordance with that section, the person is immune from civil or criminal liability for any act or omission related to that report, but the person is not immune from civil or criminal liability for any other act or omission committed by the person as part of, in connection with or as a principal, accessory or conspirator to the violent or sexual offense against the child, regardless of the nature of the other act or omission. 2. If a person is not required to make a report pursuant to NRS 202.882 and the person makes such a report to a law enforcement agency in good faith, the person is immune from civil or criminal liability for any act or omission related to that report, but the person is not immune from civil or criminal liability for any other act or omission committed by the person as part of, in connection with or as a principal, accessory or conspirator to the violent or sexual offense against the child, regardless of the nature of the other act or omission. 3. For the purposes of this section, if a person reports to a law enforcement agency that another person has committed a violent or sexual offense against a child, whether or not the person is required to make such a report pursuant to NRS 202.882, the person is presumed to have made the report in good faith unless the person is being prosecuted for a criminal violation, including, without limitation, a violation of the provisions of NRS 207.280. (Added to NRS by 1999, 3524)

2024 Nevada Revised Statutes Chapter 202 - Crimes Against Public Health and Safety NRS 202.894 - Report deemed report of abuse or neglect of child made pursuant to NRS 432B.220 or report of commercial sexual exploitation of child made pursuant to NRS 432C.110.

If a person reports to a law enforcement agency that another person has committed a violent or sexual offense against a child, whether or not the person is required to make such a report pursuant to NRS 202.882, and the violent or sexual offense against the child would constitute abuse or neglect of a child, as defined in NRS 432B.020, or the commercial sexual exploitation, as defined in NRS 432C.050, of a child, the report made by the person shall be deemed to be a report of the abuse or neglect of the child that has been made pursuant to NRS 432B.220 or a report of the commercial sexual exploitation of a child that has been made pursuant to NRS 432C.110, as applicable, and: 1. The appropriate agencies shall act upon the report pursuant to chapter 432B or 432C of NRS, as applicable; and 2. The report may be used in the same manner as other reports that are made pursuant to NRS 432B.220 or

Title: chapter-203

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.010 - Breach of peace.

Every person who shall maliciously and willfully disturb the peace or quiet of any neighborhood or person or family by loud or unusual noises, or by tumultuous and offensive conduct, threatening, traducing, quarreling, challenging to fight, or fighting, shall be guilty of a misdemeanor. [1911 C&P § 327; RL § 6592; NCL § 10275]—(NRS A 1967, 489; 1971, 150)

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.020 - Assembling to disturb peace or to commit unlawful act.

If two or more persons assemble for the purpose of disturbing the public peace, or committing any unlawful act, and do not disperse, on being desired or commanded so to do by a judge, justice of the peace, sheriff, coroner, constable or other public officer, the persons so offending are guilty of a misdemeanor. [1911 C&P § 328; RL § 6593; NCL § 10276]—(NRS A 1967, 489)

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.030 - Provoking commission of breach of peace.

Every person who shall by word, sign or gesture willfully provoke, or attempt to provoke, another person to commit a breach of the peace shall be guilty of a misdemeanor. [Part 1911 C&P § 150; RL § 6415; NCL § 10097]

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.040 - Publishing matter inciting breach of peace or other crime.

1. Every person who shall willfully print, publish, edit, issue, or knowingly circulate, sell, distribute or display any book, paper, document or written or printed matter, in any form, advocating, encouraging or inciting or having a tendency to encourage or incite the commission of any crime, breach of the peace, or act of violence, or which shall tend to encourage or advocate disrespect for law or for any court or courts of justice, shall be guilty of a gross misdemeanor. 2. Every editor or proprietor of a book, newspaper or serial and every manager of a partnership, corporation or association by which a book, newspaper or serial is issued, is chargeable with the publication of any matter contained in such book, newspaper or serial. But in every prosecution therefor, the defendant may show in his or her defense that the matter complained of was published without the defendant's knowledge or fault and against the defendant's wishes by another who had no authority from the defendant to make the publication, and was retracted by the defendant as soon as known with an equal degree of publicity. [1911 C&P § 352; RL § 6617; NCL § 10300] + [1911 C&P § 353; RL § 6618; NCL § 10301]

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.050 - Affray.

If two or more persons shall, by agreement, fight in a public place, to the terror of the citizens of this state, the persons so offending commit an affray and are guilty of a misdemeanor. [1911 C&P § 329; RL § 6594; NCL § 10277]—(NRS A 1967, 489)

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.060 - Unlawful assembly.

If two or more persons shall assemble together to do an unlawful act, and separate without doing or advancing toward it, such persons commit an unlawful assembly, and are guilty of a misdemeanor. [1911 C&P § 330; RL § 6595; NCL § 10278]—(NRS A 1967, 490)

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.070 - Rout and riot.

1. If two or more persons shall meet to do an unlawful act, upon a common cause of quarrel, and make advances toward it, they commit a rout, and are guilty of a misdemeanor. 2. If two or more persons shall actually do an unlawful act of violence, either with or without a common cause of quarrel or even do a lawful act, in a violent, tumultuous and illegal manner, they commit a riot, and are guilty of a misdemeanor. [1911 C&P § 331; RL § 6596; NCL § 10279]—(NRS A 1967, 490)

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.080 - Armed association.

1. It shall be unlawful for any body of individuals other than municipal police, university or public school cadets or companies, militia of the State or troops of the United States, to associate themselves together as a military company with arms without the consent of the Governor; but members of social and benevolent associations are not prohibited from wearing swords. 2. Every person who shall associate with others in violation of this section shall be guilty of a misdemeanor. [1911 C&P § 339; RL § 6604; NCL § 10287]—(NRS A 1967, 1341)

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.090 - Disturbing meeting.

Every person who, without authority of law, shall willfully disturb any assembly or meeting not unlawful in its character, shall be guilty of a misdemeanor. [1911 C&P § 342; RL § 6607; NCL § 10290]

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.100 - Offenses in public conveyances.

Every person who shall willfully use profane, offensive or indecent language or engage in any quarrel in any public conveyance, or interfere with or annoy any passenger therein, or having refused to pay the proper fare shall fail to leave any such conveyance upon demand, shall be guilty of a misdemeanor. [1911 C&P § 346; RL § 6611; NCL § 10294]

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.110 - Forcible entry and detainer.

Except as otherwise provided in NRS 205.0813 and 205.0817: 1. Every person who shall unlawfully use, or encourage or assist another in unlawfully using, any force or violence in entering upon or detaining any lands or other possessions of another; and 2. Every person who, having removed or been removed from any lands or possessions of another pursuant to the order or direction of any court, tribunal or officer, shall afterward unlawfully return to settle or reside upon, or take possession of, such lands or possessions, shall be guilty of a misdemeanor. [1911 C&P § 478; RL § 6743; NCL § 10427]—(NRS A 2015, 3136)

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.115 - Criminal anarchy.

1. Criminal anarchy is the doctrine that organized government should be overthrown by force or violence, or by assassination of the executive head or of any of the executive officials of government, or by any unlawful means. 2. It is unlawful: (a) For any person, by word of mouth or writing, to advocate, advise or teach the duty, necessity or propriety of overthrowing or overturning organized government by force or violence, or by assassination of the executive head or of any of the executive officials of government, or by any unlawful means; (b) For any person to print, publish, edit, issue or knowingly to circulate, sell, distribute or publicly to display any book, paper, document, or written or printed matter in any form, containing or advocating, advising or teaching the doctrine that organized government should be overthrown by force, violence or any unlawful means; (c) For any person openly, willfully and deliberately to justify by word of mouth or writing the assassination or unlawful killing or assaulting of any executive or other officer of the United States or of any state or of any civilized nation having an organized government because of his or her official character, or any other crime, with the intent to teach, spread or advocate the propriety of the doctrines of criminal anarchy; (d) For any person to organize or help to organize or become a member of or voluntarily to assemble with any society, group or assembly of persons formed to teach or advocate such a doctrine; (e) For two or more persons to assemble for the purpose of advocating or teaching the doctrines of criminal anarchy as defined in subsection 1; or (f) For any owner, agent, superintendent, janitor, caretaker or occupant of any place, building or room willfully and knowingly to permit therein any assemblage of persons prohibited by paragraph (e), or, after notification that the premises are so used, to permit such use to be continued. 3. A person who violates the provisions of subsection 2 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$10,000. (Added to NRS by 1967, 490; A 1979, 1437; 1995, 1211)

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.117 - Criminal syndicalism.

1. Criminal syndicalism is the doctrine which advocates or teaches crime, sabotage, violence or unlawful methods of terrorism as a means of accomplishing industrial or political reform. 2. It is unlawful: (a) For any person, by word of mouth or writing, to advocate or teach the duty, necessity or propriety of crime, sabotage, violence or other unlawful methods of terrorism as a means of accomplishing industrial or political reform; (b) For any person to print, publish, edit, issue or knowingly to circulate, sell, distribute or publicly to display any book, paper, document or written matter in any form, containing or advocating, advising or teaching the doctrine that industrial or political reform should be brought about by crime, sabotage, violence or other unlawful methods of terrorism; (c) For any person openly, willfully and deliberately to justify, by word of mouth or writing, the commission or the attempt to commit crime, sabotage, violence or other unlawful methods of terrorism with the intent to exemplify, spread or advocate the propriety of the doctrine of criminal syndicalism; (d) For any person to organize or help to organize or become a member of, or voluntarily to assemble with, any society, group or assemblage of persons formed to teach or advocate the doctrine of criminal syndicalism; (e) For two or more persons to assemble for the purpose of advocating or teaching the doctrines of criminal syndicalism as defined in subsection 1; or (f) For any owner, agent, superintendent, janitor, caretaker or occupant of any place, building or room, willfully and knowingly to permit therein any assemblage of persons prohibited by the provisions of paragraph (e), or, after notification that the premises are so used, to permit such use to be continued. 3. A person who violates the provisions of subsection 2 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. (Added to NRS by 1967, 491; A 1979, 1437; 1995, 1212)

2024 Nevada Revised Statutes Chapter 203 - Crimes Against the Public Peace NRS 203.119 - Commission of act in public building or area interfering with peaceful conduct of activities.

1. A person shall not commit any act in a public building or on the public grounds surrounding the building which interferes with the peaceful conduct of activities normally carried on in the building or on the grounds. 2. Any person whose conduct is prohibited by subsection 1 who refuses to leave the building or grounds upon request by the proper official is guilty of a misdemeanor. 3. Any person who aids, counsels or abets another to commit an act prohibited by subsection 2 is guilty of a misdemeanor. 4. For the purpose of this section: (a) "Proper official" means the person or persons designated by the administrative officer or board in charge

of the building. (b) "Public building" means any building owned by: (1) Any component of the Nevada System of Higher Education and used for any purpose related to the System. (2) The State of Nevada or any county, city, school district or other political subdivision of the State and used for any public purpose. (Added to NRS by 1969, 582; A 1985, 335; 1993, 365)

Title: chapter-204

2024 Nevada Revised Statutes Chapter 204 - Crimes Against the Revenue and Property of This State NRS 204.010 - Unlawful use of public money: Amount less than \$650.

Every public officer or other person who has in his or her possession, control or custody any public money belonging to this state, or to any county, town, city, district or municipal corporation within this state, or to whom any such public money is entrusted for safekeeping, or for transmission to any treasurer, other officer or person entitled to receive it, who uses any of the public money for his or her own private purposes, or for any purpose other than one authorized by law, shall, if the amount so unlawfully used is less than \$650, be punished for a misdemeanor. [1911 C&P § 391; RL § 6656; NCL § 10343]—(NRS A 1959, 24; 1967, 491; 1989, 1431; 2011, 160)

2024 Nevada Revised Statutes Chapter 204 - Crimes Against the Revenue and Property of This State NRS 204.020 - Unlawful use of public money: Amount of \$650 or more.

A public officer or other person who has in his or her possession, control or custody any public money belonging to this state, or to any county, town, city, district or municipal corporation within this state, or to whom any such public money is entrusted for safekeeping or for transmission to any treasurer or other officer, or other person entitled to receive it, who uses any of the public money for his or her own private purposes, or for any purpose other than one authorized by law, if the amount unlawfully used is \$650 or more, is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. [1911 C&P § 392; A 1951, 29]—(NRS A 1967, 492; 1979, 1438; 1989, 1431; 1995, 1212; 2011, 160)

2024 Nevada Revised Statutes Chapter 204 - Crimes Against the Revenue and Property of This State NRS 204.030 - Misappropriation and falsification of accounts by public officer.

1. It is unlawful for any public officer, and any other person receiving money on behalf of, or for or on account of, this State or of any department of the State Government or of any bureau or fund created by law in which the State is directly or indirectly interested, or for or on account of any county, city, town, municipal corporation or any school or district: (a) Knowingly to keep any false account, or make any false entry or erasure in any account, of or relating to any money so received; (b) Fraudulently to alter, falsify, conceal, destroy or obliterate any such account; or (c) Willfully to omit or refuse to pay over to the State, its officer or agent authorized by law to receive the money, or to the county, city, town or the school, municipal corporation, or district or to the proper officer or authority empowered to demand and receive it, any money received by him or her as such an officer when it is a legal duty to pay over and account for the money. 2. A person who violates any of the provisions of subsection 1 shall be punished: (a) Where the amount involved is \$650 or more, for a category D felony as provided in NRS 193.130. (b) Where the amount involved is less than \$650, for a misdemeanor. [1911 C&P § 393; RL § 6658; NCL § 10345]—(NRS A 1967, 492; 1969, 105; 1979, 1438; 1989, 1431; 1995, 1212; 2011, 161)

2024 Nevada Revised Statutes Chapter 204 - Crimes Against the Revenue and Property of This State NRS 204.040 - Penalty for neglect or refusal to pay over.

If any clerk, justice of the peace, sheriff, constable or other officer, who may receive any fine or forfeiture, shall refuse or neglect to pay over the same according to law, and within 30 days after the receipt thereof, he or she shall, in addition to being imprisoned and punished as provided by law, be liable upon his or her official bond for the amount thereof, with 50 percent damages and interest, to be recovered in like manner as for failing to pay over money received on execution. [1911 C&P § 394; RL § 6659; NCL § 10346]

2024 Nevada Revised Statutes Chapter 204 - Crimes Against the Revenue and Property of This State NRS 204.050 - Misappropriation by treasurer.

A state, county, city or town treasurer who willfully misappropriates any money, funds or securities received by or deposited with the treasurer, or who is guilty of any other malfeasance or willful neglect of duty in office, shall be punished: 1. Where the amount misappropriated is \$650 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. Where the amount misappropriated is less than \$650, for a misdemeanor. [1911 C&P § 395; RL § 6660; NCL § 10347]—(NRS A 1967, 492; 1979, 1439; 1989, 1432; 1995, 1213; 2011, 161)

2024 Nevada Revised Statutes Chapter 204 - Crimes Against the Revenue and Property of This State NRS 204.060 - Compensation of clerk or secretary of commission connected with State Government prohibited.

No money shall be paid out of the State Treasury in payment of the salary or compensation of the clerk or secretary of any commission connected with the State Government, or for any clerical work done, performed, or rendered to such commission except in pursuance of a direct and explicit appropriation by law to pay for such service; and the State Controller is hereby prohibited from

drawing his or her warrant in payment of such salary or compensation unless authorized by a law making an explicit appropriation for that purpose. [1911 C&P § 396; RL § 6661; NCL § 10348]

2024 Nevada Revised Statutes Chapter 204 - Crimes Against the Revenue and Property of This State NRS 204.070 - Penalty for violation of NRS 204.060.

Any state officer employing or paying any person or persons out of any state money for any such service or labor, as set forth in NRS 204.060, is guilty of a misdemeanor. [1911 C&P § 397; RL § 6662; NCL § 10349]—(NRS A 1967, 493)

2024 Nevada Revised Statutes Chapter 204 - Crimes Against the Revenue and Property of This State NRS 204.080 - Private use of state motor vehicle prohibited.

1. It shall be unlawful for any individual, individuals or groups of individuals, whether an employee or employees of the State of Nevada or not, to use any automobile, truck or other means of mechanical conveyance, property of the State of Nevada, for their own private use. 2. The executive officer of any state office, agency, department, commission or institution to which such automobile, truck or other means of mechanical conveyance is assigned, and the operator of such equipment, shall be jointly and severally responsible to the State for the unauthorized use of such equipment while so assigned, used or operated. 3. A violation of any provision of this section by any person other than an officer or employee of the State of Nevada is a misdemeanor. 4. A violation of any provision of this section by an officer or employee of the State of Nevada shall constitute malfeasance in office. [1:103:1951] + [2:103:1951]—(NRS A 1961, 346)

Title: chapter-205

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.005 - "Set fire to" defined.

Any person shall be deemed to have "set fire to" a building, structure or any property mentioned in NRS 205.010 to 205.030, inclusive, whenever any part thereof or anything therein shall be scorched, charred or burned. [1911 C&P § 363; RL § 6628; NCL § 10313]—(Substituted in revision for NRS 205.040)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.010 - First degree.

A person who willfully and maliciously sets fire to or burns or causes to be burned, or who aids, counsels or procures the burning of any: 1. Dwelling house or other structure or mobile home, whether occupied or vacant; or 2. Personal property which is occupied by one or more persons, whether the property of the person or of another, is guilty of arson in the first degree which is a category B felony and shall be punished by imprisonment for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$15,000. [1911 C&P § 359; A 1927, 228; 1943, 181; 1943 NCL § 10307]—(NRS A 1967, 493; 1975, 916; 1979, 1439; 1987, 1475; 1995, 1213)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.015 - Second degree.

A person who willfully and maliciously sets fire to or burns or causes to be burned, or who aids, counsels or procures the burning of any abandoned building or structure, whether the property of the person or of another, is guilty of arson in the second degree which is a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. [1911 C&P § 360; A 1927, 228; 1943, 181; 1943 NCL § 10308]—(NRS A 1975, 916; 1979, 1439; 1995, 1213)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.020 - Third degree.

A person who willfully and maliciously sets fire to or burns or causes to be burned, or who aids, counsels or procures the burning of: 1. Any unoccupied personal property of another which has the value of \$25 or more; 2. Any unoccupied personal property owned by him or her in which another person has a legal interest; or 3. Any timber, forest, shrubbery, crops, grass, vegetation or other flammable material not his or her own, is guilty of arson in the third degree which is a category D felony and shall be punished as provided in NRS 193.130. [1911 C&P § 360 1/2; added 1927, 228; A 1943, 181; 1943 NCL § 10309]—(NRS A 1967, 493; 1975, 916; 1979, 329; 1989, 964; 1995, 1214)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.025 - Fourth degree.

1. A person who willfully and maliciously attempts to set fire to or attempts to burn or to aid, counsel or procure the burning of any of the buildings or property mentioned in NRS 205.010, 205.015 and 205.020, or who commits any act preliminary thereto or in furtherance thereof, is guilty of arson in the fourth degree which is a category D felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$5,000. 2. In any prosecution under this section the placing or distributing of any inflammable, explosive or combustible material or substance, or any device in any building or property mentioned in NRS 205.010, 205.015 and 205.020, in an arrangement or preparation eventually to set fire to or burn the building or property, or to procure the setting fire to or burning of the building or property, is prima facie evidence of a willful attempt to burn or set on fire the property. [1911 C&P § 361 1/2; added 1927, 228; A 1943, 181; 1943 NCL § 10311]—(NRS A 1967, 493; 1979,

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.030 - Burning or aiding and abetting burning of property with intent to defraud insurer; penalty.

A person who willfully and with the intent to injure or defraud the insurer sets fire to or burns or attempts to set fire to or burn, or who causes to be burned or who aids, counsels or procures the burning of any building, structure or personal property of whatsoever class or character, whether the property of the person or of another, which is at the time insured by any person, company or corporation against loss or damage by fire, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. In addition to any other penalty, the court shall order the person to pay restitution. [1911 C&P § 361; A 1927, 228; 1943, 181; 1943 NCL § 10310]—(NRS A 1967, 493; 1979, 1440; 1995, 1214)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.034 - Additional penalties.

The court may, in addition to imposing the penalties set forth in NRS 205.010, 205.015, 205.020, 205.025 or 205.030, order the person to pay: 1. Court costs; 2. The costs of providing police and fire services related to the crime; or 3. The costs of the investigation and prosecution of the crime, or any combination of subsections 1, 2 and 3. (Added to NRS by 1989, 964)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.045 - Contiguous fires.

Whenever any building or structure which may be the subject of arson in either the first or second degree shall be so situated as to be manifestly endangered by any fire and shall subsequently be set on fire thereby, any person participating in setting such fire shall be deemed to have participated in setting such building or structure on fire. [1911 C&P § 364; RL § 6629; NCL § 10314]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.050 - Ownership of building.

To constitute arson it shall not be necessary that another person than the defendant should have had ownership in the building or structure set on fire. [1911 C&P § 365; RL § 6630; NCL § 10315]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.055 - Preparation is attempt to commit arson.

Any willful preparation made by any person with a view to setting fire to any building or structure shall be deemed to be an attempt to commit the crime of arson, and shall be punished as such. [1911 C&P § 366; RL § 6631; NCL § 10316]—(NRS A 1967, 135; 1973, 553)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.060 - Residential burglary, burglary of a business, burglary of a motor vehicle and burglary of a structure: Definitions; penalties; venue.

1. A person who, by day or night, unlawfully enters or unlawfully remains in any: (a) Dwelling with the intent to commit grand or petit larceny, assault or battery on any person or any felony, or to obtain money or property by false pretenses, is guilty of residential burglary. (b) Business structure with the intent to commit grand or petit larceny, assault or battery on any person or any felony is guilty of burglary of a business. (c) Motor vehicle, or any part thereof, with the intent to commit grand or petit larceny, assault or battery on any person or any felony is guilty of burglary of a motor vehicle. (d) Structure other than a dwelling, business structure or motor vehicle with the intent to commit grand or petit larceny, assault or battery on any person or any felony is guilty of burglary of a structure. 2. Except as otherwise provided in this section, a person convicted of: (a) Burglary of a motor vehicle: (1) For the first offense, is guilty of a category E felony and shall be punished as provided in NRS 193.130. (2) For a second or subsequent offense, is guilty of a category D felony and shall be punished as provided in NRS 193.130. (b) Burglary of a structure is guilty of a category D felony and shall be punished as provided in NRS 193.130. (c) Burglary of a business is guilty of a category C felony and shall be punished as provided in NRS 193.130. (d) Residential burglary is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years. 3. If mitigating circumstances exist, a person who is convicted of residential burglary may be released on probation and granted a suspension of sentence if the person has not previously been convicted of residential burglary or another crime involving the unlawful entry or invasion of a dwelling. 4. Whenever any burglary pursuant to this section is committed on a vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car, in motion or in rest, in this State, and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car traveled during the time the burglary was committed. 5. A person convicted of any burglary pursuant to this section who has in his or her possession or gains possession of any firearm or deadly weapon at any time during the commission of the crime, at any time before leaving the dwelling, structure or motor vehicle or upon leaving the dwelling, structure or motor vehicle, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000. 6. As used in this section: (a) "Business structure" means any structure or building, the primary purpose of which is to carry on any lawful effort for a business, including, without limitation, any business with an educational, industrial, benevolent, social or political purpose, regardless of whether the business is

operated for profit. (b) "Dwelling" means any structure, building, house, room, apartment, tenement, tent, conveyance, vessel, boat, vehicle, house trailer, travel trailer, motor home or railroad car, including, without limitation, any part thereof that is divided into a separately occupied unit: (1) In which any person lives; or (2) Which is customarily used by a person for overnight accommodations, regardless of whether the person is inside at the time of the offense. (c) "Motor vehicle" means any motorized craft or device designed for the transportation of a person or property across land or water or through the air which does not qualify as a dwelling or business structure pursuant to this section. (d) "Unlawfully enters or unlawfully remains" means for a person to enter or remain in a dwelling, structure or motor vehicle or any part thereof, including, without limitation, under false pretenses, when the person is not licensed or privileged to do so. For purposes of this definition, a license or privilege to enter or remain in a part of a dwelling, structure or motor vehicle that is open to the public is not a license or privilege to enter or remain in a part of the dwelling, structure or motor vehicle that is not open to the public. [1911 C&P § 369; A 1953, 31]—(NRS A 1967, 494; 1968, 45; 1971, 1161; 1979, 1440; 1981, 551; 1983, 717; 1989, 1207; 1995, 1215; 2005, 416; 2013, 2987; 2019, 4425)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.065 - Inference of burglarious intent.

Every person who unlawfully breaks and enters or unlawfully enters any house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building, tent, vessel, vehicle, vehicle trailer, semitrailer or house trailer, airplane, glider, boat or railroad car may reasonably be inferred to have broken and entered or entered it with intent to commit grand or petit larceny, assault or battery on any person or a felony therein, unless the unlawful breaking and entering or unlawful entry is explained by evidence satisfactory to the jury to have been made without criminal intent. [1911 C&P § 370; RL § 6635; NCL § 10320]—(NRS A 1959, 19; 1983, 718; 1989, 1207)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.067 - Invasion of the home: Definition; penalties; venue.

1. A person who, by day or night, forcibly enters a dwelling without permission of the owner, resident or lawful occupant, whether or not a person is present at the time of the entry, is guilty of invasion of the home. 2. A person convicted of invasion of the home is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. A person who is convicted of invasion of the home and who has previously been convicted of any burglary pursuant to NRS 205.060 or invasion of the home must not be released on probation or granted a suspension of sentence. 3. Whenever an invasion of the home is committed on a vessel, vehicle, vehicle trailer, semitrailer, house trailer, airplane, glider, boat or railroad car, in motion or in rest, in this State, and it cannot with reasonable certainty be ascertained in what county the crime was committed, the offender may be arrested and tried in any county through which the conveyance, vessel, boat, vehicle, house trailer, travel trailer, motor home or railroad car traveled during the time the invasion was committed. 4. A person convicted of invasion of the home who has in his or her possession or gains possession of any firearm or deadly weapon at any time during the commission of the crime, at any time before leaving the structure or upon leaving the structure, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and may be further punished by a fine of not more than \$10,000. 5. As used in this section: (a) "Dwelling" has the meaning ascribed to it in NRS 205.060. (b) "Forcibly enters" means the entry of an inhabited dwelling involving any act of physical force resulting in damage to the structure. (Added to NRS by 1989, 1452; A 1995, 1215; 2019, 4427)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.070 - Commission of another crime while committing burglary or invasion of the home.

Every person who, in the commission of a burglary or invasion of the home, commits any other crime, may be prosecuted for each crime separately. [1911 C&P § 371; RL § 6636; NCL § 10321]—(NRS A 1989, 1453)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.075 - Burglary with explosives; penalty.

1. A person who, with the intent to commit a crime, breaks and enters, either by day or by night, any building whether inhabited or not, and opens or attempts to open any vault, safe or other secure place by use of nitroglycerine, dynamite, gunpowder or any other explosive, is guilty of burglary with explosives. 2. A person convicted of burglary with explosives is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years. [1:75:1919; 1919 RL p. 3376; NCL § 10524] + [2:75:1919; 1919 RL p. 3376; NCL § 10525]—(NRS A 1967, 494; 1995, 1216)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.080 - Possession of instrument with burglarious intent; making, alteration or repair of instrument for committing offense; penalty.

1. Every person who makes or mends or causes to be made or mended, or has in his or her possession in the day or nighttime, any engine, machine, tool, false key, picklock, bit, nippers or implement adapted, designed or commonly used for the commission of burglary, invasion of the home, larceny or other crime, under circumstances evincing an intent to use or employ, or allow the same to be used or employed in the commission of a crime, or knowing that the same is intended to be so used, shall be guilty of a gross

misdeemeanor. 2. The possession thereof except by a mechanic, artificer or tradesman at and in his or her established shop or place of business, open to public view, shall be prima facie evidence that such possession was had with intent to use or employ or allow the same to be used or employed in the commission of a crime. [1911 C&P § 372; RL § 6637; NCL § 10322]—(NRS A 1989, 1453)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.081 - "Dwelling" defined.

As used in NRS 205.081 to 205.082, inclusive, "dwelling" means a structure or part thereof that is designed or intended for occupancy as a residence or sleeping place. (Added to NRS by 2015, 3136)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0813 - Housebreaking; penalty.

1. A person who forcibly enters an uninhabited or vacant dwelling, knows or has reason to believe that such entry is without permission of the owner of the dwelling or an authorized representative of the owner and has the intent to take up residence or provide a residency to another therein is guilty of housebreaking. 2. A person is presumed to know that an entry described in subsection 1 is without the permission of the owner of the dwelling or an authorized representative of the owner unless the person provides a written rental agreement that: (a) Is notarized or is signed by an authorized agent of the owner who at the time of signing holds a permit to engage in property management pursuant to chapter 645 of NRS; and (b) Includes the current address and telephone number of the owner or his or her authorized representative. 3. A person convicted of housebreaking is guilty of: (a) For a first offense, a gross misdemeanor; and (b) For a second and any subsequent offense, a category D felony and shall be punished as provided in NRS 193.130. 4. A person convicted of housebreaking and who has previously been convicted three or more times of housebreaking must not be released on probation or granted a suspension of sentence. 5. As used in this section, "forcibly enters" means an entry involving: (a) Any act of physical force resulting in damage to the structure; or (b) The changing or manipulation of a lock to gain access. (Added to NRS by 2015, 3136; A 2017, 2157)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0817 - Unlawful occupancy; penalty.

1. A person who takes up residence in an uninhabited or vacant dwelling and knows or has reason to believe that such residency is without permission of the owner of the dwelling or an authorized representative of the owner is guilty of unlawful occupancy. 2. A person is presumed to know that the residency described in subsection 1 is without the permission of the owner of the dwelling or an authorized representative of the owner unless the person provides a written rental agreement that: (a) Is notarized or is signed by an authorized agent of the owner who at the time of signing holds a permit to engage in property management pursuant to chapter 645 of NRS; and (b) Includes the current address and telephone number of the owner or his or her authorized representative. 3. A person convicted of unlawful occupancy is guilty of a gross misdemeanor. A person convicted of unlawful occupancy and who has been convicted three or more times of unlawful occupancy is guilty of a category D felony and shall be punished as provided in NRS 193.130. 4. A person who is accused of unlawful occupancy pursuant to subsection 1 and has previously been convicted two times of housebreaking, unlawful occupancy or any lesser included or related offense, or any combination thereof, arising from the same set of facts is presumed to have obtained residency of the dwelling with the knowledge that: (a) Any asserted lease is invalid; and (b) Neither the owner nor an authorized representative of the owner permitted the residency. (Added to NRS by 2015, 3137; A 2017, 2158)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.082 - Unlawful reentry; penalty.

1. A person is guilty of unlawful reentry if: (a) An owner of real property has recovered possession of the property from the person pursuant to NRS 40.412 or 40.414; and (b) Without the authority of the court or permission of the owner, the person reenters the property. 2. A person convicted of unlawful reentry is guilty of a gross misdemeanor. (Added to NRS by 2015, 3137)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0821 - Definitions.

As used in NRS 205.0821 to 205.0835, inclusive, unless the context otherwise requires, the words and terms defined in NRS 205.0822 to 205.0831, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1989, 1203; A 1999, 2706; 2007, 683)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0822 - "Check" defined.

"Check" means any check, draft or other negotiable instrument of any kind. (Added to NRS by 1989, 1203)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0823 - "Control" defined.

"Control" means to act so as to prevent a person from using his or her own property except on the actor's terms. (Added to NRS by 1989, 1204)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0824 - "Deprive" defined.

"Deprive" means to withhold a property interest of another person permanently or for so long a time that a substantial portion of its value, usefulness or enjoyment is lost, or to withhold it with the intent to restore it only upon the payment of a reward or other compensation, or to transfer or dispose of it so that it is unlikely to be recovered. (Added to NRS by 1989, 1204)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0825 - "Draw" defined.

"Draw" means making, drawing, uttering, preparing, writing or delivering a check. (Added to NRS by 1989, 1204)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.08255 - "Intangible property" defined.

"Intangible property" means property that lacks a physical existence yet possesses value, including, without limitation, customer lists, trade secrets, copyrighted material or other confidential information. (Added to NRS by 1999, 2703)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0826 - "Issue" defined.

"Issue" means to deliver or cause to be delivered a check to a person who by that delivery acquires a right against the drawer of the check. A person who draws a check with intent that it be so delivered shall be deemed to have issued it if the delivery occurs. (Added to NRS by 1989, 1204)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0827 - "Obtain" defined.

"Obtain" means to bring about or receive the transfer of any interest in property, or to secure performance of a service. (Added to NRS by 1989, 1204)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0828 - "Property of another person" defined.

"Property of another person" means real, personal or intangible property in which any person other than the defendant has an interest which the defendant is not privileged to infringe, including, without limitation, property in which the defendant also has an interest, notwithstanding that the other person might be precluded from civil recovery because the property was used in an unlawful transaction or was subject to forfeiture as contraband. Property in the possession of the defendant in which another person has only a security interest shall be deemed not to be the property of that other person, even if that person holds legal title to the property pursuant to a security agreement. (Added to NRS by 1989, 1204; A 1999, 2706)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0829 - "Services" defined.

"Services" includes labor, professional services, transportation, cable television or other video service, telephone, gas or electricity services, accommodations in hotels, restaurants, leased premises or elsewhere, admissions to exhibitions and the use of vehicles or other movable property. (Added to NRS by 1989, 1204; A 2007, 1376)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.083 - "Transfer" defined.

"Transfer" means to change the possession or control of property. (Added to NRS by 1989, 1204)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0831 - "Value" defined.

"Value" means the fair market value of the property or services at the time of the theft. The value of a written instrument which does not have a readily ascertainable market value is the greater of the face amount of the instrument less the portion satisfied or the amount of economic loss to the owner of the instrument resulting from the deprivation of the instrument. The trier of fact shall determine the value of all other property whose value is not readily ascertainable, and may, in making that determination, consider all relevant evidence, including evidence of the value of the property to its owner. (Added to NRS by 1989, 1204)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0832 - Actions which constitute theft.

1. Except as otherwise provided in subsection 2, a person commits theft if, without lawful authority, the person knowingly: (a) Controls any property of another person with the intent to deprive that person of the property. (b) Converts, makes an unauthorized transfer of an interest in, or without authorization controls any property of another person, or uses the services or property of another person entrusted to him or her or placed in his or her possession for a limited, authorized period of determined or prescribed duration or for a limited use. (c) Obtains real, personal or intangible property or the services of another person by a material misrepresentation with intent to deprive that person of the property or services. As used in this paragraph, "material misrepresentation" means the use of any pretense, or the making of any promise, representation or statement of present, past or future fact which is fraudulent and which, when used or made, is instrumental in causing the wrongful control or transfer of property or services. The pretense may be verbal or it may be a physical act. (d) Comes into control of lost, mislaid or misdelivered property of another person under circumstances providing means of inquiry as to the true owner and appropriates that property to his or her own use or that of another person without reasonable efforts to notify the true owner. (e) Controls property of another person knowing or having reason to know that the property was stolen. (f) Obtains services, including, without limitation, audio or visual services, or parts, products or other items related to such services which the person knows or, in the case of audio or visual services, should have known are available only for compensation without paying or agreeing to pay compensation or diverts the services of another person to his or her own benefit or that of another person without lawful authority to do so. (g) Takes, destroys, conceals or disposes of property in which another person has a security interest, with intent to defraud that person. (h) Commits any act that is declared to be theft by a specific statute. (i) Draws or passes a check, and in exchange obtains property or services, if the person knows that the check will not be paid when presented. (j) Obtains gasoline or other fuel or automotive products which are available

only for compensation without paying or agreeing to pay compensation. 2. A person who commits an act that is prohibited by subsection 1 which involves the repair of a vehicle has not committed theft unless, before the repair was made, the person received a written estimate of the cost of the repair. (Added to NRS by 1989, 1204; A 1999, 2706; 2001, 3024; 2013, 823)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0833 - Theft constitutes single offense embracing certain separate offenses; specification of charge in indictment or information.

1. Conduct denominated theft in NRS 205.0821 to 205.0835, inclusive, constitutes a single offense embracing the separate offenses commonly known as larceny, receiving or possessing stolen property, embezzlement, obtaining property by false pretenses, issuing a check without sufficient money or credit, and other similar offenses. 2. A criminal charge of theft may be supported by evidence that an act was committed in any manner that constitutes theft pursuant to NRS 205.0821 to 205.0835, inclusive, notwithstanding the specification of a different manner in the indictment or information, subject to the power of the court to ensure a fair trial by granting a continuance or other appropriate relief if it determines that, in a specific case, strict application of the provisions of this subsection would result in prejudice to the defense by lack of fair notice or by surprise. (Added to NRS by 1989, 1205; A 2007, 683)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0834 - Determination of amount involved in particular theft.

The amount involved in a theft shall be deemed to be the highest value, by any reasonable standard, of the property or services which are obtained. Amounts involved in thefts committed pursuant to a scheme or continuing course of conduct, whether from one or more persons, may be aggregated in determining the grade of the offense. (Added to NRS by 1989, 1205)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.08345 - Organized retail theft; penalties; determination of amount involved in thefts committed by organized retail theft; venue; investigation and prosecution by Attorney General.

1. A person who knowingly participates directly or indirectly in or engages in conduct with the intent to further an organized retail theft is guilty of a category B felony and shall be punished by imprisonment in the state prison for: (a) If the aggregated value of the property or services involved in all thefts committed in the organized retail theft in this State during a period of 120 days is at least \$3,500 but less than \$10,000, a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000. (b) If the aggregated value of the property or services involved in all thefts committed in the organized retail theft in this State during a period of 120 days is \$10,000 or more, a minimum term of not less than 2 years and a maximum term of not more than 15 years, and by a fine of not more than \$20,000. 2. In addition to any other penalty, the court shall order a person who violates this section to pay restitution. 3. For the purposes of this section, in determining the aggregated value of the property or services involved in all thefts committed in the organized retail theft in this State during a period of 120 days: (a) The amount involved in a single theft shall be deemed to be the highest value, by any reasonable standard, of the property or services which are obtained; and (b) The amounts involved in all thefts committed by all participants in the organized retail theft must be aggregated. 4. In any prosecution for a violation of this section, the violation shall be deemed to have been committed and may be prosecuted in any jurisdiction in this State in which any theft committed by any participant in the organized retail theft was committed, regardless of whether the defendant was ever physically present in that jurisdiction. 5. The Attorney General may investigate and prosecute a violation of this section and any other statute violated in the course of committing a violation of this section. 6. As used in this section: (a) "Internet or network site" has the meaning ascribed to it in NRS 205.4744. (b) "Merchant" has the meaning ascribed to it in NRS 597.850. (c) "Organized retail theft" means committing, either alone or with any other person or persons, a series of thefts of retail merchandise against one or more merchants, either on the premises of a merchant or through the use of an Internet or network site, in this State with the intent to: (1) Return the merchandise to the merchant for value; or (2) Resell, trade or barter the merchandise for value in any manner, including, without limitation, through the use of an Internet or network site. (Added to NRS by 2007, 682; A 2011, 161; 2013, 425; 2019, 2497; 2023, 1763)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.0835 - Penalties.

1. Unless a greater penalty is imposed by a specific statute and unless the provisions of NRS 205.08345 apply under the circumstances, a person who commits theft in violation of any provision of NRS 205.0821 to 205.0835, inclusive, shall be punished pursuant to the provisions of this section. 2. If the value of the property or services involved in the theft: (a) Is less than \$1,200, the person who committed the theft is guilty of a misdemeanor. (b) Is \$1,200 or more but less than \$5,000, the person who committed the theft is guilty of a category D felony and shall be punished as provided in NRS 193.130. (c) Is \$5,000 or more but less than \$25,000, the person who committed the theft is guilty of a category C felony and shall be punished as provided in NRS 193.130. (d) Is \$25,000 or more but less than \$100,000, the person who committed the theft is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000. (e) Is \$100,000 or more, the person who committed the theft is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and by a fine of not more than \$15,000. 3. In addition to any other penalty, the court shall order the person who committed the theft to pay restitution. (Added to NRS by 1989, 1205; A 1995, 1216; 1997, 340; 2007, 683; 2011, 162; 2019, 4427)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.085 - Definitions.

1. Within the provisions of this chapter relating to forgery or other offense, a "written instrument," or a "writing," or a "paper," shall include an instrument partly written and partly printed or wholly printed with a written signature thereto, or any signature or writing purporting to be a signature of or intended to bind an individual, partnership, corporation or association or an officer thereof. 2. The words "forge," "forgery," "forged," and "forging," shall include false making, "counterfeiting" and the alteration, erasure or obliteration of a genuine instrument in whole or in part, the false making or counterfeiting of the signature of a party or witness, real or fictitious, and the placing or connecting together with intent to defraud, of different parts or the whole of several genuine instruments. 3. A plate is in the "form and similitude," of the genuine instrument forged, if the finished parts of the engraving thereupon shall resemble or conform to the similar parts of the genuine instrument. 4. A plate, label, trademark, term, design, device or form of advertisement is in the form and similitude of the genuine instrument imitated if the finished parts of the engraving thereupon shall resemble or conform to the similar parts of the genuine instrument. [1911 C&P § 408; RL § 6673; NCL § 10360] + [1911 C&P § 429; RL § 6694; NCL § 10381]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.090 - Forgery of conveyances, negotiable instruments, stock certificates, wills and other instruments; utterance of forged instrument.

A person who falsely makes, alters, forges or counterfeits any record, or other authentic matter of a public nature, or any charter, letters patent, deed, lease, indenture, writing obligatory, will, testament, codicil, annuity, bond, covenant, bank bill or note, post note, check, draft, bill of exchange, contract, promissory note, traveler's check, money order, due bill for the payment of money or property or for the payment of any labor claim, receipt for money or property, power of attorney, any auditor's warrant for the payment of the money at the treasury, county order or warrant, or request for the payment of money, or the delivery of goods or chattels of any kind, or for the delivery of any instrument of writing, or acquittance, release, or receipt for money, goods, or labor claim, or any acquittance, release, or discharge for any debt, account, suit, action, demand, or other thing, real or personal, or any transfer or assurance of money, stock, goods, chattels, or other property whatever, or any letter of attorney, or other power to receive money, or to receive or transfer stock or annuities, or to let, lease, dispose of, alien or convey any goods or chattels, lands or tenements, or other estate, real or personal, or any acceptance or endorsement of any bill of exchange, promissory note, draft, order or assignment of any bond, writing obligatory, or promissory note, for money or other property, or any order, writ or process lawfully issued by any court or public officer, or any document or paper recorded or filed in any court or with any public officer, or in the Senate or Assembly, or counterfeits or forges the seal or handwriting of another, with the intent to damage or defraud any person, body politic or corporate, whether the person, body politic or corporate, resides in or belongs to this State or not, or utters, publishes, passes or attempts to pass, as true and genuine, any of the above-named false, altered, forged or counterfeited matters, as above specified and described, knowing it to be false, altered, forged or counterfeited with the intent to prejudice, damage or defraud any person, body politic or corporate, whether the person, body politic or corporate, resides in this State or not, is guilty of forgery, and shall be punished for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. [1911 C&P § 398; A 1941, 308; 1931 NCL § 10350]—(NRS A 1967, 494; 1969, 14; 1973, 174; 1979, 1440; 1995, 1216)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.095 - Other acts constituting forgery.

Every person who, with intent to injure or defraud, shall: 1. Make any false entry in any public record or account; 2. Fail to make a true entry of any material matter in any public record or account; or 3. Forge any letter or written communication or copy or purported copy thereof, or send or deliver, or connive at the sending or delivery of any false or fictitious telegraph message or copy or purported copy thereof, whereby or wherein the sentiments, opinions, conduct, character, purpose, property, interests or rights of any person shall be misrepresented or may be injuriously affected, or knowing any such letter, communication or message or any copy or purported copy thereof to be false, shall utter or publish the same or any copy or purported copy thereof as true, shall be guilty of forgery and be punished as provided in NRS 205.090. [1911 C&P § 399; RL § 6664; NCL § 10351]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.100 - Making, uttering or possessing with intent to utter fictitious bill, note or check.

1. Every person who makes, passes, utters or publishes, with an intention to defraud any person or persons, body politic or corporate, either in this state or elsewhere, or with the like intention attempts to pass, utter or publish any fictitious bill, note or check purporting to be the bill, note or check, or other instrument in writing, for the payment of money or property of some bank, corporation, copartnership or individual, when in fact there is no such bank, corporation, copartnership or individual in existence, the person knowing the bill, note, check or instrument in writing for the payment of money or property or any labor claim or claims to be fictitious, is guilty of forgery, and shall be punished as provided in NRS 205.090. 2. Whenever the note, bill, check or other instrument in writing is drawn upon any bank, proof that the purported drawer had no account at the bank shall be deemed sufficient evidence to sustain the allegation of the nonexistence of the drawer of such instrument. [1911 C&P § 400; A 1915, 15; 1941, 308; 1931 NCL § 10352]—(NRS A 1967, 495; 1979, 1441; 1997, 1184)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.105 - Forgery of instrument purporting to

have been issued by corporation or state.

The false making or forging of an instrument or writing purporting to have been issued by or in behalf of a corporation or association, state or government and bearing the pretended signature of any person therein falsely indicated as an agent or officer of such corporation, association, state or government, is forgery the same as if that person were in truth such officer or agent of such corporation, association, state or government. [1911 C&P § 401; RL § 6666; NCL § 10353]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.110 - Uttering forged instruments: Forgery.

Every person who, knowing the same to be forged or altered, and with intent to defraud, shall utter, offer, dispose of or put off as true, or have in his or her possession with intent so to utter, offer, dispose of or put off any forged writing, instrument or other thing, the false making, forging or altering of which is punishable as forgery, shall be guilty of forgery the same as if the person had forged the same. [1911 C&P § 402; RL § 6667; NCL § 10354]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.115 - True writing signed by wrongdoer's name or name of person not in existence.

Whenever the false making or uttering of any instrument or writing is forgery, every person who, with intent to defraud, shall offer, dispose of or put off such an instrument or writing subscribed or endorsed in his or her own name or that of any other person, whether such signature be genuine or fictitious, under the pretense that such subscription or endorsement is the act of another person of the same name, or that of a person not in existence, shall be deemed guilty of forgery and shall be punished accordingly. [1911 C&P § 403; RL § 6668; NCL § 10355]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.120 - False certificate to certain instruments punishable as forgery.

A person who is authorized to take a proof or acknowledgment of an instrument which by law may be recorded, who willfully certifies falsely that the execution of the instrument was acknowledged by any party thereto, or that the execution thereof was proved, is guilty of a category D felony, and shall be punished as provided in NRS 193.130. [1911 C&P § 404; RL § 6669; NCL § 10356]—(NRS A 1995, 1217)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.125 - Misconduct in signing, filing or altering petition; penalties.

1. A person shall not willfully sign the name of another person, whether living or deceased, or of a fictitious person to any petition. A person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in NRS 193.130. Each false or wrongful signature on a petition in violation of this subsection, whether related to a single petition or multiple petitions, constitutes a separate offense. 2. A person shall not willfully add to, revise or alter any petition with the intent to falsify the name or any information concerning the age, citizenship or residence of another person who signs the petition. A person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in NRS 193.130. Each addition, revision or alteration to a petition in violation of this subsection, whether related to a single petition or multiple petitions, constitutes a separate offense. 3. A person shall not willfully offer or provide any consideration, gratuity or reward to another person with the intent to induce the other person to sign his or her own name to or withdraw his or her own name from any petition. A person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in NRS 193.130. Each offer or provision of consideration, gratuity or reward to another person in violation of this subsection, whether related to a single petition or multiple petitions, constitutes a separate offense. 4. A person shall not, knowing that any petition contains any false or wrongful signature, statement or information, file the petition or cause the petition to be filed. A person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in NRS 193.130. Each filing of a petition in violation of this subsection, whether related to a single petition or multiple petitions, constitutes a separate offense. 5. A person shall not, in signing his or her own name to any petition, willfully subscribe to any false statement concerning his or her age, citizenship, residence or other qualifications to sign the petition. A person who violates the provisions of this subsection is guilty of a misdemeanor. Each subscription to a false statement in violation of this subsection, whether related to a single petition or multiple petitions, constitutes a separate offense. 6. As used in this section, "petition" means a referendum or other petition circulated in pursuance of any law of this State or any municipal ordinance. [1911 C&P § 405; RL § 6670; NCL § 10357]—(NRS A 2007, 753)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.130 - Issuance of check or draft without sufficient money or credit: Penalties.

1. Except as otherwise provided in this subsection and subsections 2 and 3, a person who willfully, with an intent to defraud, draws or passes a check or draft to obtain: (a) Money; (b) Delivery of other valuable property; (c) Services; (d) The use of property; or (e) Credit extended by any licensed gaming establishment, drawn upon any real or fictitious person, bank, firm, partnership, corporation or depository, when the person has insufficient money, property or credit with the drawee of the instrument to pay it in full upon its presentation, is guilty of a misdemeanor. If that instrument, or a series of instruments passed in the State during a period of 90 days,

is in the amount of \$1,200 or more, the person is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. A person who was previously convicted three times of a misdemeanor under the provisions of this section, or of an offense of a similar nature, in this State or any other state, or in a federal jurisdiction, who violates this section is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 3. A person who willfully issues any check or draft for the payment of wages in excess of \$1,200, when the person knows he or she has insufficient money or credit with the drawee of the instrument to pay the instrument in full upon presentation is guilty of a gross misdemeanor. 4. For the purposes of this section, "credit" means an arrangement or understanding with a person, firm, corporation, bank or depository for the payment of a check or other instrument. [1911 C&P § 407; A 1917, 10; 1925, 346; 1927, 233; 1929, 93; 1941, 308; 1955, 151]—(NRS A 1960, 380; 1961, 58, 309; 1963, 495; 1967, 495; 1969, 1518; 1971, 1336; 1973, 1453; 1975, 755; 1979, 1011; 1983, 856; 1989, 1432; 1995, 1217; 2011, 162; 2019, 4428)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.132 - Issuance of check or draft without sufficient money or credit: Presumptions of intent to defraud and knowledge of insufficiency; malice in causing prosecution.

1. In a criminal action for issuing a check or draft against insufficient or no funds with intent to defraud, that intent and the knowledge that the drawer has insufficient money, property or credit with the drawee is presumed to exist if: (a) The instrument is drawn on a purported account which does not exist. (b) Payment of the instrument is refused by the drawee when it is presented in the usual course of business, unless within 5 days after receiving notice of this fact from the drawee or the holder, the drawer pays the holder of the instrument the full amount due plus any handling charges. (c) Notice of refusal of payment, sent to the drawer by registered or certified mail at an address printed or written on the instrument, is returned because of nondelivery. 2. If a complainant causes a criminal action to be commenced for issuing a check or draft with intent to defraud and refuses to testify in the action, the complainant is presumed to have acted maliciously and without probable cause. (Added to NRS by 1979, 1010; A 1993, 145)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.134 - Issuance of check or draft without sufficient money or credit: Posting notices.

1. A notice in boldface type which is clearly legible and is in substantially the following form must be posted in a conspicuous place in every principal and branch office of every bank and in every place of business in which retail selling is conducted: The issuance of a check or draft without sufficient money or with intent to defraud is punishable by imprisonment in the county jail for not more than 6 months, or by a fine of not more than \$1,000, or by both fine and imprisonment, and the issuance of such a check or draft in an amount of \$1,200 or more or by a person who previously has been convicted three times of this or a similar offense is punishable as a category D felony as provided in NRS 193.130. 2. Failure of the owner, operator or manager of a bank or other place of business to post the sign required by this section is not a defense to charge of a violation of NRS 205.130. (Added to NRS by 1979, 1010; A 1985, 250, 456; 1989, 1433; 1993, 1518; 1995, 1218; 1997, 9; 2005, 1081; 2007, 97; 2011, 163; 2019, 4429)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.160 - Possessing or receiving forged instruments or bills.

A person who has in his or her possession, or receives from any other person, any forged promissory note, traveler's check or money order, or bank bill, or bill for the payment of money or property, with the intention to pass it, or to permit, cause, or procure it to be uttered or passed, with the intention to defraud any person, body politic or corporate, whether the person, body politic or corporate, resides in or belongs to this state or not, knowing it to be forged or counterfeited, or has or keeps in his or her possession any blank or unfinished note, traveler's check, money order or bank bill, made in the form or similitude of any promissory note or bill for payment of money or property, made to be issued by any person, company, partnership or corporation, with the intention to fill up and complete the blank and unfinished note or bill, or to permit, or cause, or procure it to be filled up and completed in order to utter or pass it, or to permit, or cause, or procure it to be uttered and passed to defraud any person, body politic or corporate, whether in this state or elsewhere, is guilty of a category C felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. [1911 C&P § 417; RL § 6682; NCL § 10369]—(NRS A 1967, 497; 1973, 174; 1979, 1442; 1995, 1218)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.165 - General reputation may be used to prove incorporation in trial for forgery of bill or note of incorporated company or bank.

On the trial of any person for forging any bill or note purporting to be the bill or note of some incorporated company or bank, or for passing or attempting to pass, or having in possession with intent to pass, any such forged bill or note, it shall not be necessary to prove the incorporation of such bank or company by the charter or act of incorporation, but the same may be proved by general reputation. [1911 C&P § 418; RL § 6683; NCL § 10370]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.170 - Expert may prove forgery or counterfeit.

Persons of skill shall be competent witnesses to prove that such bill or note is forged or counterfeited. [1911 C&P § 419; RL § 6684;

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.175 - Counterfeiting seals; forgery of signatures of public officers; sale or possession of counterfeit badge or identification of law enforcement agency.

1. A person who: (a) Fraudulently forges or counterfeits the Seal of this State, or the seal of any court or public officer by law entitled to have and use a seal, or the seal of any corporation, and makes use of the seal; (b) Forges or counterfeits the signature of any public officer, or seal of any corporation; (c) Unlawfully and corruptly, and with evil intent, affixes a true seal to any commission, deed, warrant, pardon, certificate or other writing; or (d) Has in his or her possession or custody a counterfeit seal, and willfully conceals it, knowing it to be falsely made and counterfeited, is guilty of a category D felony and shall be punished as provided in NRS 193.130. 2. A person who manufactures or knowingly sells or possesses a counterfeit badge or identification of any law enforcement agency is guilty of a gross misdemeanor. [1911 C&P § 420; RL § 6685; NCL § 10372]—(NRS A 1967, 497; 1979, 1442; 1989, 1670; 1995, 1219)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.180 - Counterfeiting gold dust, bars or other articles; making or possessing instruments.

A person who counterfeits any kind or species of gold dust, silver, gold, bullion or bars, lumps, pieces, or nuggets of gold or silver, or any description of uncoined gold or silver currently passing in this state, or alters or puts off any kind of uncoined gold or silver mentioned in this section, for the purpose of defrauding any person, body politic or corporate, or makes any instrument for counterfeiting any kind of uncoined gold or silver as aforesaid, knowing the purpose for which the instrument was made, or knowingly has in his or her possession and secretly keeps any instrument for the purpose of counterfeiting any kind of uncoined gold or silver as aforesaid, is guilty of a category C felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. [1911 C&P § 421; RL § 6686; NCL § 10373]—(NRS A 1967, 497; 1979, 1442; 1995, 1219)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.185 - Possessing or receiving counterfeit gold dust, silver, bullion or bars.

A person who has in his or her possession, or receives for any other person, any counterfeit gold dust, silver, gold, bullion or bars, lumps, pieces, or nuggets of gold or silver, or any description whatsoever of uncoined gold or silver currently passing in this state, or entering in anywise into the circulating medium of the state, with intention to utter, put off, or pass it, or permit, cause, or procure it to be uttered or passed, with the intention to defraud any person, body politic or corporate, knowing it to be counterfeit, is guilty of a category C felony and shall be punished as provided in NRS 193.130. [1911 C&P § 422; RL § 6687; NCL § 10374]—(NRS A 1967, 498; 1979, 1443; 1995, 1220)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.195 - Counterfeiting stamps and labels.

Every person who shall knowingly and willfully forge or counterfeit, or cause or procure to be forged or counterfeited, upon any goods, wares or merchandise, the private stamps or labels of any mechanic or manufacturer, with intent to defraud the purchasers or manufacturers of any goods, wares or merchandise whatsoever, shall, on conviction thereof, be deemed guilty of a misdemeanor. [1911 C&P § 424; RL § 6689; NCL § 10376]—(NRS A 1967, 498)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.200 - Goods containing forged stamps.

Any person who shall sell any goods, wares or merchandise having thereon any forged or counterfeit stamps or labels, purporting to be the stamps or labels of any mechanic or manufacturer, knowing the same to be forged or counterfeited, without disclosing the fact to the purchaser, shall, on conviction thereof, be deemed guilty of a misdemeanor. [1911 C&P § 425; RL § 6690; NCL § 10377]—(NRS A 1967, 498)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.205 - Counterfeiting trademark or design.

Every person who shall use or display or have in his or her possession with intent to use or display the genuine label, trademark, term, design, device, or form of advertisement of any person, corporation, association or union lawfully filed for record according to law of the State, or the exclusive right to use which is guaranteed to any person, corporation, association or union by the laws of the United States, or of this State, without the written authority of such person, corporation, association or union, or who shall willfully forge or counterfeit or use or display or have in his or her possession with intent to use or display any representation, likeness, similitude, copy or imitation of any genuine label, trademark, term, design, device, or form of advertisement, so filed or protected, or any die, plate, stamp or other device for manufacturing the same, shall be guilty of a misdemeanor. [1911 C&P § 426; RL § 6691; NCL § 10378]—(NRS A 1967, 498)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.210 - Selling, displaying or advertising goods with false trademark; investigation and prosecution by Attorney General.

1. A person shall not knowingly sell, display or advertise, or have in his or her possession with intent to sell, any goods, wares,

merchandise, mixture, preparation or compound having affixed thereto any label, trademark, term, design, device or form of advertisement lawfully filed for record in the Office of the Secretary of State by any person, corporation, association or union, or the exclusive right to the use of which is guaranteed to the person, corporation, association or union under the laws of the United States, if the label, trademark, term, design, device or form of advertisement has been used or affixed thereto without the written authority of the person, corporation, association or union, or having affixed thereto any forged or counterfeit representation, likeness, similitude, copy or imitation thereof. 2. Except as otherwise provided in subsection 3, a violation of the provisions of subsection 1 is a misdemeanor. 3. A violation of the provisions of subsection 1 is: (a) A category E felony if: (1) The person committing the violation has been previously convicted one time for a violation of the provisions of subsection 1; or (2) The goods, wares, merchandise, mixture, preparation or compound with respect to which the person violated the provisions of subsection 1: (I) Consists of at least 100 but less than 1,000 salable units; or (II) Has a retail value of at least \$1,000 but less than \$10,000. (b) A category D felony if: (1) The person committing the violation has been previously convicted two or more times for a violation of the provisions of subsection 1; or (2) The goods, wares, merchandise, mixture, preparation or compound with respect to which the person violated the provisions of subsection 1: (I) Consists of at least 1,000 salable units; or (II) Has a retail value of at least \$10,000. 4. For the purposes of this section, in accordance with the provisions of NRS 47.230, it may be reasonably inferred that a person intends to sell goods, wares, merchandise, a mixture, a preparation or a compound if the person knowingly possesses at least 26 salable units of the goods, wares, merchandise, mixture, preparation or compound. 5. The Attorney General may investigate and prosecute a violation of this section and any other statute violated in the course of committing a violation of this section. 6. As used in this section, "retail value" means: (a) If the item that is identified by a label, trademark, term, design, device or form of advertisement in violation of subsection 1 is a component of a finished product with multiple components, the price at which the person in violation of subsection 1 regularly sells the finished product; or (b) For any other item that is identified by a label, trademark, term, design, device or form of advertisement in violation of subsection 1, the price at which the person in violation of subsection 1 regularly sells the item. [1911 C&P § 427; RL § 6692; NCL § 10379]—(NRS A 1999, 1139; 2023, 1763)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.215 - Fraudulent registration of trademark.

Every person who shall for himself or herself, or on behalf of any other person, corporation, association or union, procure the filing of any label, trademark, term, design, device or form of advertisement, by any fraudulent means, shall be guilty of a misdemeanor. [1911 C&P § 428; RL § 6693; NCL § 10380]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.216 - Unlawful operation of audiovisual recording function in motion picture theater.

1. Except as otherwise provided in subsection 5, it is unlawful for a person to, without the consent of the owner or lessee of a motion picture theater, knowingly operate an audiovisual recording function of any device in the motion picture theater with the intent to record a motion picture that is being exhibited in that theater. 2. Unless a greater penalty is imposed by a specific statute, a person who violates the provisions of subsection 1 is guilty of: (a) For a first offense, a misdemeanor; and (b) For a second or any subsequent offense, a category D felony and shall be punished as provided in NRS 193.130. 3. An owner or lessee of a motion picture theater and an authorized agent or employee of an owner or lessee of a motion picture theater who has reason to believe that a person has operated an audiovisual recording function of any device in the motion picture theater in violation of subsection 1 may take the person into custody and detain the person, on the premises of the motion picture theater, in a reasonable manner and for a reasonable length of time, for the purpose of informing a peace officer of the circumstances of such detention. The owner, lessee, agent or employee is presumed to have reason to believe that a person has operated an audiovisual recording function of any device in violation of subsection 1 if the owner, lessee, agent or employee observed the person aiming the device at a screen or other surface while a motion picture was being exhibited on the screen or other surface. Such taking into custody and detention by an owner, lessee, agent or employee does not render the owner, lessee, agent or employee criminally or civilly liable for false arrest, false imprisonment, slander or unlawful detention unless the taking into custody and detention are unreasonable under all the circumstances. 4. An owner, lessee, agent or employee is not entitled to the immunity from liability provided for in this section unless there is displayed in a conspicuous place on the premises of the motion picture theater a notice in boldface type clearly legible and in substantially the following form: It is a crime to record a movie in this theater. If the owner or lessee of the theater or an employee or agent of the owner or lessee has reason to believe that a person is recording a movie in this theater, he or she may detain the person on the premises of the theater for the purpose of notifying a peace officer. Violators of this crime are subject to arrest and prosecution. NRS 205.216. 5. This section does not prevent a federal, state or local governmental agency or officer thereof who is engaged in any lawful activity related to an investigation, protecting the public, enforcing the laws or gathering information from operating any audiovisual recording function of any device in a motion picture theater as part of that lawful activity. 6. As used in this section: (a) "Audiovisual recording function" means a function which is capable of recording or transmitting a motion picture or any part thereof by means of any technology now known or later developed. (b) "Motion picture theater" means a movie theater, screening room or other venue that is used primarily for the exhibition of a motion picture. (Added to NRS by 2005, 525)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.217 - Unlawful reproduction or sale of sound recordings.

1. Except as otherwise provided in subsection 3, it is unlawful for any person, firm, partnership, corporation or association knowingly to: (a) Transfer or cause to be transferred any sounds recorded on a phonograph record, disc, wire, tape, film or other article on which sounds are recorded onto any other phonograph record, disc, wire, tape, film or article; or (b) Sell, distribute, circulate, offer for sale, distribution or circulation, possess for the purpose of sale, distribution or circulation, or cause to be sold, distributed, circulated, offered for sale, distribution or circulation, or possessed for sale, distribution or circulation, any article or device on which sounds have been transferred without the consent of the person who owns the master phonograph record, master disc, master tape or other device or article from which the sounds are derived. 2. It is unlawful for any person, firm, partnership, corporation or association to sell, distribute, circulate, offer for sale, distribution or circulation or possess for the purposes of sale, distribution or circulation, any phonograph record, disc, wire, tape, film or other article on which sounds have been transferred unless the phonograph record, disc, wire, tape, film or other article bears the actual name and address of the transferor of the sounds in a prominent place on its outside face or package. 3. This section does not apply to any person who transfers or causes to be transferred any sounds intended for or in connection with radio or television broadcast transmission or related uses, for archival purposes or solely for the personal use of the person transferring or causing the transfer and without any compensation being derived by the person from the transfer. 4. A person who violates the provisions of this section shall be punished: (a) For the first offense, for a category D felony as provided in NRS 193.130. (b) For a subsequent offense, for a category C felony as provided in NRS 193.130. (Added to NRS by 1973, 1121; A 1979, 1443; 1995, 1220)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.2175 - Definitions.

As used in NRS 205.2175 to 205.2705, inclusive, unless the context otherwise requires, the words and terms defined in NRS 205.218 to 205.2195, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1997, 339; A 2009, 1243; 2019, 4429)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.218 - "Domesticated animals" defined.

"Domesticated animals" means all domesticated animals other than livestock. (Added to NRS by 1997, 339)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.2185 - "Domesticated birds" defined.

"Domesticated birds" means all poultry and domesticated fowl or birds. (Added to NRS by 1997, 339)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.219 - "Livestock" defined.

"Livestock" means: 1. All cattle or animals of the bovine species; 2. All horses, mules, burros and asses or animals of the equine species; 3. All swine or animals of the porcine species; 4. All goats or animals of the caprine species; and 5. All sheep or animals of the ovine species. (Added to NRS by 1997, 339)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.2195 - "Property" defined.

"Property" means: 1. Personal goods, personal property and motor vehicles; 2. Money, negotiable instruments and other items listed in NRS 205.260; 3. Livestock, domesticated animals and domesticated birds; and 4. Any other item of value, whether or not the item is listed in NRS 205.2175 to 205.2705, inclusive. (Added to NRS by 1997, 339; A 2009, 1243; 2019, 4429)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.220 - Grand larceny: Definition.

Except as otherwise provided in NRS 205.226 and 205.228, a person commits grand larceny if the person: 1. Intentionally steals, takes and carries away, leads away or drives away: (a) Personal goods or property, with a value of \$1,200 or more, owned by another person; (b) Bedding, furniture or other property, with a value of \$1,200 or more, which the person, as a lodger, is to use in or with his or her lodging and which is owned by another person; or (c) Real property, with a value of \$1,200 or more, that the person has converted into personal property by severing it from real property owned by another person. 2. Uses a card or other device for automatically withdrawing or transferring money in a financial institution to obtain intentionally money to which the person knows he or she is not entitled. 3. Intentionally steals, takes and carries away, leads away, drives away or entices away: (a) One or more head of livestock owned by another person; or (b) One or more domesticated animals or domesticated birds, with an aggregate value of \$1,200 or more, owned by another person. 4. With the intent to defraud, steal, appropriate or prevent identification: (a) Marks or brands, causes to be marked or branded, alters or defaces a mark or brand, or causes to be altered or defaced a mark or brand upon one or more head of livestock owned by another person; (b) Sells or purchases the hide or carcass of one or more head of livestock owned by another person that has had a mark or brand cut out or obliterated; (c) Kills one or more head of livestock owned by another person but running at large, whether or not the livestock is marked or branded; or (d) Kills one or more domesticated animals or domesticated birds, with an aggregate value of \$1,200 or more, owned by another person but running at large, whether or not the animals or birds are marked or branded. [1911 C&P § 373; A 1915, 119; 1947, 85; 1949, 127; 1943 NCL § 10323]—(NRS A 1965, 1007; 1967, 499; 1969, 531; 1979, 155, 1444; 1983, 546; 1989, 71, 1433; 1995, 13, 1221, 1323; 1997, 341; 2011, 163; 2019, 4429)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.222 - Grand larceny: Penalties.

1. Unless a greater penalty is imposed by a specific statute, a person who commits grand larceny in violation of NRS 205.220 shall be punished pursuant to the provisions of this section. 2. If the value of the property involved in the grand larceny: (a) Is less than \$5,000, the person who committed the grand larceny is guilty of a category D felony and shall be punished as provided in NRS 193.130. (b) Is \$5,000 or more but less than \$25,000, the person who committed the grand larceny is guilty of a category C felony and shall be punished as provided in NRS 193.130. (c) Is \$25,000 or more but less than \$100,000, the person who committed the grand larceny is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000. (d) Is \$100,000 or more, the person who committed the grand larceny is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and by a fine of not more than \$15,000. 3. In addition to any other penalty, the court shall order the person who committed the grand larceny to pay restitution. 4. If the grand larceny involved a sale in violation of subsection 3 or 4 of NRS 205.220, all proceeds from the sale are subject to forfeiture. (Added to NRS by 1997, 339; A 2011, 164; 2019, 4430)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.226 - Grand larceny of firearm; penalty.

1. A person who intentionally steals, takes and carries away a firearm owned by another person commits grand larceny of a firearm. 2. A person who commits grand larceny of a firearm is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000. 3. In addition to any other penalty, the court shall order the person who committed the grand larceny of the firearm to pay restitution. (Added to NRS by 1997, 340)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.228 - Grand larceny of motor vehicle; penalty.

1. A person who intentionally steals, takes and carries away, drives away or otherwise removes a motor vehicle owned by another person commits grand larceny of a motor vehicle. 2. A person who commits grand larceny of a motor vehicle is guilty of: (a) For a first offense, a category C felony and shall be punished as provided in NRS 193.130. (b) For a second or subsequent offense within 5 years, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and by a fine of not more than \$5,000. 3. In addition to any other penalty, the court shall order the person who committed the grand larceny of the motor vehicle to pay restitution. (Added to NRS by 1997, 340; A 2011, 164; 2019, 4430)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.230 - Duties of peace officer concerning grand larceny of animal.

1. All state, county, city and township peace and law enforcement officers are empowered and directed to pursue, apprehend and arrest whenever or wherever, irrespective of county boundaries within the State, a person who commits grand larceny in violation of subsection 3 or 4 of NRS 205.220. 2. Upon apprehension and arrest of a person pursuant to subsection 1, the arresting officer shall take the person before the nearest or most accessible magistrate without unnecessary delay. [1911 C&P § 375a; added 1951, 299] + [1911 C&P § 375b; added 1951, 299]—(NRS A 1967, 176; 1983, 855; 1997, 342)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.240 - Petit larceny; penalty.

1. Except as otherwise provided in NRS 205.220, 205.226, 205.228, 475.105 and 501.3765, a person commits petit larceny if the person: (a) Intentionally steals, takes and carries away, leads away or drives away: (1) Personal goods or property, with a value of less than \$1,200, owned by another person; (2) Bedding, furniture or other property, with a value of less than \$1,200, which the person, as a lodger, is to use in or with his or her lodging and which is owned by another person; or (3) Real property, with a value of less than \$1,200, that the person has converted into personal property by severing it from real property owned by another person. (b) Intentionally steals, takes and carries away, leads away, drives away or entices away one or more domesticated animals or domesticated birds, with an aggregate value of less than \$1,200, owned by another person. 2. Unless a greater penalty is provided pursuant to NRS 205.267, a person who commits petit larceny is guilty of a misdemeanor. In addition to any other penalty, the court shall order the person to pay restitution. [1911 C&P § 374; A 1947, 85; 1949, 127; 1943 NCL § 10324]—(NRS A 1965, 300, 1007; 1967, 500; 1969, 531; 1983, 547; 1985, 751; 1989, 1434; 1995, 13; 1997, 342, 1114; 1999, 3109; 2009, 1243; 2011, 165; 2013, 1003; 2019, 4431)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.251 - Determination of value of property involved in larceny offense.

For the purposes of NRS 205.2175 to 205.2705, inclusive: 1. The value of property involved in a larceny offense shall be deemed to be the highest value attributable to the property by any reasonable standard. 2. The value of property involved in larceny offenses committed by one or more persons pursuant to a scheme or continuing course of conduct may be aggregated in determining the grade of the larceny offenses. (Added to NRS by 1997, 340; A 2009, 1243; 2019, 4431)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.260 - Negotiable and other instruments

subjects of larceny.

Bonds, promissory notes, banknotes, bills of exchange, or other bills, orders, drafts, checks, travelers' checks, money orders, receipts or certificates, or warrants for or concerning money, goods or property, due, or to become due, or to be delivered, or any public security issued by the United States or by this state, and any deed or writing containing a conveyance of land or valuable contract, in force, or any release or defeasance, or any other instrument whatever, shall be considered personal goods, of which larceny may be committed; and the money due thereon, or secured thereby and remaining unsatisfied, or which, in any event or contingency, might be due or collectible thereon, or the value of the property transferred or affected thereby, as the case may be, shall be deemed the value of the article stolen. [1911 C&P § 380; RL § 6645; NCL § 10332]—(NRS A 1973, 175)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.265 - Commission or part ownership no defense for larceny.

It shall be no defense to a prosecution for larceny that the accused was entitled to a commission out of the money or property appropriated as compensation for collecting or receiving the same for or on behalf of the owner thereof, or that the money or property appropriated was partly the property of another and partly the property of the accused; but it shall not be larceny for any bailee, factor, pledgee, servant, attorney, agent, employee or trustee, executor, administrator, guardian, officer or other person to retain his or her reasonable collection fee or charges. [1911 C&P § 387; RL § 6652; NCL § 10339]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.267 - Penalty for theft of scrap metal or utility property.

1. A person who intentionally steals, takes and carries away scrap metal or utility property with a value of less than \$1,200 within a period of 90 days is guilty of a misdemeanor. 2. A person who intentionally steals, takes and carries away scrap metal or utility property with a value of \$1,200 or more within a period of 90 days is guilty of: (a) If the value of the scrap metal or utility property taken is \$1,200 or more but less than \$5,000, a category D felony and shall be punished as provided in NRS 193.130. (b) If the value of the scrap metal or utility property taken is \$5,000 or more but less than \$25,000, a category C felony and shall be punished as provided in NRS 193.130. (c) If the value of the scrap metal or utility property taken is \$25,000 or more but less than \$100,000, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000. (d) If the value of the scrap metal or utility property taken is \$100,000 or more, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and by a fine of not more than \$15,000. 3. In addition to any other penalty, the court shall order a person who violates the provisions of subsection 1 or 2 to pay restitution and: (a) For a first offense, to perform 100 hours of community service. (b) For a second offense, to perform 200 hours of community service. (c) For a third or subsequent offense, to perform up to 300 hours of community service for up to 1 year, as determined by the court. 4. In determining the value of the scrap metal or utility property taken, the cost of repairing and, if necessary, replacing any property damaged by the theft of the scrap metal or utility property must be added to the value of the property. 5. As used in this section: (a) "Scrap metal" has the meaning ascribed to it in NRS 647.017. (b) "Utility property" has the meaning ascribed to it in NRS 202.582. (Added to NRS by 2009, 1242; A 2011, 165; 2013, 319; 2019, 4431)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.270 - Penalty for taking property from person of another under circumstances not amounting to robbery; limitation on granting of probation or suspension of sentence.

1. A person who, under circumstances not amounting to robbery, with the intent to steal or appropriate to his or her own use, takes property from the person of another, without the other person's consent, is guilty of a category C felony and shall be punished as provided in NRS 193.130. 2. In addition to any other penalty, the court shall order the person to pay restitution. 3. The court shall not grant probation to or suspend the sentence of any person convicted of violating subsection 1 if the person from whom the property was taken has any infirmity caused by age or other physical condition. [1911 C&P § 557; RL § 6822; NCL § 10502]—(NRS A 1967, 500; 1979, 1445; 1985, 1868; 1995, 1222; 1997, 343; 2011, 165; 2019, 4432)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.2705 - Use of unlawful coin or cheating device in vending machine, telephone or other coin operated device prohibited; penalty.

1. It is unlawful for any person, in using any lawful vending machine, coin box, telephone or other receptacle designed to receive or be operated by lawful coin of the United States of America in furtherance of or in connection with the sale, use or enjoyment of property or service: (a) To use other than lawful coin, legal tender of the United States of America, or coin not of the same denomination as the coin intended to be used in such device; or (b) To use or have on his or her person any cheating or thieving device to facilitate removing from any lawful vending machine, coin box, telephone or other receptacle any part of the contents thereof. 2. Every person who violates any of the provisions of this section is guilty of a gross misdemeanor. (Added to NRS by 1973, 446)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.271 - "Owner" defined.

As used in NRS 205.2715, 205.273 and 205.274, the word "owner" means a person having the lawful use or control or the right to

the use and control of a vehicle under a lease or otherwise for a period of 10 or more successive days. (Added to NRS by 1963, 886; A 1969, 531; 1975, 143)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.2715 - Unlawful taking of vehicle: Inference; penalty.

1. Every person who takes and carries away or drives away the vehicle of another without the intent to permanently deprive the owner thereof but without the consent of the owner of such vehicle is guilty of a gross misdemeanor. 2. Every person who is in possession of a vehicle without the consent of the owner of such vehicle may reasonably be inferred to have taken and carried away or driven away the vehicle. 3. "Vehicle" as used in this section means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, waterway or airway, excepting devices moved by human power or used exclusively upon stationary rails or tracks. (Added to NRS by 1973, 1686; A 1983, 718)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.273 - Offense involving stolen vehicle: Definition; penalty; restitution.

1. A person commits an offense involving a stolen vehicle if the person: (a) With the intent to procure or pass title to a motor vehicle which the person knows or has reason to believe has been stolen, receives or transfers possession of the vehicle from or to another person; or (b) Has in his or her possession a motor vehicle which the person knows or has reason to believe has been stolen. 2. The provisions of subsection 1 do not apply to an officer of the law if the officer is engaged in the performance of his or her duty as an officer at the time of the receipt, transfer or possession of the stolen vehicle. 3. A person who violates the provisions of subsection 1 is guilty of a category C felony and shall be punished as provided in NRS 193.130. 4. In addition to any other penalty, the court shall order the person to pay restitution. (Added to NRS by 1961, 269; A 1967, 501; 1979, 1445; 1995, 1222; 1997, 344; 2011, 166; 2019, 4432)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.274 - Injuring or tampering with vehicle; penalties.

1. Except as otherwise provided in NRS 487.0385, any person who shall individually or in association with one or more other persons willfully break, injure, tamper with or remove any part or parts of any vehicle for the purpose of injuring, defacing or destroying such vehicle, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner of such vehicle, or who shall in any manner willfully or maliciously interfere with or prevent the running or operation of such vehicle, shall be guilty of a public offense proportionate to the value of the loss resulting therefrom. 2. Any person who shall without the consent of the owner or person in charge of a vehicle climb into or upon such vehicle with the intent to commit any crime, malicious mischief, or injury thereto, or who while a vehicle is at rest and unattended shall attempt to manipulate any of the levers, starting crank or other starting device, brakes or other mechanism thereof, or to set such vehicle in motion, shall be guilty of a misdemeanor; but the foregoing provisions shall not apply when any such act is done in an emergency in furtherance of public safety or convenience or by or under the direction of an officer in the regulation of traffic or performance of any other official duty. (Added to NRS by 1961, 269; A 1967, 501; 2017, 3188)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.2741 - Throwing substance at bicycle, electric bicycle, electric scooter or motor vehicle; willfully damaging bicycle, electric bicycle or motor vehicle; penalty.

1. It is unlawful for any person: (a) To throw any stone, rock, missile or any substance at any bicycle, electric bicycle, as defined in NRS 484B.017, or electric scooter, as defined in NRS 482.0295, or at any motorbus, truck or other motor vehicle; or (b) Wrongfully to injure, deface or damage any bicycle, electric bicycle, as defined in NRS 484B.017, or any motorbus, truck or other motor vehicle, or any part thereof. 2. Any person who violates any of the provisions of subsection 1 is guilty of a public offense, as prescribed in NRS 193.155, proportionate to the value of the property damaged and in no event less than a misdemeanor. (Added to NRS by 1971, 722; A 1979, 157; 1991, 2232; 2019, 1899; 2021, 1745)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.27415 - Theft or unlawful possession of used catalytic converters prohibited.

1. A person commits the offense of theft of a catalytic converter if the person willfully takes or attempts to take possession of, carries away or exercises control over a used catalytic converter with the intent to deprive the rightful owner of the catalytic converter. 2. A person commits the offense of possession of a catalytic converter if the person possesses two or more used catalytic converters unless the person is: (a) An automobile wrecker licensed pursuant to NRS 487.070; (b) A scrap metal processor licensed pursuant to NRS 647.092 who maintains a fixed place of business and has obtained the used catalytic converter in accordance with the provisions of NRS 647.094 and 647.098; (c) A motor vehicle manufacturer, distributor, dealer or rebuilder licensed pursuant to NRS 482.325; (d) Any other business that may reasonably generate, possess or sell used catalytic converters; or (e) A person possessing documentation that proves the person is the lawful owner or possessor of the used catalytic converter, including, without limitation, a certificate of title or registration that identifies the person as the legal or registered owner of the vehicle from which the used catalytic converter was removed and which includes a vehicle identification number that matches the vehicle identification

number permanently marked on the used catalytic converter. 3. As used in this section: (a) "Permanently marked" has the meaning ascribed to it in NRS 647.0165. (b) "Used catalytic converter" has the meaning ascribed to it in NRS 647.0185. (Added to NRS by 2023, 622)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.27417 - Catalytic converters: Unlawful purchase; exceptions.

1. A person shall not purchase a used catalytic converter for any purpose, including, without limitation, to dismantle, recycle or smelt, unless the person purchases the used catalytic converter from: (a) An automobile wrecker licensed pursuant to NRS 487.070; (b) A scrap metal processor licensed pursuant to NRS 647.092 who maintains a fixed place of business and has obtained the used catalytic converter in accordance with the provisions of NRS 647.094 and 647.098; (c) A motor vehicle manufacturer, distributor, dealer or rebuilder licensed pursuant to NRS 482.325; (d) Any other business that may reasonably generate, possess or sell used catalytic converters; or (e) A person possessing documentation that proves the person is the lawful owner or possessor of the used catalytic converter, including, without limitation, a certificate of title or registration that identifies the person as the legal or registered owner of the vehicle from which the used catalytic converter was removed and which includes a vehicle identification number that matches the vehicle identification number permanently marked on the used catalytic converter. 2. As used in this section: (a) "Permanently marked" has the meaning ascribed to it in NRS 647.0165. (b) "Used catalytic converter" has the meaning ascribed to it in NRS 647.0185. (Added to NRS by 2023, 623)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.27419 - Catalytic converters: Penalties.

A person who violates any provision of NRS 205.27415 or 205.27417 is guilty of: 1. If the violation involves one used catalytic converter, a category E felony and shall be punished as provided in NRS 193.130. 2. If the violation involves 2 or more, but less than 10, used catalytic converters, a category D felony and shall be punished as provided in NRS 193.130. 3. If the violation involves 10 or more used catalytic converters, a category C felony and shall be punished as provided in NRS 193.130. (Added to NRS by 2023, 623)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.2745 - Owning or operating premises on which illegally obtained motor vehicle is altered, destroyed, disassembled, reassembled or stored for certain purposes; penalties.

1. A person who owns or operates a building or other premises shall not knowingly allow a motor vehicle or part of a motor vehicle that is illegally obtained by theft, fraud or conspiracy to defraud to be altered, destroyed, disassembled, reassembled or stored at the building or premises for the purpose of: (a) Defacing, destroying or altering the identity of the motor vehicle or the part of a motor vehicle, including, without limitation, the identification number, to misrepresent the identity of or prevent the identification of the motor vehicle or the part; or (b) Selling or disposing of the motor vehicle or the part of a motor vehicle. 2. A person who violates the provisions of subsection 1 is guilty of a category C felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$50,000. 3. As used in this section, "motor vehicle" has the meaning ascribed to it in NRS 482.075. (Added to NRS by 1999, 2059)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.2747 - Unlawful transfer or assignment of right or interest in motor vehicle; penalty.

1. A person, other than a party to the lease contract, retail installment contract or security agreement, for compensation or some other consideration, shall not transfer or assign, or purport to transfer or assign, any right or interest in a motor vehicle that is subject to a lease contract, retail installment contract or security agreement the terms of which prohibit the transfer or assignment of any right or interest in the motor vehicle to any person who is not a party to the contract or agreement. 2. A person shall not assist, cause or arrange for a person to violate the provisions of subsection 1. 3. This section does not affect the enforceability of any provision of any lease contract, retail installment contract, security agreement or direct loan agreement by any party to the contract or agreement. 4. In addition to any other penalty, a person who violates the provisions of this section is guilty of a gross misdemeanor. 5. As used in this section: (a) "Buyer" means a person who buys or hires a motor vehicle pursuant to a retail installment contract. (b) "Direct loan agreement" means an agreement between a lender and a purchaser by which the lender has advanced money pursuant to a loan secured by a motor vehicle which the purchaser has purchased. (c) "Lease contract" means a contract for or in contemplation of a lease or bailment for the use of a motor vehicle, and the purchase of services incidental to the lease or bailment, by a natural person for a term exceeding 4 months, primarily for personal, family, household, business or commercial purposes. (d) "Lessor" means a person who is engaged in the business of leasing, offering to lease or arranging the lease of a motor vehicle under a lease contract. The term includes a bailor. (e) "Motor vehicle" means a motor vehicle which is required to be registered pursuant to chapter 482 of NRS. (f) "Purchaser" has the meaning ascribed to it in NRS 104.1201. (g) "Retail installment contract" means a retail installment contract as defined in NRS 97.105 pursuant to which the title to or lien upon a motor vehicle, which is the subject matter of the retail installment transaction, is retained or taken by a seller from a buyer as security for the buyer's obligation. (h) "Retail installment transaction" means a transaction in which a buyer purchases a motor vehicle from a seller pursuant to a retail installment contract which provides for a finance charge and under which the buyer agrees to pay the total of payments in one or more installments. As

used in this paragraph: (1) "Amount financed" means the cash sale price of the motor vehicle which is the subject matter of a retail installment contract less the amount of the buyer's down payment in money or goods, or both, plus the amounts, if any, included therein, if a separate identified charge is made therefor and stated in the contract, for insurance and official fees. (2) "Finance charge" means the cost of credit indicated in a dollar amount. The term includes any charge payable directly or indirectly by the buyer and imposed directly or indirectly by the seller as an incident to or a condition of the extension of credit. The term does not include any charge of a type payable in a comparable cash transaction. (3) "Total of payments" means the amount financed plus the finance charge. (i) "Secured party" has the meaning ascribed to it in NRS 104.9102. (j) "Security agreement" has the meaning ascribed to it in NRS 104.9102. (k) "Seller" means a person engaged in the business of selling or leasing motor vehicles pursuant to retail installment contracts. (Added to NRS by 2005, 1423)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.275 - Offense involving stolen property: Definition; penalty; restitution; prima facie evidence; determination of value of property.

1. Except as otherwise provided in NRS 501.3765, a person commits an offense involving stolen property if the person, for his or her own gain or to prevent the owner from again possessing the owner's property, buys, receives, possesses or withholds property: (a) Knowing that it is stolen property; or (b) Under such circumstances as should have caused a reasonable person to know that it is stolen property. 2. A person who commits an offense involving stolen property in violation of subsection 1: (a) If the value of the property is less than \$1,200, is guilty of a misdemeanor; (b) If the value of the property is \$1,200 or more but less than \$5,000, is guilty of a category D felony and shall be punished as provided in NRS 193.130; (c) If the value of the property is \$5,000 or more but less than \$25,000, is guilty of a category C felony and shall be punished as provided in NRS 193.130; (d) If the value of the property is \$25,000 or more but less than \$100,000 or if the property is a firearm, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000; or (e) If the value of the property is \$100,000 or more, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and by a fine of not more than \$15,000. 3. In addition to any other penalty, the court shall order the person to pay restitution. 4. A person may be prosecuted and convicted pursuant to this section whether or not the principal is or has been prosecuted or convicted. 5. Possession by any person of three or more items of the same or a similar class or type of personal property on which a permanently affixed manufacturer's serial number or manufacturer's identification number has been removed, altered or defaced, is prima facie evidence that the person has violated this section. 6. For the purposes of this section, the value of the property involved shall be deemed to be the highest value attributable to the property by any reasonable standard. 7. As used in this section, "stolen property" means property that has been taken from its owner by larceny, robbery, burglary, embezzlement, theft or any other offense that is a crime against property, whether or not the person who committed the taking is or has been prosecuted or convicted for the offense. [1911 C&P § 383; A 1951, 29]—(NRS A 1967, 502; 1971, 925; 1979, 561, 1445; 1989, 1434; 1995, 13, 1223, 1323; 1997, 344; 1999, 402; 2011, 166; 2013, 1003; 2019, 4433)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.290 - Restoration of stolen property to owner.

All property obtained by larceny, robbery, burglary or embezzlement and found in the possession of the thief or embezzler thereof, or in the possession of any receiver or wrongful possessor of stolen property, shall be restored to the owner. [1911 C&P § 385; A 1935, 370; 1931 NCL § 10337]—(NRS A 1971, 926)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.295 - Restoration of stolen property: Duties of officers.

The officer arresting any person charged as principal or accessory in any robbery or larceny shall use reasonable diligence to secure the property alleged to have been stolen, and after seizure shall be answerable therefor while it remains in the officer's hands, and shall annex a schedule thereof to the return of the warrant. Whenever the district attorney shall require such property for use as evidence upon the examination or trial, such officer, upon the demand of the district attorney, shall deliver it to the district attorney and take a receipt therefor, after which such district attorney shall be answerable for the same. [1911 C&P § 386; RL § 6651; NCL § 10338]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.300 - Definition; punishment.

1. Any bailee of any money, goods or property, who converts it to his or her own use, with the intent to steal it or to defraud the owner or owners thereof and any agent, manager or clerk of any person, corporation, association or partnership, or any person with whom any money, property or effects have been deposited or entrusted, who uses or appropriates the money, property or effects or any part thereof in any manner or for any other purpose than that for which they were deposited or entrusted, is guilty of embezzlement, and shall be punished in the manner prescribed by law for the stealing or larceny of property of the kind and name of the money, goods, property or effects so taken, converted, stolen, used or appropriated. 2. The value of all the money, goods, property or effects misappropriated in separate acts of embezzlement must be combined for the purpose of imposing punishment for the offense charged if: (a) The separate acts were committed against the same person within 6 months before the offense; (b) None of the individual acts is punishable as a felony; and (c) The cumulative value of all the money, goods, property and effects

misappropriated is sufficient to make the offense punishable as a felony. 3. Any use of the money, goods or property by any bailee thereof, other than that for which it was borrowed, hired, deposited, carried, received or collected, is prima facie evidence of conversion and of intent to steal the same and defraud the owner or owners thereof. 4. The term "bailee," as used in this section, means all persons with whom any money, goods or property has been deposited, all persons to whom any goods or property has been loaned or hired, all persons to whom any goods or property has been delivered, and all persons who are, either as agent, collector or servant, empowered, authorized or entrusted to carry, collect or receive any money, goods or property of another. [1911 C&P § 388; RL § 6653; NCL § 10340]—(NRS A 1985, 978)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.305 - Prima facie evidence of embezzlement.

If any clerk, apprentice, servant, or any other person whatsoever, whether bound or hired, to whom any money or goods, or chattels, or other property, shall be entrusted, for any purpose whatsoever, by his or her master, employer, or any other person or persons, corporation or corporations, by whom he or she may be entrusted, shall withdraw himself or herself and shall go away with the money, goods, chattels or property, or any part thereof, with the intent to steal the same, and defraud the master, employer or any other person or persons, corporation or corporations, of the same, or being in the service of his or her master, or employer, corporation or corporations, or any other person or firm, shall embezzle the money, goods, chattels or property, or any part thereof, or shall otherwise convert the same to his or her own use, it shall be prima facie evidence of the intent to steal the same, and every such person or persons so offending shall be punished in the manner prescribed by law for feloniously stealing property of the value of the articles so taken, embezzled, stolen or converted. [1911 C&P § 389; RL § 6654; NCL § 10341]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.310 - Contractor failing to pay for labor or material.

Every person having entered into a contract to supply any labor or materials for the value or price of which any lien might lawfully be filed upon the property of another, who shall receive the full price or consideration thereof, or the amount of any account stated thereon, or part payment thereon, shall be deemed to receive the same as the agent of the party with whom such contract was made or his or her successor or assign, for the purpose of paying all claims for labor and materials supplied, insofar as the money so received will pay such claims. [1911 C&P § 390; RL § 6655; NCL § 10342]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.312 - Inference of embezzlement for willful or intentional failure to return leased or rented vehicle to owner; penalty for embezzlement of vehicle; restitution.

1. Whenever any person who has leased or rented a vehicle willfully and intentionally fails to return the vehicle to its owner within 72 hours after the lease or rental agreement has expired, that person may reasonably be inferred to have embezzled the vehicle. 2. A person who is convicted of embezzling a vehicle pursuant to subsection 1 is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. In addition to any other penalty, the court shall order the person to pay restitution. (Added to NRS by 1963, 393; A 1983, 718; 2021, 2433)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.320 - Threats.

A person who, with the intent to extort or gain any money or other property or to compel or induce another to make, subscribe, execute, alter or destroy any valuable security or instrument or writing affecting or intended to affect any cause of action or defense, or any property, or to influence the action of any public officer, or to do or abet or procure any illegal or wrongful act, whether or not the purpose is accomplished, threatens directly or indirectly: 1. To accuse any person of a crime; 2. To injure a person or property; 3. To publish or connive at publishing any libel; 4. To expose or impute to any person any deformity or disgrace; or 5. To expose any secret, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, or by a fine of not more than \$10,000, or by both fine and imprisonment. In addition to any other penalty, the court shall order the person to pay restitution. [1911 C&P § 474; RL § 6739; NCL § 10423]—(NRS A 1967, 502; 1979, 1445; 1995, 1223)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.322 - Extortionate collection of debt.

A person who causes a debtor to have a reasonable apprehension that a delay in repaying the debt could result in the use of violence or other criminal means to: 1. Harm physically the debtor or any other person; or 2. Damage any property belonging to or in the custody of the debtor, is guilty of extortionate collection of debt which is a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$10,000. In addition to any other penalty, the court shall order the person to pay restitution. (Added to NRS by 1983, 1494; A 1995, 1223)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.330 - Fraudulent conveyances.

Every person who shall be a party to any fraudulent conveyance of any lands, tenements or hereditaments, goods or chattels, or any right or interest issuing out of the same, or to any bond, suit, judgment or execution, contract or conveyance, had, made or contrived with intent to deceive and defraud others, or to defeat, hinder or delay creditors or others of their just debts, damages or demands; or

who, being a party as aforesaid, at any time shall wittingly and willingly put in use, avow, maintain, justify or defend the same, or any of them, as true and done, had, or made in good faith, or upon good consideration, or shall alien, assign or sell any of the lands, tenements, hereditaments, goods, chattels or other things before mentioned, conveyed to him or her as aforesaid, or any part thereof, is guilty of a gross misdemeanor. [1911 C&P § 430; RL § 6695; NCL § 10382]—(NRS A 1967, 502)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.335 - Sale or removal of goods subject to security interest by debtor in possession without consent of secured party.

1. The debtor in possession of goods subject to a security interest shall not sell or dispose of any such property, or remove the same from the county wherein the goods are located at the time the security agreement thereupon is executed, during the time the security agreement is in force, without the written consent of the secured party first had and obtained. 2. Any person violating any of the provisions of subsection 1, with intent to hinder, delay or defraud the secured party, shall be deemed guilty of a gross misdemeanor. [1911 C&P § 432; A 1935, 260; 1931 NCL § 10384] + [1911 C&P § 433; A 1935, 260; 1931 NCL § 10385]—(NRS A 1965, 928)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.340 - Sale or creation of security interest in personal property subject to security interest or lien without informing purchaser or secured party.

Every person who shall sell or create a security interest in any personal property which is at the time subject to a security interest or upon which any lien has been or may lawfully be filed, without informing the purchaser or secured party before the payment of the purchase price or money loaned of the several amounts of all such security interests and liens known to the seller or debtor, shall be deemed to have made a false representation and shall, where no other punishment is prescribed, be punished as for a gross misdemeanor. [1911 C&P § 434; RL § 6699; NCL § 10386]—(NRS A 1965, 928)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.345 - Destruction or removal of personal property upon which security interest or lease exists.

1. Every person being in possession thereof, who shall remove, conceal or destroy or connive at or consent to the removal, concealment or destruction of any personal property or any part thereof, upon which a security interest or lease exists, in such a manner as to hinder, delay or defraud the secured party or lessor, or who, with intent to hinder, delay or defraud the secured party or lessor, shall sell, remove, conceal or destroy or connive at or consent to the removal, concealment or destruction of such property, shall be guilty of a gross misdemeanor. 2. In any prosecution under this section any allegation containing a description of the security agreement or lease by reference to the date thereof and names of the parties thereto, shall be sufficiently definite and certain. [1911 C&P § 435; RL § 6700; NCL § 10387]—(NRS A 1965, 928)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.350 - Removal or sale of property to defraud creditors.

If any debtor shall fraudulently remove his or her property or effects out of this state, or shall fraudulently sell, convey or assign, or conceal his or her property or effects, with intent to defraud, hinder or delay his or her creditors of their just rights, claims or demands, the debtor is guilty of a gross misdemeanor. [1911 C&P § 436; RL § 6701; NCL § 10388]—(NRS A 1967, 503)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.355 - Fraudulent sale or concealment of personal property after action commenced or judgment rendered.

Any person against whom an action is pending, or against whom a judgment has been rendered for the recovery of any personal property or effects, who shall fraudulently conceal, sell or dispose of such property or effects, with intent to hinder, delay or defraud the person bringing such action or recovering such judgment, or shall, with such intent, remove such property or effects beyond the limits of the county in which it may be at the time of the commencement of such action, or the rendering of such judgment, shall, on conviction, be punished as provided in NRS 205.350. [1911 C&P § 437; RL § 6702; NCL § 10389]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.360 - Knowingly receiving fraudulent conveyance.

Every person who shall receive any property or conveyance thereof from another, knowing that the same is transferred or delivered in violation of, or with the intent to violate, any provision of NRS 205.345, 205.350 and 205.355, shall be guilty of a misdemeanor. [1911 C&P § 438; RL § 6703; NCL § 10390]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.365 - Fraudulently selling real estate twice.

A person, after once selling, bartering or disposing of any tract of land, town lot, or executing any bond or agreement for the sale of any land or town lot, who again, knowingly and fraudulently, sells, barter or disposes of the same tract of land or lot, or any part thereof, or knowingly and fraudulently executes any bond or agreement to sell, barter or dispose of the same land or lot, or any part thereof, to any other person, for a valuable consideration, shall be punished: 1. Where the value of the property involved is \$1,200 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. Where the value of the property is less than \$1,200, for a misdemeanor. [1911 C&P § 462; RL § 6727; NCL §

10415]—(NRS A 1967, 503; 1979, 1446; 1989, 1435; 1995, 1224; 2011, 167; 2019, 4434)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.370 - Swindling; credit by false representations; defenses not available.

1. A person who, by false representations of his or her own wealth, or mercantile correspondence and connections, obtains a credit thereby and defrauds any person of money, goods, chattels or any valuable thing, or if a person causes or procures another to report falsely of his or her wealth or mercantile character, and by thus imposing upon any person obtains credit and thereby fraudulently gets into the possession of goods, wares or merchandise, or other valuable thing, is a swindler, and must be sentenced to return the property fraudulently obtained, if it can be done, or to pay restitution and shall be punished: (a) Where the amount of money or the value of the chattels, goods, wares or merchandise, or other valuable thing so obtained is \$1,200 or more, for a category D felony as provided in NRS 193.130. (b) Otherwise, for a misdemeanor. 2. In any prosecution for a violation of this section, the State is not required to establish that all of the acts constituting the crime occurred in this State or within a single city, county or local jurisdiction of this State, and it is no defense that not all of the acts constituting the crime occurred in this State or within a single city, county or local jurisdiction of this State. [1911 C&P § 431; RL § 6696; NCL § 103.83]—(NRS A 1967, 503; 1979, 1446; 1989, 1435; 1995, 1224; 2011, 167; 2019, 4434; 2023, 834)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.372 - Mortgage lending fraud; penalties; civil action.

1. A person who is a participant in a mortgage lending transaction and who: (a) Knowingly makes a false statement or misrepresentation concerning a material fact or knowingly conceals or fails to disclose a material fact; (b) Knowingly uses or facilitates the use of a false statement or misrepresentation made by another person concerning a material fact or knowingly uses or facilitates the use of another person's concealment or failure to disclose a material fact; (c) Receives any proceeds or any other money in connection with a mortgage lending transaction that the person knows resulted from a violation of paragraph (a) or (b); (d) Conspires with another person to violate any of the provisions of paragraph (a), (b) or (c); or (e) Files or causes to be filed with a county recorder any document that the person knows to include a misstatement, misrepresentation or omission concerning a material fact, commits the offense of mortgage lending fraud which is a category C felony and, upon conviction, shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, or by a fine of not more than \$10,000, or by both fine and imprisonment. 2. A person who engages in a pattern of mortgage lending fraud or conspires or attempts to engage in a pattern of mortgage lending fraud is guilty of a category B felony and, upon conviction, shall be punished by imprisonment in the state prison for a minimum term of not less than 3 years and a maximum term of not more than 20 years, or by a fine of not more than \$50,000, or by both fine and imprisonment. 3. Each mortgage lending transaction in which a person violates any provision of subsection 1 constitutes a separate violation. 4. Except as otherwise provided in this subsection, if a lender or any agent of the lender is convicted of the offense of mortgage lending fraud in violation of this section, the mortgage lending transaction with regard to which the fraud was committed may be rescinded by the borrower within 6 months after the date of the conviction if the borrower gives written notice to the lender and records that notice with the recorder of the county in which the mortgage was recorded. A mortgage lending transaction may not be rescinded pursuant to this subsection if the lender has transferred the mortgage to a bona fide purchaser. 5. The Attorney General may investigate and prosecute a violation of this section. 6. In addition to the criminal penalties imposed for a violation of this section, any person who violates this section is subject to a civil penalty of not more than \$5,000 for each violation. This penalty must be recovered in a civil action, brought in the name of the State of Nevada by the Attorney General. In such an action, the Attorney General may recover reasonable attorney's fees and costs. 7. The owner or holder of the beneficial interest in real property which is the subject of mortgage lending fraud may bring a civil action in the district court in and for the county in which the real property is located to recover any damages suffered by the owner or holder of the beneficial interest plus reasonable attorney's fees and costs. 8. As used in this section: (a) "Bona fide purchaser" means any person who purchases a mortgage in good faith and for valuable consideration and who does not know or have reasonable cause to believe that the lender or any agent of the lender engaged in mortgage lending fraud in violation of this section. (b) "Mortgage lending transaction" means any transaction between two or more persons for the purpose of making or obtaining, attempting to make or obtain, or assisting another person to make or obtain a loan that is secured by a mortgage or other lien on residential real property. The term includes, without limitation: (1) The solicitation of a person to make or obtain the loan; (2) The representation or offer to represent another person to make or obtain the loan; (3) The negotiation of the terms of the loan; (4) The provision of services in connection with the loan; and (5) The execution of any document in connection with making or obtaining the loan. (c) "Participant in a mortgage lending transaction" includes, without limitation: (1) A borrower as defined in NRS 598D.020; (2) An escrow agent as defined in NRS 645A.010; (3) A foreclosure consultant as defined in NRS 645F.320; (4) A foreclosure purchaser as defined in NRS 645F.330; (5) An investor as defined in NRS 645B.0121; (6) A lender as defined in NRS 598D.050; (7) A loan modification consultant as defined in NRS 645F.365; (8) A mortgage loan originator as defined in NRS 645B.0125; (9) A mortgage company as defined in NRS 645B.0127; and (10) A mortgage servicer as defined in NRS 645F.063. (d) "Pattern of mortgage lending fraud" means one or more violations of a provision of subsection 1 committed in two or more mortgage lending transactions which have the same or similar purposes, results, accomplices, victims or methods of commission, or are otherwise interrelated by distinguishing characteristics. (Added to NRS by 2007, 2850; A 2009, 1462; 2011, 336, 1748; 2015, 2811; 2017, 3093)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.375 - False written statements to obtain property or credit.

Any person: 1. Who shall knowingly make or cause to be made, either directly or indirectly, or through any agency whatsoever, any false statement in writing, with intent that it shall be relied upon, respecting the financial condition or means or ability to pay, of himself or herself, or of any other person, firm or corporation, in which he or she is interested, or for whom or which he or she is acting, for the purpose of procuring in any form whatsoever, either the delivery of personal property, the payment of cash, the making of a loan or credit, the extension of a credit, the discount of an account receivable, or the making, acceptance, discount, sale or endorsement of a bill of exchange, or promissory note, for the benefit of either himself or herself or of such person, firm or corporation; 2. Who, knowing that a false statement in writing has been made, respecting the financial condition or means or ability to pay, of himself or herself, or of such person, firm or corporation, in which he or she is interested, or for whom he or she is acting, procures, upon the faith thereof, for the benefit either of himself or herself, or of such person, firm or corporation, either or any of the things of benefit mentioned in subsection 1; or 3. Who, knowing that a statement in writing has been made respecting the financial condition or means or ability to pay, of himself or herself or of such person, firm or corporation, in which he or she is interested, or for whom he or she is acting, represents on a later day, either orally or in writing, that such statement theretofore made, if then again made on that day, would be then true, when, in fact, the statement if then made would be false, and procures upon the faith thereof, for the benefit either of himself or herself or such person, firm or corporation, either or any of the things of benefit mentioned in subsection 1, shall be guilty of a misdemeanor. [1:193:1923; NCL § 10599]—(NRS A 1967, 503)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.377 - Multiple transactions involving fraud or deceit in course of enterprise or occupation; penalty; investigation and prosecution by Attorney General.

1. A person shall not, in the course of an enterprise or occupation, knowingly and with the intent to defraud, engage in an act, practice or course of business or employ a device, scheme or artifice which operates or would operate as a fraud or deceit upon a person by means of a false representation or omission of a material fact that: (a) The person knows to be false or omitted; (b) The person intends another to rely on; and (c) Results in a loss to any person who relied on the false representation or omission, in at least two transactions that have the same or similar pattern, intents, results, accomplices, victims or methods of commission, or are otherwise interrelated by distinguishing characteristics and are not isolated incidents within 4 years and in which the aggregate loss or intended loss is more than \$1,200. 2. Each act which violates subsection 1 constitutes a separate offense. 3. A person who violates subsection 1 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$10,000. 4. In addition to any other penalty, the court shall order a person who violates subsection 1 to pay restitution. 5. A violation of this section constitutes a deceptive trade practice for the purposes of NRS 598.0903 to 598.0999, inclusive. 6. The Attorney General may investigate and prosecute a violation of this section and any other statute violated in the course of committing a violation of this section. 7. As used in this section, "enterprise" has the meaning ascribed to it in NRS 207.380. (Added to NRS by 2009, 143; A 2011, 168; 2019, 4434; 2023, 1764)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.380 - Obtaining money, property, rent or labor by false pretenses.

1. A person who knowingly and designedly by any false pretense obtains from any other person any chose in action, money, goods, wares, chattels, effects or other valuable thing, including rent or the labor of another person not his or her employee, with the intent to cheat or defraud the other person, is a cheat, and, unless otherwise prescribed by law, shall be punished: (a) If the value of the thing or labor fraudulently obtained was less than \$1,200, for a misdemeanor, and must be sentenced to restore the property fraudulently obtained if it can be done, or tender payment for rent or labor. (b) If the value of the thing or labor fraudulently obtained was \$1,200 or more but less than \$5,000, for a category D felony as provided in NRS 193.130. (c) If the value of the thing or labor fraudulently obtained was \$5,000 or more but less than \$25,000, for a category C felony as provided in NRS 193.130. (d) If the value of the thing or labor fraudulently obtained was \$25,000 or more but less than \$100,000, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000. (e) If the value of the thing or labor fraudulently obtained was \$100,000 or more, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and by a fine of not more than \$15,000. 2. In addition to any other penalty set forth in paragraph (b), (c), (d) or (e) of subsection 1, the court shall order the person to pay restitution. 3. For the purposes of this section, it is prima facie evidence of an intent to defraud if the drawer of a check or other instrument given in payment for: (a) Property which can be returned in the same condition in which it was originally received; (b) Rent; or (c) Labor performed in a workmanlike manner whenever a written estimate was furnished before the labor was performed and the actual cost of the labor does not exceed the estimate, stops payment on that instrument and fails to return or offer to return the property in that condition, or to specify in what way the labor was deficient within 5 days after receiving notice from the payee that the instrument has not been paid by the drawee. 4. The notice must be sent to the drawer by certified mail, return receipt requested, at the address shown on the instrument. The notice must include a statement of the penalties set forth in this section. Return of the notice because of nondelivery to the drawer raises a rebuttable presumption of the intent to defraud. 5. A notice in boldface type clearly legible and in substantially the following form must be

posted in a conspicuous place in every principal and branch office of every bank and in every place of business in which retail selling is conducted or labor is performed for the public and must be furnished in written form by a landlord to a tenant: The stopping of payment on a check or other instrument given in payment for property which can be returned in the same condition in which it was originally received, rent or labor which was completed in a workmanlike manner, and the failure to return or offer to return the property in that condition or to specify in what way the labor was deficient within 5 days after receiving notice of nonpayment is punishable: 1. If the value of the property, rent or labor fraudulently obtained was less than \$1,200, as a misdemeanor by imprisonment in the county jail for not more than 6 months, or by a fine of not more than \$1,000, or by both fine and imprisonment. 2. If the value of the property, rent or labor fraudulently obtained was \$1,200 or more but less than \$5,000, as a category D felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 4 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. 3. If the value of the property, rent or labor fraudulently obtained was \$5,000 or more but less than \$25,000, as a category C felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years, or by a fine of not more than \$10,000, or by both fine and imprisonment. 4. If the value of the property, rent or labor fraudulently obtained was \$25,000 or more but less than \$100,000, as a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000. 5. If the value of the property, rent or labor fraudulently obtained was \$100,000 or more, as a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and by a fine of not more than \$15,000. [1911 C&P § 439; A 1951, 29]—(NRS A 1967, 504; 1977, 1416; 1979, 1072, 1446, 1713; 1981, 2017; 1985, 251, 456; 1989, 1436; 1993, 1518; 1995, 1224; 1997, 9; 1999, 397; 2005, 1082; 2011, 168; 2019, 4435)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.390 - Obtaining signature by false pretense.

A person who, with the intent to cheat or defraud another, designedly by color or aid of any false token or writing or other false pretense, representation or presentation obtains the signature of any person to a written instrument is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. [1911 C&P § 440; RL § 6705; NCL § 10393]—(NRS A 1967, 505; 1995, 1225)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.395 - False representation concerning title; penalties; civil action.

1. Every person who: (a) Claims an interest in, or a lien or encumbrance against, real property in a document that is recorded in the office of the county recorder in which the real property is located and who knows or has reason to know that the document is forged or groundless, contains a material misstatement or false claim or is otherwise invalid; (b) Executes or notarizes a document purporting to create an interest in, or a lien or encumbrance against, real property, that is recorded in the office of the county recorder in which the real property is located and who knows or has reason to know that the document is forged or groundless, contains a material misstatement or false claim or is otherwise invalid; or (c) Causes a document described in paragraph (a) or (b) to be recorded in the office of the county recorder in which the real property is located and who knows or has reason to know that the document is forged or groundless, contains a material misstatement or false claim or is otherwise invalid, has made a false representation concerning title. 2. A person who makes a false representation concerning title in violation of subsection 1 is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. A person who engages in a pattern of making false representations concerning title is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 3 years and a maximum term of not more than 20 years, or by a fine of not more than \$50,000, or by both fine and imprisonment. 4. In addition to the criminal penalties imposed for a violation of this section, any person who violates this section is subject to a civil penalty of not more than \$5,000 for each violation. This penalty must be recovered in a civil action, brought in the name of the State of Nevada by the Attorney General. In such an action, the Attorney General may recover reasonable attorney's fees and costs. 5. Except as otherwise provided in this subsection, the owner or holder of the beneficial interest in real property which is the subject of a false representation concerning title may bring a civil action in the district court in and for the county in which the real property is located to recover any damages suffered by the owner or holder of the beneficial interest plus reasonable attorney's fees and costs. The owner or holder of the beneficial interest in the real property must, before bringing a civil action pursuant to this subsection, send a written request to the person who made the false representation to record a document which corrects the false representation. If the person records such a document not later than 20 days after the date of the written request, the owner or holder of the beneficial interest may not bring a civil action pursuant to this subsection. 6. As used in this section: (a) "Encumbrance" includes, without limitation, a lis pendens or other notice of the pendency of an action. (b) "Pattern of making false representations concerning title" means one or more violations of a provision of subsection 1 committed in two or more transactions: (1) Which have the same or similar pattern, purposes, results, accomplices, victims or methods of commission, or are otherwise interrelated by distinguishing characteristics; (2) Which are not isolated incidents within the preceding 4 years; and (3) In which the aggregate loss or intended loss is more than \$250. [1911 C&P § 441; RL § 6706; NCL § 10394]—(NRS A 2011, 338, 1748; 2015, 1358)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.397 - False representation concerning lien against property of public officer or employee, candidate for public office or participant in official proceeding or member of

immediate family of such persons; penalties; civil action.

1. A person shall not file, register or record, or present for filing, registration or recording, in any public office, a lien or other encumbrance against the real or personal property of a public officer, candidate for public office, public employee or participant in an official proceeding, or a member of the immediate family of a public officer, candidate for public office, public employee or participant, which is based on the performance of or failure to perform a duty relating to the office, employment or participation by the public officer, candidate for public office, public employee or participant if the person knows or has reason to know that the lien or encumbrance: (a) Is forged or fraudulently altered; (b) Contains a false statement of material fact; or (c) Is being filed, registered, recorded or presented in bad faith or for the purpose of harassing or defrauding any person. 2. Except as otherwise provided in subsection 3, a person who violates this section is guilty of a category B felony and shall be punished: (a) For a first offense, by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, or by a fine of not more than \$20,000, or by both fine and imprisonment. (b) For a second or subsequent offense, by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, or by a fine of not more than \$50,000, or by both fine and imprisonment. 3. A person whose violation of this section is part of a pattern, or consistent with a practice, of committing such violations is guilty of a category B felony and shall be punished: (a) For a first offense, by imprisonment in the state prison for a minimum term of not less than 3 years and a maximum term of not more than 20 years, or by a fine of not more than \$100,000, or by both fine and imprisonment. (b) For a second or subsequent offense, by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years, or by a fine of not more than \$150,000, or by both fine and imprisonment. 4. In addition to the criminal penalties imposed for a violation of this section, a person who violates this section is subject to a civil penalty of not more than \$20,000 for each violation. This penalty may be recovered in a civil action, brought in the name of the State of Nevada by the Attorney General. In such an action, the Attorney General may recover reasonable attorney's fees and costs. 5. A person who violates this section is liable in a civil action brought pursuant to this section for: (a) Actual damages caused by each separate violation of this section or \$20,000 for each separate violation of this section, whichever is greater; (b) All costs of bringing and maintaining the action, including investigative expenses and fees for expert witnesses; (c) Reasonable attorney's fees; and (d) Any punitive damages that the facts may warrant. The civil action may be brought by any person who is damaged by a violation of this section, including, without limitation, any person who is damaged as the result of an action taken in reliance on a lien or encumbrance that is filed, registered or recorded in violation of this section. 6. For the purposes of this section, a person's violation of this section is part of a pattern, or consistent with a practice, of committing such violations if the person commits one or more violations of this section in two or more transactions: (a) Which have the same or similar pattern, purposes, results, accomplices, victims or methods of commission, or are otherwise interrelated by distinguishing characteristics; (b) Which are not isolated incidents within the immediately preceding 4 years; and (c) In which the aggregate loss or intended loss is more than \$250. 7. As used in this section: (a) "Encumbrance" includes, without limitation, a lis pendens or other notice of the pendency of an action. (b) "Immediate family" means persons who are related by blood, adoption or marriage, within the first degree of consanguinity or affinity. (c) "Lien" means a charge against or an interest in property which is used as security for the payment of a debt or the performance of an obligation. The term includes, without limitation, a judicial lien obtained by legal or equitable process or proceedings, a common-law lien, a statutory lien and a security interest. (d) "Participant in an official proceeding" includes, without limitation, a juror or witness in a judicial or administrative proceeding or a referee, arbitrator, mediator, appraiser, assessor or other person authorized by law to hear or determine any controversy or matter. (Added to NRS by 2015, 1357)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.400 - Fraud by bailee of animal.

Every person who shall obtain from another the possession or use of any horse or other draft animal without paying therefor, with intent to defraud the owner thereof, or who shall obtain the possession or use thereof, by color or aid of any false or fraudulent representation, pretense, token or writing, or shall obtain credit for such use by color or aid of any false or fraudulent representation, pretense, token or writing; or who, having hired property, shall recklessly, willfully, wantonly or by gross negligence injure or destroy or cause, suffer, allow or permit the same, or any part thereof, to be injured or destroyed; or who, having hired any horse or other draft animal upon an understanding or agreement that the same shall be ridden or driven a specified distance or to a specified place, shall willfully and fraudulently ride or drive or cause, permit or allow the same to be ridden or driven a longer distance, or to a different place, shall be guilty of a misdemeanor. [1911 C&P § 442; RL § 6707; NCL § 10395]—(NRS A 1967, 505)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.405 - Falsifying accounts.

Every person who shall, willfully or maliciously and with intent to defraud, make any false entry, or fail to make an entry, of any material matter which it is his or her duty to make, with intent to injure another, in any private book or private account, shall be guilty of a gross misdemeanor. [1911 C&P § 446; RL § 6711; NCL § 10399]

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.410 - Improper use of insignia.

Every person who shall willfully wear the badge, button, insigne or rosette of any military order or of any secret order or society, or any similitude thereof; or who shall use any such badge, button, insigne or rosette to obtain aid or assistance, or any other benefit or advantage, unless the person shall be entitled to so wear or use the same under the constitution, bylaws, rules and regulations of such

order or society, shall be fined not more than \$500. [1911 C&P § 452; RL § 6717; NCL § 10405]—(NRS A 1967, 505)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.412 - Stolen valor.

1. A person commits the crime of stolen valor if he or she knowingly, with the intent to obtain money, property or another tangible benefit: (a) Fraudulently represents himself or herself to be a recipient of the Congressional Medal of Honor, Distinguished Service Cross, Navy Cross, Air Force Cross, Silver Star, Purple Heart, Combat Infantryman Badge, Combat Action Badge, Combat Medical Badge, Combat Action Ribbon or Air Force Combat Action Medal; and (b) Obtains money, property or another tangible benefit through such fraudulent representation. 2. A person who commits the crime of stolen valor is guilty of a gross misdemeanor. (Added to NRS by 2013, 1018)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.415 - Collecting for benefit without authority.

A person who sells one or more tickets to any ball, benefit or entertainment, or asks or receives any subscription or promise thereof, for the benefit or pretended benefit of any person, association or order, without being authorized thereto by the person, association or order for whose benefit or pretended benefit it is done, shall be punished: 1. Where the amount received from such sales, subscriptions or promises totals \$1,200 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. Otherwise, for a misdemeanor. [1911 C&P § 453; RL § 6718; NCL § 10406]—(NRS A 1967, 505; 1979, 1447; 1989, 1437; 1995, 1226; 2011, 169; 2019, 4437)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.420 - Use of false permit, license or writing.

Every person who conducts any business or performs any act under color of, or files for record with any public officer, any false or fraudulent permit, license or writing, or any permit, license or writing not lawfully belonging to such person, or who obtains any permit, license or writing by color or aid of any false representation, pretense, personation, token or writing is guilty of a gross misdemeanor. [1911 C&P § 454; RL § 6719; NCL § 10407]—(NRS A 2005, 620)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.435 - Fraudulent issue of stock.

Unless a greater penalty is imposed by a specific statute, an officer, agent or other person in the service of a joint-stock company or corporation, domestic or foreign, who, willfully and knowingly with the intent to defraud: 1. Sells, pledges or issues, or causes to be sold, pledged or issued, or signs or executes or causes to be signed or executed, with the intent to sell, pledge or issue, or cause to be sold, pledged or issued, any certificate or instrument purporting to be a certificate or evidence of ownership of any share of that company or corporation, or any conveyance or encumbrance of real or personal property, contract, bond or evidence of debt, or writing purporting to be a conveyance or encumbrance of real or personal property, contract, bond or evidence of debt of that company or corporation, without being first duly authorized by the company or corporation, or contrary to the charter or laws under which the company or corporation exists, or in excess of the power of the company or corporation, or of the limit imposed by law or otherwise upon its power to create or issue stock or evidence of debt; or 2. Reissues, sells, pledges or disposes of, or causes to be reissued, sold, pledged or disposed of, any surrendered or cancelled certificate or other evidence of the transfer of ownership of any such share, is guilty of a category C felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. [1911 C&P § 457; RL § 6722; NCL § 10410]—(NRS A 1979, 1447; 1995, 1226; 2013, 178)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.440 - Publishing false statement to affect market price.

Every person who, with intent to affect the market price of any property, shall put off, circulate or publish any false or misleading writing, statement or intelligence, is guilty of a gross misdemeanor. [1911 C&P § 458; RL § 6723; NCL § 10411]—(NRS A 2013, 178)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.445 - Defrauding proprietor of hotel, inn, restaurant, motel or similar establishment.

1. It is unlawful for a person: (a) To obtain food, foodstuffs, lodging, merchandise or other accommodations at any hotel, inn, trailer park, motor court, boardinghouse, rooming house, lodging house, furnished apartment house, furnished bungalow court, furnished automobile camp, eating house, restaurant, grocery store, market or dairy, without paying therefor, with the intent to defraud the proprietor or manager thereof; (b) To obtain credit at a hotel, inn, trailer park, motor court, boardinghouse, rooming house, lodging house, furnished apartment house, furnished bungalow court, furnished automobile camp, eating house, restaurant, grocery store, market or dairy by the use of any false pretense; or (c) After obtaining credit, food, lodging, merchandise or other accommodations at a hotel, inn, trailer park, motor court, boardinghouse, rooming house, lodging house, furnished apartment house, furnished bungalow court, furnished automobile camp, eating house, restaurant, grocery store, market or dairy, to abscond or surreptitiously, or by force, menace or threats, to remove any part of his or her baggage therefrom, without paying for the food or accommodations. 2. A person who violates any of the provisions of subsection 1 shall be punished: (a) Where the total value of the credit, food, foodstuffs, lodging, merchandise or other accommodations received from any one establishment is \$1,200 or more, for a category D

felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. (b) Otherwise, for a misdemeanor. 3. Proof that lodging, food, foodstuffs, merchandise or other accommodations were obtained by false pretense, or by false or fictitious show or pretense of any baggage or other property, or that the person refused or willfully neglected to pay for the food, foodstuffs, lodging, merchandise or other accommodations, or that the person gave in payment for the food, foodstuffs, lodging, merchandise or other accommodations negotiable paper on which payment was refused, or that the person absconded without paying or offering to pay for the food, foodstuffs, lodging, merchandise or other accommodations, or that the person surreptitiously removed or attempted to remove his or her baggage, is prima facie evidence of the fraudulent intent mentioned in this section. 4. This section does not apply where there has been an agreement in writing for delay in payment for a period to exceed 10 days. [1:132:1939; 1931 NCL § 3333.01] + [1911 C&P § 461; A 1917, 35; 1931, 391; 1949, 109; 1943 NCL § 10414]—(NRS A 1967, 505; 1979, 1448; 1989, 1437; 1995, 1226; 2011, 169; 2019, 4437)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.450 - Personating another.

Every person who shall falsely represent or personate another, and, in such assumed character, shall marry another, become bail or surety for any party, in any proceeding, civil or criminal, before any court or officer authorized to take such bail or surety, or confess any judgment, or acknowledge the execution of any conveyance of real property, or of any other instrument which, by law, may be recorded, or do any other act in the course of any suit, proceeding or prosecution, whereby the person so represented or personated may be made liable, in any event, to the payment of any debt, damages, cost or sum of money, or his or her right or interest may, in any manner be affected, is guilty of a category C felony and shall be punished as provided in NRS 193.130. [1911 C&P § 470; RL § 6735; NCL § 10419]—(NRS A 1967, 506; 1999, 1344)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.455 - Personating another same as stealing.

Unless a greater penalty is provided pursuant to NRS 205.463, a person who falsely represents or personates another, and, in such assumed character, receives any money or valuable property of any description intended to be delivered to the person so personated, shall be punished in the same manner and to the same extent as if the person stole the money or property so received. [1911 C&P § 471; RL § 6736; NCL § 10420]—(NRS A 1979, 1448; 1999, 1345)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.460 - Preparation, transfer or use of false identification regarding person under 21 years of age; penalties; demand of proof of age as defense to certain proceedings.

1. Every person who counterfeits, forges, alters, erases or obliterates, or who attempts to counterfeit, forge, alter, erase or obliterate any card, writing, paper or document, or any photocopy print, photostat, or other replica of any card, writing, paper or document which is designed for the purpose of personal identification and which bears the age of the holder or purported holder thereof, or which, although not designed for the purpose of personal identification, is commonly used, or capable of being used for the purpose of personal identification and bears the age of the holder or purported holder thereof, with the intention that such card, writing, paper or document, or photocopy print, photostat or other replica thereof, be used by a person under the age of 21 years to establish falsely or misrepresent his or her actual age for the purpose of purchasing alcoholic liquor or being served alcoholic liquor in a place where it is served for consumption on the premises, or entering gambling establishments, or engaging in gambling in gambling establishments, shall be guilty of a misdemeanor. For the purposes of this subsection, the cards, writings, papers or documents and the photocopy prints or other replicas thereof which, although not designed for the purpose of personal identification, are commonly used, or capable of being used, for the purpose of personal identification, include, but are not limited to, an operator's license, chauffeur's license, fishing or hunting license, selective service card, organizational membership card, certificate of discharge from the Armed Forces, or certificate or other record of birth. 2. Every person who sells, lends, gives away or offers, or attempts to sell, lend, give away or offer, any counterfeited, forged, altered, erased or obliterated card, writing, paper or document, or photocopy print, photostat or other replica thereof, of the kind mentioned in subsection 1, to a person under the age of 21 years, shall be guilty of a gross misdemeanor. 3. Every person under the age of 21 years who uses or attempts to use or proffers any counterfeited, forged, erased or obliterated card, writing, paper, document, or any photocopy print, photostat or other replica thereof, of the kind mentioned in subsection 1, for the purpose and with the intention of purchasing alcoholic liquor or being served alcoholic liquor in a place where it is served for consumption on the premises, or entering gambling establishments, or engaging in gambling in gambling establishments, or who actually purchases alcoholic liquor or is actually served alcoholic liquor in a place where it is served for consumption on the premises, or actually enters a gambling establishment or actually gambles therein, when the purchase, service, entering or gambling is induced or permitted by the presentation of any such card, writing, paper or document, or any photocopy print, photostat or other replica thereof, shall be guilty of a misdemeanor. 4. In any criminal prosecution or proceeding for the suspension or revocation of any license based upon the violation of any law making it unlawful to sell, serve or furnish a person under the age of 21 years alcoholic liquor or upon violation of any law making it unlawful to allow a person under the age of 21 years to enter a gambling establishment or engage in gambling in a gambling establishment, proof that the defendant licensee, or his or her agent or employee, demanded and was shown, immediately before furnishing any alcoholic liquor to a person under the age of 21 years or allowing a person under the age of 21 years to enter a gambling establishment or engage in gambling in a gambling establishment, bona fide documentary evidence of the majority and identity of the person issued by a federal, state, county or municipal government, or subdivision or agency thereof, including, but not limited to, an operator's license for a motor vehicle, a registration certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the Armed

Forces, is a defense to the prosecution or proceeding for the suspension or revocation of any license. [1:367:1955] + [2:367:1955] + [3:367:1955]—(NRS A 1959, 149; 1991, 391)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4605 - Posting or displaying social security number of another person; penalties; civil action.

1. Except as otherwise provided in this section, a person shall not willfully and intentionally post or display in any public manner the social security number of another person unless the person is authorized or required to do so by specific federal or state law or regulation. 2. This section does not: (a) Prevent the use of a social security number for internal verification or administrative purposes. (b) Apply to documents that are recorded or required to be open to the public pursuant to federal or state law or regulation. 3. Unless a greater penalty is provided by specific statute, a person who violates this section is guilty of a misdemeanor. 4. A person whose social security number has been willfully and intentionally posted or displayed in violation of this section may bring a civil cause of action against the person who commits such a violation. The court may award actual damages, reasonable attorney's fees and costs to the person whose social security number has been willfully and intentionally posted or displayed in violation of this section. 5. As used in this section: (a) "Person" includes a government, governmental agency or political subdivision of a government. (b) "Post or display in any public manner" means to communicate or otherwise make available to the general public. The term includes, without limitation: (1) Printing the social security number of another person on any card required for the other person to access products or services provided by the person or entity printing the social security number. (2) Requiring another person to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted. (3) Requiring another person to use his or her social security number to access an Internet website, unless a password or unique personal identification number or other authentication device is also required to access the Internet website. (4) Printing the social security number of another person on any material that is mailed to the person, if the social security number is visible to the public. (Added to NRS by 2011, 2608)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.461 - Definitions.

As used in NRS 205.461 to 205.4657, inclusive, unless the context otherwise requires, the words and terms defined in NRS 205.4611 to 205.4629, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2003, 1355; A 2005, 1101, 2498; 2009, 762)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4611 - "Artificial person" defined.

"Artificial person" means any corporation, limited-liability company, limited-liability partnership, limited partnership, limited-liability limited partnership, business trust or municipal corporation or any comparable entity which is created and existing under the laws of this State, any other state, territory or foreign government, or the Government of the United States and which is doing business in this State. (Added to NRS by 2005, 2497)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4613 - "Document" defined.

"Document" includes, without limitation, a photocopy print, photostat and other replica of a document. (Added to NRS by 2003, 1355)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4615 - "Older person" defined.

"Older person" means a person who is 60 years of age or older. (Added to NRS by 2005, 2497)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4617 - "Personal identifying information" defined.

1. Except as otherwise provided in subsection 2, "personal identifying information" means any information designed, commonly used or capable of being used, alone or in conjunction with any other information, to identify a living or deceased person or to identify the actions taken, communications made or received by, or other activities or transactions of a living or deceased person, including, without limitation: (a) The current or former name, driver's license number, identification card number, social security number, checking account number, savings account number, credit card number, debit card number, financial services account number, date of birth, place of employment and maiden name of the mother of a person. (b) The unique biometric data of a person, including, without limitation, the fingerprints, facial scan identifiers, voiceprint, retina image and iris image of a person. (c) The electronic signature, unique electronic identification number, address or routing code, telecommunication identifying information or access device of a person. (d) The personal identification number or password of a person. (e) The alien registration number, government passport number, employer identification number, taxpayer identification number, Medicaid account number, food stamp account number, medical identification number or health insurance identification number of a person. (f) The number of any professional, occupational, recreational or governmental license, certificate, permit or membership of a person. (g) The number, code or other identifying information of a person who receives medical treatment as part of a confidential clinical trial or study, who participates in a confidential clinical trial or study involving the use of prescription drugs or who participates in any other confidential medical, psychological or behavioral experiment, study or trial. (h) The utility account number of a person. 2. To the

extent that any information listed in subsection 1 is designed, commonly used or capable of being used, alone or in conjunction with any other information, to identify an artificial person, "personal identifying information" includes information pertaining to an artificial person. (Added to NRS by 2003, 1355; A 2005, 2498; 2007, 2169)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.462 - "Public body" defined.

"Public body" means: 1. The State of Nevada, or any agency, instrumentality or corporation thereof; 2. The Nevada System of Higher Education; 3. Any municipality, county, school district or other type of district, or a city or town, incorporated or unincorporated; or 4. Any other body corporate and politic comprising a political subdivision of this State or acting on behalf thereof. (Added to NRS by 2003, 1355)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4623 - "Public employee" defined.

"Public employee" means any person who is an employee or independent contractor of a public body. (Added to NRS by 2003, 1356)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4627 - "Public officer" defined.

"Public officer" means a person who: 1. Is elected or appointed to a position which is established by the Constitution or a statute of this state, or by a charter or ordinance of a political subdivision of this state; or 2. Otherwise serves as an officer for a public body. (Added to NRS by 2003, 1356)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4629 - "Vulnerable person" defined.

"Vulnerable person" means a person who: 1. Suffers from a condition of physical or mental incapacitation because of a developmental disability, organic brain damage or mental illness; or 2. Has one or more physical or mental limitations that restrict the ability of the person to perform the normal activities of daily living. (Added to NRS by 2005, 2497)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.463 - Obtaining and using personal identifying information of another person to harm or impersonate person, to obtain certain nonpublic records or for other unlawful purpose; penalties; rebuttable inference that possessor of personal identifying information intended to unlawfully use such information.

1. Except as otherwise provided in subsections 2 and 3, a person who knowingly: (a) Obtains any personal identifying information of another person; and (b) With the intent to commit an unlawful act, uses the personal identifying information: (1) To harm that other person; (2) To represent or impersonate that other person to obtain access to any personal identifying information of that other person without the prior express consent of that other person; (3) To obtain access to any nonpublic record of the actions taken, communications made or received by, or other activities or transactions of that other person without the prior express consent of that other person; or (4) For any other unlawful purpose, including, without limitation, to obtain credit, a good, a service or anything of value in the name of that other person, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$100,000. 2. Except as otherwise provided in subsection 3, a person who knowingly: (a) Obtains any personal identifying information of another person; and (b) Uses the personal identifying information to avoid or delay being prosecuted for an unlawful act, is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. A person who violates: (a) Subsection 1 or 2 by obtaining and using the personal identifying information of an older person or a vulnerable person; (b) Subsection 1 or 2 by obtaining and using the personal identifying information of five or more persons; (c) Subsection 1 or 2 by causing another person to suffer a financial loss or injury of \$3,000 or more as a result of the violation; or (d) Subsection 2 to avoid or delay being prosecuted for an unlawful act that is punishable as a category A felony or category B felony, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 3 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$100,000. 4. In addition to any other penalty, the court shall order a person convicted of violating subsection 1 to pay restitution, including, without limitation, any attorney's fees and costs incurred to: (a) Repair the credit history or rating of the person whose personal identifying information the convicted person obtained and used in violation of subsection 1; and (b) Satisfy a debt, lien or other obligation incurred by the person whose personal identifying information the convicted person obtained and used in violation of subsection 1. 5. Proof of possession of the personal identifying information of five or more persons in a manner not set forth in NRS 205.4655 permits a rebuttable inference that the possessor intended to use such information in violation of this section. (Added to NRS by 1999, 1344; A 2003, 1357; 2005, 2499; 2007, 2169)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.464 - Obtaining, using, possessing or selling personal identifying information for unlawful purpose by public officer or public employee; penalties; rebuttable inference that possessor of personal identifying information intended to unlawfully use such information.

1. Except as otherwise provided in subsection 2, a public officer or public employee who knowingly: (a) Obtains any personal identifying information of another person from any document, file, database, source or process used by a public body to collect,

store, maintain, transfer, reproduce, manage or administer personal identifying information; and (b) Uses the personal identifying information to harm that other person or for any unlawful purpose, including, without limitation, to obtain credit, a good, a service or anything of value in the name of that person, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$100,000. 2. A public officer or public employee who violates subsection 1 by: (a) Obtaining and using the personal identifying information of an older person or a vulnerable person; (b) Obtaining and using the personal identifying information of five or more persons; or (c) Causing another person to suffer a financial loss or injury of \$3,000 or more as a result of the violation, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 7 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$100,000. 3. Except as otherwise provided in subsection 4, a public officer or public employee who knowingly: (a) Obtains any personal identifying information of another person from any document, file, database, source or process used by a public body to collect, store, maintain, transfer, reproduce, manage or administer personal identifying information; and (b) Possesses, sells or transfers the personal identifying information for the purpose of establishing a false status, occupation, membership, license or identity for himself or herself or any other person, is guilty of a category C felony and shall be punished as provided in NRS 193.130. 4. A public officer or public employee who violates subsection 3 by: (a) Obtaining and possessing, selling or transferring the personal identifying information of an older person or a vulnerable person; (b) Obtaining and possessing, selling or transferring the personal identifying information of five or more persons; or (c) Causing another person to suffer a financial loss or injury of \$3,000 or more as a result of the violation, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$100,000. 5. Except as otherwise provided in subsection 6, a public officer or public employee who knowingly aids another public officer or public employee to commit a violation of any provision of this section is guilty of a category C felony and shall be punished as provided in NRS 193.130. 6. A public officer or public employee who violates subsection 5 by knowingly aiding another public officer or public employee in committing a violation of this section by: (a) Obtaining the personal identifying information of an older person or a vulnerable person; (b) Obtaining the personal identifying information of five or more persons; or (c) Causing another person to suffer a financial loss or injury of \$3,000 or more as a result of the violation, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$100,000. 7. The provisions of this section do not prohibit the possession or use of any personal identifying information by officers of local police, sheriff and metropolitan police departments and by agents of the Investigation Division of the Department of Public Safety while engaged in undercover investigations related to the lawful discharge of their duties. 8. In addition to any other penalty, the court shall order a public officer or public employee convicted of violating any provision of this section to pay restitution, including, without limitation, any attorney's fees and costs incurred, to: (a) Repair the credit history or rating of the person whose personal identifying information the public officer or public employee obtained and used in violation of subsection 1; and (b) Satisfy a debt, lien or other obligation incurred by the person whose personal identifying information the public officer or public employee obtained and used in violation of this section. 9. Proof of possession of the personal identifying information of five or more persons in a manner not set forth in NRS 205.4655 permits a rebuttable inference that the possessor intended to use such information in violation of this section. (Added to NRS by 2003, 1356; A 2005, 2499; 2007, 2170)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.465 - Possession, sale or transfer of document or personal identifying information to establish false status or identity; penalties; rebuttable inference that possessor of personal identifying information intended to unlawfully use such information.

1. It is unlawful for a person to possess, sell or transfer any document or personal identifying information for the purpose of establishing a false status, occupation, membership, license or identity for himself or herself or any other person. 2. Except as otherwise provided in subsection 3, a person who: (a) Sells or transfers any such document or personal identifying information in violation of subsection 1; or (b) Possesses any such document or personal identifying information in violation of subsection 1 to commit any of the crimes set forth in NRS 205.085 to 205.217, inclusive, 205.473 to 205.513, inclusive, or 205.610 to 205.810, inclusive, is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. A person who violates subsection 2 by: (a) Selling or transferring the personal identifying information of an older person or a vulnerable person; (b) Selling or transferring the personal identifying information of five or more persons; or (c) Causing another person to suffer a financial loss or injury of \$3,000 or more as a result of the violation, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$100,000. 4. Except as otherwise provided in this subsection and subsections 2 and 3, a person who possesses any such document or personal identifying information in violation of subsection 1 is guilty of a category E felony and shall be punished as provided in NRS 193.130. If a person possesses any such document or personal identifying information in violation of subsection 1 for the sole purpose of establishing false proof of age, including, without limitation, establishing false proof of age to game, purchase alcoholic beverages or purchase cigarettes or other tobacco products, the person is guilty of a misdemeanor. 5. Subsection 1 does not: (a) Preclude the adoption by a city or county of an ordinance prohibiting the possession of any such document or personal identifying information; or (b) Prohibit the possession or use of any such document or personal identifying information by officers of local police, sheriff and metropolitan police departments and by agents of the Investigation

Division of the Department of Public Safety while engaged in undercover investigations related to the lawful discharge of their duties. 6. Proof of possession of the personal identifying information of five or more persons in a manner not set forth in NRS 205.4655 permits a rebuttable inference that the possessor intended to use such information in violation of this section. (Added to NRS by 1975, 1460; A 1981, 2012; 1985, 1980; 1995, 1227; 1999, 1345; 2001, 2581; 2003, 1358, 2462; 2005, 2501; 2007, 2172)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4651 - Identity theft program card: Application; issuance; presentation to law enforcement agency or creditors; discretion to accept or reject program card; application not public record; regulations; acceptance of gifts, grants and donations.

1. A person who is a victim of identity theft who is a: (a) Resident of this State and who has filed with a law enforcement agency in any state a signed written report stating that the person is a victim of identity theft; or (b) Nonresident of this State who has filed with a law enforcement agency in this State a signed written report stating that the person is a victim of identity theft, may apply for an identity theft program card through any agency designated by the Attorney General. 2. A designated agency that receives an application for an identity theft program card shall submit the application and a copy of the written report described in subsection 1 to the Attorney General for review and, if the applicant meets the requirements pursuant to subsection 1, issuance of an identity theft program card. 3. The Attorney General, in cooperation with any law enforcement agency, may issue an identity theft program card to a person who is a victim of identity theft. 4. A person who is issued an identity theft program card pursuant to subsection 3 may present the identity theft program card to: (a) A law enforcement agency to help prevent the arrest or detention of the person for an offense committed by another person using his or her personal identifying information; or (b) A creditor to aid in the investigation of any fraudulent account that is opened in his or her name or any fraudulent charge that is made against an account in his or her name. 5. The law enforcement agency or creditor that is presented with an identity theft program card pursuant to subsection 4 has sole discretion to accept or reject the program card. In determining whether to accept or reject the identity theft program card, the law enforcement agency or creditor may consider the surrounding circumstances and available information regarding the identity theft of the person. 6. An application for an identity theft program card submitted pursuant to this section, including any supporting documentation, is not a public record, and no part of it may be released except to a law enforcement agency in this or another state. 7. The Attorney General may adopt regulations necessary to carry out the provisions of this section. 8. The Attorney General may accept gifts, grants and donations from any source for the purpose of carrying out the provisions of this section. 9. For the purposes of this section, "resident" shall be construed in accordance with the provisions of NRS 10.155. 10. As used in this section: (a) "Identity theft" means a violation of the provisions of NRS 205.463, 205.464 or 205.465. (b) "Identity theft program card" means a card or certificate issued by the Attorney General that identifies a person who has complied with the provisions of subsection 1 and, except as otherwise provided in this section, must be given a reasonable opportunity to prove to a law enforcement agency, creditor or other lawfully interested person or governmental entity that the person is the victim and not the perpetrator of any alleged crime, breach of contract or other wrongdoing normally associated with victims of the crime of identity theft. (Added to NRS by 2005, 1100; A 2009, 9)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.46513 - Establishing or possessing financial forgery laboratory unlawful; penalty; expert testimony.

1. A person shall not establish or possess a financial forgery laboratory with the intent to commit any unlawful act. 2. Unless a greater penalty is provided pursuant to specific statute, a person who violates this section is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$100,000. 3. For the purposes of prosecuting a violation of this section, the prosecuting attorney may present expert testimony to provide a prima facie case that any computer, system, program or electronic or mechanical device, or any combination thereof, is specifically configured for any purpose set forth in subparagraph (1) or (2) of paragraph (b) of subsection 4. 4. As used in this section: (a) "Computer" has the meaning ascribed to it in NRS 205.4735. (b) "Financial forgery laboratory" means any computer, system, program or other electronic or mechanical device, or any combination thereof, that is specifically configured for the purpose of unlawfully: (1) Obtaining personal identifying information of another person to commit an unlawful act; or (2) Manufacturing any forged or fraudulent financial instrument, document or item, including, without limitation, any negotiable instrument, check, draft, bond, credit card, debit card, stock certificate, annuity, bank bill or note, draft, bill of exchange, contract, promissory note, traveler's check or money order. (c) "Personal identifying information" has the meaning ascribed to it in NRS 205.4617. (d) "Program" has the meaning ascribed to it in NRS 205.475. (e) "System" has the meaning ascribed to it in NRS 205.476. (Added to NRS by 2005, 2497)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.46515 - Capturing, storing, reading, retaining, using or disclosing information from radio frequency identification document of another person; penalty.

1. A person shall not knowingly, intentionally and for the purpose of committing fraud, identity theft or any other unlawful act: (a) Capture, store or read information from the radio frequency identification document of another person without the other person's knowledge and prior consent; or (b) Retain, use or disclose information that the person knows to have been obtained from the radio frequency identification document of another person without the other person's knowledge and prior consent. 2. A person who violates this section is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. As used in this section: (a) "Identity theft" means a violation of the provisions of NRS 205.463, 205.464 or 205.465. (b) "Radio frequency identification"

means the use of electromagnetic radiating waves or reactive field coupling in the radio frequency portion of the spectrum to read or communicate personal identifying information to or from a radio frequency identification document through a variety of modulation and encoding schemes. (c) "Radio frequency identification document" means any document containing data which is issued to an individual and which that individual, and only that individual, uses alone or in conjunction with any other information for the primary purpose of establishing his or her identity. (Added to NRS by 2009, 761)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.46517 - Court records.

In any case in which a person is convicted of violating any provision of NRS 205.461 to 205.4657, inclusive, the court records must clearly reflect that the violation was committed by the person convicted of the violation and not by the person whose personal identifying information forms a part of the violation. (Added to NRS by 2005, 2497; A 2009, 762)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4653 - Prosecution regardless of whether person whose personal identifying information was stolen is living or deceased, is artificial person or suffers financial loss or injury.

A person who violates any provision of NRS 205.461 to 205.4657, inclusive, may be prosecuted for the violation whether or not the person whose personal identifying information forms a part of the violation: 1. Is living or deceased during the course of the violation or the prosecution. 2. Is an artificial person. 3. Suffers financial loss or injury as the result of the violation. (Added to NRS by 2003, 1356; A 2005, 2501; 2009, 762)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4655 - Exempt persons.

The provisions of NRS 205.461 to 205.4657, inclusive, do not apply to any person who, without the intent to defraud or commit an unlawful act, possesses or uses any personal identifying information of another person: 1. In the ordinary course of his or her business or employment; or 2. Pursuant to a financial transaction entered into with an authorized user of a payment card. (Added to NRS by 2003, 1357; A 2009, 762)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4657 - Defenses not available; jurisdiction.

1. In any prosecution for a violation of any provision of NRS 205.461 to 205.4657, inclusive, the State is not required to establish and it is no defense that: (a) An accessory has not been convicted, apprehended or identified; or (b) Some of the acts constituting elements of the crime did not occur in this State or that where such acts did occur they were not a crime or elements of a crime. 2. In any prosecution for a violation of any provision of NRS 205.461 to 205.4657, inclusive, the violation shall be deemed to have been committed and may be prosecuted in any jurisdiction in this State in which: (a) The person whose personal identifying information forms a part of the violation currently resides or is found; or (b) Any act constituting an element of the crime occurred, regardless of whether the defendant was ever physically present in that jurisdiction. (Added to NRS by 2003, 1357; A 2005, 2502; 2009, 762)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.466 - Creation and operation of program; acceptance of person in program.

1. A district attorney may create within the office of the district attorney a program for restitution for persons referred to the district attorney by a law enforcement officer who has probable cause to believe the person violated paragraph (i) of subsection 1 of NRS 205.0832 or NRS 205.130 or 205.380. The program may be conducted by the district attorney in conjunction with the county sheriff, police department or any other law enforcement agency in whose jurisdiction a violation of paragraph (i) of subsection 1 of NRS 205.0832 or NRS 205.130 or 205.380 has occurred, or by a private entity under contract with the district attorney. 2. The district attorney may adopt standards for the law enforcement agency which indicate the minimum requirements of investigation by the agency for its referral of a person to the district attorney for acceptance in the program. 3. If such a person is referred to the district attorney, the district attorney shall determine if the person is appropriate for acceptance in the program. The district attorney may consider: (a) The amount of the check or draft drawn or passed without sufficient money or credit to pay it in full; (b) The prior criminal record of the person; (c) Prior referrals of the person to the program; (d) The number of times the person has violated paragraph (i) of subsection 1 of NRS 205.0832 or NRS 205.130 or 205.380; (e) Whether other allegations of drawing or passing checks or drafts without sufficient money or credit to pay them in full are pending against the person; and (f) The strength of the evidence, if any, of the person's intent to defraud the alleged victim. 4. Except as otherwise provided in NRS 205.469, this section does not limit the authority of the district attorney to prosecute violations of paragraph (i) of subsection 1 of NRS 205.0832 or NRS 205.130 or 205.380. (Added to NRS by 1989, 607; A 1989, 1206; 2001, 3025)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.467 - Notice to persons accepted into program.

1. After the acceptance of a person to the program for restitution, a notice must be sent by registered or certified mail to that person by a representative of the program. 2. The notice must contain: (a) The date and amount of the check or draft the person is alleged to have drawn or passed; (b) The name of the payee; (c) The date before which the person must contact the designated representative of the program concerning the check or draft; (d) A demand for full restitution of the face amount of the check or draft and any fees

authorized pursuant to NRS 205.469 and 205.471; and (e) A statement that failure to pay restitution and fees may result in criminal prosecution. (Added to NRS by 1989, 607)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.468 - Actions required of persons accepted into program.

A person accepted to the program for restitution must: 1. Voluntarily agree to participate in the program; and 2. Contact the designated representative of the program concerning the check or draft on or before the date required in the notice pursuant to subsection 2 of NRS 205.467. (Added to NRS by 1989, 608)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.469 - Agreement to suspend prosecution of person accepted into program: Entry; conditions; completion.

1. The district attorney may enter into an agreement with a person accepted to the program for restitution to suspend prosecution for a period to be determined by the district attorney, but in no case to exceed 6 months, pending the following: (a) Completion by the person of a class conducted by the district attorney, a designee of the district attorney or a private entity under contract with the district attorney, which offers instruction in dealing with a checking account and developing a budget; (b) Payment by the person of the fee required to participate in the class; (c) Full restitution made to the alleged victim; and (d) Full payment of the fee authorized by NRS 205.471, if required. 2. As additional consideration for the agreement, the district attorney shall agree not to file criminal charges if the person accepted to the program completes the conditions of the agreement. (Added to NRS by 1989, 608)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.471 - Collection of fee from offender; amount and disposition of fee.

1. The district attorney, the designated representative of the program for restitution or a private entity under contract with the district attorney, may collect a fee from any person who draws or passes a check or draft in violation of a provision of this chapter, if the office of the district attorney collects and processes the check or draft. 2. The amount of the fee must not exceed: (a) Twenty-five dollars if the face amount of the check or draft does not exceed \$100; (b) Fifty dollars if the face amount of the check or draft is greater than \$100 but does not exceed \$300; (c) Seventy-five dollars if the face amount of the check or draft is greater than \$300 but does not exceed \$1,000; (d) One hundred and fifty dollars if the face amount of the check or draft is greater than \$1,000 but does not exceed \$2,500; (e) Five hundred dollars if the face amount of the check or draft is greater than \$2,500 but does not exceed \$10,000; or (f) Ten percent of the face amount of the check or draft if the face amount of the check or draft is greater than \$10,000. 3. Money collected pursuant to this section must be deposited in the county treasury in an account to be administered by the district attorney. The district attorney may use the money in the account only to: (a) Carry out the purposes of NRS 205.466 to 205.472, inclusive; (b) Defray the cost of: (1) A program of instruction in managing a checking account and developing a budget; or (2) Any other program of education or instruction designed to prevent the drawing or passing of a check or draft in violation of the provisions of this chapter; and (c) Assist a victim of a crime. As used in this paragraph, "victim" has the meaning ascribed to it in NRS 176.015. (Added to NRS by 1989, 608; A 1997, 177)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.472 - Statements by person referred to or participating in program inadmissible in civil and criminal proceedings.

No statement made by a person referred to the program for restitution in connection with the determination of the person's eligibility for participation in the program and no statement made or information given by that person while participating in the program is admissible in any civil or criminal action or proceeding. (Added to NRS by 1989, 608)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.473 - Definitions.

As used in NRS 205.473 to 205.513, inclusive, unless the context otherwise requires, the words and terms defined in NRS 205.4732 to 205.476, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1983, 1203; A 1991, 50; 1999, 2707; 2001, 1240)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4732 - "Access" defined.

"Access" means to intercept, instruct, communicate with, store data in, retrieve from or otherwise make use of any resources of a computer, network or data. (Added to NRS by 1991, 49)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4735 - "Computer" defined.

"Computer" means an electronic device which performs logical, arithmetic and memory functions by manipulations of electronic or magnetic impulses and includes all equipment related to the computer in a system or network. (Added to NRS by 1983, 1203)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4737 - "Computer contaminant" defined.

1. "Computer contaminant" means any data, information, image, program, signal or sound that is designed or has the capability to: (a) Contaminate, corrupt, consume, damage, destroy, disrupt, modify, record or transmit; or (b) Cause to be contaminated,

corrupted, consumed, damaged, destroyed, disrupted, modified, recorded or transmitted, any other data, information, image, program, signal or sound contained in a computer, system or network without the knowledge or consent of the person who owns the other data, information, image, program, signal or sound or the computer, system or network. 2. The term includes, without limitation: (a) A virus, worm or Trojan horse; (b) Spyware that tracks computer activity and is capable of recording and transmitting such information to third parties; or (c) Any other similar data, information, image, program, signal or sound that is designed or has the capability to prevent, impede, delay or disrupt the normal operation or use of any component, device, equipment, system or network. 3. As used in this section: (a) "On-line solicitation" has the meaning ascribed to it in NRS 332.025. (b) "Spyware" does not include: (1) An Internet browser; (2) Software for transmitting messages instantly that informs the user whether other users are on-line at the same time; (3) Software that is designed to detect or prevent the use of computer contaminants; (4) Software that is designed to detect fraudulent on-line solicitation; (5) Software that is designed to prevent children from accessing pornography on the Internet; (6) Software that conducts remote maintenance or repair of a computer or its systems; (7) Software that is designed to manage or to perform maintenance on a network of computers; (8) Software for media players; and (9) Software that authenticates a user. (Added to NRS by 1999, 2703; A 2005, 2509; 2005, 22nd Special Session, 97; 2019, 786)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.474 - "Data" defined.

"Data" means a representation in any form of information, knowledge, facts, concepts or instructions which is being prepared or has been formally prepared and is intended to be processed, is being processed or has been processed in a system or network. (Added to NRS by 1983, 1203)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4742 - "Encryption" defined.

"Encryption" means the use of any protective or disruptive measure, including, without limitation, cryptography, enciphering, encoding or a computer contaminant, to: 1. Prevent, impede, delay or disrupt access to any data, information, image, program, signal or sound; 2. Cause or make any data, information, image, program, signal or sound unintelligible or unusable; or 3. Prevent, impede, delay or disrupt the normal operation or use of any component, device, equipment, system or network. (Added to NRS by 1999, 2704)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4743 - "Information service" defined.

1. "Information service" means a service that is designed or has the capability to generate, process, store, retrieve, convey, emit, transmit, receive, relay, record or reproduce any data, information, image, program, signal or sound by means of any component, device, equipment, system or network, including, without limitation, by means of: (a) A computer, computer system, computer network, modem or scanner. (b) A telephone, cellular phone, satellite phone, pager, personal communications device or facsimile machine. (c) Any type of transmitter or receiver. (d) Any other component, device, equipment, system or network that uses analog, digital, electronic, electromagnetic, magnetic or optical technology. 2. The term does not include video service, as defined in NRS 711.141. (Added to NRS by 1999, 2704; A 2007, 1377)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4744 - "Internet or network site" defined.

1. "Internet or network site" means any identifiable site on the Internet or on a network. 2. The term includes, without limitation: (a) A website or other similar site on the World Wide Web; (b) A site that is identifiable through a Uniform Resource Location; (c) A site on a network that is owned, operated, administered or controlled by a provider of Internet service; (d) An electronic bulletin board; (e) A list server; (f) A newsgroup; or (g) A chat room. (Added to NRS by 2001, 1240)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4745 - "Network" defined.

"Network" means a set of related, remotely connected devices and facilities, including more than one system, with the capability to transmit data among any of the devices and facilities. The term includes, without limitation, a local, regional or global computer network. (Added to NRS by 1983, 1203; A 1999, 2707)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.475 - "Program" defined.

"Program" means an ordered set of data representing coded instructions or statements which can be executed by a computer and cause the computer to perform one or more tasks. (Added to NRS by 1983, 1203)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4755 - "Property" defined.

"Property" means anything of value and includes a financial instrument, information, electronically produced data, program and any other tangible or intangible item of value. (Added to NRS by 1983, 1203)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4757 - "Provider" defined.

"Provider" means any person who provides an information service. (Added to NRS by 1999, 2704)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4758 - "Provider of Internet service" defined.

"Provider of Internet service" means any provider who provides subscribers with access to the Internet or an electronic mail address, or both. (Added to NRS by 1999, 2704)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4759 - "Response costs" defined.

1. "Response costs" means any reasonable costs that arise in response to and as a proximate result of a crime described in NRS 205.473 to 205.513, inclusive. 2. The term includes, without limitation, any reasonable costs to: (a) Investigate the facts surrounding the crime; (b) Ascertain or calculate any past or future loss, injury or other damage; (c) Remedy, mitigate or prevent any past or future loss, injury or other damage; or (d) Test, examine, restore or verify the integrity of or the normal operation or use of any Internet or network site, electronic mail address, computer, system, network, component, device, equipment, data, information, image, program, signal or sound. (Added to NRS by 2001, 1240)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.476 - "System" defined.

"System" means a set of related equipment, whether or not connected, which is used with or for a computer. (Added to NRS by 1983, 1203)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.4765 - Unlawful acts regarding computers: Generally.

1. Except as otherwise provided in subsection 6, a person who knowingly, willfully and without authorization: (a) Modifies; (b) Damages; (c) Destroys; (d) Discloses; (e) Uses; (f) Transfers; (g) Conceals; (h) Takes; (i) Retains possession of; (j) Copies; (k) Obtains or attempts to obtain access to, permits access to or causes to be accessed; or (l) Enters, data, a program or any supporting documents which exist inside or outside a computer, system or network is guilty of a misdemeanor. 2. Except as otherwise provided in subsection 6, a person who knowingly, willfully and without authorization: (a) Modifies; (b) Destroys; (c) Uses; (d) Takes; (e) Damages; (f) Transfers; (g) Conceals; (h) Copies; (i) Retains possession of; or (j) Obtains or attempts to obtain access to, permits access to or causes to be accessed, equipment or supplies that are used or intended to be used in a computer, system or network is guilty of a misdemeanor. 3. Except as otherwise provided in subsection 6, a person who knowingly, willfully and without authorization: (a) Destroys; (b) Damages; (c) Takes; (d) Alters; (e) Transfers; (f) Discloses; (g) Conceals; (h) Copies; (i) Uses; (j) Retains possession of; or (k) Obtains or attempts to obtain access to, permits access to or causes to be accessed, a computer, system or network is guilty of a misdemeanor. 4. Except as otherwise provided in subsection 6, a person who knowingly, willfully and without authorization: (a) Obtains and discloses; (b) Publishes; (c) Transfers; or (d) Uses, a device used to access a computer, network or data is guilty of a misdemeanor. 5. Except as otherwise provided in subsection 6, a person who knowingly, willfully and without authorization introduces, causes to be introduced or attempts to introduce a computer contaminant into a computer, system or network is guilty of a misdemeanor. 6. If the violation of any provision of this section: (a) Was committed to devise or execute a scheme to defraud or illegally obtain property; (b) Caused response costs, loss, injury or other damage in excess of \$500; or (c) Caused an interruption or impairment of a public service, including, without limitation, a governmental operation, a system of public communication or transportation or a supply of water, gas or electricity, the person is guilty of a category C felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$100,000. In addition to any other penalty, the court shall order the person to pay restitution. 7. The provisions of this section do not apply to a person performing any testing, including, without limitation, penetration testing, of an information system of an agency that uses the equipment or services of the Office of the Chief Information Officer within the Office of the Governor that is authorized by the Chief of that Office or the head of the Office of Information Security of the Office of the Chief Information Officer. As used in this subsection: (a) "Information system" has the meaning ascribed to it in NRS 242.057. (b) "Penetration testing" has the meaning ascribed to it in NRS 242.171. (Added to NRS by 1983, 1203; A 1991, 50; 1995, 1228; 1999, 2707; 2001, 1240; 2011, 1862; 2023, 3554)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.477 - Unlawful acts relating to interference with or denial of access to or use of computers, systems, networks, telecommunication devices, telecommunications devices, services or information services; penalties; affirmative defense.

1. Except as otherwise provided in subsections 3 and 4, a person who knowingly, willfully, maliciously and without authorization interferes with, denies or causes the denial of access to or use of a computer, system or network to a person who has the duty and right to use it is guilty of a gross misdemeanor. 2. Except as otherwise provided in subsections 3 and 4, a person who knowingly, willfully, maliciously and without authorization uses, causes the use of, accesses, attempts to gain access to or causes access to be gained to a computer, system, network, telecommunications device, telecommunications service or information service is guilty of a gross misdemeanor. 3. If the violation of any provision of this section: (a) Was committed to devise or execute a scheme to defraud or illegally obtain property; (b) Caused response costs, loss, injury or other damage in excess of \$500; or (c) Caused an interruption or impairment of a public service, including, without limitation, a governmental operation, a system of public communication or transportation or a supply of water, gas or electricity, the person is guilty of a category C felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$100,000. In addition to any other penalty, the court shall order the person to pay restitution. 4. It is an affirmative defense to a charge made pursuant to this section that at the time of the alleged offense the defendant reasonably believed that: (a) The defendant was authorized to use or access the computer, system,

network, telecommunications device, telecommunications service or information service and such use or access by the defendant was within the scope of that authorization; or (b) The owner or other person authorized to give consent would authorize the defendant to use or access the computer, system, network, telecommunications device, telecommunications service or information service. 5. A defendant who intends to offer an affirmative defense described in subsection 4 at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. (Added to NRS by 1983, 1204; A 1991, 51; 1995, 1229; 1999, 2709; 2001, 1242; 2011, 3650)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.481 - Forgery by creation, alteration or deletion of data, information, image, program, signal or sound contained in computer.

A person who knowingly, willfully and without authorization creates, alters or deletes any data, information, image, program, signal or sound contained in any computer, system or network which, if done on a written or printed document or instrument, would constitute forgery pursuant to NRS 205.090 or 205.095, is guilty of forgery which is a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1991, 49; A 1995, 1229; 1999, 2709)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.486 - Unlawful use of encryption.

1. A person shall not willfully use or attempt to use encryption, directly or indirectly, to: (a) Commit, facilitate, further or promote any criminal offense; (b) Aid, assist or encourage another person to commit any criminal offense; (c) Conceal the commission of any criminal offense; (d) Conceal or protect the identity of a person who has committed any criminal offense; or (e) Delay, hinder or obstruct the administration of the law. 2. A person who violates any provision of this section: (a) Is guilty of a gross misdemeanor, unless the encryption was used or attempted to be used to commit a crime for which a greater penalty is provided by specific statute. If the encryption was used or attempted to be used to commit a crime for which a greater penalty is provided by specific statute, the person shall be punished as prescribed by statute for that crime. (b) Commits a criminal offense that is separate and distinct from any other criminal offense and may be prosecuted and convicted pursuant to this section whether or not the person or any other person is or has been prosecuted or convicted for any other criminal offense arising out of the same facts as the violation of this section. (Added to NRS by 1999, 2704; A 2001, 2789)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.492 - Unlawful acts involving electronic mail or transmission of other data, information, images, programs, signals or sounds to computer, system or network.

1. A person shall not willfully falsify or forge any data, information, image, program, signal or sound that: (a) Is contained in the header, subject line or routing instructions of an item of electronic mail; or (b) Describes or identifies the sender, source, point of origin or path of transmission of an item of electronic mail, with the intent to transmit or cause to be transmitted the item of electronic mail to any Internet or network site or to the electronic mail address of one or more recipients without their knowledge of or consent to the transmission. 2. Except as otherwise provided in subsection 7, a person shall not willfully transmit or cause to be transmitted an item of electronic mail to any Internet or network site or to the electronic mail address of one or more recipients without their knowledge of or consent to the transmission if the person knows or has reason to know that the item of electronic mail contains or has been generated or formatted with: (a) An Internet domain name that is being used without the consent of the person who holds the Internet domain name; or (b) Any data, information, image, program, signal or sound that has been used intentionally in the header, subject line or routing instructions of the item of electronic mail to falsify or misrepresent: (1) The identity of the sender; or (2) The source, point of origin or path of transmission of the item of electronic mail. 3. A person shall not knowingly sell, give or otherwise distribute or possess with the intent to sell, give or otherwise distribute any data, information, image, program, signal or sound which is designed or intended to be used to falsify or forge any data, information, image, program, signal or sound that: (a) Is contained in the header, subject line or routing instructions of an item of electronic mail; or (b) Describes or identifies the sender, source, point of origin or path of transmission of an item of electronic mail. 4. Except as otherwise provided in subsection 7, a person shall not willfully and without authorization transmit or cause to be transmitted an item of electronic mail or any other data, information, image, program, signal or sound to any Internet or network site, to the electronic mail address of one or more recipients or to any other computer, system or network: (a) With the intent to prevent, impede, delay or disrupt the normal operation or use of the Internet or network site, electronic mail address, computer, system or network, whether or not such a result actually occurs; or (b) Under circumstances in which such conduct is reasonably likely to prevent, impede, delay or disrupt the normal operation or use of the Internet or network site, electronic mail address, computer, system or network, whether or not such a result actually occurs. 5. Except as otherwise provided in subsection 6, a person who violates any provision of this section is guilty of a misdemeanor. 6. If the violation of any provision of subsection 4: (a) Was committed to devise or execute a scheme to defraud or illegally obtain property; (b) Caused response costs, loss, injury or other damage in excess of \$500; or (c) Caused an interruption or impairment of a public service, including, without limitation, a governmental operation, a system of public communication or transportation or a supply of water, gas or electricity, the person is guilty of a category C felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$100,000. In addition to any other penalty, the court shall order the person to pay restitution. 7. The provisions of subsections 2 and 4 do not apply to a provider of Internet service who, in the course of providing service, transmits or causes to be transmitted an item of electronic mail on behalf of another person, unless the provider of Internet service is the person who first generates the item of electronic mail. 8. As used in this section, "item of electronic mail" includes,

without limitation: (a) A single item of electronic mail; (b) Multiple copies of one or more items of electronic mail; (c) A collection, group or bulk aggregation of one or more items of electronic mail; (d) A constant, continual or recurring pattern or series of one or more items of electronic mail; or (e) Any other data, information, image, program, signal or sound that is included or embedded in or attached or connected to one or more items of electronic mail. (Added to NRS by 1999, 2704; A 2001, 1243)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.498 - Provider of Internet service required to keep certain information concerning subscribers confidential; notice required to be provided to subscribers.

1. A provider of Internet service shall keep confidential: (a) All information concerning a subscriber, other than the electronic mail address of the subscriber, unless the subscriber gives permission, in writing or by electronic mail, to the provider of Internet service to disclose the information. (b) The electronic mail address of a subscriber, if the subscriber requests, in writing or by electronic mail, to have the electronic mail address of the subscriber kept confidential. Upon receiving such a request from a subscriber, a provider of Internet service shall keep confidential the electronic mail address of the subscriber, unless the subscriber gives permission, in writing or by electronic mail, to the provider of Internet service to disclose the electronic mail address of the subscriber. 2. A provider of Internet service shall provide notice of the requirements of subsection 1 to each of its subscribers. The notice must include, without limitation, a conspicuous statement that a subscriber may request, in writing or by electronic mail, to have the electronic mail address of the subscriber kept confidential. 3. A provider of Internet service who violates any provision of this section is guilty of a misdemeanor and shall be punished by a fine of not less than \$50 or more than \$500 for each violation. 4. As used in this section, "provider of Internet service" means a provider of Internet service who charges a subscriber for access to the Internet or the electronic mail address of the subscriber. (Added to NRS by 1999, 2705)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.506 - Unlawful acts regarding information services.

1. It is unlawful for a person knowingly and with the intent to avoid payment in full for the service obtained to: (a) Obtain or attempt to obtain an information service from a provider by deception, use of an illegal device or other fraudulent means. The requisite intent may be inferred from the presence on the property or in the possession of the person of a device, not authorized by the provider, the major purpose of which is to permit or facilitate use of an information service without payment. The inference is rebutted if the person shows that he or she purchased the device for a legitimate purpose. (b) Give to another person technical assistance or instruction in obtaining an information service without full payment to a provider. (c) Maintain an ability to connect, by physical, electronic or other means, with facilities, components or devices used in an information service for the purpose of obtaining the information service without payment of all lawful compensation to the provider. (d) Make or maintain a modification of a device installed with the authorization of a provider to obtain any service that the person is not authorized by the provider to obtain. The requisite intent may be inferred from proof that the standard procedure of the provider is to place labels on its devices warning that modifying the device is a violation of law and that the device has been modified without the permission of the provider. (e) Possess, manufacture, deliver, offer to deliver or advertise, without permission from the provider, a device or a kit for a device designed to: (1) Receive from the provider a service offered for sale by the provider, whether or not the service is encoded or otherwise made unintelligible; or (2) Perform or facilitate an act prohibited by paragraphs (a) to (d), inclusive. Intent to violate this paragraph for commercial advantage or financial gain may be inferred if the circumstances, including, without limitation, quantity or volume, indicate possession for resale. (f) Manufacture, import, distribute, advertise, sell, lease, or offer to sell or lease a device or a plan or kit for a device designed to receive an information service offered for sale by a provider, whether or not the service is encoded or otherwise made unintelligible, without full payment. The requisite intent may be inferred from proof that the person has sold, leased or offered to sell or lease any such device, plan or kit and stated or implied to the buyer or lessee that it will enable the buyer or lessee to obtain an information service without charge. (g) Possess any other materials for the purpose of creating a device or a kit for a device designed to obtain an information service in any manner prohibited pursuant to this section. 2. This section does not prohibit or restrict a holder of an amateur service license issued by the Federal Communications Commission from possessing or using a radio receiver or transceiver that is intended primarily for use in the amateur radio service and is used for lawful purposes. 3. A person who violates any provision of this section is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1993, 871; A 1997, 491; 1999, 2710)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.509 - Presumption of authority of employee.

An employee is presumed to have the authority to access and use: 1. A computer, system or network owned or operated by his or her employer; and 2. Any supporting document to and any data, information, image, program, signal or sound contained in such a computer, system or network, unless the presumption is overcome by clear and convincing evidence to the contrary. (Added to NRS by 1991, 50; A 1999, 2710)—(Substituted in revision for NRS 205.485)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.511 - Victim authorized to bring civil action.

1. Any victim of a crime described in NRS 205.473 to 205.513, inclusive, may bring a civil action to recover: (a) Damages for any response costs, loss or injury suffered as a result of the crime; (b) Punitive damages; and (c) Costs and reasonable attorney's fees incurred in bringing the civil action. 2. A victim of a crime described in NRS 205.473 to 205.513, inclusive, may bring a civil action

pursuant to this section whether or not the person who committed the crime is or has been charged with or convicted or acquitted of the crime or any other offense arising out of the facts surrounding the crime. 3. The provisions of this section do not abrogate or limit the right of a victim of a crime described in NRS 205.473 to 205.513, inclusive, to bring a civil action pursuant to any other statute or the common law. (Added to NRS by 1999, 2706; A 2001, 1244)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.513 - Enforcement of provisions.

1. If it appears that a person has engaged in or is about to engage in any act or practice which violates any provision of NRS 205.473 to 205.513, inclusive, the Attorney General or the appropriate district attorney may file an action in any court of competent jurisdiction to prevent the occurrence or continuance of that act or practice. 2. An injunction: (a) May be issued without proof of actual damage sustained by any person. (b) Does not preclude the criminal prosecution and punishment of a violator. (Added to NRS by 1991, 50; A 1999, 2710; 2001, 1244)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.520 - Issue of document of title for goods not received.

A bailee, or any officer, agent or servant of a bailee, who issues or aids in issuing a document of title, knowing that the goods covered by the document of title have not been received by him or her, or are not under his or her control at the time the document is issued, shall be punished: 1. Where the value of the goods purported to be covered by the document of title is \$1,200 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. Where the value is less than \$1,200, for a misdemeanor. (Added to NRS by 1965, 927; A 1967, 510; 1979, 1450; 1989, 1439; 1995, 1230; 2011, 170; 2019, 4438)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.530 - Issue of document of title containing false statement.

A bailee, or any officer, agent or servant of a bailee, who issues or aids in issuing a document of title, knowing that it contains any false statement, is guilty of a gross misdemeanor. (Added to NRS by 1965, 927; A 1967, 510)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.540 - Issuance of duplicate or additional negotiable document of title not so marked.

Except as otherwise provided in chapters 104 to 104C, inclusive, of NRS, a bailee, or any officer, agent or servant of a bailee, who issues or aids in issuing a duplicate or additional negotiable document of title, knowing that a former negotiable document for the same goods or any part of them is outstanding and uncanceled, shall be punished: 1. Where the value of the goods purported to be covered by the document of title is \$1,200 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. Where the value is less than \$1,200, for a misdemeanor. (Added to NRS by 1965, 927; A 1967, 510; 1979, 1450; 1989, 1439; 1995, 1230; 2011, 170; 2019, 4438)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.550 - Delivery of goods covered by outstanding negotiable document of title without obtaining negotiable document.

Except as provided in chapters 104 to 104C, inclusive, of NRS, a bailee, or any officer, agent or servant of a bailee, who delivers goods, knowing that they are covered by an outstanding document of title, the negotiation of which would transfer the right to possession thereof, without obtaining the negotiable document, is guilty of a gross misdemeanor. (Added to NRS by 1965, 927; A 1967, 511)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.560 - Issue of negotiable warehouse receipt not stating fact of warehouseman's ownership.

A warehouseman, or any officer, agent or servant of a warehouseman, in possession of goods which he or she owns in part, wholly or jointly, who issues a negotiable warehouse receipt therefor, without noting such ownership on the receipt, is guilty of a gross misdemeanor. (Added to NRS by 1965, 927; A 1967, 511)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.570 - Obtaining or negotiating document of title for goods with intent to defraud.

A person who, with the intent to defraud, obtains a negotiable document of title for goods to which the person does not have title, or which are subject to a security interest, and negotiates the document for value, without disclosing the want of title or the existence of the security interest, shall be punished: 1. Where the value of the goods purported to be covered by the document of title is \$1,200 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. Where the value is less than \$1,200, for a misdemeanor. (Added to NRS by 1965, 927; A 1967, 511; 1979, 1450; 1989, 1439; 1995, 1230; 2011, 171; 2019, 4438)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.580 - Inducing bailee to issue negotiable

document of title when goods have not been received.

A person who, with the intent to defraud, secures the issue by a bailee of a negotiable document of title, knowing at the time of issue that any or all of the goods are not in possession of the bailee, by inducing the bailee to believe that the goods are in the bailee's possession, shall be punished: 1. Where the value of the goods purported to be covered by the document of title is \$1,200 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. Where the value is less than \$1,200, for a misdemeanor. (Added to NRS by 1965, 927; A 1967, 511; 1979, 1450; 1989, 1440; 1995, 1230; 2011, 171; 2019, 4438)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.590 - Negotiation of document of title when goods are not in bailee's possession.

A person who, with the intent to defraud, negotiates or transfers for value a document of title, which by the terms thereof represents that goods are in possession of the bailee who issued the document, knowing that the bailee is not in possession of the goods or any part thereof, without disclosing this fact, shall be punished: 1. Where the value of the goods purported to be covered by the document of title is \$1,200 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. Where the value is less than \$1,200, for a misdemeanor. (Added to NRS by 1965, 928; A 1967, 511; 1979, 1450; 1989, 1440; 1995, 1231; 2011, 171; 2019, 4438)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.601 - Definitions.

As used in NRS 205.601 to 205.608, inclusive, unless the context otherwise requires, the words and terms defined in NRS 205.602, 205.603 and 205.604 have the meanings ascribed to them in those sections. (Added to NRS by 2003, 1354)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.602 - "Payment card" defined.

"Payment card" means a credit card, charge card, debit card or any other card that: 1. Is issued to an authorized card user; and 2. Allows the user to obtain, purchase or receive credit, money, a good, a service or anything of value. (Added to NRS by 2003, 1354)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.603 - "Reencoder" defined.

"Reencoder" means an electronic device that places encoded information from the magnetic strip or stripe of a payment card onto the magnetic strip or stripe of a different payment card. (Added to NRS by 2003, 1354)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.604 - "Scanning device" defined.

"Scanning device" means a scanner, reader or any other electronic device that is used to access, read, scan, obtain, memorize or store, temporarily or permanently, information encoded on the magnetic strip or stripe of a payment card. (Added to NRS by 2003, 1354)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.605 - Using scanning device or reencoder to defraud.

1. A person shall not: (a) Use a scanning device to access, read, obtain, memorize or store, temporarily or permanently, information encoded on the magnetic strip or stripe of a payment card: (1) Without the permission of the authorized user of the payment card; and (2) With the intent to defraud the authorized user, the issuer of the payment card or any other person. (b) Use a reencoder to place information encoded on the magnetic strip or stripe of a payment card onto the magnetic strip or stripe of a different card: (1) Without the permission of the authorized user of the card from which the information is being reencoded; and (2) With the intent to defraud the authorized user, the issuer of the payment card or any other person. 2. A person who violates any provision of this section is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. In addition to any other penalty, the court shall order a person who violates any provision of this section to pay restitution, including, without limitation, any attorney's fees and costs incurred to: (a) Repair the credit history or rating of each person who is a victim of the violation; and (b) Satisfy a debt, lien or other obligation incurred by each person who is a victim of the violation. (Added to NRS by 2003, 1354; A 2019, 4439)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.606 - Installing, affixing or accessing scanning device for unlawful purpose; possessing scanning device or reencoder for unlawful purpose.

1. A person shall not: (a) Install or affix, temporarily or permanently, a scanning device within or upon a machine with the intent to use the scanning device for an unlawful purpose; (b) Access, by electronic or any other means, a scanning device with the intent to use the scanning device for an unlawful purpose; or (c) Possess a scanning device or reencoder with the intent to use the scanning device or reencoder for an unlawful purpose. 2. A person who violates any provision of this section is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. As used in this section, "machine" means a machine used to conduct financial transactions, including, without limitation, an automated teller or fuel pump. As used in this subsection, "automated teller" means an electronic device that dispenses cash in connection with an account maintained in a financial institution or with another business. (Added to NRS by 2003, 1355; A 2019, 680, 4439)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.607 - Exempt persons.

The provisions of NRS 205.601 to 205.608, inclusive, do not apply to any person who, without the intent to defraud or commit an unlawful act, installs, affixes, accesses, possesses or uses a scanning device or reencoder: 1. In the ordinary course of his or her business or employment; or 2. Pursuant to a financial transaction entered into with an authorized user of a payment card who has given permission for the financial transaction. (Added to NRS by 2003, 1355; A 2019, 680, 4440)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.608 - Defenses not available.

In any prosecution for a violation of any provision of NRS 205.601 to 205.608, inclusive, the State is not required to establish and it is no defense that: 1. An accessory has not been convicted, apprehended or identified; or 2. Some of the acts constituting elements of the crime did not occur in this state or that where such acts did occur they were not a crime or elements of a crime. (Added to NRS by 2003, 1355)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.610 - Definitions.

As used in NRS 205.610 to 205.810, inclusive, unless the context otherwise requires, the words and terms defined in NRS 205.620 to 205.670, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1971, 359; A 1977, 155; 1999, 46)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.620 - "Cardholder" defined.

"Cardholder" means the person or organization named on the face of a credit card or debit card to whom or for whose benefit the credit card or debit card is issued by an issuer. (Added to NRS by 1971, 359; A 1999, 46)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.630 - "Credit card" defined.

"Credit card" means any instrument or device, whether known as a credit card, credit plate, or by any other name, issued with or without fee by an issuer for the use of the cardholder in obtaining money, property, goods, services or anything else of value on credit. (Added to NRS by 1971, 359)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.635 - "Debit card" defined.

"Debit card" means any instrument or device, whether known as a debit card or by any other name, that is issued with or without a fee by an issuer for the use of the cardholder in obtaining money, property, goods, services or anything else of value, subject to the issuer removing money from the checking account or savings account of the cardholder. (Added to NRS by 1999, 46)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.640 - "Expired credit card or debit card" defined.

"Expired credit card or debit card" means a credit card or debit card that is no longer valid because the term shown on it has elapsed. (Added to NRS by 1971, 360; A 1999, 47)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.650 - "Issuer" defined.

"Issuer" means the business organization, financial institution or a duly authorized agent of a business organization or financial institution which issues a credit card or debit card. (Added to NRS by 1971, 360; A 1999, 47)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.660 - "Receives" and "receiving" defined.

"Receives" or "receiving" means acquiring possession or control or accepting as security for a loan. (Added to NRS by 1971, 360)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.670 - "Revoked credit card or debit card" defined.

"Revoked credit card or debit card" means a credit card or debit card that is no longer valid because permission to use it has been suspended or terminated by the issuer. (Added to NRS by 1971, 360; A 1999, 47)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.680 - False statement to procure issuance of credit card or debit card.

Any person who, for the purpose of procuring the issuance of a credit card or debit card, makes or causes to be made, either directly or indirectly, any false statement in writing, knowing it to be false, with intent that it be relied on respecting his or her identity or financial condition or the identity or financial condition of any other person, firm or corporation is guilty of a gross misdemeanor. (Added to NRS by 1971, 360; A 1999, 47)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.690 - Obtaining or possessing credit card or debit card, or identifying description of credit card, credit account or debit card without consent of cardholder; presumption from possession; exemptions.

1. A person who steals, takes or removes a credit card or debit card from the person, possession, custody or control of another without the cardholder's consent or who, with knowledge that a credit card or debit card has been so taken, removed or stolen receives the credit card or debit card with the intent to circulate, use or sell it or to transfer it to a person other than the issuer or the cardholder, is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. A person who possesses a credit card or debit card without the consent of the cardholder and with the intent to circulate, use, sell or transfer the credit card or debit card with the intent to defraud is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 3. A person who has in his or her possession or under his or her control two or more credit cards or debit cards issued in the name of another person is presumed to have obtained and to possess the credit cards or debit cards with the knowledge that they have been stolen and with the intent to circulate, use, sell or transfer them with the intent to defraud. The presumption established by this subsection does not apply to the possession of two or more credit cards or debit cards used in the regular course of the possessor's business or employment or where the possession is with the consent of the cardholder. 4. The provisions of this section do not apply to a person employed by or operating a business, including, but not limited to, a bank or other financial institution, credit bureau, collection agency or credit reporting agency, who, without the intent to defraud, lawfully furnishes to another person or obtains the number or other identifying physical or electronic description of a credit card, debit card or credit account in the ordinary course of that business or employment or pursuant to a financial transaction entered into with a customer. 5. As used in this section: (a) "Credit card" includes, without limitation, the number or other identifying physical or electronic description of a credit card or credit account. (b) "Debit card" includes, without limitation, the number or other identifying physical or electronic description of a debit card. (Added to NRS by 1971, 360; A 1977, 266; 1979, 1451; 1981, 9; 1985, 1456; 1991, 155; 1995, 1231; 1999, 47; 2009, 171)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.710 - Sale or purchase of credit card or debit card, or identifying description of credit card, debit card or credit account; exemptions.

1. A person, except the issuer, who: (a) Sells a credit card or debit card or the number or other identifying physical or electronic description of a credit card, debit card or credit account; or (b) Buys a credit card, debit card or the number or other identifying physical or electronic description of a credit card, debit card or credit account from a person other than the issuer, is guilty of a category D felony and shall be punished as provided in NRS 193.130. 2. The provisions of this section do not apply to a person employed by or operating a business, including, but not limited to, a bank or other financial institution, credit bureau, collection agency or credit reporting agency, who, without the intent to defraud, lawfully furnishes to another person or obtains the number or other identifying physical or electronic description of a credit card, debit card or credit account in the ordinary course of that business or employment or pursuant to a financial transaction entered into with a customer. (Added to NRS by 1971, 360; A 1985, 1457; 1991, 156; 1995, 1232; 1999, 48; 2009, 172)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.715 - Sale of identifying information on telephone calling card.

1. It is unlawful for a person to sell, offer to sell, or otherwise make available, without the authority of the lawful holder: (a) A number on a telephone calling card; (b) A personal identification number for use of a telephone calling card; (c) An account number; or (d) Any other code or number, that can be used to obtain telephone service. 2. Except as otherwise provided in NRS 205.710, any person violating the provisions of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1993, 1205; A 1995, 1232)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.720 - Obtaining control of credit card or debit card as security for debt.

A person who, with the intent to defraud, obtains control over a credit card or debit card as security for debt is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. (Added to NRS by 1971, 360; A 1985, 1457; 1995, 1232; 1999, 48)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.740 - Forgery of credit card or debit card; presumption from possession.

1. A person who, with the intent to defraud, falsely makes or falsely embosses a purported credit card or debit card or utters such a credit card or debit card is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. A person, except the purported issuer, who possesses two or more credit cards or debit cards that are falsely made or falsely embossed is presumed to have violated this section. 3. For the purpose of this section: (a) A person "falsely makes" a credit card or debit card when the person alters a validly issued credit card or debit card or makes or draws, in whole or in part, a device or instrument which purports to be the credit card or debit card of a named issuer where the issuer did not authorize the making or drawing. (b) A person "falsely embosses" a credit card or debit card when, without the authorization of the named issuer, the person completes a credit card or debit card by adding any matter, except the signature of the cardholder, which the issuer requires to appear on the credit card or debit card before the credit card or debit card can be used by

a cardholder. (Added to NRS by 1971, 360; A 1979, 1451; 1995, 1232; 1999, 48)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.750 - Unauthorized signing of credit card, debit card or related document with intent to defraud.

A person, except the cardholder or a person authorized by the cardholder, who signs a credit card, debit card, sales slip, sales draft or instrument for the payment of money which evidences a credit card or debit card transaction with the intent to defraud is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. (Added to NRS by 1971, 361; A 1973, 1035; 1979, 1452; 1995, 1233; 1999, 48)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.760 - Fraudulent use of credit card or debit card, or identifying description of credit account or debit card; presumption of knowledge of revocation of credit card or debit card.

1. Unless a greater penalty is provided pursuant to NRS 205.222 for a violation of subsection 2 of NRS 205.220, a person who, with the intent to defraud: (a) Uses a credit card or debit card to obtain money, goods, property, services or anything of value where the credit card or debit card was obtained or retained in violation of NRS 205.690 to 205.750, inclusive, or where the person knows the credit card or debit card is forged or is the expired or revoked credit card or debit card of another; (b) Uses the number or other identifying physical or electronic description of a credit account, customarily evidenced by a credit card or the number or other identifying physical or electronic description of a debit card, to obtain money, goods, property, services or anything of value without the consent of the cardholder; or (c) Obtains money, goods, property, services or anything else of value by representing, without the consent of the cardholder, that the person is the authorized holder of a specified card or that the person is the holder of a card where the card has not in fact been issued, is guilty of a public offense and shall be punished for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 2. Unless a greater penalty is provided pursuant to NRS 205.222 for a violation of subsection 2 of NRS 205.220, a person who, with the intent to defraud, uses a credit card or debit card to obtain money, goods, property, services or anything of value where the credit card or debit card was issued in his or her name and which the person knows is revoked or expired, or when the person knows he or she does not have sufficient money or property with which to pay for the extension of credit or to cover the debit from the account linked to his or her debit card, shall be punished, where the amount of money or the value of the goods, property, services or other things of value so obtained in any 6-month period is: (a) One hundred dollars or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. (b) Less than \$100, for a misdemeanor. 3. A person is presumed to have knowledge of the revocation of a credit card or debit card 4 days after notice of the revocation has been mailed to the person by registered or certified mail, return receipt requested, at the address set forth on the credit card or debit card or at the person's last known address. If the address is more than 500 miles from the place of mailing, notice must be sent by airmail. If the address is located outside the United States, Puerto Rico, the Virgin Islands, the Canal Zone and Canada, notice may be presumed to have been received 10 days after the mailing. (Added to NRS by 1971, 361; A 1979, 1452; 1985, 1457; 1987, 1192; 1991, 156; 1995, 1233; 1999, 49; 2009, 172)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.765 - Presumption of intent to defraud and knowledge that holder of credit card or debit card has insufficient money or property.

In a criminal action for using a credit card or debit card to obtain money, goods, property, services or anything of value with insufficient money or property with which to pay for the extension of credit, with intent to defraud, that intent and the knowledge that the holder of the credit card has insufficient money or property is presumed to exist if payment is refused by the issuer or other creditor when it is presented in the usual course of business, unless within 5 days after payment is refused by the issuer if the action involves the use of a debit card or within 10 days after payment is refused by the issuer if the action involves the use of a credit card, the holder of the credit card pays the full amount due plus any handling charges. (Added to NRS by 1987, 1191; A 1999, 49)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.770 - Fraud by person authorized to provide goods or services: Furnishing goods or services upon presentation of credit card or debit card illegally obtained or possessed.

A person who is authorized by an issuer to furnish money, goods, services or anything else of value upon presentation of a credit card or debit card by the cardholder, or an agent or employee of the authorized person, who, with the intent to defraud, furnishes money, goods, property, services or anything else of value upon presentation of a credit card or debit card that the person, employee or agent knows was obtained or retained in violation of NRS 205.690 to 205.750, inclusive, or is forged, expired or revoked is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. (Added to NRS by 1971, 361; A 1979, 1452; 1985, 1458; 1995, 1234; 1999, 50)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.780 - Fraud by person authorized to provide goods or services: Misrepresentation to issuer.

A person who is authorized by an issuer to furnish money, goods, property, services or anything of value upon presentation of a credit card or debit card by the cardholder, or an agent or employee of the authorized person, who, with the intent to defraud,

misrepresents to the issuer the value of the goods the person furnishes or who fails to furnish money, goods, property, services or anything else of value which the person represents in writing to the issuer that he or she has furnished is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. (Added to NRS by 1971, 362; A 1979, 1453; 1985, 1458; 1995, 1234; 1999, 50)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.790 - Possession of incomplete credit cards or debit cards or equipment to produce cards.

1. A person, except the cardholder, who possesses two or more incomplete credit cards or debit cards with the intent to complete them without the consent of the issuer, or a person who, with knowledge of its character, possesses machinery, plates or any other contrivance designed to produce instruments which purport to be the credit cards or debit cards of an issuer who has not consented to the preparation of such credit cards or debit cards is guilty of a category D felony and shall be punished as provided in NRS 193.130. 2. As used in this section, a credit card or debit card is "incomplete" if part of the matter, except the signature of the cardholder, required by an issuer to appear on the credit card or debit card has not yet been stamped, embossed, imprinted or written on the credit card or debit card. (Added to NRS by 1971, 362; A 1985, 1459; 1995, 1234; 1999, 50)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.800 - Receiving property or services obtained by unlawful use of credit card or debit card; presumption of knowledge.

1. A person who receives money, property, goods, services or anything of value obtained in violation of NRS 205.760, knowing or believing that the money, property, goods, services or other things of value were so obtained, is guilty of a category D felony and shall be punished as provided in NRS 193.130. 2. A person who obtains at a discount price from a source other than the issuing company a ticket issued by an airline, railroad, steamship or other transportation company and acquired in violation of NRS 205.760 under such circumstances as to cause a reasonable person to believe that the ticket was obtained in violation of this section is presumed to know that the ticket was obtained in violation of NRS 205.760. (Added to NRS by 1971, 362; A 1979, 1453; 1985, 1459; 1995, 1235; 1997, 1602)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.810 - Defenses not available.

In any prosecution for violation of NRS 205.610 to 205.800, inclusive, the State is not required to establish and it is no defense that: 1. An accessory has not been convicted, apprehended or identified; or 2. Some of the acts constituting elements of the crime did not occur in this state or that where such acts did occur they were not a crime or elements of a crime. (Added to NRS by 1971, 362)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.830 - Definitions.

As used in NRS 205.830 to 205.860, inclusive, unless the context otherwise requires: 1. "Cart" means a small, wheeled vehicle, drawn or pushed by hand which has a basket and which is used by customers or employees: (a) In a retail store, to transport goods of any kind; or (b) In a laundry or establishment for dry cleaning, to transport fabrics and the supplies necessary to clean or launder them. 2. "Premises" includes the area within a retail store, laundry or establishment for dry cleaning and any area provided for a customer's use to park a vehicle. (Added to NRS by 1985, 976)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.840 - Owner of cart required to place sign on premises.

The owner of any cart shall place a sign on his or her premises which contains: 1. The name, address and telephone number of his or her business; and 2. A statement that the unauthorized removal or possession of the cart is a misdemeanor. (Added to NRS by 1985, 977)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.850 - Retrieval of carts: Permit from owner.

Any person who retrieves carts from areas not on the owner's premises, whether as a volunteer or for compensation, must obtain a permit from the owner authorizing the person to retrieve carts. Each vehicle used to retrieve carts must have a copy of the permit from the owner of the carts. (Added to NRS by 1985, 977)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.860 - Wrongful possession, abandonment or alteration of cart or serial number.

1. Any person who: (a) Knowingly possesses a cart that has been removed from the owner's premises; (b) Possesses a cart with the serial numbers removed, obliterated or altered with the intent to deprive the owner of the cart of its possession either temporarily or permanently; (c) Leaves or abandons a cart at a location other than the owner's premises with the intent to deprive the owner of its possession either temporarily or permanently; (d) Alters, converts or tampers with a cart; or (e) Removes, obliterates or alters the cart's serial numbers, is guilty of a misdemeanor. 2. This section does not apply to: (a) The owner of the cart or the owner's agents or employees; (b) A customer of the retail store, laundry or establishment for dry cleaning who has written permission from the owner of the cart or the owner's agents or employees to possess the cart or remove it from the premises; or (c) The operator of a service to retrieve carts if the operator has complied with NRS 205.850. (Added to NRS by 1985, 977)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.870 - Definitions.

As used in NRS 205.880 and 205.890, unless the context otherwise requires: 1. "Care" includes board, laundry, lodging, teaching, incidental materials and supplies, necessary articles of apparel or clothing and necessary medical, nursing or hospital service for which a child care establishment is liable. 2. "Child care establishment" includes any children's home, day nursery, kindergarten, nursery school or other similar establishment however designated, maintained or operated for the care of children for compensation or hire. (Added to NRS by 1987, 1302)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.880 - Obtaining care for child in child care establishment with intent to defraud keeper or proprietor; penalty; exception.

1. Any person who obtains care for any child in any child care establishment with intent to defraud the keeper or proprietor of that establishment is guilty of a misdemeanor. 2. This section does not apply where there has been an agreement in writing for delay in payment for a period exceeding 10 days. (Added to NRS by 1987, 1302)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.890 - Prima facie evidence of intent to defraud.

The obtaining of care for a child in a child care establishment by means of any false pretense or representation, knowingly made, or the refusal or willful neglect to pay for that care, or the giving in payment for that care of any negotiable paper on which payment is refused, or the removal of a child from such an establishment without paying or offering to pay for the child's care, or the surreptitious removal or attempt to remove a child from that establishment, is prima facie evidence of intent to defraud the keeper or proprietor of that establishment. (Added to NRS by 1987, 1302)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.900 - Unlawful use of hotel key; penalty.

1. Any person who has unauthorized possession of a key or other device used by a guest in a hotel or by the hotel to gain entrance to a room in a hotel, under circumstances which demonstrate the person's intent to use or to allow the use of the device in the commission of a crime is guilty of a gross misdemeanor. 2. As used in this section, "hotel" means every building used as or held out to the public to be a place where accommodations for sleeping or rooming are furnished to the public, either with or without meals. (Added to NRS by 1987, 545)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.910 - Unlawful use of television or radio signals; unlawful manufacture or sale of devices to intercept or decode signals; penalty; exceptions.

1. Any person who without authority: (a) Leads or attempts to lead from its uses or make use of the electrical signal or any portion thereof from any posts, wires, towers or other materials or fixtures employed in the construction or use of any line of a television coaxial cable or a microwave radio system; (b) Attaches any device to a television receiver of any kind for the purpose of intercepting or decoding the transmission of any pay program of a multipoint distribution system in a manner not authorized by the system; or (c) Knowingly or willfully and for profit manufactures, distributes or sells any device, kit or plan designed to intercept or decode the transmission of a multipoint distribution system in a manner not authorized by the system, is guilty of a misdemeanor. 2. The provisions of this section do not apply to the interception by a person of any direct transmission of a television signal from a communication satellite if the person does not charge a fee for admission to view the television show. (Added to NRS by 1963, 9; A 1965, 63; 1967, 507; 1979, 1448; 1981, 2058; 1985, 1828)—(Substituted in revision for NRS 205.470)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.920 - Obtaining or attempting to obtain telephone or telegraph service with intent to avoid payment; penalty.

1. It is unlawful for a person to obtain or attempt to obtain telephone or telegraph service with the intent to avoid payment for that service by himself or herself or to avoid payment for that service by any other person, by: (a) Charging the service to an existing telephone number without authority of the subscriber, to a nonexistent telephone number or to a number associated with telephone service which is suspended or terminated after notice of suspension or termination has been given to the subscriber; (b) Charging the service to a credit card without authority of the lawful holder, to a nonexistent credit card or to a revoked or cancelled, as distinguished from expired, credit card after notice of revocation or cancellation has been given to the holder; (c) Using a code, prearranged scheme or other similar device to send or receive information; (d) Rearranging, tampering with or making connection with any facilities or equipment, whether physically, electrically, acoustically, inductively or otherwise; (e) Using any other deception, false token or other means to avoid payment for the service; or (f) Concealing, or assisting another to conceal, from any telephone or telegraph company or from any lawful authority the existence or place of origin or destination of any message. 2. A person who violates the provisions of this section is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. This section applies when the service involved either originates or terminates, or both originates and terminates, in the State of Nevada, or when the charges for the service would have been billable in the normal course by a person, firm or corporation providing the service in this state but for the fact that the service was obtained or attempted to be obtained by one or more of the means set forth in subsection 1. (Added to NRS by 1965, 324; A 1967, 507; 1979, 1449; 1989, 1438; 1993, 872, 1206; 1995, 1235; 1997, 492)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.930 - Manufacture, possession, sale or other disposition of equipment or information for obtaining telephone or telegraph service with intent to avoid payment; penalty.

1. It is unlawful to make or possess any instrument, apparatus or device or to sell, give or otherwise transfer to another or to offer or advertise for sale any instrument, apparatus, device or information, or plans or instructions for making or assembling such equipment, with knowledge or reason to believe that it is intended to be used to obtain telephone or telegraph service with intent to avoid payment therefor by any of the means listed in paragraph (c), (d) or (f) of subsection 1 of NRS 205.920, or to represent or imply that it may lawfully be so used. 2. A person who violates any of the provisions of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1965, 325; A 1967, 508; 1993, 1206; 1997, 493)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.940 - Conversion of rented or leased personal property; penalty; defenses to civil action.

1. Any person who in renting or leasing any personal property obtains or retains possession of such personal property by means of any false or fraudulent representation, fraudulent concealment, false pretense or personation, trick, artifice or device, including, but not limited to, a false representation as to his or her name, residence, employment or operator's license, is guilty of larceny and shall be punished as provided in NRS 205.2175 to 205.2705, inclusive. It is a complete defense to any civil action arising out of or involving the arrest or detention of any person renting or leasing personal property that any representation made by the person in obtaining or retaining possession of the personal property is contrary to the fact. 2. Any person who, after renting or leasing any personal property under an agreement in writing which provides for the return of the personal property to a particular place at a particular time fails to return the personal property to such place within the time specified, and who, with the intent to defraud the lessor or to retain possession of such property without the lessor's permission, thereafter fails to return such property to any place of business of the lessor within 72 hours after a written demand for the return of such property is made upon the person by registered mail addressed to his or her address as shown in the written agreement, or in the absence of such address, to his or her last known place of residence, is guilty of larceny and shall be punished as provided in NRS 205.2175 to 205.2705, inclusive. The failure to return the personal property to the place specified in the agreement is prima facie evidence of an intent to defraud the lessor or to retain possession of such property without the lessor's permission. It is a complete defense to any civil action arising out of or involving the arrest or detention of any person upon whom such demand was made that the person failed to return the personal property to any place of business of the lessor within 20 days after such demand. (Added to NRS by 1971, 1017; A 1997, 345; 2009, 1243; 2019, 4440)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.950 - Unlawful receipt of fee, salary, deposit or money to obtain loan for another; penalties.

1. It is unlawful for a person to receive an advance fee, salary, deposit or money to obtain a loan for another unless the person places the advance fee, salary, deposit or money in escrow pending completion of the loan or a commitment for the loan. 2. Advance payments to cover reasonably estimated costs paid to third persons are excluded from the provisions of subsection 1 if the person making them first signs a written agreement which specifies the estimated costs by item and the estimated aggregate cost, and which recites that money advanced for costs will not be refunded. If an itemized service is not performed and the estimated cost thereof is not refunded, the recipient of the advance payment is subject to the penalties provided in subsection 3. 3. A person who violates the provisions of this section: (a) Is guilty of a misdemeanor if the amount is less than \$1,200; or (b) Is guilty of a category D felony if the amount is \$1,200 or more and shall be punished as provided in NRS 193.130. (Added to NRS by 1977, 618; A 1979, 1396; 1989, 1439; 1991, 179; 1995, 1236; 1997, 519; 2011, 171; 2019, 4440)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.960 - Qualified intermediaries of clients with certain property: Unlawful acts; criminal penalty; civil penalty.

1. It is unlawful for a person to enter into an agreement to act as a qualified intermediary, as defined in 26 C.F.R. § 1.1031(k)-1(g)(4), for a client whose relinquished property is located in this State unless: (a) The proceeds from the disposition of the relinquished property are deposited into a qualified escrow account or qualified trust as defined in 26 C.F.R. § 1.1031(k)-1(g)(3). (b) The money is held in such a manner that it may not be withdrawn from the qualified escrow account or qualified trust without the written approval of the intermediary and the client. 2. A person who violates the provisions of this section is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. In addition to any other penalty imposed, the court shall order a person who violates subsection 1 to pay a civil penalty of not less than \$10,000. The money so collected: (a) Must not be deducted from any penal fine imposed by the court; (b) Must be stated separately on the court's docket; and (c) Must be remitted forthwith to the Commissioner of Financial Institutions. (Added to NRS by 1993, 2021; A 1995, 668, 1236; 2007, 3120)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.965 - Unlawful possession, making, altering, forgery or counterfeiting of sales receipt or inventory pricing label; penalties.

1. A person shall not, with the intent to cheat or defraud a retailer, possess, make, alter, forge or counterfeit any sales receipt or inventory pricing label. 2. Unless a greater penalty is imposed by a specific statute and except as otherwise provided in subsection 3, a person who violates any provision of subsection 1 is guilty of a category E felony and shall be punished as provided in NRS

193.130. 3. Unless a greater penalty is imposed by a specific statute, a person who violates any provision of subsection 1 and who possesses 15 or more fraudulent sales receipts or inventory pricing labels is guilty of a category D felony and shall be punished as provided in NRS 193.130. 4. As used in this section, "inventory pricing label" includes, without limitation, any written or electronic record or label used by a retailer to identify, inventory or price any product or item it offers for sale. (Added to NRS by 2001, 833)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.970 - Unlawful possession, manufacture, sale or distribution of theft detection shielding device or theft detection device deactivator; penalty.

1. A person shall not, with the intent to commit, aid or abet a theft, possess any theft detection shielding device or theft detection device deactivator. 2. A person shall not, with the intent to commit, aid or abet a theft, manufacture, sell or distribute any theft detection shielding device or theft detection device deactivator. 3. A person who violates any provision of this section is guilty of a category D felony and shall be punished as provided in NRS 193.130. 4. As used in this section: (a) "Theft detection device deactivator" includes, without limitation, any tool or device designed to allow, or capable of allowing, the deactivation or removal of a theft detection device from any merchandise. (b) "Theft detection shielding device" includes, without limitation, any laminated or coated bag or device intended to shield merchandise from detection by an electronic or magnetic theft detector. (Added to NRS by 2001, 834)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.975 - Mail theft; penalties; definitions.

1. A person commits the crime of mail theft if the person: (a) Knowingly, willfully and with the intent to deprive, injure, damage or defraud another: (1) Takes, destroys, hides or embezzles mail; or (2) Obtains any mail by fraud or deception; (b) Buys, receives, conceals or possesses: (1) Mail and knows or reasonably should know that the mail was unlawfully taken or obtained; (2) Any key suited to any lock adopted by the United States Postal Service that provides access to any mail receptacle in any neighborhood or apartment panel used for the purpose of centralized mail; or (3) A counterfeit device or key designed to provide access to a lock described in subparagraph (2); or (c) Knowingly, willfully and with the intent to steal any mail inside, damages, opens, tears down, takes or destroys any mail receptacle. 2. A person who violates any provision of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 3. As used in this section: (a) "Mail" means any letter, postal card, parcel, package, bag or other material, along with its contents, that: (1) Has postage affixed by the postal customer or postal service; (2) Has been accepted for delivery by the postal service; (3) The postal customer leaves for collection by the postal service; or (4) The postal service delivers to the postal customer. (b) "Mail receptacle" means a mailbox, post office box, rural box, letter box, lock drawer or any place or area intended or used by postal customers or a postal service for the collection, deposit or delivery of mail. (c) "Postal service" means the United States Postal Service or a private common mail carrier. (Added to NRS by 2023, 1185)

2024 Nevada Revised Statutes Chapter 205 - Crimes Against Property NRS 205.980 - Determination of value of loss from crime; notice to victim; order of restitution deemed judgment to collect damages.

1. A person who is convicted of violating any provision of NRS 205.060 or 205.2175 to 205.2705, inclusive, is civilly liable for the value of any property stolen and not recovered in its original condition. The value of the property must be determined by its retail value or fair market value at the time the crime was committed, whichever is greater. 2. A person who is convicted of any other crime involving damage to property is civilly liable for the amount of damage done to the property. 3. The prosecutor shall notify the victim concerning the disposition of the criminal charges against the defendant within 30 days after the disposition. The notice must be sent to the last known address of the victim. 4. An order of restitution signed by the judge in whose court the conviction was entered shall be deemed a judgment against the defendant for the purpose of collecting damages. 5. Nothing in this section prohibits a victim from recovering additional damages from the defendant. (Added to NRS by 1993, 77; A 2009, 1244; 2019, 4441)

Title: chapter-205A

Title: chapter-206

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.001 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 206.003, 206.005 and 206.007 have the meanings ascribed to them in those sections. (Added to NRS by 2015, 2109)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.003 - "Estray" defined.

"Estray" means any livestock running at large upon public or private lands in this State whose owner is unknown in the section where the animal is found. (Added to NRS by 2015, 2109)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.005 - "Graffiti" defined.

1. "Graffiti" means any unauthorized inscription, word, figure or design that is marked, etched, scratched, drawn, painted on or affixed to the public or private property, real or personal, of another, including, without limitation, an estray or one or more head of livestock, which defaces the property. 2. The term does not include any item affixed to property which may be removed: (a) By hand

without defacing the property; (b) Through the use of a chemical or cleaning solvent commonly used for removing an adhesive substance without defacing the property; or (c) Without the use of a decal remover tool. 3. As used in this section, "decal remover tool" means any device using power or heat to remove an adhesive substance. (Added to NRS by 1995, 736; A 2015, 2109)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.007 - "Livestock" defined.

"Livestock" has the meaning ascribed to it in NRS 205.219. (Added to NRS by 2015, 2109)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.010 - Destruction or damage of property by unlawful assembly.

Whenever any persons unlawfully assembled pull down, damage or destroy any dwelling house or other building, or any shop, steamboat, vessel or other property, they severally are guilty of a public offense proportionate to the value of the property damaged or destroyed. [1911 C&P § 347; RL § 6612; NCL § 10295]—(NRS A 1967, 512; 1979, 1453)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.015 - Destruction or damage of crops, gardens, trees or shrubs.

Every person who willfully and maliciously: 1. Cuts down, destroys or injures, other than by burning, any wood, timber, grain, grass or crop, standing or growing, or which has been cut down and is lying upon the lands of another, or of the State; 2. Cuts down, lops, girdles or otherwise injures or destroys, other than by burning, a fruit, shade or ornamental tree standing on the land of another, or of the State, or in any road or street; or 3. Cuts down, destroys or in any way injures, other than by burning, any shrub, tree, vine or garden produce grown or growing within any orchard, garden, vineyard or yard, or any framework or erection therein, is guilty of a public offense proportionate to the value of the loss resulting therefrom. (Added to NRS by 1967, 513; A 1979, 329)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.040 - Entering property with intention to damage or destroy property.

Every person who willfully and maliciously enters, without the consent of the owner or occupant, any real property of another under circumstances not amounting to a burglary, with intent to take, injure or destroy any real or personal property there situated, is guilty of a misdemeanor. [Part 1911 C&P § 488; RL § 6753; NCL § 10435]—(NRS A 1979, 1454)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.045 - Removing, concealing or destroying real property with intention to defraud secured party.

1. A person who occupies real property, including a person with an ownership interest in the real property, who has personal knowledge of the pendency of an action for the foreclosure of a mortgage upon real property or a proceeding for the judicial or other foreclosure of a deed of trust given to secure a loan made to purchase real property shall not remove, conceal or otherwise destroy any portion of the real property upon which a security interest exists. 2. A person who: (a) Violates the provisions of subsection 1 with the intent to defraud the secured party; and (b) Causes the secured party to suffer a pecuniary loss upon the conclusion of a proceeding for the foreclosure of the real property, is guilty of a misdemeanor. (Added to NRS by 2011, 689)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.125 - Damage of property used for purpose of religion, for burial or memorializing of dead, for education, as transportation facility, as public transportation vehicle or as community center; damage of personal property contained therein; penalties; restitution.

1. Unless a greater penalty is provided by law, a person who knowingly vandalizes, places graffiti on, defaces or otherwise damages: (a) Any church, synagogue or other building, structure or place used for religious worship or other religious purpose; (b) Any cemetery, mortuary or other facility used for the purpose of burial or memorializing the dead; (c) Any school, educational facility, transportation facility, public transportation vehicle or community center; (d) The grounds adjacent to, and owned or rented by, any institution, facility, building, structure or place described in paragraph (a), (b) or (c); or (e) Any personal property contained in any institution, facility, building, structure or place described in paragraph (a), (b) or (c), is guilty of a gross misdemeanor. 2. In addition to any other penalty, the court shall order a person found guilty of a gross misdemeanor pursuant to subsection 1 to pay restitution for the damage and: (a) For the first offense, to pay a fine of not less than \$400 but not more than \$1,000, and to perform 100 hours of community service. (b) For the second offense, to pay a fine of not less than \$750, but not more than \$1,000, and to perform 200 hours of community service. (c) For a third or subsequent offense, to pay a fine of \$1,000, and to perform 200 hours of community service. 3. A person who is paid money for restitution pursuant to subsection 1 shall use the money to repair or restore the property that was damaged. 4. As used in this section: (a) "Public transportation vehicle" has the meaning ascribed to it in NRS 206.335. (b) "Transportation facility" has the meaning ascribed to it in NRS 206.335. (Added to NRS by 1989, 898; A 1995, 737; 2005, 501; 2007, 2296)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.140 - Nuisance in building; trespass upon grounds; disturbing assembly.

Every person who: 1. Commits any nuisance in any building, public or private; 2. Commits any trespass upon the grounds attached

thereto, or any fixtures placed thereon, or any enclosure or sidewalk about the building; or 3. In any manner interferes with or disturbs those peaceably assembled within the building, shall be guilty of a public offense proportionate to the value of any property damaged or destroyed, but in no event less than a misdemeanor. [Part 1911 C&P § 495; RL § 6760; NCL § 10442] + [1911 C&P § 496; RL § 6761; NCL § 10443]—(NRS A 1967, 513; 1979, 1454)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.150 - Killing, maiming, disfiguring or poisoning animal of another person; killing stray or livestock.

1. Except as otherwise provided in subsections 2 and 3, any person who willfully and maliciously kills, maims or disfigures any animal belonging to another, or exposes any poison or noxious substance with intent that it should be taken by the animal is guilty of a category D felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$10,000. 2. Except as otherwise provided in NRS 205.220, a person who willfully and maliciously kills an stray or one or more head of livestock, without the authority to do so, is guilty of a category C felony and shall be punished as provided in NRS 193.130. 3. The provisions of subsection 1 do not apply to any person who kills a dog pursuant to NRS 575.020. [Part 1911 C&P § 488; RL § 6753; NCL § 10435]—(NRS A 1961, 402; 1967, 513; 1979, 1395; 1999, 2515; 2001, 2891; 2015, 2109)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.160 - Leading or driving horse away without authority.

Every person who shall willfully and maliciously: 1. Untie, unfasten or liberate, without authority, the horse or team of another; or 2. Lead, ride or drive away, without authority, the horse or team of another from the place where left by the owner or person in charge thereof, shall be guilty of a misdemeanor. [Part 1911 C&P § 488; RL § 6753; NCL § 10435]—(NRS A 1961, 269)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.200 - Posting of bills, signs or posters unlawful.

Any person who shall willfully, unlawfully or maliciously: 1. Without the consent of the owner, agent or occupant of the premises or property herein mentioned, deface, disfigure or cover up any fruit tree or ornamental tree, fence, wall, house, shop or building, the property of another, by pasting upon, or in any way fastening thereto, any printed bill, signboard, show poster or other device whatsoever; 2. Without a written permit from the board of county commissioners in the county wherein such written permit may be issued, deface, disfigure or cover up by pasting upon, or in any way fastening thereto, any printed bill, signboard, show poster or other device whatsoever upon any public building, monument, gravestone, ornamental tree or other object or property under the supervision and control of the board of county commissioners of the respective counties in this state, or under the supervision and control of any municipal government, or of any association or society whatsoever; or 3. Place upon or affix to any real property, or any rock, tree, wall, fence or other structure thereupon, without the consent of the owner thereof, any word, character or device designed to advertise any article, business, profession, exhibition, matter or event, shall be guilty of a misdemeanor. [Part 1911 C&P § 489; RL § 6754; NCL § 10436]—(NRS A 1967, 514)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.220 - Removal, alteration or destruction of monuments or landmarks designating boundaries.

1. Except as otherwise provided in subsection 2, every person who willfully or maliciously: (a) Removes any monument of stone, wood or other durable material erected, or post or stake fixed or driven in the ground, for the purpose of designating the corner, or any other point, in the boundary of this state or any political subdivision thereof, or any lot or tract of land, or any mining claim or claims; (b) Alters the marks upon any tree, post or other monument made for the purpose of designating any point, course or line, in any such boundary; or (c) Cuts down or removes any tree upon which any such marks are made for that purpose, with the intent to destroy such marks, is guilty of a public offense proportionate to the value of the loss resulting therefrom, but in no event less than a misdemeanor. 2. This section does not apply to a professional land surveyor who acts in accordance with NRS 625.380. 3. As used in this section, the "value of the loss resulting therefrom" means the cost of restoring or replacing the marks or monuments which have been removed, altered or destroyed. [1911 C&P § 411; A 1935, 28; 1931 NCL § 10363]—(NRS A 1967, 514; 1979, 1454; 1999, 964)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.260 - Fraudulent and malicious destruction of writings.

A person who fraudulently or maliciously tears, burns, effaces, cuts, or in any other way destroys, with the intent to defraud, prejudice or injure any person or body corporate: 1. Any deed, lease, bond, will, or any other sealed writing; 2. Any bank bill or note, check, warrant or certificate for the payment of money or other thing, or other security for the payment of money or the delivery of goods; 3. Any certificate or other public security of this state, the United States, or any state or territory for the payment of money; 4. Any receipt, acquittance, release, defeasance, discharge of any debt, suit or other demand; 5. Any transfer or assurance of money, stock, goods, chattels or other property; 6. Any letter of attorney or other power; 7. Any daybook or other book of account; or 8. Any agreement or contract, is guilty of a category D felony and shall be punished as provided in NRS 193.130. [1911 C&P § 406; RL § 6671; NCL § 10358]—(NRS A 1979, 1454; 1995, 1237)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.270 - Defacing proclamations and notices.

1. If any person shall intentionally deface, obliterate, tear down or destroy, in whole or in part, any copy or transcript, or extract from or of any law of the United States, or of this state, or any proclamation, advertisement or notification, set up at any place in this state by authority of any law of the United States, or of this state, or by order of any court, such person, on conviction, shall be fined not more than \$500. 2. This section shall not extend to defacing, tearing down, obliterating or destroying any law, proclamation, publication, notification, advertisement or order after the time for which the same was by law to remain set up shall have expired. [1911 C&P § 409; RL § 6674; NCL § 10361]—(NRS A 1967, 515)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.280 - Tampering with papers.

Every person who shall willfully or maliciously and with intent to injure another destroy, alter, erase, obliterate or conceal any letter, telegraph message, book or record of account, or any writing or instrument by which any claim, privilege, right, obligation or authority, or any right or title to property, real or personal, is, or purports to be, or upon the happening of some future event may be evidenced, created, acknowledged, transferred, increased, diminished, encumbered, defeated, discharged or affected, shall be guilty of a gross misdemeanor. [1911 C&P § 447; RL § 6712; NCL § 10400]

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.290 - Opening or publishing sealed letter or telegram.

Every person who shall: 1. Willfully open or read, or cause to be read, any sealed letter, message or telegram, not addressed to such person, without being authorized so to do either by the writer of the same or by the person to whom it shall be addressed, is guilty of a gross misdemeanor. 2. Maliciously publish the whole or any part of such letter, message or telegram, without the authority of the writer thereof or of the person to whom the same shall be addressed, knowing the same to have been so opened, is guilty of a gross misdemeanor. [1911 C&P § 449; RL § 6714; NCL § 10402]—(NRS A 1967, 515)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.300 - False signals endangering cars, vessels or motors.

A person who, in such a manner as might, if not discovered, endanger a vessel, railway engine, motor, train or car, shows, masks, extinguishes, alters or removes any light or signal, or exhibits any false light or signal, shall be punished: 1. Where physical injury or property damage results therefrom, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000. 2. Otherwise, for a gross misdemeanor. [1911 C&P § 485; RL § 6750; NCL § 10432]—(NRS A 1967, 516; 1979, 1455; 1995, 1237)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.310 - Injury to other property.

1. Every person who shall willfully or maliciously destroy or injure any real or personal property of another, for the destruction or injury of which no special punishment is otherwise specially prescribed, shall be guilty of a public offense proportionate to the value of the property affected or the loss resulting from such offense. 2. It is not a defense that the person engaging in the conduct prohibited by subsection 1 holds a leasehold interest in the real property that was destroyed or injured. [1911 C&P § 497; RL § 6762; NCL § 10444]—(NRS A 1967, 516; 2013, 450)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.320 - Unlawful removal of petrified wood from posted or designated sites; duties of certain officers.

1. The Board of Museums and History may, by itself or by its designated representative, post or otherwise properly designate a site containing petrified wood deemed of sufficient importance to preserve in its natural state. 2. It is unlawful to disturb or remove any petrified wood from a designated site. 3. Any violation of this section is a misdemeanor. 4. The Division of State Parks of the State Department of Conservation and Natural Resources, and personnel thereof, the sheriffs, in their respective counties, and all other peace officers shall enforce this section. (Added to NRS by 1959, 292; A 1960, 94; 1963, 827; 1981, 657; 1985, 143)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.330 - Placing graffiti on or otherwise defacing property: Fines and penalties; restitution; parent or guardian responsible for fines and penalties if person violating section is under age of 18 years; suspension of driver's license.

1. Unless a greater criminal penalty is provided by a specific statute, a person who places graffiti on or otherwise defaces the public or private property, real or personal, of another, without the permission of the owner: (a) Where the value of the loss is less than \$250, is guilty of a misdemeanor. (b) Where the value of the loss is \$250 or more but less than \$5,000, is guilty of a gross misdemeanor. (c) Where the value of the loss is \$5,000 or more or where the damage results in the impairment of public communication, transportation or police and fire protection, is guilty of a category E felony and shall be punished as provided in NRS 193.130. If the court grants probation to such a person, the court shall require as a condition of probation that the person serve at least 10 days in the county jail. (d) Where the offense is committed on any protected site in this State, is guilty of a category D felony and shall be punished as provided in NRS 193.130. If the court grants probation to such a person, the court shall require as a condition of probation that the person serve at least 10 days in the county jail. 2. Unless a greater penalty is provided by a specific statute, a person who has previously been convicted of a violation of subsection 1: (a) Two or more times; or (b) That was punished

as a felony, and who violates subsection 1, regardless of the value of the loss, is guilty of a category D felony and shall be punished as provided in NRS 193.130. 3. If a person commits more than one offense pursuant to a scheme or continuing course of conduct, the value of all property damaged or destroyed by that person in the commission of those offenses must be aggregated for the purpose of determining the penalty prescribed in subsection 1, but only if the value of the loss when aggregated is \$500 or more. 4. A person who violates subsection 1 shall, in addition to any other fine or penalty imposed: (a) For the first offense, pay a fine of not less than \$400 but not more than \$1,000 and perform 100 hours of community service. (b) For the second offense, pay a fine of not less than \$750 but not more than \$1,000 and perform 200 hours of community service. (c) For the third and each subsequent offense: (1) Pay a fine of \$1,000; and (2) Perform up to 300 hours of community service for up to 1 year, as determined by the court. The court may order the person to repair, replace, clean up or keep free of graffiti the property damaged or destroyed by the person or, if it is not practicable for the person to repair, replace, clean up or keep free of graffiti that specific property, the court may order the person to repair, replace, clean up or keep free of graffiti another specified property. The community service assigned pursuant to this subsection must, if possible, be related to the abatement of graffiti. 5. The court may, in addition to any other fine or penalty imposed, order a person who violates subsection 1 to pay restitution. 6. The parent or legal guardian of a person under 18 years of age who violates this section is liable for all fines and penalties imposed against the person. If the parent or legal guardian is unable to pay the fine and penalties resulting from a violation of this section because of financial hardship, the court may require the parent or legal guardian to perform community service. 7. If a person who is 18 years of age or older is found guilty of violating this section, the court shall, in addition to any other penalty imposed, issue an order suspending the driver's license of the person for not less than 6 months but not more than 2 years. The court shall require the person to surrender all driver's licenses then held by the person. If the person does not possess a driver's license, the court shall issue an order prohibiting the person from applying for a driver's license for not less than 6 months but not more than 2 years. The court shall, within 5 days after issuing the order, forward to the Department of Motor Vehicles any licenses together with a copy of the order. 8. The Department of Motor Vehicles: (a) Shall not treat a violation of this section in the manner statutorily required for a moving traffic violation. (b) Shall report the suspension of a driver's license pursuant to this section to an insurance company or its agent inquiring about the person's driving record. An insurance company shall not use any information obtained pursuant to this paragraph for purposes related to establishing premium rates or determining whether to underwrite the insurance. 9. A criminal penalty imposed pursuant to this section is in addition to any civil penalty or other remedy available pursuant to this section or another statute for the same conduct. 10. As used in this section: (a) "Impairment" means the disruption of ordinary and incidental services, the temporary loss of use or the removal of the property from service for repair of damage. (b) "Protected site" means: (1) Any site, landmark, monument, building or structure of historical significance pertaining to the history of the settlement of Nevada; (2) Any site, building, structure, object or district listed in the register of historic resources of a community which is recognized as a Certified Local Government pursuant to the Certified Local Government Program jointly administered by the National Park Service and the Office of Historic Preservation of the State Department of Conservation and Natural Resources; (3) Any site, building, structure or object, including, without limitation, a landmark, or district listed in the State Register of Historic Places pursuant to NRS 383.085 or the National Register of Historic Places; (4) Any site, building, structure, object or district that is more than 50 years old and is located in a municipal or state park; (5) Any Indian campgrounds, shelters, petroglyphs, pictographs and burials; or (6) Any archeological or paleontological site, ruin, deposit, fossilized footprints and other impressions, petroglyphs and pictographs, habitation caves, rock shelters, natural caves, burial ground or sites of religious or cultural importance to an Indian tribe. (c) "Value of the loss" means the cost of repairing, restoring or replacing the property, including, without limitation, the cost of any materials and labor necessary to repair, restore or replace the item. (Added to NRS by 1995, 736; A 1997, 37; 2001, 2582; 2003, 1019; 2007, 2297; 2011, 1598; 2013, 1540; 2015, 1008; 2019, 969)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.335 - Carrying graffiti implement at certain locations with intent to vandalize, place graffiti on or deface property.

1. Any person who carries on his or her person a graffiti implement with the intent to vandalize, place graffiti on or otherwise deface public or private property, real or personal, of another: (a) While on or under any overpass or bridge or in any flood channel; (b) At any public facility, community center, park, playground, swimming pool, transportation facility, beach or recreational area whereon a sign is posted in a location reasonably expected to be viewed by the public which states that it is a misdemeanor to possess a graffiti implement at that public location without valid authorization; or (c) In a public transportation vehicle wherein a sign is posted that is easily viewed by passengers which states that it is a misdemeanor to possess a graffiti implement in the vehicle without valid authorization, is guilty of a misdemeanor unless the person has first received valid authorization from the governmental entity which has jurisdiction over the public area or other person who is designated to provide such authorization. 2. As used in this section: (a) "Broad-tipped indelible marker" means any felt-tipped marker or similar implement which contains a fluid that is not soluble in water and which has a flat or angled writing surface of a width of one-half inch or greater. (b) "Graffiti implement" means any broad-tipped indelible marker, aerosol paint container, carbide-tipped instrument or other item that may be used to: (1) Propel or apply any substance that is not soluble in water; or (2) Etch or deface property. (c) "Public transportation vehicle" means a bus, train or other vehicle or instrumentality used to transport persons from a transportation facility to another location. (d) "Transportation facility" means an airport, marina, bus terminal, train station, bus stop or other facility where a person may go to obtain transportation. (Added to NRS by 2007, 2296; A 2015, 2109)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.340 - Graffiti Reward Account created; administrative assessment to be imposed for certain violations; use of money in Account.

1. The Graffiti Reward Account is hereby created in the State General Fund. 2. When a defendant pleads or is found guilty of violating NRS 206.125, 206.330 or 206.335, the court shall include an administrative assessment of \$250 for each violation in addition to any other fine or penalty. The money collected must be paid by the clerk of the court to the State Controller on or before the fifth day of each month for the preceding month for credit to the Graffiti Reward Account. 3. All money received pursuant to subsection 2 must be deposited with the State Controller for credit to the Graffiti Reward Account. The money in the Account must be used: (a) To pay a reward to a person who, in response to the offer of a reward, provides information which results in the identification, apprehension and conviction of a person who violates NRS 206.125, 206.330 or 206.335; or (b) For any other purpose authorized by the Legislature. 4. If sufficient money is available in the Graffiti Reward Account, a state law enforcement agency may offer a reward, not to exceed \$1,000, for information leading to the identification, apprehension and conviction of a person who violates NRS 206.125, 206.330 or 206.335. The reward must be paid out of the Graffiti Reward Account upon approval by the State Board of Examiners. (Added to NRS by 1995, 737; A 2001, 2923; 2007, 2298; 2010, 26th Special Session, 5; 2011, 441)

2024 Nevada Revised Statutes Chapter 206 - Malicious Mischief NRS 206.345 - Counseling; person or entity to be paid if restitution is ordered for violation of NRS 206.125 or 206.330; civil action.

1. A court may, in addition to any other fine or penalty imposed, order a person who places graffiti on or otherwise defaces public or private property in violation of NRS 206.125 or 206.330 to participate in counseling, and if the person is less than 18 years of age, order the parent or legal guardian of the person to attend or participate in counseling pursuant to NRS 62E.290. 2. If a court orders a person who violates the provisions of NRS 206.125 or 206.330 to pay restitution, the person shall pay the restitution to: (a) The owner of the property which was affected by the violation; or (b) If the violation involved the placing of graffiti on any public property, the governmental entity that incurred or will incur expenses for removing, covering or cleaning up the graffiti. 3. The owner of the property that has been damaged by graffiti or a governmental entity that is otherwise responsible for the property may bring a civil action against the person who placed the graffiti on such property. The court may award to the governmental entity or other property owner damages in an amount up to three times the amount of any loss in value to the property and up to three times the cost of restoring the property plus attorney's fees and costs, which may be recovered from the offender or, if the offender is less than 18 years of age, from the parent or legal guardian of the offender. (Added to NRS by 2007, 2296; A 2011, 1599; 2015, 2110)

Title: chapter-207

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.010 - Habitual criminals: Definition; punishment; exception.

1. Unless the person is prosecuted pursuant to NRS 207.012 or 207.014, a person convicted in this State of: (a) Any felony, who has previously been five times convicted, whether in this State or elsewhere, of any crime which under the laws of the situs of the crime or of this State would amount to a felony is a habitual criminal and shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years. (b) Any felony, who has previously been seven times convicted, whether in this State or elsewhere, of any crime which under the laws of the situs of the crime or of this State would amount to a felony is a habitual criminal and shall be punished for a category A felony by imprisonment in the state prison: (1) For life without the possibility of parole; (2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or (3) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served. 2. Except as otherwise provided in this subsection, a previous or current conviction under paragraph (a), (b) or (c) of subsection 2 of NRS 453.336 or NRS 453.411 must not be used as the basis for a conviction pursuant to this section. If a person is convicted of violating NRS 453.336 by possessing any amount of flunitrazepam, gamma-hydroxybutyrate or any substance for which flunitrazepam or gamma-hydroxybutyrate is an immediate precursor, his or her conviction may be used as the basis for a conviction pursuant to this section. 3. It is within the discretion of the prosecuting attorney whether to include a count under this section in any information or file a notice of habitual criminality if an indictment is found. The trial judge may, at his or her discretion, dismiss a count under this section which is included in any indictment or information. [1911 C&P § 27; RL § 6292; NCL § 9976]—(NRS A 1961, 446; 1965, 250; 1967, 217, 516; 1971, 173; 1977, 360; 1981, 1647; 1985, 1026, 1643; 1995, 856, 1238, 1358, 2392; 1997, 1184; 2009, 567; 2019, 4441)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.012 - Habitual felons: Definition; punishment.

1. A person who: (a) Has been convicted in this State of a felony listed in subsection 2; and (b) Before the commission of that felony, was twice convicted of any crime which under the laws of the situs of the crime or of this State would be a felony listed in subsection 2, whether the prior convictions occurred in this State or elsewhere, is a habitual felon and shall be punished for a category A felony by imprisonment in the state prison: (1) For life without the possibility of parole; (2) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or (3) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served. 2. The district attorney shall include a count under this section in any information or shall file a notice of habitual felon if an indictment is found, if each prior conviction and the

alleged offense committed by the accused constitutes a violation of subparagraph (1) of paragraph (a) of subsection 1 of NRS 193.153, NRS 199.160, 199.500, 200.030, 200.310, 200.340, 200.366, 200.380, 200.390, subsection 3 or 4 of NRS 200.400, NRS 200.410, subsection 3 of NRS 200.450, subsection 5 of NRS 200.460, NRS 200.463, 200.4631, 200.464, 200.465, 200.467, 200.468, subsection 1, paragraph (a) of subsection 2 or subparagraph (2) of paragraph (b) of subsection 2 of NRS 200.508, NRS 200.710, 200.720, 201.230, 201.450, 202.170, subsection 2 of NRS 202.780, paragraph (b) of subsection 2 of NRS 202.820, paragraph (b) of subsection 1 or subsection 2 of NRS 202.830, NRS 205.010, subsection 5 of NRS 205.060, subsection 4 of NRS 205.067, NRS 205.075, 207.400, paragraph (a) of subsection 1 of NRS 212.090, NRS 453.3325, 453.333, 484C.130, 484C.430 or 484E.010. 3. The trial judge may not dismiss a count under this section that is included in an indictment or information. (Added to NRS by 1995, 1237; A 1997, 1185; 2001, 1140; 2003, 388; 2005, 88, 165, 1059; 2007, 1268; 2009, 22; 2013, 1855; 2019, 4442)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.014 - Habitually fraudulent felons: Definition; punishment.

1. A person who: (a) Has been convicted in this State of any felony committed on or after July 1, 1995, of which fraud or intent to defraud is an element; and (b) Has previously been two times convicted, whether in this State or elsewhere, of any felony of which fraud or intent to defraud is an element before the commission of the felony under paragraph (a), is a habitually fraudulent felon and shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years, if the victim of each offense was an older person, a person with a mental disability or a vulnerable person. 2. The prosecuting attorney shall include a count under this section in any information or shall file a notice of habitually fraudulent felon if an indictment is found, if the prior convictions and the alleged offense committed by the accused are felonies of which fraud or intent to defraud is an element and the victim of each offense was: (a) An older person; (b) A person with a mental disability; or (c) A vulnerable person. 3. The trial judge may not dismiss a count under this section that is included in an indictment or information. 4. As used in this section: (a) "Older person" means a person who is: (1) Sixty-five years of age or older if the crime was committed before October 1, 2003. (2) Sixty years of age or older if the crime was committed on or after October 1, 2003. (b) "Person with a mental disability" means a person who has a mental impairment which is medically documented and substantially limits one or more of the person's major life activities. The term includes, but is not limited to, a person who: (1) Suffers from an intellectual disability; (2) Suffers from a severe mental or emotional illness; (3) Has a severe learning disability; or (4) Is experiencing a serious emotional crisis in his or her life as a result of the fact that the person or a member of his or her immediate family has a catastrophic illness. (c) "Vulnerable person" has the meaning ascribed to it in NRS 200.5092. (Added to NRS by 1995, 855; A 1995, 1338; 1997, 1185; 2003, 2568; 2005, 1114; 2013, 690; 2015, 813)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.016 - Procedure; trial of primary offense; prior convictions.

1. A conviction pursuant to NRS 207.010, 207.012 or 207.014 operates only to increase, not to reduce, the sentence otherwise provided by law for the principal crime. 2. If a count pursuant to NRS 207.010, 207.012 or 207.014 is included in an information charging the primary offense, each previous conviction must be alleged in the accusatory pleading, but no such conviction may be alluded to on trial of the primary offense, nor may any allegation of the conviction be read in the presence of a jury trying the offense or a grand jury considering an indictment for the offense. A count pursuant to NRS 207.010, 207.012 or 207.014 may be filed separately from the indictment or information charging the primary offense, but if it is so filed, the count pursuant to NRS 207.010, 207.012 or 207.014 must be filed not less than 2 days before the start of the trial on the primary offense, unless an agreement of the parties provides otherwise or the court for good cause shown makes an order extending the time. For good cause shown, the prosecution may supplement or amend a count pursuant to NRS 207.010, 207.012 or 207.014 at any time before the sentence is imposed, but if such a supplement or amendment is filed, the sentence must not be imposed, or the hearing required by subsection 3 held, until 15 days after the separate filing. 3. If a defendant charged pursuant to NRS 207.010, 207.012 or 207.014 pleads guilty or guilty but mentally ill to, or is found guilty or guilty but mentally ill of, the primary offense but denies any previous conviction charged, the court shall determine the issue of the previous conviction after hearing all relevant evidence presented on the issue by the prosecution and the defendant. At such a hearing, the defendant may not challenge the validity of a previous conviction. The court shall impose sentence: (a) Pursuant to NRS 207.010 upon finding that the defendant has suffered previous convictions sufficient to support an adjudication of habitual criminality; (b) Pursuant to NRS 207.012 upon finding that the defendant has suffered previous convictions sufficient to support an adjudication of habitual felon; or (c) Pursuant to NRS 207.014 upon finding that the defendant has suffered previous convictions sufficient to support an adjudication of habitually fraudulent felon. 4. Nothing in the provisions of this section, NRS 207.010, 207.012 or 207.014 limits the prosecution in introducing evidence of prior convictions for purposes of impeachment. 5. For the purposes of NRS 207.010, 207.012 and 207.014, a certified copy of a felony conviction is prima facie evidence of conviction of a prior felony. 6. Nothing in the provisions of this section, NRS 207.010, 207.012 or 207.014 prohibits a court from imposing an adjudication of habitual criminality, adjudication of habitual felon or adjudication of habitually fraudulent felon based upon an agreement of the parties. (Added to NRS by 1995, 1238; A 1997, 519, 524, 1186; 2003, 1483; 2007, 1441; 2013, 1373)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.030 - Prohibited acts; penalty.

1. It is unlawful to: (a) Offer or agree to engage in or engage in lewd or dissolute conduct in any public place or in any place open to

the public or exposed to public view; (b) Offer or agree to engage in, engage in or aid and abet any act of prostitution; (c) Be a pimp, panderer or procurer or live in or about houses of prostitution; (d) Seek admission to a house upon frivolous pretexts for no other apparent motive than to see who may be therein, or to gain an insight of the premises; (e) Keep a place where lost or stolen property is concealed; (f) Loiter in or about any toilet open to the public for the purpose of engaging in or soliciting any lewd or lascivious or any unlawful act; or (g) Lodge in any building, structure or place, whether public or private: (1) Where a notice of default and election to sell has been recorded, unless the person is the owner, tenant or entitled to the possession or control thereof; (2) Which has been placed on a registry of vacant, abandoned or foreclosed property by a local government, unless the person is the owner, tenant or entitled to the possession or control thereof; or (3) Without the permission of the owner or person entitled to the possession or in control thereof. 2. A person who violates a provision of subsection 1 shall be punished: (a) For the first violation of paragraph (a), (b) or (c) of subsection 1 and for each subsequent violation of the same paragraph occurring more than 3 years after the first violation, for a misdemeanor. (b) For the second violation of paragraph (a), (b) or (c) of subsection 1 within 3 years after the first violation of the same paragraph, by imprisonment in the county jail for not less than 30 days nor more than 6 months and by a fine of not less than \$250 nor more than \$1,000. (c) For the third or subsequent violation of paragraph (a), (b) or (c) of subsection 1 within 3 years after the first violation of the same paragraph, by imprisonment in the county jail for 6 months and by a fine of not less than \$250 nor more than \$1,000. (d) For a violation of any provision of paragraphs (d) to (g), inclusive, of subsection 1, for a misdemeanor. 3. The terms of imprisonment prescribed by subsection 2 must be imposed to run consecutively. 4. A local government may enact an ordinance which regulates the time, place or manner in which a person or group of persons may beg or solicit alms in a public place or place open to the public. [1911 C&P § 354; A 1915, 32; 1923, 224; NCL § 10302]—(NRS A 1963, 696; 1967, 517; 1971, 2025; 1973, 1061; 1979, 353; 1985, 749, 931; 1993, 808; 2013, 2988)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.040 - Employment on public works.

All persons having the physical ability to work, convicted of violating NRS 207.030 and imprisoned therefor, may be required to perform labor on the public works, buildings, grounds or ways in the county, and the sheriff or other person having them in charge while performing such labor may employ any usual, reasonable, humane and sufficient means to guard against and prevent any such prisoner escaping from custody while being so employed. [1911 C&P § 355; RL § 6620; NCL § 10303]—(NRS A 1979, 206; 1995, 1082)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.050 - Credit for work performed.

For each day's work willingly and faithfully performed by a person convicted of violating NRS 207.030, the person must receive credit for 2 days' time, which must be applied upon and deducted from the term of imprisonment by the sheriff. [1911 C&P § 356; RL § 6621; NCL § 10304]—(NRS A 1995, 1082)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.070 - Sheriff to procure employment.

The sheriff shall, during fair and reasonable weather, when the same can be done without extra expense to the county, procure employment for and set at work such persons convicted of violating NRS 207.030 who are serving out their term of imprisonment; and to this end, upon application of any road supervisor, superintendent, foreman or other overseer or custodian of any public works, buildings or grounds, the sheriff may deliver into the custody and charge of such person making the application such prisoners, to do labor as required, who after working hours of the day, or after suspension of labor from any cause, must be returned into the custody of the sheriff of the county for safekeeping until again required for labor. [1911 C&P § 358; RL § 6623; NCL § 10306]—(NRS A 1995, 1083)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.161 - Definitions.

As used in NRS 207.163: 1. "Emergency call" means a situation in which property or human life is in jeopardy and the prompt summoning of aid is essential. 2. "Public telephone" means a telephone which is made available to the public upon the deposit of a coin, currency or other monetary instrument or through the use of a calling card, credit card or debit card. (Added to NRS by 1973, 718; A 2003, 326)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.163 - Refusal to relinquish public telephone for emergency call unlawful; false declaration of emergency to obtain use of public telephone unlawful.

1. It is unlawful for a person to refuse to relinquish a public telephone immediately when the person has been informed that it is needed for an emergency call and in fact the line is needed for an emergency call and there is no other reasonably apparent and immediately accessible telephone from which to make the call. 2. It is unlawful for a person to secure the use of a public telephone by falsely stating that it is needed for an emergency call. (Added to NRS by 1973, 718; A 2003, 326)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.165 - Telephone directory must contain warning notice of offense provided in NRS 207.163.

1. It is unlawful for a person, firm or corporation providing telephone service to distribute or cause to be distributed in this State copies of any telephone directory if such directory fails to contain the notice required by this section. 2. Every telephone directory

published and distributed after September 1, 1973, in this State which lists the telephone numbers of any telephone exchange located in this State shall contain a notice of the offense provided in NRS 207.163, as follows: (a) The notice shall be printed in type which is at least as large as other type on the page; and (b) The notice shall be preceded by the word "warning" printed in type which is at least as large as other type on the page, except that telephone directories distributed solely for business purposes, commonly known as classified directories, need not contain such notice. (Added to NRS by 1973, 718)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.167 - Interference with emergency transmission on Citizens' Radio Service unlawful; presumptions.

1. As used in this section "emergency" means a situation in which a natural person is or is reasonably believed by the person transmitting the communication to be in imminent danger of serious bodily injury or in which property is or is reasonably believed by the person transmitting the communication to be in imminent danger of damage or destruction. 2. Except as provided in subsection 3, any person who intentionally, knowingly, recklessly or with criminal negligence interrupts, impedes or otherwise interferes with the transmission of a communication over a radio channel assigned to the Citizens' Radio Service, the purpose of which is to inform or inquire about an emergency, is guilty of a misdemeanor. 3. If any person suffers serious bodily injury or if property damage in excess of \$1,000 occurs as a result of a violation of the provisions of subsection 2, the offender is guilty of a gross misdemeanor. 4. A person is presumed to have intentionally, knowingly or with criminal negligence interrupted, impeded or interfered with a transmission if the person: (a) Interrupted, impeded or interfered with the transmission of a communication on a channel which was dedicated to use for emergency communications; or (b) Operated equipment capable, by itself or with a linear amplifier, of producing power which exceeds limits set by a regulation of the Federal Communications Commission. (Added to NRS by 1981, 650)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.170 - "False, deceptive or misleading advertising" defined.

As used in NRS 207.170 to 207.177, inclusive, "false, deceptive or misleading advertising" as applied to a telephone communication includes, but is not limited to, any communication which is so made with the intent to solicit any person to purchase any merchandise, property or services, without initially disclosing such intent to the person. [1:201:1917; A 1955, 191] + [2:201:1917; 1919 RL p. 3390; NCL § 10530]—(NRS A 1965, 122; 1967, 520; 1971, 129; 1973, 209)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.171 - False, deceptive or misleading advertising and other sales practices.

It is unlawful for any person, firm, corporation or association or any agent or employee thereof to use, publish, disseminate, display or make or cause directly or indirectly to be used, published, disseminated, displayed or made, in any newspaper, magazine or other publication, by any radio, television or other advertising medium, or by any advertising device, or by public outcry, proclamation, or declaration, or by any other manner or means, including but not limited to solicitation or dissemination by mail, telephone or door-to-door contacts, any statement which is known or through the exercise of reasonable care should be known to be false, deceptive or misleading in order to induce any person to purchase, sell, lease, dispose of, utilize or acquire any title or interest in any real or personal property or any personal or professional services or to enter into any obligation or transaction relating thereto, or to include such statement as part of a plan or scheme which intentionally misstates cost or price for the purposes of producing an erroneous belief by any person that the actual cost or price is the same as stated therein. (Added to NRS by 1973, 210)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.172 - Exemption of advertising media.

NRS 207.170 to 207.177, inclusive, do not apply to: 1. Any radio or television broadcasting station which broadcasts; or 2. Any publisher, printer, distributor or owner of any newspaper or magazine, billboard or other advertising medium, or to any owner, operator, agent or employee of any advertising agency or other business engaged in preparing or disseminating advertising for public consumption on behalf of any other person, firm, corporation, association or other business entity, who publishes, prints, distributes, prepares or disseminates, such advertising in good faith without knowledge of its untrue or deceptive or misleading character. (Added to NRS by 1973, 210)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.173 - Actual deception unnecessary to create liability.

It is sufficient in bringing any action pursuant to NRS 207.170 to 207.177, inclusive, that any statement referred to in NRS 207.171 has a tendency to deceive or mislead the public because of its false or deceptive or misleading character even though no member of the public is actually deceived or misled by such statement. (Added to NRS by 1973, 211)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.174 - Civil penalties; action by Attorney General or district attorney.

Any person, firm, corporation or association or any other organization which violates any provision of NRS 207.170 to 207.177, inclusive, is liable for a civil penalty not to exceed \$2,500 for each violation, which shall be recovered in a civil action brought in

the name of the State of Nevada by the Attorney General or by any district attorney in a court of competent jurisdiction. As used in this section, the term, "each violation" includes, as a single violation, a continuous or repetitive violation arising out of the same act. (Added to NRS by 1973, 211)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.175 - Criminal penalties.

Any person, firm, or any officer or managing agent of any corporation or association who knowingly and willfully violates the provisions of NRS 207.171 shall be punished: 1. For the first or second offense, for a misdemeanor. 2. For the third offense and all subsequent offenses, for a gross misdemeanor. (Added to NRS by 1973, 211)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.176 - Injunctions.

The Attorney General or any district attorney may bring an action in any court of competent jurisdiction in the name of the State of Nevada on his or her own complaint or on the complaint of any board, officer, person, corporation or association to enjoin any violation or proposed violation of the provisions of NRS 207.170 to 207.177, inclusive. (Added to NRS by 1973, 211)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.177 - Penalty for violation of injunction or order.

Any person, firm, or any officer or managing agent of any corporation or association who violates any order or injunction issued pursuant to NRS 207.170 to 207.177, inclusive, is guilty of a gross misdemeanor. (Added to NRS by 1973, 211)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.180 - Threatening or obscene letters or writings.

1. Any person who knowingly sends or delivers any letter or writing: (a) Threatening to accuse another of a crime or misdemeanor, or to expose or publish any of the other person's infirmities or failings, with intent to extort money, goods, chattels or other valuable thing; or (b) Threatening to maim, wound, kill or murder, or to burn or destroy the house or other property of another person, or to accuse another of a crime or misdemeanor, or expose or publish any of the other person's infirmities, though no money, goods, chattels or other valuable thing be demanded, is guilty of a misdemeanor. 2. Any person who: (a) Writes and sends, or writes and delivers, either through the mail, express, by private parties or otherwise, any anonymous letter, or any letter bearing a fictitious name, charging any person with crime; or (b) Writes and sends any anonymous letter or letters bearing a fictitious name, containing vulgar or threatening language, obscene pictures, or containing reflections upon his or her standing in society or in the community, is guilty of a misdemeanor. [1911 C&P § 173; RL § 6438; NCL § 10120]—(NRS A 1967, 521; 1991, 1010; 1997, 2504)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.185 - Penalty for commission of certain unlawful acts because of actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of another person or group of persons; burden of proof; comments as evidence.

1. Unless a greater penalty is provided by law, a person who, because of the actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of another person or group of persons, willfully violates any provision of NRS 200.471, 200.481, 200.5099, 200.571, 200.575, 203.010, 203.020, 203.030, 203.060, 203.080, 203.090, 203.100, 203.110, 203.119, NRS 205.0832 which is punishable as a misdemeanor, NRS 205.240, 205.2715, 205.274, 205.2741, 206.010, 206.040, 206.125, 206.140, 206.200, 206.310, NRS 206.330 which is punishable as a misdemeanor, NRS 207.180, 207.200, 207.210 or 392.915 is guilty of a gross misdemeanor. 2. For the purposes of this section, a person willfully violates any provision of law listed in subsection 1 because of the actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of another person or group of persons if the existence of any such protected characteristic is the primary cause in fact for the commission of the crime, regardless of whether one or more other causes for the commission of the crime exist. For an enhanced penalty to be imposed pursuant to this section, the prosecuting attorney must prove beyond a reasonable doubt that the person would not have committed the crime but for the existence of such a protected characteristic. 3. If a person willfully violates any provision of law listed in subsection 1, any comment made by the person about the actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of another person or group of persons that the court determines is incidental must not be the sole basis for imposing an enhanced penalty pursuant to this section, but may be considered in conjunction with other evidence as to the motivation of the person for committing the crime. (Added to NRS by 1989, 898; A 1993, 511; 1995, 2706; 2013, 64; 2021, 1531)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.190 - Coercion.

1. It is unlawful for a person, with the intent to compel another to do or abstain from doing an act which the other person has a right to do or abstain from doing, to: (a) Use violence or inflict injury upon the other person or any of the other person's family, or upon the other person's property, or threaten such violence or injury; (b) Deprive the person of any tool, implement or clothing, or hinder the person in the use thereof; or (c) Attempt to intimidate the person by threats or force. 2. A person who violates the provisions of subsection 1 shall be punished: (a) Where physical force or the immediate threat of physical force is used, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. (b) Where no physical force or immediate threat of physical force is used, for a misdemeanor. [1911 C&P § 475; RL § 6740; NCL § 10424]—(NRS A 1967, 522; 1979, 1455; 1995, 1239)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.193 - Coercion: Hearing to determine whether sexually motivated.

1. Except as otherwise provided in subsection 4, if a person is convicted of coercion or attempted coercion in violation of paragraph (a) of subsection 2 of NRS 207.190, the court shall, at the request of the prosecuting attorney, conduct a separate hearing to determine whether the offense was sexually motivated. A request for such a hearing may not be submitted to the court unless the prosecuting attorney, not less than 72 hours before the commencement of the trial, files and serves upon the defendant a written notice of the intention to request such a hearing. 2. A hearing requested pursuant to subsection 1 must be conducted before: (a) The court imposes its sentence; or (b) A separate penalty hearing is conducted. 3. At the hearing, only evidence concerning the question of whether the offense was sexually motivated may be presented. The prosecuting attorney must prove beyond a reasonable doubt that the offense was sexually motivated. 4. A person may stipulate that his or her offense was sexually motivated before a hearing held pursuant to subsection 1 or as part of an agreement to plead nolo contendere, guilty or guilty but mentally ill. 5. The court shall enter in the record: (a) Its finding from a hearing held pursuant to subsection 1; or (b) A stipulation made pursuant to subsection 4. 6. For the purposes of this section, an offense is "sexually motivated" if one of the purposes for which the person committed the offense was his or her sexual gratification. (Added to NRS by 1997, 1681; A 1997, 2510; 2003, 1484; 2007, 1441)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.195 - Use of monetary instrument or other property representing proceeds or derived from unlawful activity; conducting financial transaction concerning monetary instrument or other property derived from unlawful activity; conducting financial transaction with intent to evade certain federal or state laws.

1. If a monetary instrument or other property represents the proceeds of or is directly or indirectly derived from any unlawful activity, it is unlawful for a person, having knowledge of that fact: (a) To conduct or attempt to conduct a financial transaction involving the monetary instrument or other property: (1) With the intent to further any unlawful activity; (2) With the knowledge that the transaction conceals the location, source, ownership or control of the monetary instrument or other property; or (3) With the knowledge that the transaction evades any provision of federal or state law that requires the reporting of a financial transaction. (b) To transport or attempt to transport the monetary instrument or other property: (1) With the intent to further any unlawful activity; (2) With the knowledge that the transportation conceals the location, source, ownership or control of any proceeds derived from unlawful activity; or (3) With the knowledge that the transportation evades any provision of federal or state law that requires the reporting of a financial transaction. 2. It is unlawful for any person to conduct or attempt to conduct a financial transaction concerning any monetary instrument or other property that has a value of \$5,000 or more with the knowledge that the monetary instrument or other property is directly or indirectly derived from any unlawful activity. 3. It is unlawful for any person to conduct or attempt to conduct a financial transaction with the intent to evade any provision of federal or state law that requires the reporting of a financial transaction. 4. A person who violates any provision of subsection 1, 2 or 3 is guilty of a category C felony and shall be punished as provided in NRS 193.130. 5. Each violation of this section involving one or more monetary instruments, financial transactions or property valued at \$5,000 or more shall be deemed a separate offense. 6. The provisions of this section must not be construed to prohibit any financial transaction conducted pursuant to title 56 of NRS. 7. As used in this section: (a) "Financial transaction" means any purchase, sale, loan, pledge, gift, transfer, deposit, withdrawal or other exchange involving a monetary instrument or other property. The term does not include any instrument or transaction for the payment of assistance of counsel in a criminal prosecution. (b) "Monetary instrument" includes any coin or currency of the United States or any other country, any traveler's check, personal check, money order, bank check, cashier's check, virtual currency, stock, bond, precious metal, precious stone or gem or any negotiable instrument to which title passes upon delivery. The term does not include any instrument or transaction for the payment of assistance of counsel in a criminal prosecution. (c) "Unlawful activity" includes any crime related to racketeering as defined in NRS 207.360 or any offense punishable as a felony pursuant to state or federal statute. The term does not include any procedural error in the acceptance of a credit instrument, as defined in NRS 463.01467, by a person who holds a nonrestricted gaming license. (Added to NRS by 1991, 181; A 1995, 430, 1240, 1332; 2019, 1798)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.200 - Unlawful trespass upon land; warning against trespassing.

1. Unless a greater penalty is provided pursuant to NRS 200.603, any person who, under circumstances not amounting to a burglary: (a) Goes upon the land or into any building of another with intent to vex or annoy the owner or occupant thereof, or to commit any unlawful act; or (b) Willfully goes or remains upon any land or in any building after having been warned during the previous 24 months by the owner or occupant thereof not to trespass, is guilty of a misdemeanor. The meaning of this subsection is not limited by subsections 2 and 4. 2. A sufficient warning against trespassing, within the meaning of this section, is given by any of the following methods: (a) Painting with fluorescent orange paint: (1) Not less than 50 square inches of a structure or natural object or the top 12 inches of a post, whether made of wood, metal or other material, at: (I) Intervals of such a distance as is necessary to ensure that at least one such structure, natural object or post would be within the direct line of sight of a person standing next to another such structure, natural object or post, but at intervals of not more than 1,000 feet; and (II) Each corner of the land, upon or near the boundary; and (2) Each side of all gates, cattle guards and openings that are designed to allow human ingress to the area; (b) Fencing the area; (c) Posting "no trespassing" signs or other notice of like meaning at: (1) Intervals of such a distance as is necessary

to ensure that at least one such sign would be within the direct line of sight of a person standing next to another such sign, but at intervals of not more than 500 feet; and (2) Each corner of the land, upon or near the boundary; (d) Using the area as cultivated land; or (e) By the owner or occupant of the land or building making an oral or written demand to any guest to vacate the land or building. 3. It is prima facie evidence of trespass for any person to be found on private or public property which is posted or fenced as provided in subsection 2 without lawful business with the owner or occupant of the property. 4. An entryman on land under the laws of the United States is an owner within the meaning of this section. 5. As used in this section: (a) "Cultivated land" means land that has been cleared of its natural vegetation and is presently planted with a crop. (b) "Fence" means a barrier sufficient to indicate an intent to restrict the area to human ingress, including, but not limited to, a wall, hedge or chain link or wire mesh fence. The term does not include a barrier made of barbed wire. (c) "Guest" means any person entertained or to whom hospitality is extended, including, but not limited to, any person who stays overnight. The term does not include a tenant as defined in NRS 118A.170. [1911 C&P § 500; RL § 6765; NCL § 10447]—(NRS A 1969, 96; 1975, 1169; 1987, 2086; 1989, 997; 2005, 930; 2007, 981; 2009, 141; 2019, 2476; 2023, 2007)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.203 - Unlawful trespass upon licensed gaming establishment by person previously convicted of certain offenses relating to prostitution or solicitation for prostitution.

1. Unless a greater penalty is provided pursuant to NRS 200.603, any person who commits a violation of NRS 207.200 by trespassing on the premises of a licensed gaming establishment and who has previously been convicted of three violations of NRS 201.353 or 201.354 within the immediately preceding 5 years is guilty of a misdemeanor and shall be punished by: (a) A fine of \$1,000; (b) Imprisonment in the county jail for not more than 6 months; or (c) Both fine and imprisonment. In lieu of all or a part of the punishment which may be imposed pursuant to this subsection, the person may be sentenced to perform a fixed period of community service pursuant to the conditions prescribed in NRS 176.087. 2. The court, without entering a judgment of conviction and with the consent of the accused, may suspend further proceedings and place the person on probation upon terms and conditions that must include attendance and successful completion of: (a) A counseling or educational program; or (b) In the case of a person dependent upon substances, a program of treatment and rehabilitation pursuant to NRS 176A.230 if the court determines that the person is eligible for participation in such a program. 3. Upon violation of a term or condition, the court may enter a judgment of conviction and punish the person as provided in subsection 1. 4. Upon fulfillment of the terms and conditions, the court shall discharge the accused and dismiss the proceedings against him or her. 5. Except as otherwise provided in subsection 6, discharge and dismissal under this section is without adjudication of guilt and is not a conviction for purposes of this section or for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose, but is a conviction for the purpose of additional penalties imposed for second or subsequent convictions or the setting of bail. Discharge and dismissal restores the person discharged, in the contemplation of the law, to the status occupied before the arrest, indictment or information. The person may not be held thereafter under any law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge that arrest, indictment, information or trial in response to an inquiry made of the person for any purpose. Discharge and dismissal under this section may only occur once with respect to any person. 6. A professional licensing board may consider a proceeding under this section in determining suitability for a license or liability to discipline for misconduct. Such a board is entitled for those purposes to a truthful answer from the applicant or licensee concerning any such proceeding with respect to the applicant or licensee. 7. Before the court assigns a person to a program pursuant to this section, the person must agree to pay the cost of the program to which the person is assigned and the cost of any additional supervision required, to the extent of the financial resources of the person. If the person does not have the financial resources to pay all of the related costs, the court shall, to the extent practicable, arrange for the person to be assigned to a program at a facility that receives a sufficient amount of federal or state funding to offset the remainder of the costs. 8. As used in this section, "licensed gaming establishment" has the meaning ascribed to it in NRS 463.0169. (Added to NRS by 2011, 305; A 2019, 4442; 2021, 3122)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.204 - Jumping or removal from fixed structure by parachute or other airborne means or assisting another person in doing so deemed to be trespass; penalty; exceptions.

1. A person shall not: (a) Jump or otherwise remove himself or herself, by parachute or by other airborne means, from a fixed structure owned by another person or any fixture or appurtenance attached thereto; or (b) Knowingly and intentionally deliver or retrieve another person who intends to commit, is committing or has committed an act specified in paragraph (a). 2. A person who violates any provision of subsection 1: (a) Shall be deemed to be a trespasser for the purposes of NRS 41.515. (b) Is guilty of a category E felony and shall be punished as provided in NRS 193.130. 3. This section does not apply to: (a) An emergency involving public safety or damage to property, loss of life or injury to any person; or (b) An act committed pursuant to the terms and conditions of a lawfully issued permit. (Added to NRS by 2015, 1528)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.205 - Posting land without permission of owner or occupant.

1. It is unlawful for any person to post such land within the meaning of subsection 2 of NRS 207.200 unless the person has: (a) Obtained written authorization from the owner or occupant of the land, or any building thereon, to do so unless the person is the owner or occupant. (b) Placed the name and address of the owner or occupant on each sign. 2. Any person violating any of the provisions of subsection 1 is guilty of a misdemeanor. (Added to NRS by 1973, 1116)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.210 - Destruction of signs or notices forbidding trespass.

It shall be a misdemeanor for any person maliciously to tear down, mutilate or destroy any sign, signboard or other notice forbidding trespass within an enclosure. [Part 1911 C&P § 503; RL § 6768; NCL § 10450]

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.220 - Penalty for not closing gates.

1. Any person or persons opening and passing through gates or bars when gates or bars are placed in fences enclosing fields, or in fences partly enclosing lands, and not shutting and fastening the same, shall be deemed guilty of a misdemeanor. 2. The provisions of this section shall not apply to gates in towns and cities nor gates necessary in the approach to any building or works where the passing through or into fields or lands is not contemplated. [1911 C&P § 504; RL § 6769; NCL § 10451]

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.225 - Unlawful diversion of irrigation water.

Any person who knowingly diverts or causes to be diverted to his or her own or some other person's use any irrigation water to which another person has a vested right, without such rightful user's permission, is guilty of a misdemeanor. (Added to NRS by 1977, 883)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.230 - Acting without lawful authority.

Every person who shall, in any case not otherwise specially provided for, do any act for the doing of which a license or other authority is required by law, without having such license or other authority as required by law, shall be guilty of a misdemeanor. [1911 C&P § 543; RL § 6808; NCL § 10489]

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.235 - Dog racing as gaming activity.

A person who conducts dog racing as a gaming activity in this State is guilty of a misdemeanor. (Added to NRS by 1997, 3130)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.245 - Use of system providing telephone number to be used in emergency when no actual or perceived emergency exists; calling nonemergency telephone line to report emergency when no actual or perceived emergency exists; penalties.

1. It is unlawful for any person knowingly or willfully to make or cause to be made: (a) Any telephonic access to a system; or (b) A nonemergency telephone call to report an emergency on any nonemergency telephone line maintained by a governmental entity, if no actual or perceived emergency exists. 2. Except as otherwise provided in subsection 3, a person who violates any provision of this section is guilty of a gross misdemeanor. 3. A person who violates any provision of this section is guilty of a category E felony and shall be punished as provided in NRS 193.130 if: (a) The person intended to initiate an emergency response by law enforcement, firefighting, emergency medical care or public safety personnel when no actual emergency exists; and (b) The emergency response initiated by the person results in the death or serious bodily injury of another. 4. A person who is convicted of a category E felony pursuant to subsection 3 is liable for any costs incurred by any governmental entity as a result of his or her conduct. 5. If a defendant who is charged with a violation of this section suffers from a mental illness or is intellectually disabled, the court may, if appropriate, take any action authorized by law for the purpose of having the defendant assigned to a program established pursuant to NRS 176A.250. 6. As used in this section: (a) "Emergency" means a situation in which immediate intervention is necessary to protect the physical safety of a person or others from an immediate threat of physical injury or to protect against an immediate threat of severe property damage, or any other situation which is likely to cause a governmental entity to provide services related to law enforcement, firefighting, emergency medical care or public safety. (b) "Governmental entity" means an institution, board, commission, bureau, council, department, division, authority or other unit of government of this State, including, without limitation, an agency of this State or of a political subdivision. (c) "System" means a system established to provide a telephone number to be used in an emergency. (Added to NRS by 1991, 17; A 2015, 1013)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.260 - Unlawful contact with child or person with mental illness.

1. A person who, without lawful authority, willfully and maliciously engages in a course of conduct with a child who is under 16 years of age and who is at least 5 years younger than the person which would cause a reasonable child of like age to feel terrorized, frightened, intimidated or harassed, and which actually causes the child to feel terrorized, frightened, intimidated or harassed, commits the crime of unlawful contact with a child. 2. A person who, without lawful authority, willfully and maliciously engages in a course of conduct with a person with mental illness which would cause a person with mental illness of like mental condition to feel terrorized, frightened, intimidated or harassed, and which actually causes the person with mental illness to feel terrorized, frightened, intimidated or harassed, commits the crime of unlawful contact with a person with mental illness. 3. The penalties provided in this section do not preclude the victim from seeking any other legal remedy available. 4. Unless a greater penalty is provided by specific statute, a person who commits the crime of unlawful contact with a child or unlawful contact with a person with mental illness is guilty of: (a) For the first offense, a gross misdemeanor. (b) For the second and each subsequent offense, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a

maximum term of not more than 6 years, and may be further punished by a fine of not more than \$5,000. 5. As used in this section: (a) "Course of conduct" means a pattern of conduct which consists of a series of acts over time that evidences a continuity of purpose directed at a specific person. (b) "Person with mental illness" means a person who has any mental dysfunction leading to impaired ability to maintain himself or herself and to function effectively in his or her life situation without external support. (c) "Without lawful authority" includes acts that are initiated or continued without the victim's consent. The term does not include acts that are otherwise protected or authorized by constitutional or statutory law, regulation or order of a court of competent jurisdiction, including, but not limited to: (1) Picketing which occurs during a strike, work stoppage or any other labor dispute. (2) The activities of a reporter, photographer, camera operator or other person while gathering information for communication to the public if that person is employed or engaged by or has contracted with a newspaper, periodical, press association or radio or television station and is acting solely within that professional capacity. (3) The activities of a person that are carried out in the normal course of his or her lawful employment. (4) Any activities carried out in the exercise of the constitutionally protected rights of freedom of speech and assembly. (Added to NRS by 1963, 41; A 1967, 523; 1975, 79; 1979, 1456; 1995, 1240; 2001, 2789; 2003, 1377)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.270 - Loitering about school or public place where children congregate.

Any person who, without legitimate reason to supervise any of such children or other legitimate reason to be at leisure in such place, loiters about any school or public place at or near which children attend or normally congregate is guilty of a misdemeanor. (Added to NRS by 1963, 41; A 1967, 523)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.280 - False reporting of crimes unlawful.

Every person who deliberately reports to any police officer, sheriff, district attorney, deputy sheriff, deputy district attorney or member of the Department of Public Safety that a felony or misdemeanor has been committed, which causes a law enforcement agency to conduct a criminal or internal investigation, knowing such report to be false, is guilty of a misdemeanor. (Added to NRS by 1965, 409; A 1967, 523; 2005, 939)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.285 - Making false or misleading statement to cause activation of Statewide Alert System for the Safe Return of Abducted Children or Statewide Alert System for the Safe Return of Missing Endangered Older Persons.

1. A person who intentionally makes any false or misleading statement, including, without limitation, any statement that conceals facts, omits facts or contains false or misleading information concerning any material fact, to any police officer, sheriff, district attorney, deputy sheriff, deputy district attorney or member of the Department of Public Safety to cause the Statewide Alert System for the Safe Return of Abducted Children created by NRS 432.340 or the Statewide Alert System for the Safe Return of Missing Endangered Older Persons created by NRS 427A.867 to be activated is guilty of a category E felony and shall be punished as provided in NRS 193.130. 2. The Attorney General or the district attorney of the county in which a person made a false or misleading statement may investigate and prosecute any violation of the provisions of this section. (Added to NRS by 2007, 428; A 2011, 831)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.290 - Giving or accepting bribe to influence outcome of sporting event.

A person who: 1. Gives, offers or promises to give, or attempts to give or offer, any compensation, gratuity or thing of value, or any promise thereof, to any participant or player or any judge, referee, manager or other official of a sporting event or contest; or 2. Asks or receives or offers to receive directly or indirectly any compensation, gratuity, reward or thing of value or any promise thereof, as a participant or player, or as a judge, referee, manager or other official of a sporting event or contest, with the intention, understanding or agreement that the player or participant or judge, referee, manager or other official of the sporting event will not use best efforts to win, or will so conduct himself or herself as to limit his or her or his or her team's margin of victory, or will corruptly judge, referee, manage or otherwise officiate the sporting event or contest with the intention or purpose that the result of the sporting event will be affected thereby, is guilty of a category C felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1965, 553; A 1967, 523; 1995, 1240)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.295 - Commercial bribery.

Any person who, with corrupt intent: 1. Offers, confers or agrees to confer any benefit upon any employee, agent or fiduciary without the consent of the employer or principal of that employee, agent or fiduciary in order to influence adversely that person's conduct in relation to the commercial affairs of his or her employer or principal; or 2. While an employee, agent or fiduciary, solicits, accepts or agrees to accept any benefit from another person upon an agreement or understanding that the benefit will influence adversely his or her conduct in relation to the commercial affairs of his or her employer or principal, commits commercial bribery and is guilty of a misdemeanor. (Added to NRS by 1979, 345)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.297 - Discrimination: Definitions.

As used in NRS 207.300 and 207.310: 1. "Disability" means, with respect to a person: (a) A physical or mental impairment that substantially limits one or more of the major life activities of the person; (b) A record of such an impairment; or (c) Being regarded as having such an impairment. 2. "Familial status" means the fact that a person: (a) Lives with a child under the age of 18 and has: (1) Lawful custody of the child; or (2) Written permission to live with the child from the person who has lawful custody of the child; (b) Is pregnant; or (c) Has begun a proceeding to adopt or otherwise obtain lawful custody of a child. (Added to NRS by 1991, 1981; A 1995, 1988; 2011, 870; 2013, 65)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.300 - Discrimination: Transactions involving real property.

It is unlawful for any person to refuse to rent, lease, sell or otherwise convey any real property solely because of race, religious creed, color, national origin, disability, sexual orientation, gender identity or expression, ancestry, familial status or sex. (Added to NRS by 1971, 732; A 1973, 195; 1985, 335; 1991, 1981; 2011, 870)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.310 - Discrimination: Loans for dwellings.

1. As used in this section: (a) "Customer" means a person who applies for a loan or other financial assistance to purchase, construct, improve or repair a dwelling. The term includes a person who does not intend to enter into a transaction for a loan or other financial assistance, but applies for the loan or financial assistance as if the person intended to enter into the transaction. (b) "Lender" means a bank, savings and loan association, savings bank, insurance company or other person whose business consists in whole or in part of making commercial real estate loans. 2. It is unlawful for any lender to deny a loan, or other financial assistance rendered by the lender, to any customer or to discriminate against any customer in fixing the amount, conditions, duration, rate of interest or other terms of a loan or other financial assistance or to refuse to purchase a loan from another lender because of the race, color, religious creed, national origin, disability, sexual orientation, gender identity or expression, ancestry, familial status or sex of: (a) The customer; (b) Any person associated with the customer in connection with the loan or other financial assistance or with the purpose of the loan or other financial assistance; or (c) The present or prospective owners, lessees, tenants or occupants of the dwelling in relation to which the loan or other financial assistance is to be made or given. 3. A person who violates the provisions of this section is guilty of: (a) A misdemeanor for the first and second offenses. (b) A gross misdemeanor for the third and subsequent offenses. (Added to NRS by 1971, 732; A 1975, 829; 1989, 10; 1991, 1981; 1995, 1988; 1997, 52; 2011, 870)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.320 - Preparation or sale of academic writings.

Any person who prepares for sale or sells any term paper, thesis, dissertation or similar writing intending such writing to be submitted to an academic institution as the work of any person not the author in fulfillment of a requirement for completion of a course of study, award of a degree or other academic credit is guilty of a misdemeanor. (Added to NRS by 1973, 1161)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.325 - Unsolicited transmission of advertisement to facsimile machine.

1. Except as otherwise provided in subsection 2, a person shall not make or cause to be made an unsolicited electronic or telephonic transmission to a facsimile machine to solicit a person to purchase real property, goods or services. 2. The provisions of subsection 1 do not apply to an unsolicited electronic or telephonic transmission sent to a person who has a preexisting business relationship with the person who makes or causes the transmission to be made. 3. Any person who violates the provisions of subsection 1 is guilty of a misdemeanor. 4. As used in this section, "facsimile machine" means a device which receives and copies a reproduction or facsimile of a document or photograph which is transmitted electronically or telephonically by telecommunications lines. (Added to NRS by 1991, 126)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.330 - Sale of identifying card or document.

It is unlawful for any person to sell to another any card or other document purporting to establish the identity of the holder unless the purchaser appears personally before the seller and declares his or her identity in writing under the penalty of perjury. This section does not apply to any governmental agency. (Added to NRS by 1975, 1461)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.335 - Counterfeiting or forging registry identification card or letter of approval issued for engaging in acts relating to medical use of cannabis; possessing counterfeit or forged registry identification card or letter of approval; penalty.

1. It is unlawful for any person to: (a) Counterfeit or forge or attempt to counterfeit or forge a registry identification card or letter of approval; or (b) Have in his or her possession with the intent to use any counterfeit or forged registry identification card or letter of approval. 2. Any person who violates the provisions of subsection 1 is guilty of a category E felony and shall be punished as provided in NRS 193.130. 3. As used in this section: (a) "Letter of approval" has the meaning ascribed to it in NRS 678C.070. (b) "Registry identification card" has the meaning ascribed to it in NRS 678C.080. (Added to NRS by 2013, 3697; A 2015, 3085; 2019, 3847)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.337 - Simulation of summons, complaint, judgment, order or other legal process; rebuttable presumption; penalty.

1. Any person who causes to be prepared or delivered to another person any document that simulates a summons, complaint, judgment, order or other legal process with the intent to: (a) Induce payment of a claim from another person; or (b) Induce another person to: (1) Submit to the putative authority of the document; or (2) Take any action or refrain from taking any action: (I) In response to or on the basis of the document; or (II) To comply with the document, is guilty of a category D felony and shall be punished as provided in NRS 193.130. 2. There is a rebuttable presumption that a person intended to violate the provisions of this section if the person files with or presents or delivers to any court in this State any document that simulates a summons, complaint, judgment, order or other legal process. 3. It is not a defense to a prosecution under this section that a document that simulates a summons, complaint, judgment, order or other legal process states that the document is not legal process or purports to have been issued or authorized by a person or entity who does not have the lawful authority to issue or authorize the document. 4. As used in this section, "action" includes, without limitation: (a) Making a court appearance; (b) Obtaining legal counsel; (c) Acting upon a perceived conflict created by a document that simulates a summons, complaint, judgment, order or other legal process; or (d) Recusal. (Added to NRS by 2019, 1798)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.340 - Acts concerning federal food stamps; prosecution by district attorney or Attorney General.

1. As used in this section, unless the context otherwise requires: (a) "Access device" means any card, plate, account number or other means of access that can be used, alone or in conjunction with another access device, to obtain payments, allotments, benefits, money, goods or other things of value, or that can be used to initiate a transfer of funds pursuant to the Act. (b) "Act" means the Food Stamp Act of 1977, as amended (7 U.S.C. §§ 2011 et seq.) and regulations adopted thereunder. (c) "Authorization to purchase" means a document issued by the United States Department of Agriculture or by a state agency which permits the holder to purchase coupons or otherwise receive benefits under the Act. (d) "Coupon" means a food stamp, coupon, certificate or access device issued by the United States Department of Agriculture as provided in the Act. 2. A person who knowingly uses, transfers, sells, purchases, acquires, alters or possesses coupons and who is not authorized by the Act to do so, or who knowingly presents or causes to be presented coupons which are received, transferred or used in a manner not authorized by the Act, shall be punished: (a) If the value of the coupons is less than \$650, for a misdemeanor, and be sentenced to restore the amount of the value so obtained. (b) If the value of the coupons is \$650 or more, for a category E felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. 3. A district attorney or the Attorney General may commence proceedings to enforce the provisions of this section in any court of competent jurisdiction. 4. If a person is convicted of violating any of the provisions of this section, the prosecuting attorney shall report the sentence imposed by the court for that person to the Division of Welfare and Supportive Services of the Department of Health and Human Services within 60 days after the imposition of the sentence. 5. The value of all coupons misappropriated in separate acts of fraud involving coupons must be combined for the purposes of imposing punishment for the offense charged if: (a) The separate acts were committed within 6 months before the offense; (b) None of the individual acts is punishable as a felony; and (c) The cumulative value of all the coupons misappropriated is sufficient to make the offense punishable as a felony. 6. At the time of sentencing, a court may accept as a partial mitigation of the offense satisfactory evidence that a person convicted of violating any of the provisions of this section sold or transferred the coupons for cash to buy necessities which may not be lawfully obtained with coupons. (Added to NRS by 1977, 608; A 1981, 1028; 1989, 1440; 1995, 1241, 2692; 2011, 172)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.345 - Impersonation of officer or employee of utility.

1. A person shall not: (a) Impersonate an officer or employee of a utility or, without authority, assume any characteristic, such as a uniform or insignie, or any identification by which an officer or employee of a utility is distinguished, known or identified; and (b) Use the impersonation or the assumed characteristic or identity to commit or attempt to commit any unlawful act or any act in which the person purports to represent the utility or an officer or employee of the utility. 2. A person who violates any provision of this section is guilty of: (a) A gross misdemeanor; or (b) A category C felony and shall be punished as provided in NRS 193.130 if the person acted with the intent to: (1) Commit, cause, aid, further or conceal, or attempt to commit, cause, aid, further or conceal, any unlawful act involving terrorism or sabotage; or (2) Assist, solicit or conspire with another person to commit, cause, aid, further or conceal any unlawful act involving terrorism or sabotage. (Added to NRS by 1987, 405; A 2003, 2463)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.350 - Definitions.

As used in NRS 207.350 to 207.520, inclusive, unless the context otherwise requires, the words and terms defined in NRS 207.360 to 207.390, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1983, 1495)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.360 - "Crime related to racketeering" defined.

"Crime related to racketeering" means the commission of, attempt to commit or conspiracy to commit any of the following crimes: 1. Murder; 2. Manslaughter, except vehicular manslaughter as described in NRS 484B.657; 3. Mayhem; 4. Battery which is

punished as a felony; 5. Kidnapping; 6. Sexual assault; 7. Arson; 8. Robbery; 9. Taking property from another under circumstances not amounting to robbery; 10. Extortion; 11. Statutory sexual seduction; 12. Extortionate collection of debt in violation of NRS 205.322; 13. Forgery, including, without limitation, forgery of a credit card or debit card in violation of NRS 205.740; 14. Obtaining and using personal identifying information of another person in violation of NRS 205.463; 15. Establishing or possessing a financial forgery laboratory in violation of NRS 205.46513; 16. Any violation of NRS 199.280 which is punished as a felony; 17. Burglary; 18. Grand larceny; 19. Bribery or asking for or receiving a bribe in violation of chapter 197 or 199 of NRS which is punished as a felony; 20. Battery with intent to commit a crime in violation of NRS 200.400; 21. Assault with a deadly weapon; 22. Any violation of NRS 453.232, 453.316 to 453.339, inclusive, or NRS 453.375 to 453.401, inclusive; 23. Receiving or transferring a stolen vehicle; 24. Any violation of NRS 202.260, 202.275 or 202.350 which is punished as a felony; 25. Any violation of subsection 2 or 3 of NRS 463.360 or chapter 465 of NRS; 26. Receiving, possessing or withholding stolen goods valued at \$650 or more; 27. Embezzlement of money or property valued at \$650 or more; 28. Obtaining possession of money or property valued at \$650 or more, or obtaining a signature by means of false pretenses; 29. Perjury or subornation of perjury; 30. Offering false evidence; 31. Any violation of NRS 201.300, 201.320, 201.360 or 201.395; 32. Any violation of NRS 90.570, 91.230 or 686A.290, or insurance fraud pursuant to NRS 686A.291; 33. Any violation of NRS 205.506, 205.920 or 205.930; 34. Any violation of NRS 202.445 or 202.446; 35. Any violation of NRS 205.377; 36. Involuntary servitude in violation of any provision of NRS 200.463 or 200.464 or a violation of any provision of NRS 200.465; or 37. Trafficking in persons in violation of any provision of NRS 200.467 or 200.468. (Added to NRS by 1983, 1495; A 1989, 18, 160; 1991, 124, 161; 1997, 493; 1999, 2642; 2001, 1100; 2003, 2951; 2005, 79; 2009, 144; 2011, 173; 2013, 2434, 3697; 2017, 511; 2019, 2632, 4443; 2023, 2900)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.370 - "Criminal syndicate" defined.

"Criminal syndicate" means any combination of persons, so structured that the organization will continue its operation even if individual members enter or leave the organization, which engages in or has the purpose of engaging in racketeering activity. (Added to NRS by 1983, 1496)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.380 - "Enterprise" defined.

"Enterprise" includes: 1. Any natural person, sole proprietorship, partnership, corporation, business trust or other legal entity; and 2. Any union, association or other group of persons associated in fact although not a legal entity. The term includes illicit as well as licit enterprises and governmental as well as other entities. (Added to NRS by 1983, 1496)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.390 - "Racketeering activity" defined.

"Racketeering activity" means engaging in at least two crimes related to racketeering that have the same or similar pattern, intents, results, accomplices, victims or methods of commission, or are otherwise interrelated by distinguishing characteristics and are not isolated incidents, if at least one of the incidents occurred after July 1, 1983, and the last of the incidents occurred within 5 years after a prior commission of a crime related to racketeering. (Added to NRS by 1983, 1496)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.400 - Unlawful acts; penalties.

1. It is unlawful for a person: (a) Who has with criminal intent received any proceeds derived, directly or indirectly, from racketeering activity to use or invest, whether directly or indirectly, any part of the proceeds, or the proceeds derived from the investment or use thereof, in the acquisition of: (1) Any title to or any right, interest or equity in real property; or (2) Any interest in or the establishment or operation of any enterprise. (b) Through racketeering activity to acquire or maintain, directly or indirectly, any interest in or control of any enterprise. (c) Who is employed by or associated with any enterprise to conduct or participate, directly or indirectly, in: (1) The affairs of the enterprise through racketeering activity; or (2) Racketeering activity through the affairs of the enterprise. (d) Intentionally to organize, manage, direct, supervise or finance a criminal syndicate. (e) Knowingly to incite or induce others to engage in violence or intimidation to promote or further the criminal objectives of the criminal syndicate. (f) To furnish advice, assistance or direction in the conduct, financing or management of the affairs of the criminal syndicate with the intent to promote or further the criminal objectives of the syndicate. (g) Intentionally to promote or further the criminal objectives of a criminal syndicate by inducing the commission of an act or the omission of an act by a public officer or employee which violates his or her official duty. (h) To transport property, to attempt to transport property or to provide property to another person knowing that the other person intends to use the property to further racketeering activity. (i) Who knows that property represents proceeds of, or is directly or indirectly derived from, any unlawful activity to conduct or attempt to conduct any transaction involving the property: (1) With the intent to further racketeering activity; or (2) With the knowledge that the transaction conceals the location, source, ownership or control of the property. (j) To conspire to violate any of the provisions of this section. 2. A person who violates this section is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 5 years and a maximum term of not more than 20 years, and may be further punished by a fine of not more than \$25,000. 3. As used in this section, "unlawful activity" has the meaning ascribed to it in NRS 207.195. (Added to NRS by 1983, 1496; A 1995, 1241; 2009, 145)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.410 - Alternate fine for unlawful acts.

In lieu of the fine which may be imposed for a violation of NRS 207.400, the convicted person may be sentenced to pay a fine which does not exceed three times: 1. Any gross pecuniary value the convicted person gained; or 2. Any gross loss the convicted person caused, including property damage and personal injury but excluding any pain and suffering, whichever is greater, as a result of the violation. The convicted person may also be sentenced to pay court costs and the reasonable costs of the investigation and prosecution. If property is ordered forfeited pursuant to NRS 207.450, the value of that property must be subtracted from a fine imposed pursuant to this section. (Added to NRS by 1983, 1497)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.415 - Account for Prosecution of Racketeering created; use and distribution of money by Attorney General; reimbursement of Account.

1. The Account for the Prosecution of Racketeering is hereby created within the Attorney General's Special Fund created pursuant to NRS 228.096. Any amount of the balance in the Account in excess of \$50,000 must be deposited in the State General Fund. 2. The Attorney General shall use the money in the Account to pay the expenses involved in the investigation of racketeering activity and any civil action or criminal prosecution related thereto. The Attorney General may distribute money in the Account to other law enforcement agencies in this State for similar use. To the extent possible, each agency receiving money from the Account shall reimburse the Account with money it obtains as a result of a forfeiture or settlement which arises from any civil action or criminal prosecution related to racketeering activity. Each such agency shall also deposit in the Account an amount equal to 10 percent of the actual value of any other proceeds or property obtained in the forfeiture or settlement. (Added to NRS by 1985, 973; A 1989, 1469)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.420 - Criminal forfeiture: Property subject to forfeiture; substitution for unreachable property.

1. If the indictment or information filed regarding a violation of NRS 207.400 alleges that real or personal property was derived from, realized through, or used or intended for use in the course of the unlawful act and the extent of that property: (a) The jury; or (b) If the trial is without a jury, the court, shall, upon a conviction, determine at a separate hearing the extent of the property to be forfeited. If the indictment or information does not include such an allegation, the property is not subject to criminal forfeiture. 2. The property subject to criminal forfeiture pursuant to subsection 1 includes: (a) Any title or interest acquired or maintained by the unlawful conduct; (b) Any proceeds derived from the unlawful conduct; (c) Any property or contractual right which affords a source of influence over any enterprise established, operated, controlled, participated in or conducted in violation of NRS 207.400; (d) Any position, office, appointment, tenure or contract of employment: (1) Which was acquired or maintained in violation of NRS 207.400; (2) Through which the convicted person conducted or participated in the conduct of such unlawful affairs of an enterprise; or (3) Which afforded the convicted person a source of influence or control over the affairs of an enterprise which the convicted person exercised in violation of NRS 207.400; (e) Any compensation, right or benefit derived from a position, office, appointment, tenure or contract of employment that accrued to the convicted person during the period of unlawful conduct; and (f) Any amount payable or paid under any contract for goods or services which was awarded or performed in violation of NRS 207.400. 3. If property which is ordered to be criminally forfeited pursuant to subsection 1: (a) Cannot be located; (b) Has been sold to a purchaser in good faith for value; (c) Has been placed beyond the jurisdiction of the court; (d) Has been substantially diminished in value by the conduct of the defendant; (e) Has been commingled with other property which cannot be divided without difficulty or undue injury to innocent persons; or (f) Is otherwise unreachable without undue injury to innocent persons, the court shall order the forfeiture of other property of the defendant up to the value of the property that is unreachable. (Added to NRS by 1983, 1497)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.430 - Criminal forfeiture: Temporary restraining order to preserve property.

1. The prosecuting attorney may apply for, and a court may issue without notice or hearing, a temporary restraining order to preserve property which would be subject to criminal forfeiture under NRS 207.420 if: (a) An indictment or information has been filed regarding a violation of NRS 207.400 and the extent of criminally forfeitable property is included therein or the court believes there is probable cause for such an inclusion; (b) The property is in the possession or control of the party against whom the order will be entered; and (c) The court determines that the nature of the property is such that it can be concealed, disposed of or placed beyond the jurisdiction of the court before a hearing on the matter. 2. A temporary restraining order which is issued without notice may be issued for not more than 10 days and may be extended only for good cause or by consent. The court shall provide notice and hold a hearing on the matter before the order expires. (Added to NRS by 1983, 1499)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.440 - Criminal forfeiture: Orders to secure property.

1. After an information or indictment is filed regarding a violation of NRS 207.400, the prosecuting attorney may request the court to: (a) Enter a restraining order or injunction; (b) Require the execution of a satisfactory bond; (c) Appoint a receiver; or (d) Take any other necessary action, to secure property which is subject to criminal forfeiture. 2. The court shall, after a hearing for which notice was given to any person whose rights in the property proposed for forfeiture would be affected, order such an action if the prosecuting attorney shows by a preponderance of the evidence that the action is necessary to preserve the defendant's property which is subject to criminal forfeiture. 3. If no indictment or information has been filed regarding a violation of NRS 207.400, the

court may, after such a hearing and upon a showing of the prosecuting attorney that: (a) There is probable cause to believe that the property for which the order is sought would be subject to criminal forfeiture; and (b) The requested order would not result in substantial and irreparable harm or injury to the party against whom the order is to be entered that outweighs the need to secure the property for the potential criminal forfeiture, order an action to secure the property. Such an order may not be effective for more than 90 days unless it is extended for good cause or an indictment or information is filed regarding a violation of NRS 207.400 and the extent of the criminally forfeitable property is listed therein. (Added to NRS by 1983, 1498)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.450 - Criminal forfeiture: Order of forfeiture; protection of property.

1. Upon entry of a judgment for a violation of NRS 207.400, the court may order the forfeiture of the appropriate property. 2. Upon entry of such an order, the court may: (a) Enter a restraining order or injunction; (b) Require the execution of a satisfactory bond; (c) Appoint a receiver; or (d) Take any other necessary action, to protect the interests of the State. (Added to NRS by 1983, 1499)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.460 - Civil forfeiture: Property subject to forfeiture.

1. Except as otherwise provided in subsection 2, the following are subject to civil forfeiture to the State: (a) All property, real or personal, including money used in the course of, intended for use in the course of, derived from or gained through conduct in violation of NRS 207.400; (b) Any title or interest a person has acquired or maintained in violation of NRS 207.400; and (c) Any property or contractual right which affords a source of influence over any enterprise established, operated, controlled, participated in or conducted in violation of NRS 207.400. 2. Upon a showing by the owner of the requisite facts, the following is not subject to forfeiture under this section: (a) Except as otherwise provided in paragraph (b), property used without the knowledge or consent of its owner; and (b) A means of transportation used by a person in the transaction of business as a common carrier unless it appears the owner or person in charge of the common carrier consented to or had knowledge of the violation of NRS 207.400. (Added to NRS by 1983, 1499)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.470 - Civil actions for damages resulting from racketeering.

1. Any person who is injured in his or her business or property by reason of any violation of NRS 207.400 has a cause of action against a person causing such injury for three times the actual damages sustained. An injured person may also recover attorney's fees in the trial and appellate courts and costs of investigation and litigation reasonably incurred. The defendant or any injured person in the action may demand a trial by jury in any civil action brought pursuant to this section. Any injured person has a claim to forfeited property or the proceeds derived therefrom and this claim is superior to any claim the State may have to the same property or proceeds if the injured person's claim is asserted before a final decree is issued which grants forfeiture of the property or proceeds to the State. 2. A final judgment or decree rendered in favor of the State in any criminal proceeding under NRS 205.322 or 207.400 estops the defendant in any subsequent civil action or proceeding from denying the essential allegations of the criminal offense. 3. Any civil action or proceeding under this section must be instituted in the district court of the State in the county in which the prospective defendant resides or has committed any act which subjects him or her to criminal or civil liability under this section or NRS 205.322, 207.400 or 207.460. 4. Any civil remedy provided pursuant to this section is not exclusive of any other available remedy or penalty. (Added to NRS by 1983, 1501)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.480 - Order of court upon determination of civil liability.

A district court may, following a determination of civil liability under NRS 207.470 or 207.490, take such actions as it deems proper, including ordering the defendant to pay all costs and expenses of the proceedings. (Added to NRS by 1983, 1502)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.490 - Criminal and civil forfeiture: Seizure of property before forfeiture and final disposition; order of forfeiture; intercession by Attorney General; interlocutory actions by court.

1. Property subject to forfeiture under NRS 207.420 and 207.460 may be seized by a law enforcement agency upon process issued by a court. Before an order of civil forfeiture is issued and without legal process, notice of the claim for forfeiture of real property may be given in the manner provided in NRS 14.010 and 14.015. A seizure of personal property may be made without legal process if the seizure is incident to: (a) A lawful arrest or search; or (b) An inspection under an administrative warrant. 2. Property seized or made the subject of notice under this section is deemed to be in the custody of the agency subject only to orders of the court which has jurisdiction over the proceedings for forfeiture. An agency which has seized such property without process shall begin the proceedings for forfeiture promptly. Such an action takes precedence over other civil proceedings. The seized property is subject to an action to claim the delivery of the property if the agency does not file the complaint for forfeiture within 60 days after the property is seized. If a complaint for forfeiture is filed after an affidavit claiming delivery, the complaint must be treated as a counterclaim. 3. When property is seized under this section, pending forfeiture and final disposition, the law enforcement agency

may: (a) Place the property under seal. (b) Remove the property to a place designated by the court. (c) Require another agency authorized by law to take custody of the property and remove it to an appropriate location. 4. The district attorney may institute civil proceedings under this section for the forfeiture of property subject to forfeiture pursuant to NRS 207.460. The Attorney General may institute such proceedings when the property is seized by a state agency. If a district attorney has not instituted such a proceeding or has not pursued one which was instituted, the Attorney General may intercede after giving 30 days' written notice to the district attorney of the intention to do so. 5. In any action so brought, the district court shall proceed as soon as practicable to the hearing and determination. Pending final determination in an action brought under this section or NRS 207.470, the district court may at any time enter such injunctions, prohibitions or restraining orders, or take such actions, including the acceptance of satisfactory performance bonds, as the court deems proper in connection with any property or interest subject to forfeiture. 6. Upon a finding of civil liability under this section or NRS 207.470, the court may order the forfeiture of the appropriate property and interests. (Added to NRS by 1983, 1500)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.500 - Use, sale and other disposal of forfeited property by State, county or city; payment of certain encumbrances.

1. The State, county or city may sell or retain for its official use the property or interests so forfeited. If the forfeited property or interest is to be sold or otherwise disposed of, the State, county or city shall do so as soon as commercially feasible. Except as otherwise provided in subsection 2, the proceeds from such a sale must be used: (a) First to satisfy a claim of an injured person as provided in NRS 207.470; (b) Then for payment of all proper expenses of any proceedings for the forfeiture and sale, including any expenses for the seizure and maintenance of the property, advertising and court costs; and (c) Then to repay any money received pursuant to NRS 207.415 and to pay the amount required to be paid by that section. The balance of the proceeds, if any, must be deposited in the General Fund of the State or a county or city as the court provides in the order of forfeiture. 2. If the property forfeited is encumbered by a bona fide security interest and the secured party shows that the secured party did not consent or have knowledge of the violation causing the forfeiture, the State shall pay the existing balance or return the property to the secured party. (Added to NRS by 1983, 1501; A 1985, 973)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.510 - Parties to proceedings for forfeiture of property.

No person, except one: 1. Who holds a community property interest in the property; 2. Whose name or interest appears on the document of title or certificate of registration of the property; 3. Who is injured in his or her business or property by the violation; or 4. Who can otherwise prove ownership or a bona fide security interest in the property or interest subject to forfeiture, may be a party to proceeding for a forfeiture brought pursuant to NRS 207.490. (Added to NRS by 1983, 1501)

2024 Nevada Revised Statutes Chapter 207 - Miscellaneous Crimes NRS 207.520 - Limitation of actions.

A criminal action or proceeding under NRS 205.322 or 207.400 may be commenced at any time within 5 years after the conduct in violation of the section occurs. Except as otherwise provided in NRS 217.007, a civil action or proceeding under NRS 207.470 may be commenced at any time within 5 years after the violation occurs or after the injured person sustains the injury, whichever is later. If a criminal prosecution or civil action or other proceeding is brought to punish, prevent or restrain any violation of the provisions of NRS 205.322 or 207.400, the running of the period of limitations prescribed by this section with respect to any cause of action arising under NRS 207.470, which is based in whole or in part upon any matter complained of in the prosecution or proceeding, is suspended during the pendency of the prosecution or proceeding and for 2 years following termination of the prosecution or proceeding. (Added to NRS by 1983, 1501; A 1985, 1828; 1993, 454)

Title: chapter-369

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.010 - "Beer" defined.

As used in this chapter, "beer" means any beverage obtained by the alcoholic fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination thereof, in water. [Part 1:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.01]

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.011 - "Brew pub" defined.

As used in this chapter, "brew pub" has the meaning ascribed to it in NRS 597.200. (Added to NRS by 2017, 2582)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.013 - "Brewery" defined.

As used in this chapter, "brewery" means an establishment which manufactures malt beverages but does not sell those malt beverages at retail. (Added to NRS by 2017, 2582)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.015 - "Case of wine" defined.

As used in this chapter, "case of wine" means 12 bottles each containing 750 milliliters of wine or an amount equal to that volume of

wine. (Added to NRS by 1999, 2103)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.019 - "Craft distillery" defined.

As used in this chapter, "craft distillery" has the meaning ascribed to it in NRS 597.200. (Added to NRS by 2017, 2582)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.030 - "Importer" defined.

As used in this chapter, "importer" means any person who, in the case of liquors which are brewed, fermented or produced outside the State, is first in possession thereof within the State after completion of the act of importation. [Part 1:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.01]

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.035 - "Instructional wine-making facility" defined.

1. As used in this chapter, "instructional wine-making facility" means an instructional wine-making facility operated pursuant to NRS 597.245. 2. For the purposes of this chapter: (a) A person who operates an instructional wine-making facility is not a wine maker or a supplier, brewer, brew pub, distiller, craft distillery, manufacturer, producer, vintner, bottler, wholesaler, wholesale dealer, retailer or retail dealer of wine. (b) An instructional wine-making facility is not a winery or a retail liquor store. (Added to NRS by 2005, 1274; A 2017, 2582)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.040 - "Liquor" defined.

1. As used in this chapter, "liquor" means beer, wine, gin, whiskey, cordials, ethyl alcohol or rum, and every liquid containing one-half of 1 percent or more of alcohol by volume and which is used for beverage purposes. 2. Any liquid containing beer or wine in combination with any other liquor shall not be construed to be beer or wine. [Part 1:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.01]—(NRS A 1971, 584)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.045 - "Malt beverage" defined.

As used in this chapter, "malt beverage" has the meaning ascribed to it in NRS 597.200. (Added to NRS by 2017, 2582)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.050 - "Original package" defined.

As used in this chapter, "original package" means any container or receptacle first used for holding liquor, which container or receptacle is sealed. [Part 1:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.01]—(NRS A 1971, 585)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.070 - "Permissible person" defined.

As used in this chapter, "permissible person" means any duly ordained minister who uses liquor for sacramental purposes, any doctor, apothecary or pharmacist who uses alcohol for or in compounding medicine, or the representative of any school, university, hospital, clinic or industrial concern where liquor is used and needed for industrial purposes and not for concocting beverages for drink. [Part 1:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.01]

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.090 - "Retail liquor store" defined.

As used in this chapter, "retail liquor store" means an establishment where beers, wines and liquors, in original packages or by the drink, are sold to a consumer. [Part 1:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.01]—(NRS A 1959, 561)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.100 - "Sale" and "to sell" defined.

As used in this chapter, "sale" or "to sell" means and includes any of the following: 1. To exchange, barter, possess or traffic in; 2. To solicit or receive an order for; 3. To keep or expose for sale; 4. To serve with meals; 5. To deliver for value or in any way other than gratuitously; 6. To peddle; 7. To possess with intent to sell; 8. To transfer to anyone for sale or resale; 9. To possess or transport in contravention of this chapter; 10. To traffic in for any consideration, promised or obtained directly or indirectly; or 11. To procure or allow to be procured for any reason. [Part 1:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.01]

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.111 - "Supplier" defined.

As used in this chapter, "supplier" means, with respect to liquor which is brewed, distilled, fermented, manufactured, rectified, produced or bottled: 1. Outside the United States: (a) The brewer, distiller, manufacturer, producer, rectifier, vintner or bottler of the liquor, or his or her designated agent; or (b) The owner of the liquor when it is first transported into any area under the jurisdiction

of the United States Government, if the brewer, distiller, manufacturer, rectifier, producer, vintner or bottler of the liquor, or a designated agent of such a person, has not designated an importer to import the liquor into this State; 2. Within the United States but outside this State, the brewer, distiller, manufacturer, rectifier, producer, vintner or bottler of the liquor, or his or her designated agent; or 3. Within this State, the brewery, brew pub, distiller, craft distillery, manufacturer, rectifier, producer or bottler of the liquor or his or her designated agent. (Added to NRS by 1981, 1009; A 2003, 971; 2005, 1324; 2017, 2582)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.130 - "Wholesale dealer" and "wholesaler" defined.

As used in this chapter, "wholesale dealer" or "wholesaler" means a person licensed to sell liquor as it is originally packaged to retail liquor stores or to another licensed wholesaler, or to transfer malt beverages and wine to an estate distillery pursuant to NRS 597.230 and 597.240, respectively, but not to sell to the consumer or general public. [Part 1:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.01]—(NRS A 1971, 585; 2019, 2775)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.140 - "Wine" defined.

As used in this chapter, "wine" means any alcoholic beverage obtained by the fermentation of the natural content of fruits or other agricultural products containing sugar. [Part 1:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.01]

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.150 - Administration of chapter; duties of Department of Taxation.

1. The Department is charged with the duty of administering the provisions of this chapter. 2. The Department shall: (a) Prescribe and cause to be printed and issued free of charge all forms for applications and reports. (b) Except as otherwise provided in NRS 369.430, issue free of charge all certificates and permits. (c) Adopt and enforce all rules, regulations and standards necessary or convenient to carry out the provisions of this chapter. (d) Adopt regulations to carry out the provisions of NRS 369.462 to 369.468, inclusive, 369.486 and 369.488. (e) Adopt and enforce all rules, regulations and standards necessary or convenient to monitor or survey the quantity of malt beverages manufactured by a brew pub within a calendar year for compliance with NRS 597.230. [Part 22:160:1935; A 1945, 371; 1943 NCL § 3690.22] + [Part 24:160:1935; A 1945, 371; 1943 NCL § 3690.24]—(NRS A 1959, 561; 1975, 1704; 1995, 1041; 1999, 2104; 2017, 2583)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.155 - Standards for determining whether alcohol is used as fuel or liquor.

The requirements of this state for determining whether alcohol is produced for use in or as a motor vehicle fuel or for use in or as liquor are the same as the requirements of the Bureau of Alcohol, Tobacco and Firearms of the United States Department of the Treasury. (Added to NRS by 1981, 117)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.160 - Money for administration of chapter.

Funds for the administration of the provisions of this chapter shall be provided by direct legislative appropriation from the General Fund upon the presentation of budgets in the manner required by law. [Part 21:160:1935; A 1945, 371; 1949, 67; 1951, 75]

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.170 - Liquor Tax Account: Remittances; refunds.

1. All revenues required to be paid to the State under this chapter must be paid to the Department in the form of remittances payable to the Department. The Department shall deposit the payments in the State Treasury to the credit of the Liquor Tax Account in the State General Fund. 2. The Department shall indicate the amount, if any, which is derived from the tax on liquor containing more than 22 percent of alcohol by volume. 3. Upon order of the State Controller, money in the Liquor Tax Account must be drawn therefrom for any refunds under this chapter. [Part 21:160:1935; A 1945, 371; 1949, 67; 1951, 75]—(NRS A 1969, 1133; 1971, 585; 1975, 1704; 1981, 257)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.173 - Distribution and apportionment of money collected from tax on certain liquor.

The Department shall apportion, on a monthly basis, from the tax on liquor containing more than 22 percent of alcohol by volume, the portion of the tax collected during the preceding month which is equivalent to 50 cents per wine gallon, among Carson City and the counties of this state in proportion to their respective populations. The State Controller shall deposit the amounts apportioned to Carson City and each county in the Local Government Tax Distribution Account created by NRS 360.660 for credit to the respective accounts of Carson City and each county. (Added to NRS by 1969, 1133; A 1971, 2086; 1981, 285; 1983, 390; 1997, 3286; 1999, 17)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.174 - Transfer of money

collected from tax on certain liquor to Tax on Liquor Program Account.

Each month, the State Controller shall transfer to the Tax on Liquor Program Account in the State General Fund, from the tax on liquor containing more than 22 percent of alcohol by volume, the portion of the tax which exceeds \$3.45 per wine gallon. (Added to NRS by 1981, 897; A 1999, 17; 2003, 20th Special Session, 168)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.175 - Applicability of chapter.

This chapter shall not apply to common carriers, while engaged in interstate commerce, which sell or furnish liquor on their trains, buses or airplanes. Common carriers, while engaged in interstate commerce, which sell or furnish liquor on their trains, buses or airplanes, may purchase liquor from licensed Nevada wholesale dealers subject to rules and regulations of the Department. A refund or credit for the excise tax paid on such liquor shall be allowed the wholesale dealer. (Added to NRS by 1965, 303; A 1975, 1705)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.176 - Exemption from licensing requirement for person selling liquor at execution sale; licensee authorized to purchase liquor at execution sale.

1. The provisions of this chapter which authorize the possession or sale of liquor only by a person who holds a license issued under this chapter do not apply to an officer or an officer's deputy who sells or offers for sale liquor at a sale under execution held pursuant to NRS 21.150. 2. It is not a violation of the provisions of this chapter if a person who holds a license issued under this chapter purchases any liquor at a sale under execution held pursuant to NRS 21.150. (Added to NRS by 2015, 2523)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.180 - Required licenses; scope of licenses for brew pubs, instructional wine-making facilities, craft distilleries and estate distilleries.

1. In addition to the limitations imposed by NRS 597.210 and 597.220, a person shall not: (a) Import liquors into this State unless the person first secures an importer's license or permit from this State. (b) Engage in business as a wholesale dealer of wines and liquors in this State unless the person first secures a wholesale wine and liquor dealer's license from this State. (c) Engage in business as a wholesale dealer of beer in this State unless the person first secures a wholesale beer dealer's license from this State. (d) Operate a winery in this State or export wine from this State unless the person first secures a wine-maker's license from this State. (e) Operate an instructional wine-making facility in this State unless the person first secures a license for the instructional wine-making facility from this State. (f) Operate a brewery in this State unless the person first secures a brewer's license from this State. (g) Operate a brew pub in this State unless the person first secures a brew pub's license from this State. (h) Operate a craft distillery in this State unless the person first secures a craft distiller's license from this State. (i) Operate an estate distillery in this State unless the person first secures an estate distiller's license from this State. 2. A person who holds a license for a brew pub: (a) May engage in any activity authorized by NRS 597.230. (b) May not engage in any other activity for which a license is required pursuant to this chapter, unless the person holds the appropriate license for that activity. 3. A person who holds a license for an instructional wine-making facility: (a) May engage in any activity authorized by NRS 597.245. (b) May not engage in any other activity for which a license is required pursuant to this chapter, unless the person holds the appropriate license for that activity. 4. A person who holds a license for a craft distillery: (a) May engage in any activity authorized by NRS 597.235. (b) May not engage in any other activity for which a license is required pursuant to this chapter, unless the person holds the appropriate license for that activity. 5. A person who holds a license for an estate distillery: (a) May engage in any activity authorized by NRS 597.237. (b) May not engage in any other activity for which a license is required pursuant to this chapter unless the person holds the appropriate license for that activity. 6. As used in this section, "estate distillery" has the meaning ascribed to it in NRS 597.200. [Part 2:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.02] + [3:160:1935; 1931 NCL § 3690.03] + [4:160:1935; 1931 NCL § 3690.04]—(NRS A 1975, 624; 1991, 109, 384; 1995, 1566; 2005, 1274; 2013, 2565; 2017, 2583, 2589)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.181 - Definitions.

As used in NRS 369.180, unless the context otherwise requires: 1. "Alcoholic beverage" means any spirituous, vinous or malt liquor which contains 1 percent or more ethyl alcohol by volume. 2. "Engage in" includes participation in a business as an owner or partner, or through a subsidiary, affiliate, ownership equity or in any other manner. (Added to NRS by 1975, 623; A 1985, 531)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.190 - Application for license.

1. An application for any of the licenses described in NRS 369.180 must be made to: (a) The board of county commissioners of the county in which the applicant maintains his or her principal place of business if the applicant does not maintain his or her principal place of business within the boundaries of an incorporated city; or (b) The governing body of the city in which the applicant maintains his or her principal place of business if the applicant maintains his or her principal place of business within the boundaries of an incorporated city. 2. Each application must: (a) Be made on such form as the Department prescribes. (b) Include the name and address of the applicant. If the applicant is: (1) A partnership, the application must include the names and addresses of all partners. (2) A corporation, association or other organization, the application must include the names and addresses of the president, vice president, secretary and managing officer or officers. (3) A person carrying on or transacting business in this state under an assumed or fictitious name, the person making the application must attach to the application: (I) A certified copy of the certificate required by NRS 602.010 or any renewal certificate required by NRS 602.035. (II) A certificate signed by an officer of the corporation or by

each person interested in, or conducting or carrying on such business, or intending so to do, and acknowledged before a person authorized to take acknowledgments of conveyances of real property, indicating the name of the authorized representative whose signature may be required on the license under the provisions of this chapter. (c) Specify the location, by street and number, of the premises for which the license is sought. (d) Be accompanied by the annual license fee required for the particular license for which application is made. 3. The board of county commissioners or the governing body of a city, as applicable, shall examine all applications filed with it, and shall require satisfactory evidence that the applicant is: (a) A person of good moral character; (b) Not acting in violation of NRS 369.180; and (c) Not applying for a license for a business in which the applicant is prohibited from engaging pursuant to NRS 369.382. [5:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.05]—(NRS A 1959, 410; 1971, 585; 1975, 1705; 1981, 1010; 2001, 812; 2015, 65; 2021, 1693)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.200 - Approval or disapproval of application by board of county commissioners or governing body of city; issuance of license; new hearing.

1. The board of county commissioners or the governing body of a city, as applicable, shall approve or disapprove applications. If an application is disapproved by the board of county commissioners or the governing body of a city, the board or the governing body, as applicable, forthwith shall return the license fee accompanying the application to the applicant. If the board of county commissioners or the governing body of a city approves an application, the board or the governing body, as applicable, shall forward it to the Department, together with the board's or the governing body's written approval thereof and the license fee accompanying the application. 2. Upon receipt thereof the Department shall review the application and approval, and, if no further objections are presented or known, shall issue the appropriate license to the applicant. 3. In its discretion, the Department may grant an applicant whose application has been disapproved a new hearing before the Department if it shall be made to appear to the Department that the decision of the board of county commissioners or the governing body of a city, as applicable, was arbitrary, unreasonable or unjust. [6:160:1935; A 1947, 645; 1943 NCL § 3690.06] + [Part 12:160:1935; A 1945, 371; 1943 NCL § 3690.12]—(NRS A 1975, 1706; 2015, 66)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.210 - Contents of license.

Every license issued under this chapter shall set forth: 1. The name of the person to whom it is issued. 2. The location, by street and number, of the premises for which the license is issued. 3. The particular class of liquor or liquors that the licensee is authorized to sell. [7:160:1935; 1931 NCL § 3690.07]—(NRS A 1971, 586)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.220 - Signing and posting of license; license nontransferable; change of location.

Each license shall: 1. Be signed by the licensee or the authorized representative of the licensee. 2. Be posted in a conspicuous place in the premises for which it was issued. 3. Be nontransferable, except that upon prior written notice to the Department the location of the premises for which it was issued may be changed. [8:160:1935; 1931 NCL § 3690.08]—(NRS A 1959, 562; 1971, 586; 1975, 1706)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.230 - Recommendation of suspension or revocation of license by board of county commissioners or governing body of city; grounds.

The board of county commissioners or the governing body of a city, as applicable, may, upon its own motion, and shall, upon the verified complaint in writing of any person, investigate the action of any licensee under this chapter, and shall have power to recommend the temporary suspension or permanent revocation of a license for any one of the following acts or omissions: 1. Misrepresentation of a material fact by the applicant in obtaining a license under this chapter; 2. If the licensee violates or causes or permits to be violated any of the provisions of this chapter; 3. If the licensee commits any act which would be sufficient ground for the denial of an application for a license under this chapter; 4. If the licensee sells liquor to a wholesaler or retailer who is not a holder of a proper license or permit at such time; or 5. If the licensee fails to pay the excise tax or any penalty in connection therewith, in whole or in part, imposed by law, or violates any regulation of the Department respecting the same. [9:160:1935; A 1945, 371; 1943 NCL § 3690.09]—(NRS A 1965, 1469; 1966, 66; 1967, 1346; 1975, 1706; 2015, 66)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.240 - Complaint against licensee: Issuance and service of citation; effect of failure to answer.

1. Upon the filing with the board of county commissioners of the county in which a licensee maintains his or her principal place of business or with the governing body of the city in which the licensee maintains his or her principal place of business if the licensee maintains his or her principal place of business within an incorporated city of a verified complaint charging the licensee with the commission, within 1 year prior to the date of filing the complaint, of any act which is cause for suspension or revocation of a license, the board of county commissioners or the governing body, as applicable, forthwith shall issue a citation directing the licensee, within 10 days after service thereof upon him or her, to appear by filing with the board of county commissioners or the governing body, as applicable, a verified answer to the complaint showing cause, if any he or she has, why his or her license should not be suspended or revoked. Service of the citation with a copy of the complaint shall be made upon the licensee as provided by the

Nevada Rules of Civil Procedure for the service of process in civil actions. 2. Failure of the licensee to answer within the time specified shall be deemed an admission by the licensee of the commission of the act or acts charged in the complaint. Thereupon, the board of county commissioners or the governing body of a city, as applicable, shall give written notice of the failure of the licensee to answer to the Department. The Department forthwith shall suspend or revoke the license, as the case may be, and shall give notice of such suspension or revocation by mailing a true copy thereof, by United States registered or certified mail in a sealed envelope with postage thereon fully prepaid, addressed to the licensee at his or her latest address of record in the office of the Department. [10:160:1935; A 1947, 645; 1943 NCL § 3690.10]—(NRS A 1969, 95; 1975, 1706; 2015, 66)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.250 - Time and place of hearing; notice.

Upon the filing of the answer, the board of county commissioners or the governing body of a city, as applicable, shall fix a time and place for a hearing and give the licensee and the complainant not less than 5 days' notice thereof. The notice may be served by depositing in the United States mail a true copy of the notice enclosed in a sealed envelope with postage thereon fully prepaid, addressed to the licensee and to the complainant, respectively, at their last known addresses. With the notice to the complainant there shall be attached or enclosed a copy of the answer. If either party has appeared by counsel the notice shall be given, in like manner, to counsel instead of to the party. [11:160:1935; 1931 NCL § 3690.11]—(NRS A 2015, 67)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.260 - Hearing; decision; notice of recommendation; action by Department of Taxation upon recommendation of suspension or revocation.

1. Upon the hearing, the board of county commissioners or the governing body of a city, as applicable, shall hear all relevant and competent evidence offered by the complainant and by the licensee. 2. After the hearing is concluded and the matter submitted, the board of county commissioners or the governing body of a city, as applicable, shall, within 10 days after such submission and within 60 days after the date of service of the citation issued pursuant to NRS 369.240, render its decision in writing recommending the suspension or revocation of the license, or dismissing the complaint, with a statement of the board's or the governing body's reasons therefor. 3. The board of county commissioners or the governing body of a city, as applicable, shall give to the complainant and to the licensee, or their respective attorneys, notice of such recommendation, by mail, in the same manner as prescribed in this chapter for the giving of notice of hearing. 4. A copy of the decision of the board of county commissioners or the governing body of a city recommending the suspension or revocation of a license shall be transmitted forthwith by the board or the governing body, as applicable, to the Department. Thereupon, the Department shall cause the license to be suspended or revoked and shall give notice thereof in the same manner as provided in NRS 369.240. [Part 12:160:1935; A 1945, 371; 1943 NCL § 3690.12]—(NRS A 1975, 1707; 2015, 67; 2023, 645)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.270 - New hearing before board of county commissioners, governing body of city or Department; final order.

1. Notwithstanding any other provision of this chapter, before suspending or revoking any license, the Department, in its discretion, may: (a) If the licensee has not appeared pursuant to the provisions of NRS 369.240, permit the licensee to appear before the board of county commissioners or the governing body of a city, as applicable, and make a showing on his or her behalf if it is made to appear to the Department that the licensee's neglect to appear before the board of county commissioners or the governing body was excusable. (b) If a hearing was had, grant the licensee a new hearing before the Department if it shall be made to appear to the Department that the decision of the board of county commissioners or the governing body of a city, as applicable, was arbitrary, unreasonable or unjust. 2. After any new hearing before the Department, the Department shall enter a final order revoking or refusing to revoke the license affected. [Part 12:160:1935; A 1945, 371; 1943 NCL § 3690.12]—(NRS A 1975, 1707; 2015, 67)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.280 - Summary suspension or revocation of license: Grounds; procedure.

1. Notwithstanding any other provision of this chapter, the board of county commissioners or the governing body of a city, as applicable, shall have the right to suspend or revoke summarily any license in cases appearing to it to be of an aggravated and flagrant violation of law. 2. On request, in all such cases, the Department shall conduct a hearing covering the proceedings and evidence, if any, before the board of county commissioners or the governing body of a city, as applicable, and any additional evidence offered by the board of county commissioners, the governing body or the licensee. 3. The hearing before the Department shall be had on reasonable notice of time, place and subject matter to the licensee and the board of county commissioners or the governing body of a city, as applicable, and the Department shall decide the matter without delay by either confirming, modifying or setting aside the action of the board of county commissioners or the governing body, as applicable. 4. If the Department finds that a licensee is violating any of the provisions of this chapter, the Department may issue a summary suspension of the violator's license. The Department shall notify the board of county commissioners or the governing body of a city, as applicable, of such suspension. Within 10 days after such notice the Department shall conduct a public hearing in the matter in the appropriate county or city, as applicable. The board of county commissioners or the governing body of a city, as applicable, may appear before the Department at the hearing. [Part 12:160:1935; A 1945, 371; 1943 NCL § 3690.12]—(NRS A 1969, 614; 1975, 1708; 2015, 68)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.290 - Renewal of cancelled license.

Upon a subsequent written recommendation of the board of county commissioners or the governing body of a city, as applicable, setting forth that the licensee has shown proper cause in the opinion of the board of county commissioners or the governing body, as applicable, the Department may renew any license cancelled as provided in this chapter. [14:160:1935; 1931 NCL § 3690.14]—(NRS A 1975, 1708; 2015, 68)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.300 - Schedule of fees for licenses.

The following is a schedule of fees to be charged for licenses: Importer's wine, beer and liquor license..... \$500 Importer's beer license.....
150 Wholesale wine, beer and liquor license..... 250 Wholesale beer dealer's license.....
75 Wine-maker's license..... 75 License for an instructional wine-making facility..... 75
Brew pub's license..... 75 Brewer's license..... 75 Craft distiller's license.....
75 Estate distiller's license..... 75 [Part 15:160:1935; A 1939, 73; 1945, 371; 1943 NCL § 3690.15]—(NRS A 1959, 562; 1965, 303; 1991, 109, 384; 1995, 1567; 2005, 1274; 2013, 2566; 2017, 2590)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.310 - Date fees due; penalty; cancellation of license for failure to pay fee and penalty; payment of proportionate part; date of license.

1. All license fees are due and payable on July 1 of each year. The license fees must be paid to: (a) If the licensee does not maintain his or her principal place of business within the boundaries of an incorporated city, the county in which the licensee maintains his or her principal place of business; or (b) If the licensee maintains his or her principal place of business within the boundaries of an incorporated city, the city in which the licensee maintains his or her principal place of business. 2. If the licensee does not pay the license fees before July 15 of each year, the license may be cancelled by the Department. Between July 15 and July 31 of each year, the fee may be paid with a penalty of 5 percent added to such fee. If the fee and penalty are not paid by July 31 of each year, the license shall be cancelled automatically. 3. If any license is issued at any time during the year other than by July 15, the fee shall be for that proportionate part of the year that the license will be in effect, which in any event shall be for not less than one quarter of a year. 4. No license shall be dated other than on the 1st day of the month in which it is granted. [Part 15:160:1935; A 1939, 73; 1945, 371; 1943 NCL § 3690.15]—(NRS A 1959, 562; 1961, 593; 1975, 1708; 2015, 68)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.320 - Counties, cities and towns not prohibited from requiring licenses.

Nothing in this chapter shall be deemed to prohibit any county, city or town in Nevada from requiring an importer or seller of liquor to obtain a local license before engaging in such business. [Part 17:160:1935; A 1945, 371; 1943 NCL § 3690.17]

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.330 - Levy, collection and amount of tax.

Except as otherwise provided in this chapter, an excise tax is hereby levied and must be collected respecting all liquor and upon the privilege of importing, possessing, storing or selling liquor, according to the following rates and classifications: 1. On liquor containing more than 22 percent of alcohol by volume, \$3.60 per wine gallon or proportionate part thereof. 2. On liquor containing more than 14 percent up to and including 22 percent of alcohol by volume, \$1.30 per wine gallon or proportionate part thereof. 3. On liquor containing from one-half of 1 percent up to and including 14 percent of alcohol by volume, 70 cents per wine gallon or proportionate part thereof. 4. On all malt beverage liquor brewed or fermented and bottled in or outside this state, 16 cents per gallon. [Part 19:160:1935; A 1937, 374; 1939, 113; 1945, 371; 1947, 645; 1955, 464]—(NRS A 1961, 614; 1969, 1133; 1971, 586; 1981, 897; 1983, 514; 2003, 20th Special Session, 168)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.333 - Additional excise tax levied on certain liquor; limitations on levy and collection of tax.

1. In addition to the excise tax provided by NRS 369.330, there is hereby levied and shall be collected upon all liquor containing more than 22 percent of alcohol by volume imported into this state after July 1, 1965, an excise tax in the amount of \$1.50 per wine gallon. 2. The tax imposed by subsection 1 shall not be levied or collected unless the federal gallonage tax imposed by 26 U.S.C. § 5001 is reduced to \$9 per gallon and shall not be levied or collected on any liquor for which a federal gallonage tax of \$10.50 per gallon has been paid. (Added to NRS by 1965, 1289)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.335 - Exemption for sale of

liquor by licensed wholesale dealer to certain instrumentalities of Armed Forces; credit or refund.

1. No excise tax may be imposed upon the sale of liquor by licensed wholesale dealers to the following instrumentalities of the Armed Forces of the United States, organized under Army, Air Force or Navy regulations, and located upon territory within the geographical boundaries of the State of Nevada: (a) Army, Navy or Air Force exchanges. (b) Officers', noncommissioned officers' and enlisted persons' clubs or messes. 2. If any wholesale dealer pays the tax on liquor which was exempt at the time it was sold, the taxpayer may obtain a credit or refund with respect to the tax so paid in the manner provided by the Department. (Added to NRS by 1963, 1275; A 1975, 1708; 1985, 646)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.340 - Liquor sold to permissible persons exempt from tax.

It is hereby declared to be the intent of this chapter that no excise tax shall be imposed on liquor sold to permissible persons, and the Department, in computing the excise tax to be paid on liquor, shall make rules for refunds or credits to be allowed to any importer making a satisfactory showing of such sales. [Part 19:160:1935; A 1937, 374; 1939, 113; 1945, 371; 1947, 645; 1955, 464]—(NRS A 1975, 1709)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.345 - Exemption for certain wine produced on premises of instructional wine-making facility; credit or refund.

1. No excise tax may be imposed upon wine produced on the premises of an instructional wine-making facility if the wine is used, consumed or disposed of on the premises of the facility or distributed to persons for household or personal use in the manner authorized by NRS 597.245. 2. If a person pays the tax on any wine which is exempt from the tax pursuant to this section, the person may obtain a credit or refund with respect to the tax so paid in the manner provided by the Department. (Added to NRS by 2005, 1274)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.350 - Security for taxes: Bonds and deposits; waiver of requirement.

1. Each licensed importer, brewer or wine maker shall furnish a bond executed by him or her as principal, and by a corporation qualified under the laws of this State as surety, payable to the State of Nevada, and conditioned upon the payment of all excise taxes due or to become due from him or her under the provisions of this chapter. Each bond must be in a principal sum equal to the greatest excise tax paid by the importer, brewer or wine maker in any quarter of the preceding year, or if such a standard is not available, then in a sum required from a licensee operating under conditions deemed comparable by the Department. In no case may a bond be for an amount less than \$1,000. When cash or a savings certificate, certificate of deposit or investment certificate is used, the amount required must be rounded off to the next larger integral multiple of \$100. 2. In lieu of a bond a licensed importer, brewer or wine maker may deposit with the Department, under such terms as the Department may prescribe, a like amount of lawful money of the United States or any other form of security authorized by NRS 100.065. If security is provided in the form of a savings certificate, certificate of deposit or investment certificate, the certificate must state that the amount is unavailable for withdrawal except upon order of the Department. The Department shall deposit all cash and bonds of the United States or of the State of Nevada received pursuant to this subsection with the State Treasurer as custodian. 3. Notwithstanding any other provision of this section, upon application and a satisfactory showing therefor, the Department may, from time to time, increase or decrease the amount of the required bond, having consideration for the amount of importations made by the importer or the amount of beer or wine possessed or sold by the brewer or wine maker, respectively. 4. Notwithstanding any other provision of this section, the Department may waive the requirement of a bond pursuant to this section whenever a licensed importer, brewer or wine maker has maintained a satisfactory record of payment of excise taxes for a period of not less than 5 consecutive years. [Part 19:160:1935; A 1937, 374; 1939, 113; 1945, 371; 1947, 645; 1955, 464]—(NRS A 1959, 562; 1967, 854; 1975, 1709; 1989, 1071; 1995, 1066)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.360 - Rules of Department.

The Department shall make all necessary and convenient rules: 1. Prescribing the form of reports and claims made by taxpayers. 2. Prescribing the time for making such reports and settlements thereon. 3. Respecting permissible persons as well as other importers. [Part 19:160:1935; A 1937, 374; 1939, 113; 1945, 371; 1947, 645; 1955, 464]—(NRS A 1975, 1709)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.370 - Payment of tax by importers and manufacturers; refund or credit; discount; extension of time for payment.

1. For the privilege of importing, possessing, storing or selling liquors, all licensed importers and manufacturers of liquor in this State shall pay the excise tax imposed and established by this chapter. 2. If, after the tax is paid on any such liquor, satisfactory evidence is presented to the Department that the imports have been actually exported and sold outside this State in a manner not in conflict with the law of the place of sale, the Department shall direct that a refund or credit of the tax so paid be made to the taxpayer. The taxpayer shall report all such exports and imports, and pay the tax on the imports monthly, on forms and subject to regulations prescribed by the Department. 3. The excise tax imposed by this chapter is due on or before the 20th day of the following month. If all such taxes are paid on or before the 15th day of the following month, a discount in the amount of 0.25

percent of the tax must be allowed to the taxpayer. The Department may, for good cause, extend for not more than 15 days after the date the tax is due the time for paying the tax if a request for such an extension of time is received by the Department on or before the date the tax was due. If such an extension is granted, interest accrues from the original date the tax was due. 4. The Department shall allow refunds or credits on any shipments lost, stolen or damaged in transit, or damaged or spoiled on the premises, may require all claims in connection therewith to be sworn to and may make ratable tax adjustments, credits or refunds to effectuate the purposes of this chapter. [Part 19:160:1935; A 1937, 374; 1939, 113; 1945, 371; 1947, 645; 1955, 464]—(NRS A 1961, 593; 1971, 587; 1975, 1709; 1987, 329; 2003, 20th Special Session, 19; 2008, 25th Special Session, 18; 2009, 2097)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.382 - Suppliers: Authority to engage in business of importing, wholesaling or retailing alcoholic beverages restricted.

Except as otherwise provided in NRS 369.386, 369.415, 597.230, 597.235 and 597.237, a supplier shall not engage in the business of importing, wholesaling or retailing alcoholic beverages in this State. (Added to NRS by 2005, 1324; A 2013, 2566; 2017, 2584, 2590)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.386 - Suppliers: Conditions for selling to importer or wholesaler; designation of importer and agent.

1. Except as otherwise provided in NRS 369.464, a supplier of liquor may sell to an importer or wholesaler in this State only if: (a) Their commercial relationship is of definite duration or continuing indefinite duration; and (b) The importer is granted the right to offer, sell and distribute within this State or any designated area thereof such of the supplier's brands of packaged malt beverages, distilled spirits and wines, or all of them, as may be specified. 2. The supplier shall file with the Department a written notice indicating the name and address of each designated importer. Each importer shall file with the Department a written acceptance of the designation. 3. A brewer, distiller, manufacturer, producer, vintner or bottler of liquor who designates an agent to sell his or her products to importers into this State shall file with the Department a written designation indicating the name and address of the agent, and the agent shall file with the Department a written acceptance of the designation. (Added to NRS by 1981, 1009; A 1999, 2104; 2005, 1324)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.388 - Importer to purchase liquor only from supplier; exception.

Except as otherwise provided in subsection 2 of NRS 369.176, a person who holds an importer's license or permit may purchase a liquor only from the supplier of that liquor. (Added to NRS by 1981, 1009; A 2015, 2523)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.390 - Rights of holder of importer's license; transfer of liquor; permissible persons to procure permit.

1. An importer's license shall authorize the holder thereof to be the first person in possession of such liquors within the State of Nevada after completion of the act of importation of liquors which are brewed, fermented or produced outside of the State. 2. An importer's license shall permit the holder thereof to import liquor to the place specified therein and to no other place. It shall not authorize the sale or transfer for sale of any type of liquor. In order to make such sale or transfer the licensee must first secure the appropriate license or licenses applicable to the class or classes of business in which that licensee is engaged. The transfer of liquor from a licensed importer to itself as a licensed wholesaler shall not be deemed a sale. 3. Every permissible person must procure a permit. [Part 2:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.02] + [Part 17:160:1935; A 1945, 371; 1943 NCL § 3690.17]—(NRS A 1971, 587)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.400 - Importers: Inventory; records; inspection; penalty.

1. At all times each importer shall keep on hand at a fixed place of business in Nevada liquor of a wholesale value of at least \$1,000. 2. All importers, except permissible persons, shall keep a record of all serial numbers, identifying numbers or marks of all cases or containers of liquor imported by them. 3. Each importer shall keep in a fixed place of business in Nevada, in such form as may be recommended by the Department, a record of all liquor received into the State of Nevada, together with copies of invoices and a monthly inventory of all liquor on hand on the last day of each month, if requested so to do by the Department. 4. All such liquor, papers and records shall be exhibited at any time during business hours, on demand, to the Department or its agents. Any person preventing or interfering with such inspection shall be guilty of a misdemeanor. [Part 2:160:135; A 1945, 371; 1947, 645; 1943 NCL § 3690.02] + [Part 23:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.23]—(NRS A 1975, 1710)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.410 - Certain whiskeys not to be imported; exception.

1. After January 1, 1948, no importer or consignee of liquors shall import or accept any consignment of liquors labeled or sold as whiskey, unless the same be straight whiskey or blends of straight whiskeys aged in charred oak containers for 2 or more years after distillation and before bottling, or a blended whiskey, unless the same contain not less than 20 percent of straight whiskey or

whiskeys aged in charred oak containers for 2 or more years after distillation and before bottling, blended with neutral spirits. 2. Nothing in subsection 1 shall apply to imported Scotch, Irish or Canadian whiskey. [Part 14.1:160:1935; added 1945, 371; A 1947, 645; 1943 NCL § 3690.14a]

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.415 - Licensing of person importing liquor for rectification as importer; taxation of bulk imports of neutral or distilled spirits after rectification and bottling.

1. Any person who imports liquor into the State for the purpose of rectification is an importer and shall be licensed pursuant to NRS 369.180. 2. A licensed importer of liquor shall import neutral or distilled spirits in bulk only for the express purpose of rectification. Rectified alcoholic beverages shall be sold in this State only after bottling in original packages. 3. Bulk imports of neutral or distilled spirits shall be taxable only when rectified and bottled in original packages for sale within the State. 4. Refunds, credits and discounts shall be allowed pursuant to NRS 369.370. (Added to NRS by 1965, 303)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.420 - Seizure and sale of liquor.

Any shipment of liquor which cannot be received or accepted by the consignee for any reason in law may be seized by the Department or its agents and held subject to the order of the shipper for its return at the shipper's expense. If it is not recovered by the shipper it shall be sold at public auction to any qualified importer in this state. The proceeds of such sale shall be remitted to the shipper, less any costs or outlays chargeable, or a lien, upon the shipment. [Part 14.1:160:1935; added 1945, 371; A 1947, 645; 1943 NCL § 3690.14a]—(NRS A 1975, 1710)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.430 - Certificate of compliance.

1. By regulation, the Department shall prescribe the form of application for and the form of a certificate of compliance, which must be printed and distributed to exporters of liquor into this State to assist them in legally exporting liquor into this State. 2. An intending importer may not legally receive or accept any shipment of liquor except from a holder of a certificate of compliance. 3. Before a person may engage in business as a supplier of liquor in this State, the person must obtain a certificate of compliance from the Department. 4. The Department shall grant a certificate of compliance to any out-of-state supplier who undertakes in writing: (a) To furnish the Department on or before the 10th day of each month a report under oath showing the quantity and type of liquor sold and shipped by the out-of-state supplier to each licensed importer of liquor in Nevada during the preceding month; (b) That the out-of-state supplier and all his or her agents and any other agencies controlled by the out-of-state supplier will comply faithfully with all laws of this State and all regulations of the Department respecting the exporting of liquor into this State; (c) That the out-of-state supplier will make available for inspection and copying by the Department any books, documents and records, whether within or outside this State, which are pertinent to his or her activities or the activities of his or her agents or any other agencies controlled by the out-of-state supplier within this State and which relate to the sale and distribution of his or her liquors within this State; and (d) That the out-of-state supplier will appoint a resident of this State as his or her agent for service of process or any notice which may be issued by the Department. 5. If any holder of a certificate of compliance fails to keep any undertaking or condition made or imposed in connection therewith, the Department may suspend the certificate and conduct a hearing, giving the holder thereof a reasonable opportunity to appear and be heard on the question of vacating the suspension order or order finally revoking the certificate. 6. An applicant for a certificate of compliance must pay a fee of \$50 to the Department for the certificate. On or before July 1 of each year, the certificate holder must renew the certificate by satisfying the conditions of the original certificate and paying a fee of \$50 to the Department. [Part 14.1:160:1935; added 1945, 371; A 1947, 645; 1943 NCL § 3690.14a] + [Part 24:160:1935; A 1945, 371; 1943 NCL § 3690.24]—(NRS A 1975, 1710; 1981, 1011; 1995, 1042; 2005, 1325; 2021, 1694)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.440 - Certificates for permissible persons.

By regulation, the Department shall prescribe the form of and conditions for obtaining a permissible person's certificate, which shall be printed and distributed on request to any person or representative of any institution, school, hospital, or church desiring to import liquor for industrial, medical, scientific or sacramental purposes. [Part 14.1:160:1935; added 1945, 371; A 1947, 645; 1943 NCL § 3690.14a]—(NRS A 1971, 587; 1975, 1711)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.450 - Importation and delivery of liquor by certain carriers; transportation of liquor by special permit.

1. Every common carrier and every regularly operating contract carrier shall make available to the Department a statement or freight bill for every shipment of liquor into this State, showing: (a) The names of the consignor, consignee and carrier of the shipment; (b) The date when and place where the shipment was received; and (c) The destination of the shipment. 2. The Department may adopt regulations requiring: (a) The carrier to: (1) Cause a person who is at least 21 years of age to sign for the receipt of each such shipment by the consignee, and to sign a document confirming the delivery of the shipment to the consignee, before the carrier

permits the consignee to remove the shipment from the point of destination or possession of the carrier; and (2) Forward to the consignor the signed document confirming the delivery of the shipment to the consignee; and (b) The consignor to forward to the Department the signed document confirming the delivery of the shipment to the consignee. 3. No liquor may be imported into this State except by a common carrier, a regularly operating contract carrier or a carrier having a special permit to do so. 4. By special permit, the Department may authorize the transportation of liquor within this State by means of a conveyance owned and operated by a licensed importer, or a conveyance owned and operated by the permittee or another, not being a common carrier or a regularly operating contract carrier. As a condition of the permit, the Department may require that a sign be carried on the conveyance, in letters at least 3 inches high, stating that the conveyance is carrying wholesale liquor by special permit. Such carriers by special permit are subject to the same rules respecting reports and deliveries of import liquors as are common carriers and regularly operating contract carriers. 5. As used in this section: (a) "Common carrier" means a person who undertakes for hire, as a regular business, the transportation of liquor from place to place, and who offers its services to all who choose to employ it and to pay its charges therefor. (b) "Regularly operating contract carrier" means a person who, as a regular business, transports liquor from place to place pursuant to continuing contractual obligations. [Part 18:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.18]—(NRS A 1975, 1711; 2003, 1208; 2011, 743)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.460 - Penalties for violating NRS 369.450 or related regulation.

1. Any person violating any of the provisions of NRS 369.450 or any of the regulations made by the Department in respect thereto shall, on conviction, be punished as for a misdemeanor. 2. In addition, any shipment of liquor transported into or within Nevada by an unauthorized carrier shall be confiscated and sold at auction to the highest bidder among the licensed importers in this state. If there is no such bidder, the liquor shall be either destroyed or disposed of as the Department may see fit. The proceeds of all such sales shall be classed as revenues derived from this chapter. [Part 18:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.18]—(NRS A 1975, 1712)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.462 - Payment of tax by supplier.

A supplier who ships wine into this state pursuant to paragraph (c) of subsection 2 of NRS 369.490 must pay the excise tax levied pursuant to NRS 369.330. (Added to NRS by 1999, 2103; A 2021, 1694)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.464 - Suppliers of wine: Designation of importer.

A supplier who ships wine into this state pursuant to paragraph (c) of subsection 2 of NRS 369.490 must designate an importer in this state if the supplier: 1. Ships 25 cases or more of wine into this state in a fiscal year; and 2. Has not already designated an importer in this state. (Added to NRS by 1999, 2103)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.466 - Suppliers of wine: Payment of fee after shipment of 200 or more cases.

If a supplier ships 200 or more cases of wine into this state pursuant to paragraph (c) of subsection 2 of NRS 369.490 in a fiscal year, the supplier must pay a fee equal to the amount of the fee for a license as an importer of wine, beer and liquor in this state for that fiscal year. The fee is due on or before the 30th calendar day after the date on which the 200th case of wine was shipped and is valid only for the remainder of the fiscal year in which the 200th case of wine was shipped. (Added to NRS by 1999, 2103)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.468 - Preservation of records for inspection and audit.

A supplier who ships wine into this state pursuant to paragraph (c) of subsection 2 of NRS 369.490 shall preserve for inspection and audit by the Department and its agents, for a period of 4 years, all invoices and lists of liquors shipped to a location in this state, specifying the: 1. Kind and quantity of wine shipped in each order. 2. Name of the person to whom the wine was shipped. 3. Place to which each order was shipped and the date of shipping. (Added to NRS by 1999, 2104; A 2021, 1694)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.470 - Wholesale dealers: Rights of licensees.

Wholesale dealers' licenses shall permit the holders thereof to sell liquor to wholesalers, retailers and those instrumentalities of the Armed Forces of the United States specified in NRS 369.335 only anywhere in Nevada, or to transfer malt beverages and wine to an estate distillery pursuant to NRS 597.230 and 597.240, respectively. Sale by a wholesaler to itself as a retailer is not the transaction of a bona fide wholesale business. [Part 17:160:1935; A 1945, 371; 1943 NCL § 3690.17]—(NRS A 1959, 410; 1963, 1275; 1965, 1470; 1966, 67; 1967, 1346; 2019, 2775)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.480 - Wholesale dealers:

Inventory; records; inspection; penalty.

1. At all times each wholesale dealer shall keep on hand at a fixed place of business in Nevada liquor of a wholesale value of at least \$1,000. 2. Each wholesale dealer shall keep in a fixed place of business in Nevada, in such form as may be recommended by the Department, a record of all liquor received into the State of Nevada, together with copies of invoices and a monthly inventory of all liquor on hand on the last day of each month, if requested so to do by the Department. 3. All such liquor, papers and records shall be exhibited at any time during business hours, on demand, to the Department or its agents. Any person preventing or interfering with such inspection is guilty of a misdemeanor. [Part 23:160:1935; A 1945, 371; 1947, 645; 1943 NCL § 3690.23]—(NRS A 1975, 1712)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.485 - Certain transactions between wholesale dealer and retail liquor store prohibited; wholesale dealer to impose charge for delinquent payment; penalties.

1. The Legislature hereby declares: (a) That it is a privilege to engage in the business of selling intoxicating liquor at the wholesale or retail level in this state; (b) That the Legislature finds it necessary to impose certain restrictions on the exercise of such privilege; and (c) That it is the policy of this state to preclude the acquisition or control of any retail liquor store by a wholesale liquor dealer. 2. As used in this section, unless the context requires otherwise: (a) "Delinquent payment" means the failure of a retail liquor store to make payment to a wholesale dealer for liquor on or before the 15th day of the month following delivery by the wholesale dealer. (b) "Payment" means the full legal discharge of the debt by the wholesale dealer's receipt of cash or its equivalent, including ordinary and recognized means for discharge of indebtedness excepting notes, pledges or other promises to pay at a future date. A postdated check, a check not promptly deposited for collection or a check dishonored on presentation for payment does not constitute payment. (c) "Payment in cash" means the full legal discharge of the debt by delivery of cash, money order, certified check or a cashier's or similar bank officer's check. 3. A wholesale dealer shall not: (a) Loan any money or other thing of value to a retail liquor store. (b) Invest money, directly or indirectly, including through a subsidiary or agent, in a retail liquor store. (c) Furnish or provide any premises, building, bar or equipment to a retail liquor store. (d) Participate, directly or indirectly, in the operation of the business of a retail liquor store. (e) Sell liquor to a retail liquor store except for payment on or before delivery or on terms requiring payment by the retail liquor store before or on the 10th day of the month following delivery of such liquor to it by the wholesale dealer. (f) Sell liquor to a retail liquor store which is delinquent in payment to such wholesale dealer except for payment in cash on or before delivery. 4. On the 15th day of the month following the delivery of liquor and on the 15th day of each month thereafter, the wholesale dealer shall charge a retail liquor store which is delinquent a service charge of 1.5 percent of the amount of the unpaid balance. 5. The Department may impose the following penalties on a wholesale dealer who violates any of the provisions of this section within any 24-month period: (a) For the first violation a penalty of not more than \$500. (b) For the second violation a penalty of not more than \$1,000. (c) For the third and any subsequent violation a penalty of not more than \$5,000 or by a license suspension, or by both such penalty and suspension. 6. The Department may, upon its own motion, and shall, upon the verified written complaint of any wholesale dealer, investigate the possible violation of any of the provisions of this section by any wholesale dealer. (Added to NRS by 1975, 445; A 1975, 1753; 1977, 65; 2017, 2584)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.4855 - Receipt of liquor by wholesale dealer from affiliate located outside State; payment of applicable excise taxes.

1. If a supplier designates a wholesale dealer as the designated importer of a brand of liquor pursuant to NRS 369.386, the wholesale dealer may, without any additional designation or further consent from the supplier, receive original packages of that brand of liquor from an affiliate of the wholesale dealer located outside of this State if: (a) The affiliate operates a warehouse outside this State from which the affiliate ships the liquor; (b) The affiliate is licensed as a wholesaler for the liquor in the state from which the affiliate ships the liquor; (c) The wholesale dealer registers the name and address of the affiliate's warehouse with the Department on a form prescribed by the Department; (d) Within 10 days after the affiliate ships the liquor to the wholesale dealer, the affiliate submits to the Department, with documentation, a report stating: (1) The name and address of the wholesale dealer to whom the liquor was shipped; (2) The name and address of the person from whom the affiliate purchased the liquor; (3) The brand of liquor shipped; (4) The quantity of liquor shipped in gallons, rounded to the nearest one-hundredth; and (5) The percentage of alcohol by volume; and (e) As soon as practicable after receiving the liquor, the wholesale dealer reports the receipt of the liquor to the Department. The wholesale dealer shall pay all applicable excise taxes imposed by this chapter on that liquor on or before the 20th day of the month following the month in which the liquor was received by the wholesale dealer. 2. A wholesale dealer may not receive more than 15 percent of the total amount of any brand of liquor imported into this State during a calendar year pursuant to this section. Any liquor received by the wholesale dealer from an affiliate pursuant to this section must be purchased in accordance with the terms and conditions of the wholesaler's franchise with the supplier. 3. A transfer of liquor pursuant to this section is not a purchase or sale of that liquor. 4. An affiliate of a wholesale dealer located outside this State who ships liquor pursuant to this section is not engaged in business as a supplier for the purposes of this chapter and chapter 597 of NRS. The provisions of this subsection do not authorize a wholesale dealer to receive liquor from an affiliate who is a supplier, as defined in NRS 597.140, or the holder of a certificate of compliance issued pursuant to NRS 369.430. 5. As used in this section: (a) "Affiliate" means a wholesale dealer or a person who, directly or indirectly through one or more intermediaries, controls, is controlled by or is under common control with, a wholesale

dealer. As used in this paragraph, "control" means not less than 50 percent control, directly or indirectly, through one or more intermediaries. (b) "Franchise" has the meaning ascribed to it in NRS 597.130. (Added to NRS by 2009, 1541)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.486 - Sources for purchase of liquor by wholesaler who is not importer designated by supplier; exception.

1. Except as otherwise provided in subsection 2 of NRS 369.176, a wholesaler who is not the importer designated by the supplier pursuant to NRS 369.386 may purchase liquor only from: (a) The importer designated by the supplier pursuant to NRS 369.386 to import that liquor; or (b) A wholesaler who purchased the liquor from the importer designated by the supplier pursuant to NRS 369.386 to import that liquor. 2. As used in this section, "supplier" means the brewer, distiller, manufacturer, producer, vintner or bottler of liquor, any subsidiary or affiliate of the supplier, or his or her designated agent. (Added to NRS by 1999, 2104; A 2003, 971; 2013, 813; 2015, 2523)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.4863 - Transfers of liquor between affiliated retail liquor stores; notification of boundaries of marketing areas.

1. Except as otherwise provided in NRS 369.4865, a retail liquor store may receive and store liquor and transfer an original package of liquor to another retail liquor store, and that other retail liquor store may receive the original package of liquor pursuant to the transfer, if: (a) Each retail liquor store is in the marketing area of the wholesale dealer that holds the franchise for the brand of liquor purchased as indicated by the forms filed by the wholesale dealer with the Department; (b) The retail liquor store obtains a special permit for the transportation pursuant to subsection 4 of NRS 369.450; and (c) The initial retail liquor store: (1) Obtained the original package of liquor in compliance with the provisions of this chapter and chapter 597 of NRS; and (2) Is an affiliate of the retail liquor store that receives the transfer. 2. A transfer of an original package of liquor between retail liquor stores which are not located within the same marketing area may occur only if: (a) The wholesale dealers in the marketing areas where the retail liquor stores are located: (1) Are affiliates; (2) Consent, in writing, to the transfer; and (3) Hold the franchises for the brands of liquor purchased in each marketing area involved in the transfer; (b) The retail liquor store obtains a special permit for the transportation pursuant to subsection 4 of NRS 369.450; and (c) The initial retail liquor store: (1) Obtained the original package of liquor in compliance with the provisions of this chapter; and (2) Is an affiliate of the retail liquor store that receives the transfer. 3. A transfer authorized by this section shall not be deemed a sale. 4. A retail liquor store that transfers or receives an original package of liquor as authorized by this section: (a) Shall not be deemed to be engaged in business as a wholesale dealer based upon the transfer authorized by this section; and (b) Shall not sell any original package of liquor that has been transferred to any other wholesale dealer or retail liquor store. 5. A wholesale dealer shall notify the retail liquor stores located in the marketing area of the wholesaler dealer of the boundaries of that marketing area. 6. As used in this section: (a) "Affiliate" means a person who, directly or indirectly through one or more intermediaries, controls, is controlled by or is under common control with, a specified person. (b) "Franchise" has the meaning ascribed to it in NRS 597.130. (c) "Liquor" does not include beer or malt-based beverages, but does include flavored malt beverages if the supplier and the wholesale dealer holding the franchise for such flavored malt beverages consent in writing. As used in this paragraph, "flavored malt beverages" means flavored malt beverages that are not marketed, merchandised or sold as beer. (d) "Marketing area" has the meaning ascribed to it in NRS 597.136. (e) "Retail liquor store" includes a facility that is owned or operated by a retailer and is used for the temporary storage and transfer of liquor pursuant to this section. (Added to NRS by 2005, 2681)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.4865 - Transfers of liquor between retail liquor stores holding nonrestricted gaming licenses.

1. Except as otherwise provided in subsection 2, a retail liquor store that holds a nonrestricted license may transfer an original package of liquor to another retail liquor store that holds a nonrestricted license, and that other retail liquor store may receive the original package of liquor pursuant to the transfer, if: (a) Each retail liquor store: (1) Holds its nonrestricted license for the purposes set forth in subsection 2 of NRS 463.0177; and (2) Is in the marketing area of the wholesale dealer from which the original package of liquor was obtained by the initial retail liquor store; (b) The initial retail liquor store: (1) Obtained the original package of liquor in compliance with the provisions of this chapter; (2) Is an affiliate of the retail liquor store that receives the transfer; and (3) Does not charge the retail liquor store that receives the transfer for the original package of liquor; (c) Immediately before the transfer, the original package of liquor is located at the initial retail liquor store; and (d) Pursuant to the transfer, the original package of liquor is transported from the initial retail liquor store to the other retail liquor store. 2. A retail liquor store that holds a nonrestricted license may transfer an original package of beer to another retail liquor store that holds a nonrestricted license, and that other retail liquor store may receive the original package of beer pursuant to the transfer, if the wholesale dealer of the beer authorizes, in writing, the nonrestricted licensee to make such a transfer. 3. A transfer authorized by this section shall not be deemed a sale. 4. A retail liquor store that transfers or receives an original package of liquor as authorized by this section: (a) Shall not be deemed to be engaged in business as a wholesale dealer based upon the transfer authorized by this section. (b) Notwithstanding the provisions of subsection 4 of NRS 369.450, may transport the original package of liquor from the initial retail liquor store to the other retail liquor store without a special permit for such transportation. 5. As used in this section: (a) "Affiliate" has the meaning ascribed to it in NRS 463.0133. (b) "Marketing area" has the meaning ascribed to it in NRS 597.136. (c) "Nonrestricted license" has the meaning ascribed to it in NRS 463.0177. (Added to NRS by 2001 Special Session, 164; A 2003, 972, 1209)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.4867 - Bulk sale of liquor by retailer.

1. A retailer who intends to make a bulk sale of liquor shall, at least 30 days before the proposed bulk sale, provide notice to: (a) A wholesaler who currently sells liquor to the retailer; and (b) A wholesaler who has sold liquor to the retailer within the immediately preceding 12 months. 2. The notice provided pursuant to subsection 1 must state: (a) That a sale of liquor which may constitute a bulk sale will be made; (b) The prospective date of the bulk sale; (c) The individual, partnership or corporate names and addresses of the retailer and the purchaser of the bulk sale; and (d) The address to which inquiries about the bulk sale may be made, if different from the retailer's address. 3. If the retailer owes a debt to the wholesaler associated with the purchase of the liquor that will be sold or transferred through the bulk sale, the notice provided pursuant to subsection 1 must be accompanied by: (a) A signed affidavit of the retailer which states that the debt owed to the wholesaler will be paid by the retailer to the wholesaler from the proceeds of the bulk sale; or (b) A signed assumption of the debt by the purchaser of the bulk sale, assuming all the debt owed by the retailer to the wholesaler. 4. Any bulk sale subject to the provisions of this section is void if the retailer fails to satisfy the requirements of subsection 2 or 3, as applicable. 5. As used in this section, "bulk sale" means the sale or transfer to a purchaser in bulk, and not in the ordinary course of the retailer's business, of 50 percent or more of the liquor sold by a wholesaler to the retailer and in the retailer's possession. (Added to NRS by 2013, 2564)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.487 - Retailers to purchase liquor only from state-licensed wholesalers; exceptions.

Except as otherwise provided in subsection 2 of NRS 369.176 and NRS 369.4865 and 597.240, no retailer or retail liquor dealer may purchase any liquor from other than a state-licensed wholesaler. [Part 17:160:1935; A 1945, 371; 1943 NCL § 3690.17]—(NRS A 1991, 109; 2001 Special Session, 165; 2015, 2523)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.488 - Sources for purchase of liquor by retailer; exceptions.

1. Except as otherwise provided in subsection 2 of NRS 369.176 and NRS 369.4865, a retailer may purchase liquor only from: (a) The importer designated by the supplier pursuant to NRS 369.386 to import that liquor if that importer is also a wholesaler; or (b) A wholesaler who purchased liquor from the importer designated by the supplier pursuant to NRS 369.386 to import that liquor. 2. As used in this section, "supplier" means the brewer, distiller, manufacturer, producer, vintner or bottler of liquor, or his or her designated agent. (Added to NRS by 1999, 2104; A 2001 Special Session, 165; 2003, 972; 2015, 2523)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.489 - Delivery of liquor to consumer in connection with retail sale; regulations.

1. Subject to such regulations as the Department may prescribe pursuant to subsection 2, a retail liquor store, or a delivery support service acting on behalf of a retail liquor store, may deliver liquor in its original package to a consumer in this State in connection with a retail sale of such liquor if: (a) The retail liquor store purchased the liquor from a licensed wholesaler; and (b) The delivery takes place in a jurisdiction in this State in which the retail liquor store is licensed to sell liquor at retail. 2. The Department shall adopt regulations governing deliveries made pursuant to this section, which must include, without limitation: (a) A requirement for the retail liquor store or its delivery support service to obtain proof, in the form of a signature or other verification, that the delivery was accepted on behalf of the consumer by a person who is at least 21 years of age. (b) A requirement that any such delivery originate only from the premises of the retail liquor store during the operating hours of the retail liquor store. (c) Regulations prescribing the area in which such deliveries may be made, which must take into account relevant local jurisdictions and the marketing area of the wholesaler of any liquor to be delivered. (d) Provisions necessary to encourage local governments to coordinate their ordinances with the regulations of the Department pursuant to this section to provide for more uniform implementation, supervision and enforcement of the regulations of the Department and the ordinances of local governments concerning such deliveries. 3. Except as otherwise provided in this section, the provisions of this chapter governing the transport of liquor, including, without limitation, the provisions which authorize the transport of liquor for delivery only by a person who holds a license issued under this chapter, do not apply to a delivery made pursuant to this section. 4. As used in this section, "marketing area" has the meaning ascribed to it in NRS 597.136. (Added to NRS by 2021, 1692)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.490 - Unlawful possession, sale or transportation of liquor; exceptions.

1. Except as otherwise provided in subsection 2 and NRS 369.176 and 369.489, a person shall not directly or indirectly, himself or herself or by his or her clerk, agent or employee, offer, keep or possess for sale, furnish or sell, or solicit the purchase or sale of any liquor in this State, or transport or import or cause to be transported or imported any liquor in or into this State for delivery, storage, use or sale therein, unless the person: (a) Has complied fully with the provisions of this chapter; (b) Holds an appropriate, valid license, permit or certificate issued by the Department; and (c) Has been duly designated by the supplier of that liquor pursuant to NRS 369.386 or purchased the liquor in compliance with NRS 369.486. 2. Except as otherwise provided in subsection 3, the provisions of this chapter do not apply to a person: (a) Entering this State with a quantity of alcoholic beverage for household or

personal use which is exempt from federal import duty; (b) Entering this State with 1 gallon or less of alcoholic beverage per month from another state for his or her own household or personal use; (c) Who: (1) Is a resident of this State; (2) Is 21 years of age or older; and (3) Imports 12 cases or less of wine per year for his or her own household or personal use; or (d) Who is lawfully in possession of wine produced on the premises of an instructional wine-making facility for his or her own household or personal use and who is acting in a manner authorized by NRS 597.245. 3. The provisions of subsection 2 do not apply to a supplier, wholesaler or retailer while he or she is acting in his or her professional capacity. 4. A person who accepts wine shipped into this State pursuant to paragraph (c) of subsection 2 must be 21 years of age or older. [16:160:1935; A 1945, 371; 1943 NCL § 3690.16]—(NRS A 1973, 344; 1975, 1713; 1999, 2105; 2005, 1275; 2015, 2523; 2021, 1695)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.495 - Unlawful to make, store, possess or transport liquor with intent to defraud State; penalty.

1. It is unlawful for a person to make, store, possess or transport liquor with the intent to defraud the State. 2. A person who violates the provisions of this section is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1965, 303; A 1967, 562; 1979, 1467; 1995, 1271)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.510 - Powers of boards of county commissioners, governing bodies of cities and Department of Taxation.

1. In any investigation, proceeding or hearing which, under the provisions of this chapter, the board of county commissioners or the governing body of a city is empowered to institute, conduct or hold, the board of county commissioners or the governing body shall have the power to administer oaths, certify to official acts, and issue subpoenas for the attendance of witnesses and the production of books, papers and records. 2. In like proceedings before it, the Department shall have the same powers as those enumerated in subsection 1. [13:160:1935; A 1945, 371; 1943 NCL § 3690.13]—(NRS A 1975, 1713; 2015, 69)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.520 - Preservation of invoices.

All persons obtaining liquor under any license or permit and all retail liquor dealers shall preserve for inspection and audit by the Department and its agents, for a period of 4 years, all invoices and lists of liquors purchased or received, specifying: 1. Kind and quantity of liquor. 2. Names of persons from whom received. 3. Place and date. [Part 14.2:160:1935; added 1945, 371; A 1947, 645; 1943 NCL § 3690.14b]—(NRS A 1971, 588; 1975, 1713)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.530 - Inspections of vehicles and premises.

1. In order to obtain evidence of any violation of this chapter, the Department, its agents, and all peace officers and revenue-collecting officers of this state shall have the right of visitation and inspection of any vehicle or place where they may have reason to believe liquor is stored, warehoused or kept for sale, or which might be in transit on or in other than common, contract or permitted carriers. Such visitation and inspection shall be conducted during business hours and no domicile shall be searched except by virtue of a search warrant. 2. Whenever a vehicle other than a common or contract carrier is stopped, the operator shall be required to exhibit his or her permit of conveyance, and if the operator has none he or she shall be dealt with according to law or the regulations of the Department. [Part 14.2:160:1935; added 1945, 371; A 1947, 645; 1943 NCL § 3690.14b]—(NRS A 1975, 1713)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.540 - Enforcement of chapter.

1. The Department shall enforce the provisions of NRS 369.4865. 2. Sheriffs, within their counties, and all other police officers of the State of Nevada are charged with the duty of assisting in the enforcement of this chapter without further compensation. [25:160:1935; 1931 NCL § 3690.25]—(NRS A 2001 Special Session, 165)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.550 - Penalties for certain violations.

1. Except as otherwise expressly provided in this chapter, any person violating any of the provisions of this chapter, except NRS 369.4863, or knowingly violating any regulation of the Department made for the enforcement of the provisions of this chapter shall be punished, upon conviction thereof, as for a misdemeanor. 2. Any person violating any provision of NRS 369.4865 is liable to the Department for a civil penalty of not more than \$1,000 for each violation. The civil penalty prescribed in this subsection is in addition to any criminal penalty or other remedy or penalty available for the same conduct. [Part 22:160:1935; A 1945, 371; 1943 NCL § 3690.22]—(NRS A 1975, 1713; 2001 Special Session, 165; 2005, 2685)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.560 - Civil actions and damages for certain violations; liability of certain directors, officers, agents and employees.

1. A wholesale dealer may bring an action in a court of competent jurisdiction against a retail liquor store and another wholesale dealer who knowingly transfer: (a) An original package of liquor between marketing areas without the consent of the wholesale dealer as required by subsection 2 of NRS 369.4863; or (b) An original package of beer between retail liquor stores without

complying with the provisions of this chapter, and is entitled to an award of \$1,000 for each violation and may recover the damages sustained by him or her, together with such costs of the action and reasonable attorney's fees as authorized by NRS 18.110. 2. If any person knowingly violates any provision of NRS 369.180, 369.386, 369.388, 369.486, 369.487 or 369.488, a wholesale dealer, supplier, retailer or retail liquor dealer who is injured by the violation may bring an action in a court of competent jurisdiction against the person to recover: (a) For the first violation, \$100 plus treble the actual damages sustained by him or her, together with such costs of the action and reasonable attorney's fees as authorized by NRS 18.110. (b) For the second violation, \$250 plus treble the actual damages sustained by him or her, together with such costs of the action and reasonable attorney's fees as authorized by NRS 18.110. (c) For the third and any subsequent violation, \$500 plus treble the actual damages sustained by him or her and punitive damages as the facts may warrant, together with such costs of the action and reasonable attorney's fees as authorized by NRS 18.110. 3. A director, officer, agent or employee or a person engaged in the sale or importation of liquor in this State who knowingly assists or aids in a violation of this chapter for which an action is authorized pursuant to this section is liable in such an action. 4. The remedies provided in this section are independent of and supplemental to any other remedy or remedies available to a person in law or equity. (Added to NRS by 2005, 2682)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.600 - Definitions.

As used in NRS 369.600 to 369.635, inclusive, unless the context otherwise requires, the words and terms defined in NRS 369.605 to 369.620, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2005, 2683)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.605 - "Alcoholic beverage" defined.

"Alcoholic beverage" has the meaning ascribed to it in NRS 202.015. (Added to NRS by 2005, 2683)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.610 - "Alcoholic beverage awareness program" defined.

"Alcoholic beverage awareness program" means a program designed to educate persons who sell or serve alcoholic beverages or perform the duties of a security guard at an establishment. (Added to NRS by 2005, 2683)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.615 - "Commission" defined.

"Commission" means the Commission on Postsecondary Education created by NRS 394.383. (Added to NRS by 2005, 2683)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.620 - "Establishment" defined.

1. "Establishment" includes: (a) A business that sells alcoholic beverages by the drink for consumption on the premises; and (b) In a county whose population is 700,000 or more, a business that sells alcoholic beverages in corked or sealed containers or receptacles for consumption off the premises. 2. The term includes, without limitation, a retail liquor store. 3. The term does not include: (a) A wholesale dealer; or (b) A private club or other facility not in fact open to the public. (Added to NRS by 2005, 2683; A 2011, 1224)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.625 - Development and contents of curriculum for program; certification and operation of program; adoption of regulations.

1. The Commission shall, in cooperation with state and local law enforcement agencies, develop a curriculum for an alcoholic beverage awareness program. 2. The curriculum described in subsection 1: (a) Must consist of not fewer than 2 hours of instruction; and (b) Must include, without limitation, instruction on the following topics: (1) The clinical effects of alcohol on the human body; (2) Methods of identifying intoxicated persons; (3) Relevant provisions of state and local laws concerning the selling and serving of alcoholic beverages; (4) Methods of preventing and halting fights, acts of affray and other disturbances of the peace; and (5) Methods of preventing: (I) The entry of minors into establishments in which minors are prohibited from loitering pursuant to NRS 202.030; (II) The purchase, consumption and possession of alcoholic beverages by minors as prohibited pursuant to NRS 202.020, including, without limitation, the recognition of altered or falsified forms of identification; and (III) The selling and furnishing of alcoholic beverages to minors as prohibited pursuant to NRS 202.055. 3. The Administrator of the Commission may certify an alcoholic beverage awareness program if the Administrator determines that: (a) The program meets the curricular requirements set forth in subsection 2; and (b) The persons who will serve as instructors for the program are competent and qualified to provide instruction in the curriculum of the program. 4. An alcoholic beverage awareness program certified by the Commission: (a) Must not cost a person more than \$40 to complete; and (b) May be presented through the use of audiovisual technology. As used in this paragraph, "audiovisual technology" includes, without limitation, the use of closed-circuit video, videoconferencing, videotapes, computers, television, the Internet or any other electronic means of communication, or any combination thereof. 5. The Commission shall adopt such regulations: (a) As the Commission determines to be necessary or advisable to carry out the provisions of this section; and (b) As are necessary to ensure that a person who successfully completes an alcoholic beverage awareness program certified pursuant to subsection 3 receives a card which verifies that the person has successfully completed that program. The regulations must provide additionally that a card described in this paragraph: (1) Is valid for a period of 4 years from the date of

issuance and may be renewed for like consecutive periods upon successful completion by the holder of the card of an alcoholic beverage awareness program certified by the Commission; and (2) Must be honored, in any jurisdiction in which the provisions of NRS 369.630 apply, as indicia of the successful completion of an alcoholic beverage awareness program certified by the Commission. 6. As used in this section, "minor" means a person who is under 21 years of age. (Added to NRS by 2005, 2684)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.630 - Completion of certified program by certain employees of establishment: Duties of owner or operator of establishment; notice of civil infraction; payment and disposition of civil fine; denial of liability for infraction; applicability of provisions.

1. Except as otherwise provided in subsection 7, on and after July 1, 2007, a person who owns or operates an establishment shall not: (a) Hire a person to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment unless: (1) The person hired to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment has already successfully completed a certified program and already holds a valid alcohol education card; or (2) The person who owns or operates the establishment ensures that the person hired to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment, within 30 days after the date on which he or she is hired, successfully completes a certified program and obtains a valid alcohol education card; or (b) Continue to employ a person who was hired before that date to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment unless: (1) The person who continues to be employed to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment has already successfully completed a certified program and already holds a valid alcohol education card; or (2) The person who owns or operates the establishment ensures that the person who continues to be employed to sell or serve alcoholic beverages or perform the duties of a security guard at the establishment, not later than July 31, 2007, successfully completes a certified program and obtains a valid alcohol education card. 2. A violation of this section is a civil infraction, and when an owner or operator of an establishment is found in violation pursuant to subsection 3, a notice of infraction must be issued on a form prescribed by the Department, and must contain, without limitation, the following information: (a) The location at which the violation occurred; (b) The date and time of the violation; (c) The name of the establishment and the owner; (d) The signature of the person who issued the notice of infraction; (e) A copy of this section which allegedly is being violated; (f) Information which advises of the manner in which, and the time within which, the notice of infraction must be answered; and (g) Any other reasonable information which is prescribed by the Department. 3. The notice of infraction may be issued by any peace officer or by any person who is authorized by the Department to issue such a notice. A duplicate of the notice of infraction must be served on the person to whom it is issued either in person, by providing the notice to the person in charge of the establishment at the time the notice of infraction is issued, or by affixing the notice to the establishment in a conspicuous place. 4. The notice of infraction or a facsimile thereof must be filed with the Department and retained by the Department and is deemed to be a public record of matters which are observed pursuant to a duty imposed by law and is prima facie evidence of the facts which are alleged therein. 5. A person who responds to the notice of infraction must: (a) Admit the commission of the infraction by paying to the Department the appropriate civil fine: (1) For the first violation within a 24-month period, \$500. (2) For the second violation within a 24-month period, \$1,000. (3) For the third and any subsequent violation within a 24-month period, \$5,000. (b) Deny liability for the infraction by notifying the Department and requesting a hearing in the manner indicated on the notice of infraction. Upon receipt of such a request, the Department shall afford to the person making the request an opportunity for a hearing pursuant to the provisions of NRS 233B.121. 6. Of the money collected by the Department from a civil fine pursuant to subsection 5: (a) Fifty percent must be deposited with the State Treasurer for credit to the Account for Aid for Victims of Domestic or Sexual Violence created by NRS 217.440. (b) Fifty percent must be deposited in the account created in the State General Fund for the support of community juvenile justice programs and must be used only to enforce laws that prohibit the purchase, consumption or possession of alcoholic beverages by persons under the age of 21 years. 7. The provisions of this section apply only in a jurisdiction that: (a) Is located in a county whose population is 100,000 or more; or (b) Is located in a county whose population is less than 100,000, if the governing body of the jurisdiction has, by the affirmative vote of a majority of its members, agreed to be bound by the provisions of this section. 8. As used in this section: (a) "Certified program" means an alcoholic beverage awareness program certified by the Commission pursuant to NRS 369.625. (b) "Valid alcohol education card" means a card issued by a certified program which has been obtained or renewed within the immediately preceding 4 years. (Added to NRS by 2005, 2683; A 2009, 478)

2024 Nevada Revised Statutes Chapter 369 - Intoxicating Liquor: Licenses and Taxes NRS 369.635 - Adoption by political subdivision of certain requirements or standards prohibited; exception.

1. Except as otherwise provided in subsection 2 and NRS 369.600 to 369.635, inclusive, no agency, board, commission, local government or other political subdivision of this State may adopt any requirements or standards for the education of persons employed to sell or serve alcoholic beverages at an establishment. 2. The prohibition set forth in subsection 1 does not apply with respect to a jurisdiction in which the provisions of NRS 369.630 do not apply. (Added to NRS by 2005, 2685)

Title: chapter-370

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.002 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 370.004 and 370.006 have the meanings ascribed to them in those sections. (Added to NRS by 2019, 613)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.004 - "Knowingly" defined.

"Knowingly" means actual knowledge that the facts exist which constitute an act or omission, or such knowledge as an ordinarily prudent person would possess using reasonable care and diligence. (Added to NRS by 2019, 613)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.006 - "Negligently" defined.

"Negligently" means a want of such attention to the nature or probable consequences of an act or omission as an ordinarily prudent person usually exercises in his or her own business. (Added to NRS by 2019, 613)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.007 - Definitions.

As used in NRS 370.007 to 370.430, inclusive, and 370.505 to 370.530, inclusive, unless the context otherwise requires, the words and terms defined in NRS 370.008 to 370.055, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1977, 782; A 1983, 708; 1989, 1517; 1999, 1667; 2005, 1192; 2007, 2057; 2013, 2654; 2015, 2496, 2957; 2019, 3589)—(Substituted in revision for NRS 370.001)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.008 - "Alternative nicotine product" defined.

"Alternative nicotine product" means any noncombustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved or ingested by any other means. The term does not include: 1. A vapor product; 2. A product made or derived from tobacco; or 3. Any product regulated by the United States Food and Drug Administration under subchapter V of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 351 et seq. (Added to NRS by 2015, 2495)—(Substituted in revision for NRS 370.003)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.009 - "Basic cost of cigarettes" defined.

"Basic cost of cigarettes" means the manufacturer's invoice cost of cigarettes by carton to the wholesale dealer in the quantity last purchased, less all allowances in an amount not exceeding 2.5 percent of the invoice cost of cigarettes by carton, plus the full value of any cigarette revenue stamps that are affixed to the packages, packets or containers of cigarettes, if not included in the invoice cost of cigarettes by carton. (Added to NRS by 1989, 1514; A 1993, 2473)—(Substituted in revision for NRS 370.005)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.010 - "Cigarette" defined.

"Cigarette" means all rolled tobacco or substitutes therefor wrapped in paper or any substitute other than tobacco, irrespective of size or shape and whether or not the tobacco is flavored, adulterated or mixed with any other ingredient. [Part 1:192:1947; A 1951, 124]—(NRS A 1977, 782; 1989, 1517)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.013 - "Cigarette package" defined.

"Cigarette package" means the individual pack, box or other container that contains a cigarette. The term does not include a container that itself contains other containers, such as a carton of cigarettes. (Added to NRS by 2005, 1185)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.014 - "Cigarette rolling machine" defined.

1. "Cigarette rolling machine" means any machine that: (a) May be loaded with loose tobacco, cigarette tubes, cigarette papers or any other component related to the production of cigarettes; (b) Is designed to automatically or mechanically produce, roll, fill, dispense or otherwise manufacture cigarettes; (c) Is of a commercial grade or otherwise designed or suitable for commercial use; and (d) Is designed to be powered or operated by a primary source of power other than human power. 2. The term does not include any handheld or manually operated machine or device if the machine or device is: (a) Used to make cigarettes for the personal consumption of the owner of the machine or device; or (b) Held by a retail establishment solely for sale to a consumer for the purpose of making cigarettes off the premises of the retail establishment and for personal consumption. (Added to NRS by 2015, 2957)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale

DealersNRS 370.015 - "Cigarette vending machine operator" defined.

"Cigarette vending machine operator" means any retail dealer licensed to sell only Nevada stamped cigarettes by means of coin-operated machines anywhere in Nevada. (Added to NRS by 1965, 1245; A 1977, 782; 2005, 1192)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.020 - "Consumer" defined.

"Consumer" means any person who comes into possession of cigarettes in this State as a final user for any purpose other than offering them for sale as a wholesale or retail dealer. [Part 1:192:1947; A 1951, 124]—(NRS A 1973, 1006; 1977, 782)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.025 - "Contraband tobacco products" defined.

"Contraband tobacco products" means any: 1. Counterfeit cigarettes; 2. Other counterfeit tobacco product; 3. Cigarettes or "roll-your-own" tobacco offered for sale in this State by a manufacturer, or cigarettes or "roll-your-own" tobacco of a brand family or style, that is not listed in the directory created pursuant to NRS 370.675; 4. Cigarettes bearing a tribal stamp issued by the Department which are sold or offered for sale at a retail location that is not located on qualified tribal land; or 5. Cigarettes or other tobacco product: (a) Exported from or imported into this State, or mailed, shipped, delivered, sold, exchanged, transported, distributed or held for distribution within the borders of this State by any person in violation of any of the provisions of this chapter; (b) In any way held in the possession or constructive possession of any person not authorized under this chapter to possess or constructively possess the cigarettes or other tobacco product; or (c) Being offered for sale in any form other than in an unopened package in violation of subsection 1 of NRS 202.2493. (Added to NRS by 1973, 1005; A 1977, 782; 2005, 1192; 2007, 2057; 2013, 2654; 2019, 469)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.027 - "Cost to the wholesale dealer" defined.

"Cost to the wholesale dealer" means the basic cost of cigarettes to the wholesale dealer, except as otherwise provided in this chapter. (Added to NRS by 1989, 1514; A 1993, 2473)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.0275 - "Counterfeit cigarettes" defined.

"Counterfeit cigarettes" means any cigarettes or cigarette packages: 1. Bearing false manufacturing labels; 2. Bearing counterfeit stamps; or 3. Meeting any combination of the descriptions contained in subsections 1 and 2. (Added to NRS by 2005, 1185)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.028 - "Counterfeit stamp" defined.

"Counterfeit stamp" means any stamp that: 1. Falsely depicts a stamp approved by the Department or a tax stamp authorized pursuant to the laws of any other state governing the taxation of cigarettes; or 2. Was not sold by the Department or its agents or pursuant to the laws of any other state governing the taxation of cigarettes. (Added to NRS by 2005, 1185)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.0285 - "Delivery sale" defined.

1. "Delivery sale" means any sale of cigarettes, cigarette paper or other tobacco products, whether the seller is located within or outside of the borders of this State, to a consumer in this State for which: (a) The purchaser submits the order for the sale by means of a telephonic or other method of voice transmission, the mail or any other delivery service, or the Internet or any other on-line service; or (b) The cigarettes, cigarette paper or other tobacco products are delivered by mail or the use of another delivery service. 2. For the purpose of this section, any sale of cigarettes, cigarette paper or other tobacco products to a natural person in this State who does not hold a current license as a wholesale or retail dealer constitutes a sale to a consumer. (Added to NRS by 2005, 1185; A 2021, 448)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.029 - "Delivery service" defined.

"Delivery service" means any person engaged in the commercial delivery of letters, packages or other containers. (Added to NRS by 2005, 1185)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.0295 - "Importer" defined.

"Importer" means any person in a state or territory of the United States to whom cigarettes that are manufactured outside the United States are shipped, delivered or consigned for resale. (Added to NRS by 2013, 2653)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.0305 - "License" defined.

"License" means a license issued pursuant to NRS 370.531 to 370.597, inclusive, that authorizes the holder to conduct business as a manufacturer, a wholesale dealer or a tobacco retail dealer. (Added to NRS by 2005, 1185; A 2019, 623)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.031 - "Licensee" defined.

"Licensee" means the holder of a license. (Added to NRS by 2005, 1185)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.0315 - "Manufacturer" defined.

1. "Manufacturer" means any person who: (a) Manufactures, fabricates, assembles, processes or labels a finished cigarette; (b) Imports, whether directly or indirectly, a finished cigarette into the United States for sale or distribution in this State; or (c) Owns, maintains, operates or permits any other person to operate a cigarette rolling machine for the purpose of producing, filling, rolling, dispensing or otherwise manufacturing cigarettes. 2. The term does not include a natural person who uses a handheld or manually operated machine or device to produce cigarettes using "roll-your-own" tobacco if the cigarettes produced are for personal consumption and not for sale, resale or any other profit-making endeavor. (Added to NRS by 2005, 1185; A 2015, 2957)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.0317 - "Other counterfeit tobacco product" defined.

"Other counterfeit tobacco product" means any other tobacco product or tobacco product package bearing a false manufacturing label. (Added to NRS by 2007, 2056)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.0318 - "Other tobacco product" defined.

"Other tobacco product" means any tobacco of any description, any vapor product, any alternative nicotine product or any product made from tobacco, other than cigarettes. (Added to NRS by 2007, 2056; A 2015, 2496; 2019, 3590)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.032 - "Place of business" defined.

"Place of business" means, for a person engaged in business as: 1. A wholesale dealer, any location from which cigarettes are distributed or where cigarettes are warehoused, stored or affixed with stamps; or 2. A retail dealer, any store, stand, outlet or other location through which cigarettes are distributed or sold to a consumer. (Added to NRS by 2005, 1185)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.0325 - "Qualified tribal land" defined.

"Qualified tribal land" means any real property: 1. For which legal title is vested in, or held in trust for the benefit of, an Indian tribe or an individual Native American, and which is subject to restrictions against alienation pursuant to federal law; and 2. Over which an Indian tribe exercises governmental power. (Added to NRS by 2013, 2653)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.033 - "Retail dealer" defined.

"Retail dealer" means any person, whether located within or outside of the borders of this State, who sells or distributes cigarettes to a consumer within the State. (Added to NRS by 1973, 1005; A 1977, 783; 2005, 1192)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.035 - "Sale" and "to sell" defined.

"Sale" or "to sell" includes any of the following, except when performed by a licensed logistics company or by the operator of a licensed warehouse or distribution center: 1. To exchange, barter, possess or traffic in; 2. To solicit or receive an order for; 3. To keep or expose for sale; 4. To deliver for value; 5. To peddle; 6. To possess with intent to sell; 7. To transfer to anyone for sale or resale; 8. To possess or transport in contravention of the provisions of NRS 370.007 to 370.430, inclusive, and 370.531 to 370.597, inclusive; 9. To traffic in for any consideration, promised or obtained directly or indirectly; or 10. To procure or allow to be procured for any reason. (Added to NRS by 1965, 1245; A 1977, 783; 1983, 708; 2019, 623)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.037 - "Sale at wholesale" defined.

"Sale at wholesale" means a bona fide transfer of title to cigarettes for a valuable consideration, made in the ordinary course of trade or in the usual conduct of the wholesale dealer's business, to a retail dealer for the purpose of resale. (Added to NRS by 1989, 1514)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.042 - "Secretary" defined.

"Secretary" means the Secretary of the United States Department of the Treasury. (Added to NRS by 2005, 1185)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.048 - "Stamp" defined.

"Stamp" means the indicia required to be placed on a cigarette package that evidences payment of the taxes on cigarettes imposed pursuant to NRS 370.0751 and 370.165. (Added to NRS by 2005, 1186)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.052 - "Tobacco product package" defined.

"Tobacco product package" means the individual pack, box or other container that contains any other tobacco product. The term does not include a container that itself contains other containers. (Added to NRS by 2007, 2056)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.054 - "Vapor product" defined.

"Vapor product": 1. Means any noncombustible product containing nicotine or any other substance that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of the shape or size thereof, that can be used to produce vapor from nicotine or any other substance in a solution or other form, the use or inhalation of which simulates smoking. 2. Includes, without limitation: (a) An electronic cigarette, cigar, cigarillo, pipe, hookah, or vape pen, or a similar product or device; and (b) The components of such a product or device, whether or not sold separately, including, without limitation, vapor cartridges or other container of nicotine or any other substance in a solution or other form that is intended to be used with or in an electronic cigarette, cigar, cigarillo, pipe, hookah, or vape pen, or a similar product or device, atomizers, cartomizers, digital displays, clearomizers, tank systems, flavors, programmable software or other similar products or devices. As used in this paragraph, "component" means a product intended primarily or exclusively to be used with or in an electronic cigarette, cigar, cigarillo, pipe, hookah, or vape pen, or a similar product or device. 3. Does not include any product: (a) Regulated by the United States Food and Drug Administration pursuant to subchapter V of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 351 et seq. (b) Subject to the excise tax on cannabis or cannabis products pursuant to NRS 372A.200 to 372A.380, inclusive. (c) Purchased by a person who holds a current, valid medical cannabis establishment license pursuant to chapter 678B of NRS. (Added to NRS by 2015, 2496; A 2019, 3590)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.055 - "Wholesale dealer" defined.

"Wholesale dealer" means: 1. Any person located within the borders of this State who: (a) Brings or causes to be brought into this State any unstamped cigarettes purchased from the manufacturer; or (b) Brings or causes to be brought into this State any stamped cigarettes purchased from a licensed wholesale dealer for the purpose of resale to anyone other than a consumer. 2. Any person who manufactures or produces cigarettes within this State and who sells or distributes them within the State. 3. Any person located outside of the borders of this State, who sells stamped cigarettes to licensed retail dealers or other wholesale dealers in this State. (Added to NRS by 1965, 1245; A 1977, 783; 1989, 1517; 2005, 1192; 2019, 623)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.070 - Applicability.

The provisions of NRS 370.007 to 370.430, inclusive, do not apply to: 1. Common carriers while engaged in interstate commerce which sell or furnish cigarettes on their trains, buses or airplanes; 2. A person entering this state with a quantity of cigarettes for household or personal use which is exempt from federal import duty; and 3. A duty-free sales enterprise as defined in 19 U.S.C. § 1555(b)(8)(D) that: (a) Operates pursuant to the provisions of 19 U.S.C. § 1555(b); and (b) To the extent it sells cigarettes, only sells cigarettes that are duty-free merchandise as defined in 19 U.S.C. § 1555(b)(8)(E). [17:192:1947; 1943 NCL § 6528.17] + [5:178:1953]—(NRS A 1983, 709; 1999, 1667; 2001, 2135; 2013, 2654; 2015, 2957)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.073 - Manufacturer, wholesale dealer and retail dealer to maintain with Department current mailing and electronic mail addresses.

Each manufacturer, wholesale dealer and retail dealer shall: 1. For the purpose of receiving any notification from the Department pursuant to this chapter, maintain with the Department: (a) A permanent mailing address; and (b) An electronic mail address. 2. Provide written notice to the Department of any change in the information specified in subsection 1 not later than 10 days after the change. (Added to NRS by 2013, 2653; A 2019, 624)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale

DealersNRS 370.0751 - Imposition of excise tax on cigarettes by governing body of Indian reservation or colony.

1. The governing body of an Indian reservation or Indian colony may impose an excise tax on any cigarettes sold on the reservation or colony. 2. If an excise tax is imposed, the governing body may establish procedures for collecting the excise tax from any cigarette dealer authorized to do business on the reservation or colony. (Added to NRS by 1977, 782)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.077 - Cigarette taxes are direct taxes upon consumer.

All taxes paid under the provisions of this chapter are direct taxes upon the consumer and are precollected for convenience only. Taxes paid by persons other than the consumer are advances, and shall be added to the selling price of the cigarettes. (Added to NRS by 1977, 782)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.090 - Inventory required for wholesale dealer.

Each person licensed as a wholesale dealer shall keep on hand at all times cigarettes of a wholesale value of at least \$10,000. [Part 4:192:1947; 1943 NCL § 6528.04]—(NRS A 1973, 1006; 1977, 784; 1991, 2280; 2019, 624)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.165 - Levy, rate and collection of tax.

There is hereby levied a tax upon the purchase or possession of cigarettes by a consumer in the State of Nevada at the rate of 90 mills per cigarette. The tax may be represented and precollected by the affixing of a revenue stamp or other approved evidence of payment to each package, packet or container in which cigarettes are sold. The tax must be precollected by the wholesale or retail dealer, and must be recovered from the consumer by adding the amount of the tax to the selling price. Each person who sells cigarettes at retail shall prominently display on the premises a notice that the tax is included in the selling price and is payable under the provisions of this chapter. (Added to NRS by 1977, 782; A 1985, 470; 1987, 1789; 1989, 2185, 2191; 1991, 287; 2003, 20th Special Session, 169; 2015, 2902)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.170 - Revenue stamp to be affixed to each package of cigarettes; tribal stamp required on each package of cigarettes sold on tribal land or by Indian tribe.

1. Except as otherwise provided in this chapter, it is unlawful for any person to give, sell or offer to give or sell any cigarettes in this state unless there is affixed to each of the cigarette packages a Nevada cigarette revenue stamp which is issued by the Department and affixed by a metered stamping machine approved by and registered with the Department or any other method approved by the Department, and which is for the amount of the tax on all of the cigarettes contained in the cigarette package. 2. Each cigarette package sold on qualified tribal land or by an Indian tribe or a member of a tribe for which the Department does not collect a state excise tax pursuant to NRS 370.515 must bear a tribal stamp issued by the Department. [Part 8:192:1947; A 1949, 598; 1951, 124; 1953, 142]—(NRS A 1959, 116; 1961, 675; 1969, 1131; 1975, 1715; 1983, 709; 1985, 470; 2013, 2656)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.175 - Unstamped cigarettes: Restriction on possession.

1. Except as otherwise provided in subsection 2 or a regulation of the Department, no person, other than a wholesale dealer that receives unstamped cigarette packages directly from a person who holds a current permit to engage in business as a manufacturer or importer of cigarettes issued pursuant to 26 U.S.C. § 5713, may possess an unstamped cigarette package. 2. Subsection 1 does not apply to: (a) Any common or contract carrier who is transporting cigarettes in compliance with the provisions of NRS 370.295; or (b) A person engaged in the manufacturing, testing, investigation or research of cigarettes or other tobacco products, if the person is operating legally and has all licenses and permits required by federal and state law. (Added to NRS by 2005, 1186; A 2019, 624)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.180 - Design and printing of revenue stamps; identification of dealer on stamp; regulations concerning use of metered stamping machine.

1. The Department shall: (a) Design suitable stamps for the purpose of this chapter which meet the requirements of this section; and (b) From time to time, have as many revenue stamps printed as may be required. 2. Each stamp must be designed to permit the identification of the dealer who affixed the stamp to a package or other container of cigarettes. The dealer must be identified by a number or other mark on the stamp. The Department shall maintain, for not less than 3 years after the date the stamp is provided to the dealer, a record of the information necessary to identify the dealer by examining the stamp. Upon request, the Department shall provide to any person the information maintained pursuant to this subsection. 3. The use of a metered stamping machine approved by and registered with the Department shall be subject to such regulations as prescribed by the Department. [3:192:1947; A 1951, 124] + [Part 8:192:1947; A 1949, 598; 1951, 124; 1953, 142] + [Part 10:192:1947; A 1951, 124]—(NRS A 1971, 1165; 1975, 1715; 2001, 2135)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.190 - Sale of revenue stamps by Department; payment for revenue stamps; regulations.

1. The Department may sell Nevada cigarette revenue stamps to a licensed dealer. As payment for the stamps, the Department shall deduct from the excise tax collected from the dealer the actual cost incurred by the Department for the stamps and for making the sale. 2. Payment for the revenue stamps must be made at the time of purchase unless the wholesale dealer has been authorized to defer payments by the Department. A wholesale dealer may apply to the Department for authorization to defer payments for revenue stamps at any time. 3. The Department may provide by regulation for: (a) Payment of the tax by manufacturers without the use of stamps on gifts or samples sent into Nevada when plainly marked "Tax Paid." (b) Any requirements for the purchase of stamps. [Part 8:192:1947; A 1949, 598; 1951, 124; 1953, 142] + [Part 10:192:1947; A 1951, 124] + [10.1:192:1947; added 1951, 124]—(NRS A 1971, 1165; 1975, 1715; 1977, 785; 1983, 320; 1989, 2185; 2013, 2656; 2019, 624)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.193 - Department to fix maximum amount of revenue stamps upon application by wholesale dealer.

A wholesale dealer may apply to the Department to fix the maximum amount of revenue stamps which the wholesale dealer may have unpaid at any time. Upon receipt of the application and the bond or bonds required pursuant to NRS 370.589, the Department shall fix an amount for the wholesale dealer. (Added to NRS by 1989, 2184; A 2019, 625)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.195 - Due date for deferred payment owing for revenue stamps; extension; conditions under which Department may suspend without notice privilege to defer payment.

1. The amount owing for revenue stamps for which payment was deferred in any calendar month is due on or before the 25th day of the following calendar month. Payment must be made by a remittance payable to the Department. 2. Upon request of the wholesale dealer for good cause shown, the Department may grant an extension of the due date of any deferred payment for a period not exceeding 5 days. 3. The Department may suspend without prior notice the privilege to defer payment for the purchase of revenue stamps or may reduce the maximum amount of revenue stamps which the wholesale dealer may have unpaid at any time if: (a) The wholesale dealer fails to pay for stamps at the times required by subsection 1; (b) The bond or bonds required pursuant to NRS 370.589 are cancelled or become void, impaired or unenforceable for any reason; or (c) The Department determines that any deferred payments are in jeopardy of not being paid. (Added to NRS by 1989, 2184; A 2019, 625)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.200 - Sale of cigarette revenue stamps by sheriff and city officers.

1. The Department is authorized to appoint the sheriff of any county and officers of incorporated cities to act as its agents in the sale of Nevada cigarette revenue stamps. 2. The sheriff and city officers shall: (a) Serve as such agent without additional compensation; and (b) On or before the last day of the month following the month in which the sale of cigarette stamps occurred, make a return of all receipts collected from sales of cigarette revenue stamps to the Department, accompanied by a remittance payable to the order of the Department. [Part 10:192:1947; A 1951, 124]—(NRS A 1957, 230; 1965, 301; 1971, 1166; 1975, 1716)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.210 - Requirements for and restrictions on affixing stamps; handling of unstamped cigarettes for sale or distribution outside State.

1. A wholesale dealer located within the borders of this State shall affix stamps to all applicable cigarette packages within 20 days after receipt. A wholesale dealer may set aside, without affixing stamps, only that part of the stock of the wholesale dealer that is identified for sale or distribution outside of the borders of this State. A wholesale dealer must identify any stock to be set aside pursuant to this subsection within 20 days after the receipt of that stock. 2. A wholesale dealer may affix stamps only to cigarette packages that the wholesale dealer has received directly from a person who holds a current permit to engage in business as a manufacturer or importer of cigarettes issued pursuant to 26 U.S.C. § 5713. 3. If a wholesale dealer maintains stocks of unstamped cigarette packages as authorized pursuant to subsection 1, those unstamped cigarette packages must be stored separately from stamped cigarette packages and must not be transferred by the wholesale dealer to another facility of the wholesale dealer within the borders of this State or to any other person within the borders of this State. 4. A person shall not affix stamps to any cigarette packages except upon the premises described in the license of a wholesale dealer or upon other premises where authorized by regulation. [Part 8:192:1947; A 1949, 598; 1951, 124; 1953, 142]—(NRS A 1973, 1006; 1977, 786; 1993, 2473; 2005, 1194; 2019, 625)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.220 - Allowance of discounts for services rendered by dealers.

In the sale of any cigarette revenue stamps to a licensed cigarette dealer, the Department and its agents shall allow the purchaser a discount of 0.25 percent against the amount of excise tax otherwise due for the services rendered in affixing cigarette revenue stamps to the cigarette packages. [12:192:1947; A 1949, 598; 1951, 124; 1955, 360]—(NRS A 1961, 676; 1971, 1166; 1975, 1716;

1977, 786; 1983, 320; 1991, 2293; 2003, 20th Special Session, 19; 2008, 25th Special Session, 19; 2009, 2097; 2019, 625)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.230 - Destruction of spoiled or unusable stamps upon written authorization of State Board of Examiners.

Upon the written authorization of the State Board of Examiners, any spoiled or unusable stamps in the possession of the Department shall be destroyed. The written authorization of the State Board of Examiners shall set forth the number, denomination and face value of the stamps. [18.1:192:1947; added 1951, 124]—(NRS A 1971, 1166; 1975, 1716)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.240 - Monthly reports of wholesale dealers: Due date; contents and form; separate report for each facility; extension of deadline; correction of errors; reporting of additional information.

1. On or before the 25th day of each month, each wholesale dealer who is authorized to purchase and affix cigarette stamps shall report to the Department, with respect to the immediately preceding calendar month: (a) The physical inventory of cigarettes in packages with a Nevada stamp affixed to it in the possession or control of the wholesale dealer for sale or distribution within the borders of this State on hand at the start of business on the first day of the month; (b) If the wholesale dealer has a physical location in this State, the physical inventory of cigarettes in packages with the stamp of another state affixed to it in the possession or control of the wholesale dealer for sale or distribution outside of the borders of this State on hand at the start of business on the first day of the month; (c) If the wholesale dealer has a physical location in this State, the physical inventory of cigarettes in unstamped packages in the possession or control of the wholesale dealer for sale or distribution outside or within the borders of this State on hand at the start of business on the first day of the month; (d) The quantity of cigarettes in packages with a Nevada stamp affixed to it in the possession or control of the wholesale dealer for sale or distribution within the borders of this State that were received by the wholesale dealer from another licensed wholesale dealer during the month, and the name and address of each licensed wholesale dealer from whom those products were received; (e) If the wholesale dealer has a physical location in this State, the quantity of cigarettes in the possession or control of the wholesale dealer for sale or distribution outside of the borders of this State that were received by the wholesale dealer from another person during the month, and the name and address of each person from whom those products were received; (f) If the wholesale dealer has a physical location in this State, the quantity of cigarettes in unstamped packages in the possession or control of the wholesale dealer for sale or distribution within or outside of the borders of this State that were received by the wholesale dealer from a manufacturer during the month, and the name and address of each manufacturer from whom those products were received; (g) If the wholesale dealer does not have a physical location in this State, the quantity of cigarettes in unstamped packages in the possession or control of the wholesale dealer held with the intent for sale or distribution within the borders of this State that were received by the wholesale dealer during the month; (h) The quantity of cigarettes in packages with a Nevada stamp affixed to it in the possession or control of the wholesale dealer that were distributed or shipped during the month to: (1) Another wholesale dealer of cigarettes located within or outside of the borders of this State; or (2) A tobacco retail dealer located within or outside of the borders of this State, and the name and address of each person to whom those products were distributed or shipped; (i) If the wholesale dealer has a physical location in this State, the quantity of cigarettes in packages with the stamp of another state affixed to it and in unstamped packages in the possession or control of the wholesale dealer that were distributed or shipped outside the borders of this State during the month; (j) The quantity of cigarettes in packages with a Nevada stamp affixed to it in the possession or control of the wholesale dealer that were distributed or shipped within the borders of this State to Indian tribes or instrumentalities of the Federal Government during the month, and the name and address of each person to whom those products were distributed or shipped; (k) If the wholesale dealer has a physical location in this State, the quantity of cigarettes in packages with a Nevada stamp affixed to it, with the stamp of any other state affixed to it and in unstamped packages that were returned to a manufacturer or another wholesale dealer during the month; (l) If the wholesale dealer has a physical location in this State, the physical inventory of cigarettes in packages with the stamp of another state affixed to it in the possession or control of the wholesale dealer for sale or distribution outside of the borders of this State on hand at the close of business on the last day of the month; (m) The physical inventory of cigarettes in packages with a Nevada stamp affixed to it in the possession or control of the wholesale dealer for distribution within the borders of this State on hand at the close of business on the last day of the month; (n) If the wholesale dealer has a physical location in this State, the physical inventory of cigarettes in unstamped packages in the possession or control of the wholesale dealer for sale or distribution within or outside of the borders of this State on hand at the close of business on the last day of the month; (o) The quantity and roll numbers for each type of Nevada stamp that is not affixed to a cigarette package on hand at the start of business on the first day of the month; (p) The quantity and roll numbers for each type of Nevada stamp that is not affixed to a cigarette package purchased or received during the month; (q) The quantity and roll numbers for each type of Nevada stamp affixed during the month; (r) The quantity and roll numbers for each type of Nevada stamp damaged or otherwise considered unusable during the month; and (s) The quantity and roll numbers for each type of Nevada stamp that is not affixed to a cigarette package and is on hand at the close of business on the last day of the month. 2. Each report required by subsection 1 must be: (a) Submitted on forms provided by or in a format approved by the Department; and (b) Provided separately for each facility operated by the wholesale dealer. 3. In each report required by this section, the information required must be itemized so as to disclose clearly the brand family of cigarettes to which the report applies. 4. The wholesale dealer: (a) May be allowed 5 additional days to file the report, if the wholesale dealer makes prior written application to the Department and the Department finds good cause for extension. (b) Shall, upon discovery of any error in the report filed with the Department, promptly

notify the Department and file an amended report that corrects the error. 5. If, during the preceding month, the wholesale dealer affixed cigarette stamps upon cigarette packages imported into the United States, the wholesale dealer shall file with the report a copy of each certificate submitted pursuant to 19 U.S.C. § 1681a(c) with regard to the cigarette packages. 6. The Department may require a wholesale dealer to report information in addition to the reporting requirements established by this section if the Department determines that additional information will assist the Department in enforcing the provisions of this chapter. [Part 15:192:1947; A 1949, 598; 1943 NCL § 6528.15]—(NRS A 1971, 1166; 1975, 1716; 1977, 786; 1991, 2280; 2001, 2136; 2019, 626)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.255 - Maintenance and retention of records regarding certain transactions of wholesale dealers, retail dealers and manufacturers.

1. Each: (a) Wholesale dealer shall maintain copies of invoices or equivalent documentation for each of its facilities for every transaction in which the wholesale dealer is the seller, purchaser, consignor, consignee or recipient of cigarettes. The invoices or documentation must indicate the name and address of the consignor, seller, purchaser or consignee, and the quantity by brand and style of the cigarettes involved in the transaction. (b) Retail dealer shall maintain copies of invoices or equivalent documentation for every transaction in which the retail dealer receives or purchases cigarettes at each of its facilities. The invoices or documentation must indicate the name and address of the wholesale dealer from whom, or the address of another facility of the same retail dealer from which, the cigarettes were received, and the quantity of each brand and style of the cigarettes received in the transaction. (c) Manufacturer shall maintain copies of invoices or equivalent documentation for each of its facilities for every transaction in which the manufacturer is the seller, purchaser, consignor, consignee or recipient of cigarettes. The invoices or documentation must indicate the name and address of the consignor, seller, purchaser or consignee, and the quantity by brand and style of the cigarettes involved in the transaction. 2. The records required by this section must be preserved on the premises described in the license of the manufacturer, wholesale dealer or retail dealer in such a manner as to ensure permanency and accessibility for inspection at reasonable hours by authorized personnel of the Department. With the permission of the Department, manufacturers, wholesale dealers and retail dealers with multiple places of business may retain centralized records, but shall transmit duplicates of the invoices or the equivalent documentation to each place of business within 24 hours after the request of the Executive Director or his or her designee. 3. The records required by this section must be retained for not less than 5 years after the date of the transaction unless the Department authorizes, in writing, their earlier removal or destruction. (Added to NRS by 1971, 1164; A 1973, 1007; 1975, 1717; 1977, 786; 1993, 2473; 2005, 1195; 2017, 998)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.257 - Access to and sharing of records and reports; confidentiality of data relating to cigarette sales provided in accordance with certain settlement agreements; audit of records and investigation of facilities by Department.

1. Each manufacturer, wholesale dealer and retail dealer shall provide to the Executive Director and his or her designees and to the Secretary or his or her designee, upon request, access to all the reports and records required by this chapter or chapter 370A of NRS. 2. The Department, the Nevada Tax Commission and the Attorney General may share the records and reports required by this chapter or chapter 370A of NRS: (a) With law enforcement officials of the Federal Government, this State, other states, Indian tribes or international authorities for the purposes of enforcing the provisions of this chapter or chapter 370A of NRS or corresponding provisions of federal law or the laws of other states, Indian tribes or nations. (b) With a court, an arbitrator or any data clearinghouse or similar entity established for the purpose of making calculations required by the Master Settlement Agreement and related settlement agreements. (c) Upon the issuance of a protective order to prevent the disclosure of confidential information approved by the Attorney General, with the attorney for a party who appears before a data clearinghouse or similar entity established for the purpose of making calculations required by the Master Settlement Agreement and related settlement agreements. 3. Any data relating to sales of cigarettes provided by an outside party and received by the Department, the Nevada Tax Commission or the Attorney General pursuant to the Master Settlement Agreement or any related settlement agreement is confidential. The Department, the Nevada Tax Commission and the Attorney General: (a) Shall not disclose any such data; and (b) May not be required to produce any such data for inspection by any person or governmental entity or for use in any action or proceeding. 4. The Department may audit the records and investigate the facilities of each licensee or applicant for a license to determine whether the manufacturer, wholesale dealer or retail dealer, as applicable, has complied with the provisions of this chapter and chapter 370A of NRS. 5. As used in this section, "Master Settlement Agreement" has the meaning ascribed to it in NRS 370.635. (Added to NRS by 1971, 1164; A 1973, 1007; 1975, 1717; 1977, 787; 1983, 709; 2005, 1196; 2011, 933; 2013, 2658; 2017, 999)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.260 - Remittances of taxes and license fees to Department; allocation and appropriation of remittances of taxes; monthly reports by Department; deposit and use of remittances of license fees.

1. All taxes and license fees imposed by the provisions of NRS 370.007 to 370.430, inclusive, and 370.531 to 370.597, inclusive, less any refunds granted as provided by law, must be paid to the Department in the form of remittances payable to the Department. 2. The Department shall: (a) As compensation to the State for the costs of collecting the taxes, transmit each month the sum the Legislature specifies from the remittances made to it pursuant to subsection 1 during the preceding month to the State Treasurer for

deposit to the credit of the Department. The deposited money must be expended by the Department in accordance with its work program. (b) From the remittances of taxes made to it pursuant to subsection 1 during the preceding month, less the amount transmitted pursuant to paragraph (a), transmit each month the portion of the tax which is equivalent to 85 mills per cigarette to the State Treasurer for deposit to the credit of the Account for the Tax on Cigarettes in the State General Fund. (c) Transmit the balance of the payments of taxes each month to the State Treasurer for deposit in the Local Government Tax Distribution Account created by NRS 360.660. (d) Report to the State Controller monthly the amount of collections of taxes and license fees. 3. The money deposited pursuant to paragraph (c) of subsection 2 in the Local Government Tax Distribution Account is hereby appropriated to Carson City and to each of the counties in proportion to their respective populations and must be credited to the respective accounts of Carson City and each county. 4. All license fees remitted to the Department pursuant to subsection 1 must be deposited with the State Treasurer for credit to the Department and used by the Department to administer and enforce the provisions of this chapter. [Part 15:192:1947; A 1949, 598; 1943 NCL § 6528.15]—(NRS A 1961, 675; 1965, 1222; 1967, 1372; 1969, 234, 334, 1131; 1971, 1166, 2087; 1975, 1717; 1981, 257, 286, 302; 1983, 390, 709, 1949; 1985, 471, 1618; 1987, 1790; 1989, 312, 1921, 2185, 2189, 2191; 1991, 287; 1997, 3287; 1999, 17; 2003, 20th Special Session, 169; 2015, 2902; 2019, 628, 3299)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.270 - Duties of retail dealers and vending machine operators; unlawful possession of unstamped cigarettes; seizure and disposition of unstamped cigarettes and vending machines.

1. Each retail dealer shall, not later than 5 calendar days after the retail dealer takes possession of a package of cigarettes, see that the package has the Nevada cigarette stamp properly affixed. 2. Every cigarette vending machine operator placing cigarettes in his or her coin-operated cigarette vending machines for sale to the ultimate consumers shall at the time of placing them in the machine see that each package has the Nevada cigarette stamp properly affixed. 3. No unstamped packages of cigarettes may lawfully be accepted or held in the possession of any person, except as authorized by law or regulation. For the purposes of this subsection, "held in possession" means: (a) In the actual possession of the person; or (b) In the constructive possession of the person when cigarettes are being transported or held for the person or for his or her designee by another person. Constructive possession is deemed to occur at the location of the cigarettes being transported or held. 4. Any cigarettes found in the possession of any person except a person authorized by law or regulation to possess them, which do not bear such identifying marks as are necessary to ascertain the origin of the cigarettes and numbering in a legible manner on the Nevada excise tax stamp, must be seized by the Department or any of its agents, and caused to be stamped by a licensed wholesale dealer, or confiscated and sold by the Department or its agents to the highest bidder among the licensed wholesale dealers in this State after due notice to all licensed Nevada wholesale dealers has been given by mail to the addresses contained in the Department's records. If there is no bidder, or in the opinion of the Department the quantity of the cigarettes is insufficient, or for any other reason such disposition would be impractical, the cigarettes must be destroyed or disposed of as the Department may see fit. The proceeds of all sales must be classed as revenues derived under the provisions of NRS 370.007 to 370.430, inclusive. 5. Any cigarette vending machine in which unstamped cigarettes are found may be so seized and sold to the highest bidder. [9.1:192:1947; added 1951, 124] + [13:192:1947; A 1951, 124; 1955, 17]—(NRS A 1965, 1246; 1971, 1168; 1973, 1007; 1975, 1718; 1977, 787; 1983, 711; 2019, 629)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.280 - Tax refunds; wholesale dealer required to return unused tribal stamps after ceasing operations.

1. Upon proof satisfactory to the Department, refunds shall be allowed for the face value of the cigarette revenue stamp tax paid, less any discount previously allowed, upon cigarettes that are sold to: (a) The United States Government for Army, Air Force, Navy or Marine Corps purposes and are shipped to a point within this State to a place which has been lawfully ceded to the United States Government for Army, Air Force, Navy or Marine Corps purposes; (b) Veterans' hospitals for distribution or sale to service personnel with disabilities or ex-service personnel with disabilities interned therein, but not to civilians or civilian employees; (c) Any person if sold and delivered on an Indian reservation or colony where an excise tax has been imposed which is equal to or greater than the rate of the cigarette tax imposed under this chapter; or (d) An Indian if sold and delivered on an Indian reservation or colony where no excise tax has been imposed or the excise tax is less than the rate of the cigarette tax imposed under this chapter. 2. Upon proof satisfactory to the Department, refunds shall be allowed to wholesale dealers for the face value of the cigarette revenue stamp tax paid, less any discount previously allowed upon cigarettes destroyed because the cigarettes had become stale or damaged. Applications for refunds shall be submitted in an amount of not less than \$15 and shall be accompanied by an affidavit of the applicant setting forth: (a) The number of packages of cigarettes destroyed for which refund is claimed; (b) The date or dates on which the wholesale dealer: (1) Destroyed the cigarettes; or (2) Sent the cigarettes to be destroyed; (c) That the cigarettes had become stale or damaged; and (d) Other information which the Department may require. 3. Upon proof satisfactory to the Department, refunds may be allowed to licensed wholesale dealers for the face value of the cigarette revenue stamp tax paid, less any discount previously allowed upon: (a) The balance of unused stamps on the descending register of a cigarette meter machine destroyed by fire, if the cigarette meter counting positions can be determined by the manufacturer of the meter stamping machine; (b) Cigarettes which were stamped on their carton covers because of stamping machine failure to open the carton and stamp the cigarette packs; or (c) Cigarettes which were not stamped but were registered on the machine as being stamped because of failure of the meter counters. 4. A wholesale dealer who ceases operations in this State shall return the balance of all unused tribal stamps to the Department not later than 10 days after the wholesale dealer ceases operations in this State. 5. Any refund shall be paid as other

claims against the State are paid. [Part 14:192:1947; A 1949, 598; 1951, 124; 1953, 101]—(NRS A 1959, 371; 1960, 1; 1965, 301; 1973, 1008; 1975, 1719; 1977, 788; 2019, 629)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.290 - Exemption for cigarettes exported from State; notice to Department of Taxation and state of destination; penalty.

1. A wholesale dealer shall not export cigarettes unless they bear revenue stamps in accordance with NRS 370.170 and 370.180 to any out-of-state destination other than by a licensed common or contract carrier. 2. No cigarette revenue stamp tax is required on any cigarettes exported from Nevada by a wholesale dealer to a person authorized by the state of destination to possess untaxed or unstamped cigarettes. Each wholesale dealer may set aside such portion of its stock of cigarettes as is not intended to be sold or given away in this state and it will not be necessary to affix Nevada cigarette revenue stamps. 3. Every wholesale dealer shall, at the time of shipping or delivering any unstamped cigarettes to a point outside of this state, make a duplicate invoice and transmit such duplicate invoice to the Department, at Carson City, not later than the 15th day of the following month. 4. Within 30 days after any wholesale dealer ships any unstamped cigarettes to any destination outside Nevada, the dealer shall send to the state of destination a written notice of the fact of such shipment and whatever other information is required by such state. 5. If a wholesale dealer knowingly or negligently fails to comply with the requirements of this section, the Department may: (a) Impose a civil penalty pursuant to NRS 370.523; (b) Suspend or revoke its license or permit, as provided in NRS 370.595; or (c) Take any combination of the action authorized by paragraphs (a) and (b). [Part 14:192:1947; A 1949, 598; 1951, 124; 1953, 101]—(NRS A 1973, 1009; 1975, 1720; 2019, 630)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.295 - Transportation of cigarettes: Invoices to accompany shipment.

Except for a consumer, every person who transports cigarettes upon the public highways, roads or streets of this state shall have in his or her actual possession invoices or delivery tickets for such cigarettes, which shall show the true name and address of the consignor or seller, the true name of the consignee or purchaser and the quantity and brands of the cigarettes so transported. (Added to NRS by 1973, 1005)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.301 - Transportation of unstamped cigarettes; inspection of vehicles for contraband cigarettes.

1. If any unstamped cigarettes are consigned to or purchased by any person in this State, such purchaser or consignee must be a person authorized by this chapter to possess unstamped cigarettes. 2. If invoices or delivery tickets for unstamped cigarettes are lacking, if the name or address of the consignee or purchaser is falsified or if the purchaser or consignee is not authorized by this chapter to possess unstamped cigarettes, the cigarettes transported are subject to seizure and sale under the provisions of NRS 370.270. 3. Transportation of cigarettes through this State from a point outside this State to a point in some other state is not a violation of this section if the person transporting the cigarettes has in his or her possession adequate invoices or delivery tickets which give the true name and address of the out-of-state seller or consignor and the out-of-state purchaser or consignee. 4. In any case where the Department, its duly authorized agent or any peace officer of the State has knowledge or reasonable grounds to believe that any vehicle is transporting cigarettes in violation of this chapter, the Department, agent or peace officer may stop the vehicle and inspect it for contraband cigarettes. (Added to NRS by 1973, 1005; A 1975, 1720; 2005, 1196)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.310 - Sale or distribution of tax-free cigarettes by vending machine prohibited.

No tax-free cigarettes shall be sold or otherwise distributed in any way by any coin-operated cigarette vending machine. [Part 14:192:1947; A 1949, 598; 1951, 124; 1953, 101]—(NRS A 1973, 1009)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.315 - Sale of cigarettes in various packages.

A manufacturer of cigarettes who wishes to sell cigarettes in packages that contain other than 20 cigarettes must so notify the Department not less than 90 days before the manufacturer may sell those packages of cigarettes in this state. (Added to NRS by 1989, 2183)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.321 - Duties of person who accepts order for delivery sale; civil penalties.

1. A person who accepts an order for a delivery sale shall comply with all of the requirements of this chapter and chapters 202, 370A, 372 and 374 of NRS, and all other laws of this State generally applicable to sales of cigarettes, cigarette paper or other tobacco products that occur entirely within this State. 2. In addition to any other penalty authorized by law, the Attorney General may seek civil penalties against any person engaging in delivery sales in violation of this chapter or chapter 202 of NRS. Each violation is subject to a civil penalty in an amount not to exceed \$1,000. Any civil penalty recovered pursuant to this section for a

violation of NRS 202.24935 must be deposited into a separate account in the State General Fund to be used for the enforcement of this section and NRS 202.2493 and 202.2494. (Added to NRS by 2005, 1188; A 2021, 448)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.327 - Submission to Department of monthly reports by persons selling, transferring, shipping or delivering cigarettes, roll-your-own tobacco or smokeless tobacco into this State; submission to Attorney General and United States Department of the Treasury of certain information; confidentiality.

1. Except as otherwise provided in subsection 3, not later than the 10th day of each calendar month, each person who sells, transfers, ships or otherwise delivers cigarettes, roll-your-own tobacco or smokeless tobacco into this State, except a common carrier, shall submit to the Department a report for the immediately preceding calendar month that includes the information required by subsection 2. 2. Each report submitted pursuant to subsection 1 must: (a) Be on the form prescribed by the Attorney General; (b) Include a certification by the person who submits the report that the information provided in the report is complete and accurate; (c) Include the total number of cigarettes or amount of roll-your-own tobacco or smokeless tobacco sold, transferred, shipped or otherwise delivered by the person in or into this State; and (d) Include for each sale, transfer, shipment or other delivery of cigarettes, roll-your-own tobacco or smokeless tobacco the following information: (1) The quantity of cigarettes, roll-your-own tobacco or smokeless tobacco sold, transferred, shipped or otherwise delivered, identified by manufacturer and brand family; (2) The invoice date and number; (3) The name and address of the person to whom the cigarettes, roll-your-own tobacco or smokeless tobacco were sold, transferred, shipped or otherwise delivered; and (4) The name and address of the person who transferred, shipped or otherwise delivered the cigarettes, roll-your-own tobacco or smokeless tobacco. 3. Any person who, in the 24 calendar months immediately preceding the date on which a report required by subsection 1 must be submitted, sold, transferred, shipped or otherwise delivered cigarettes, roll-your-own tobacco or smokeless tobacco into this State, other than a common carrier, must submit the report even if the person did not sell, transfer, ship or otherwise deliver cigarettes, roll-your-own tobacco or smokeless tobacco into this State in the calendar month covered by the report. 4. A manufacturer or importer shall, upon request, provide to the Attorney General a copy of each report filed by the manufacturer or importer in another state that is similar to the report required by subsection 1. 5. Each nonparticipating manufacturer or importer shall: (a) Submit to the Attorney General a copy of the federal tax return of the manufacturer or importer and a copy of all monthly operational reports on Alcohol and Tobacco Tax and Trade Bureau Forms 5210.5, 5220.6 or any subsequent corresponding form, and all adjustments, changes and amendments to such reports not later than 60 days after the close of the quarter in which the return or report is filed; or (b) Submit to the United States Department of the Treasury a request or consent pursuant to 26 U.S.C. § 6103(c) authorizing the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury and, in the case of a foreign manufacturer or importer, United States Customs and Border Protection of the United States Department of Homeland Security, to disclose to the Attorney General the federal tax return of the manufacturer or importer not later than 60 days after the close of the quarter in which the return is filed. 6. Except as otherwise provided in this subsection, any information received by the Attorney General pursuant to this section is confidential. The Attorney General may share any information received pursuant to this section with the Department, the Nevada Tax Commission, a taxing authority or law enforcement agency of another state or with any other entity authorized by the Attorney General to aggregate such information. 7. A copy of each report required by subsection 1 must be retained for not less than 5 years after the date on which the report must be submitted unless the Department, in writing, authorizes the report to be removed or destroyed at an earlier time. (Added to NRS by 2005, 1190; A 2017, 1000)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.350 - Levy; amount; exemptions.

1. Except as otherwise provided in subsection 3, a tax is hereby levied and imposed upon the use of cigarettes in this state. 2. The amount of the use tax is 90 mills per cigarette. 3. The use tax does not apply where: (a) Nevada cigarette revenue stamps have been affixed to cigarette packages as required by law. (b) Tax exemption is provided for in this chapter. [1:178:1953]—(NRS A 1959, 117; 1961, 676; 1969, 1132; 1983, 711; 1985, 473; 1987, 1737; 1989, 2188, 2191; 1991, 287; 2003, 20th Special Session, 169; 2015, 2902)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.360 - Payment of tax; reports.

Every person using or consuming cigarettes subject to taxation on the use thereof under the provisions of NRS 370.350 shall pay such tax and make such reports thereon to the Department under such regulations as may be prescribed by the Department. [2:178:1953]—(NRS A 1973, 1009; 1975, 1721)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.371 - Prevention of competition by wholesale dealer; purchase of cigarettes below cost by retail dealer; penalty; prima facie evidence.

1. A wholesale dealer shall not engage in predatory pricing with intent to injure competitors or destroy or lessen competition substantially by: (a) Advertising, offering to sell or selling at wholesale, cigarettes at less than the cost to the wholesale dealer; or (b)

Offering any rebate or concession in price or giving any rebate or concession in price in connection with the sale of cigarettes. 2. A retail dealer shall not engage in predatory pricing with the intent to injure competitors or destroy or lessen competition substantially by: (a) Inducing, attempting to induce, procuring or attempting to procure the purchase of cigarettes at a price less than the cost to the wholesale dealer; or (b) Inducing, attempting to induce, procuring or attempting to procure any rebate or concession in connection with the purchase of cigarettes. 3. A person who violates the provisions of this section shall be punished by a fine of not more than \$50 for each offense. 4. Evidence of: (a) An advertisement, an offer to sell or the sale of cigarettes by a wholesale dealer at less than the cost to the wholesale dealer; (b) An offer of a rebate in price, the giving of a rebate in price, an offer of a concession or the giving of a concession in connection with the sale of cigarettes; or (c) The inducement, attempt to induce, procurement or attempt to procure the purchase of cigarettes at a price less than the cost to the wholesale dealer, is prima facie evidence of intent and likelihood to injure competition and to destroy or lessen competition substantially. (Added to NRS by 1989, 1514; A 1993, 2473)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.3715 - Adoption of regulations by Nevada Tax Commission.

The Commission may adopt regulations for the enforcement of NRS 370.371 to 370.378, inclusive. (Added to NRS by 1989, 1515; A 1993, 2474; 2019, 631)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.372 - Determination of cost of cigarettes to wholesale dealer.

In determining the cost of cigarettes to a wholesale dealer: 1. A fractional part of a cent amounting to 1/10 of 1 cent or more in cost to the wholesale dealer per carton of 10 packages of cigarettes must be rounded off to the next higher cent. 2. The invoice cost of cigarettes purchased at a forced sale, bankruptcy sale, closeout sale or other sale outside of the ordinary channels of trade must not be used to justify a price lower than the replacement cost of cigarettes to the wholesale dealer in the quantity last purchased through the ordinary channels of trade. (Added to NRS by 1989, 1515; A 1993, 2474)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.3725 - Selling price of wholesale dealer in certain circumstances.

In advertisements, offers for sale or sales involving two or more items, at least one of which is cigarettes, at a combined price, and in advertisements, offers for sale or sales involving the giving of a concession, the wholesale dealer's selling price must not be below the cost to the wholesale dealer of the cigarettes included in such transactions and the invoice cost of all other articles, products, commodities and concessions included in the advertisements, offers for sale or sales, whether the cost is paid by the retail dealer, the wholesale dealer or any other person. (Added to NRS by 1989, 1515)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.373 - Sale by wholesale dealer of cigarettes bought from another wholesale dealer.

A wholesale dealer who sells cigarettes bought from another wholesale dealer to a retail dealer, or for use or consumption, shall be deemed to be making a sale at wholesale. (Added to NRS by 1989, 1515; A 1993, 2475)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.3735 - Certain sales at wholesale exempted.

The provisions of NRS 370.371 to 370.378, inclusive, do not apply to a sale at wholesale made: 1. As an isolated transaction and not in the usual course of business; 2. When cigarettes are advertised, offered for sale or sold in a bona fide clearance sale for the purpose of discontinuing trade in the cigarettes, and the advertisement, offer to sell or sale states the reason therefor and the quantity of cigarettes advertised, offered for sale or to be sold; 3. When cigarettes are advertised, offered for sale or sold as imperfect or damaged and the advertising, offer to sell or sale states the reason therefor and the quantity of cigarettes advertised, offered for sale or to be sold; 4. When cigarettes are sold upon the final liquidation of a business; or 5. When cigarettes are advertised, offered for sale or sold by a fiduciary or other officer acting under the order or direction of a court. (Added to NRS by 1989, 1515; A 2019, 631)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.374 - Meeting lawful price of competitor.

1. A wholesale dealer may advertise, offer to sell or sell cigarettes at a price made in good faith to meet the lawful price of a competitor who is rendering the same type of service and is selling the same article at cost to him or her as a wholesale dealer. 2. The price of cigarettes advertised, offered for sale or sold under an exception specified in NRS 370.3735 or at a bankruptcy sale is not the price of a competitor for the purposes of this section. 3. In the absence of proof of the price of a competitor, the lowest cost to the wholesale dealer determined by a survey of costs that is made in accordance with recognized statistical and cost-accounting practices for a trade area shall be deemed the price of a competitor. (Added to NRS by 1989, 1516; A 1993, 2475)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.376 - Contract in violation of provisions is void.

A contract made by a person in violation of any of the provisions of NRS 370.371 to 370.378, inclusive, is void and no recovery thereon may be made. (Added to NRS by 1989, 1516; A 2019, 631)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.378 - Action to prevent, restrain or enjoin a violation or threatened violation of provisions; action for damages and costs.

1. An action may be maintained in any court of competent jurisdiction to prevent, restrain or enjoin a violation or threatened violation of any provision of NRS 370.371 to 370.378, inclusive. An action may be instituted by any person injured by a violation or threatened violation of NRS 370.371 to 370.378, inclusive, or by the Attorney General upon the request of the Executive Director. If in such an action, a violation or threatened violation is established, the court shall enjoin and restrain, or otherwise prohibit the violation or threatened violation. In such an action it is not necessary that actual damages to the plaintiff be alleged or proved, but where alleged and proved, the plaintiff, in addition to injunctive relief and costs of the suit, including reasonable attorney's fees, may recover from the defendant the actual damages sustained by the plaintiff. 2. If no injunctive relief is sought or required, any person injured by a violation of the provisions of NRS 370.371 to 370.378, inclusive, may maintain an action for damages and costs, including attorney's fees, in any court of competent jurisdiction. (Added to NRS by 1989, 1516; A 2019, 631)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.380 - Unlawful acts regarding licenses or stamps; unlawful possession of unstamped cigarettes; penalty.

1. It is unlawful for a person, with the intent to defraud the State: (a) To alter, forge or counterfeit any license or stamp provided for in this chapter; (b) To have in his or her possession any forged, counterfeited, spurious or altered license or stamp with the intent to use the same, knowing or having reasonable grounds to believe the same to be such; (c) To have in his or her possession one or more cigarette stamps which he or she knows have been removed from the pieces of packages or packages of cigarettes to which they were affixed; (d) To affix to any piece of a package or package of cigarettes a stamp which he or she knows has been removed from any other piece of a package or package of cigarettes; or (e) To have in his or her possession for the purpose of sale cigarettes which do not bear indicia of the State of Nevada excise tax stamping. Presence of the cigarettes in a cigarette vending machine is prima facie evidence of the purpose to sell. 2. A person who violates any of the provisions of subsection 1 is guilty of a category C felony and shall be punished as provided in NRS 193.130. [3.1:192:1947; added 1951, 124]—(NRS A 1965, 1246; 1967, 562; 1971, 1168; 1979, 1467; 1995, 1271; 2005, 1197; 2019, 631)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.382 - Unlawful fraudulent acts; penalty.

1. It is unlawful for a person, with the intent to defraud the State: (a) To fail to keep or make any record, return, report or inventory, or keep or make any false or fraudulent record, return, report or inventory, required pursuant to NRS 370.090 to 370.327, inclusive, or 370.531 to 370.597, inclusive, or any regulations adopted for the administration or enforcement of those provisions; (b) To refuse to pay any tax imposed pursuant to NRS 370.090 to 370.327, inclusive, or attempt in any manner to evade or defeat the tax or the payment thereof; (c) To alter, forge or otherwise counterfeit any stamp; (d) To sell or possess for the purpose of sale any counterfeit stamp; (e) To have in his or her possession any counterfeit stamp, with the intent to use the counterfeit stamp, knowing or having reasonable grounds to believe the stamp to be a counterfeit stamp; (f) To have in his or her possession any stamp which he or she knows has been removed from any cigarette package to which it was affixed; (g) To affix to any cigarette package a stamp which he or she knows has been removed from any other cigarette package; or (h) To fail to comply with any requirement of NRS 370.090 to 370.327, inclusive, or 370.531 to 370.597, inclusive. 2. A person who violates any of the provisions of subsection 1 is guilty of a category C felony and shall be punished as provided in NRS 193.130. (Added to NRS by 2005, 1191; A 2009, 166; 2019, 632)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.385 - Prohibited acts by wholesale or retail dealer; prohibited acts regarding cigarettes manufactured for export outside United States; penalties; seizure and destruction of certain unlawfully stamped cigarettes.

1. A wholesale dealer shall not affix a Nevada cigarette revenue stamp upon, and a wholesale dealer or a retail dealer shall not knowingly or negligently accept or possess, a package, carton, packet or other container of cigarettes which: (a) Does not meet the requirements of the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331 et seq., for the placement of labels, warnings or any other information required by that Act to be placed upon a container of cigarettes sold within the United States; (b) Is labeled as "for export only," "U.S. tax exempt," "for use outside the U.S." or with similar wording indicating that the manufacturer did not intend for the product to be sold in the United States unless the wholesale dealer or retail dealer is legally authorized to possess tax-exempt cigarettes for the purposes of export; (c) Has been altered by the unauthorized addition or removal of wording, labels or warnings described in paragraph (a) or (b); (d) Has been exported from the United States after January 1, 2000, and imported into the United States in violation of 26 U.S.C. § 5754; (e) Has been imported into the United States in violation of 19 U.S.C. § 1681a; (f) Was manufactured, packaged or imported by a person who has not complied with 15 U.S.C. § 1335a with regard to the

cigarettes; (g) Violates a federal trademark or copyright law; or (h) Violates any other federal statute or regulation or with respect to which any federal statute or regulation has been violated. 2. A person shall not: (a) Affix Nevada cigarette revenue stamps on; (b) Sell or distribute in this state; or (c) Possess in this state with the intent to sell or distribute in this state, cigarettes manufactured for export outside the United States. 3. The Department may impose a penalty on a wholesale or retail dealer who violates subsection 1 or 2 as follows: (a) For the first violation, a penalty of \$5,000. (b) For each subsequent violation, a penalty of \$10,000. 4. Notwithstanding any other provision of law, the Department shall seize and destroy cigarettes upon which a revenue stamp was placed in violation of subsection 1 or 2. 5. As used in this section, "cigarettes manufactured for export outside the United States" means cigarettes contained in a package or carton which indicates that the cigarettes are tax exempt and for use outside the United States. (Added to NRS by 1999, 1666; A 2001, 2136; 2019, 632)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.390 - Penalty for violation of NRS 370.090 to 370.315, inclusive.

Except as otherwise provided in NRS 370.382, any person violating any of the provisions of NRS 370.090 to 370.315, inclusive, or 370.531 to 370.597, inclusive, is guilty of a gross misdemeanor. [Part 16:192:1947; 1943 NCL § 6528.16]—(NRS A 1965, 1247; 1967, 563; 1971, 1169; 2005, 1197; 2019, 633)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.400 - Penalty for violation of NRS 370.350 or 370.360.

Any person who: 1. Willfully fails, neglects or refuses to make any report required by NRS 370.350 or 370.360, or required by rules and regulations lawfully promulgated under the provisions of NRS 370.350 or 370.360; or 2. Knowingly makes any false statement in any such report, is guilty of a misdemeanor. [4:178:1953]—(NRS A 1967, 563; 1989, 1597)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.405 - Unlawful sale or possession of contraband tobacco products; penalties.

1. It is unlawful for any person knowingly to sell or to possess for the purpose of sale any contraband tobacco products. The presence of any contraband tobacco products in a vending machine is prima facie evidence of the purpose to sell those products. 2. A person who violates any provision of subsection 1 is guilty of: (a) For the first offense involving contraband tobacco products having a value of \$25 or more but less than \$250, a misdemeanor. (b) For each subsequent offense involving contraband tobacco products having a value of \$25 or more but less than \$250, a category D felony and shall be punished as provided in NRS 193.130. (c) For the first offense involving contraband tobacco products having a value of \$250 or more, a gross misdemeanor. (d) For each subsequent offense involving contraband tobacco products having a value of \$250 or more, a category C felony and shall be punished as provided in NRS 193.130. (Added to NRS by 2005, 1192; A 2007, 2057)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.410 - Penalty for exporting, importing or possessing contraband tobacco products.

Except as otherwise provided in NRS 370.405, any person exporting, importing, possessing or constructively possessing contraband tobacco products is guilty of a gross misdemeanor. (Added to NRS by 1973, 1006; A 2005, 1197; 2007, 2057)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.413 - Authority to search for evidence of violation.

In order to obtain evidence of any violation of this chapter, the Department, its agents, and all peace officers and revenue-collecting officers of this State may enter and inspect, without a warrant during normal business hours and with a warrant at any other time: 1. The facilities and records of any manufacturer, wholesale dealer or retail dealer; and 2. Any other place where they may have reason to believe contraband tobacco products are stored, warehoused or kept for sale. (Added to NRS by 1965, 301; A 1975, 1714; 2005, 1193; 2007, 2057)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.415 - Seizure and disposition of counterfeit stamps, contraband tobacco products, machinery used to manufacture contraband tobacco products and unlawfully used cigarette rolling machines; additional penalty.

1. The Department, its agents, sheriffs within their respective counties and all other peace officers of the State of Nevada shall seize any counterfeit stamps, contraband tobacco products, machinery used to manufacture contraband tobacco products and cigarette rolling machines being used in violation of any provision of this chapter that are found or located in the State of Nevada. 2. A sheriff or other peace officer who seizes stamps, contraband tobacco products, machinery or cigarette rolling machines pursuant to this section shall provide written notification of the seizure to the Department not later than 5 working days after the seizure. The notification must include the reason for the seizure. 3. After consultation with the Department, the sheriff or other peace officer shall transmit the contraband tobacco products to the Department if: (a) The contraband tobacco products consist of cigarettes and: (1) Except for revenue stamps being properly affixed as required by this chapter, the cigarettes comply with all state and federal statutes and regulations; and (2) The Department approves the transmission of the cigarettes; or (b) The contraband tobacco products consist

of any other tobacco products and the Department approves the transmission of the other tobacco products. 4. Upon the receipt of any: (a) Cigarettes pursuant to subsection 3, the Department shall dispose of the cigarettes as provided in subsection 4 of NRS 370.270; or (b) Other tobacco products pursuant to subsection 3, the Department shall: (1) Sell the other tobacco products to the highest bidder among the licensed wholesale dealers in this State after due notice to all licensed Nevada wholesale dealers has been given by mail to the addresses contained in the Department's records; or (2) If there is no bidder, or in the opinion of the Department the quantity of the other tobacco products is insufficient, or for any other reason such disposition would be impractical, destroy or dispose of the other tobacco products as the Department may see fit. The proceeds of all sales pursuant to this paragraph must be classed as revenues derived under the provisions of NRS 370.440 to 370.503, inclusive. 5. The sheriff or other peace officer who seizes any stamps, contraband tobacco products, machinery or cigarette rolling machines pursuant to this section shall: (a) Destroy the stamps, machinery and cigarette rolling machines; and (b) If he or she does not transmit the contraband tobacco products to the Department, destroy the contraband tobacco products. 6. In addition to any other penalty provided by law, the Department may impose a civil penalty upon a person who violates NRS 370.405 or 370.410 resulting in the seizure of counterfeit stamps, contraband tobacco products, machinery or cigarette rolling machines pursuant to this section in the amount of \$10,000 or the total costs incurred by the Department for the transportation, storage and disposal of the counterfeit stamps, contraband tobacco products, machinery or cigarette rolling machines, whichever is greater. 7. All penalties imposed pursuant to subsection 6 must be paid to the Department in the form of remittances payable to the Department and deposited in a separate account in the State General Fund to be used for the enforcement of the provisions of this section. (Added to NRS by 1973, 1005; A 1975, 1721; 2001, 2137; 2005, 1197; 2007, 2058; 2015, 2958; 2019, 633; 2023, 441)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.419 - Forfeiture of property on premises of wholesale or retail dealer who commits certain fraudulent acts.

All fixtures, equipment and other materials and personal property on the premises of any wholesale or retail dealer who, with intent to defraud the State: 1. Fails to keep or make any record, return, report or inventory required pursuant to NRS 370.090 to 370.327, inclusive, or 370.531 to 370.597, inclusive; 2. Keeps or makes any false or fraudulent record, return, report or inventory required pursuant to NRS 370.090 to 370.327, inclusive, or 370.531 to 370.597, inclusive; 3. Refuses to pay any tax imposed pursuant to NRS 370.090 to 370.327, inclusive; or 4. Attempts in any manner to evade or defeat the requirements of NRS 370.090 to 370.327, inclusive, or 370.531 to 370.597, inclusive, is subject to forfeiture pursuant to NRS 179.1156 to 179.1205, inclusive. (Added to NRS by 2005, 1191; A 2009, 167; 2019, 634)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.430 - Penalty for exportation of unstamped cigarettes to unauthorized persons.

Any dealer who exports cigarettes which do not bear revenue stamps from Nevada to a person in another state who is not authorized by that state to possess unstamped cigarettes is guilty of a gross misdemeanor. (Added to NRS by 1973, 1006; A 1977, 789)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.440 - Definitions.

As used in NRS 370.440 to 370.503, inclusive, unless the context otherwise requires: 1. "Alternative nicotine product" has the meaning ascribed to it in NRS 370.008. 2. "Other tobacco product" has the meaning ascribed to it in NRS 370.0318. 3. "Retail dealer" means any person who is engaged in selling other tobacco products to ultimate consumers. 4. "Sale" means any transfer, exchange, barter, gift, offer for sale, or distribution for consideration of other tobacco products. 5. "Ultimate consumer" means a person who purchases one or more other tobacco products for his or her household or personal use and not for resale. 6. "Wholesale dealer of other tobacco products" means any person who: (a) Maintains a place of business in this State, purchases other tobacco products from the manufacturer or a wholesale dealer and possesses, receives, sells or otherwise disposes of such other tobacco products to wholesale dealers or retail dealers within this State; (b) Does not maintain a place of business in this State and sells or otherwise disposes of other tobacco products by any means, including, without limitation, through an Internet website, to wholesale dealers, retail dealers or ultimate consumers within this State; or (c) Manufactures, produces, fabricates, assembles, processes, labels or finishes other tobacco products within this State. 7. "Wholesale price" means: (a) Except as otherwise provided in paragraph (b), the price for which other tobacco products are sold to a wholesale dealer of other tobacco products, valued in money, whether paid in money or otherwise, without any discount or other reduction on account of any of the following: (1) Trade discounts, cash discounts, special discounts or deals, cash rebates or any other reduction from the regular sales price; (2) The cost of materials used, labor or service cost, interest charged, losses or any other expenses; (3) The cost of transportation of the other tobacco products before its purchase by the wholesale dealer of other tobacco products; (4) Any services that are a part of the sale, including, without limitation, shipping, freight, warehousing, customer service, advertising or any other service related to the sale; or (5) The amount of any tax, not including any excise tax, imposed by the United States upon or with respect to the other tobacco product. (b) For other tobacco products sold to a retail dealer or an ultimate consumer by a wholesale dealer of other tobacco products described in paragraph (c) of subsection 6, the established price for which the other tobacco product is sold to the retail dealer or ultimate consumer before any discount or other reduction is made. (Added to NRS by 1983, 707; A 1991, 655, 2281; 1997, 1504; 2001, 1595; 2013, 160; 2015, 2496; 2019, 635)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.447 - Required inventory for wholesale dealer.

Each person licensed as a wholesale dealer of other tobacco products shall keep on hand at all times other tobacco products of a wholesale value of at least \$5,000. (Added to NRS by 2019, 621)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.450 - Imposition, rate and collection of tax; exemptions; retention of portion by wholesale dealer; penalty. [Effective through June 30, 2027.] Imposition, rate and collection of tax; exemptions; retention of portion by wholesale dealer; penalty. [Effective July 1, 2027.]

1. Except as otherwise provided in this section, there is hereby imposed upon the receipt, purchase or sale of other tobacco products in this State: (a) If the other tobacco products are not premium cigars, a tax of 30 percent of the wholesale price of those products; and (b) If the other tobacco products are premium cigars, a tax of 30 percent of the wholesale price of those products except that, if 30 percent of the wholesale price of those products is: (1) Greater than 50 cents for each premium cigar, the tax imposed shall be 50 cents for each premium cigar. (2) Less than 30 cents for each premium cigar, the tax imposed shall be 30 cents for each premium cigar. 2. The provisions of subsection 1 do not apply to those products which are: (a) Displayed or exhibited at a trade show, convention or other exhibition in this State by a manufacturer or wholesale dealer of other tobacco products who is not licensed in this State; or (b) Distributed free of charge at a trade show, convention or other exhibition or public event in this State, if the distributor has obtained a license to distribute other tobacco products free of charge for the trade show, convention or other exhibition or public event. 3. This tax: (a) Is imposed: (1) At the time the other tobacco products are first possessed or received by a wholesale dealer of other tobacco products who maintains a place of business in this State for sale or disposition in this State; (2) At the time the other tobacco products are sold by a wholesale dealer of other tobacco products who does not maintain a place of business in this State to a retail dealer or ultimate consumer; or (3) For other tobacco products manufactured, produced, fabricated, assembled, processed, labeled or finished in this State, at the time the other tobacco products are sold in this State to a wholesale dealer of other tobacco products, retail dealer or ultimate consumer. (b) Must be paid by the wholesale dealer of other tobacco products to the Department, in accordance with the provisions of NRS 370.465. The wholesale dealer of other tobacco products is entitled to retain 0.25 percent of the taxes due to cover the costs of collecting and administering the taxes if the taxes are paid in accordance with the provisions of NRS 370.465. 4. Any wholesale dealer of other tobacco products who sells or distributes other tobacco products without paying the tax provided for by this section is guilty of a misdemeanor. 5. As used in this section, "premium cigar" means a cigar that is rolled by hand, has a wrapper made of whole tobacco leaves and does not have a filter or mouthpiece. (Added to NRS by 1983, 707; A 1997, 1504; 2001, 1596; 2003, 20th Special Session, 19; 2007, 911; 2008, 25th Special Session, 19; 2009, 2097; 2015, 2497; 2019, 636; 2023, 3353) 1. Except as otherwise provided in this section, there is hereby imposed upon the receipt, purchase or sale of other tobacco products in this State a tax of 30 percent of the wholesale price of those products. 2. The provisions of subsection 1 do not apply to those products which are: (a) Displayed or exhibited at a trade show, convention or other exhibition in this State by a manufacturer or wholesale dealer of other tobacco products who is not licensed in this State; or (b) Distributed free of charge at a trade show, convention or other exhibition or public event in this State, if the distributor has obtained a license to distribute other tobacco products free of charge for the trade show, convention or other exhibition or public event. 3. This tax: (a) Is imposed: (1) At the time the other tobacco products are first possessed or received by a wholesale dealer of other tobacco products who maintains a place of business in this State for sale or disposition in this State; (2) At the time the other tobacco products are sold by a wholesale dealer of other tobacco products who does not maintain a place of business in this State to a retail dealer or ultimate consumer; or (3) For other tobacco products manufactured, produced, fabricated, assembled, processed, labeled or finished in this State, at the time the other tobacco products are sold in this State to a wholesale dealer of other tobacco products, retail dealer or ultimate consumer. (b) Must be paid by the wholesale dealer of other tobacco products to the Department, in accordance with the provisions of NRS 370.465. The wholesale dealer of other tobacco products is entitled to retain 0.25 percent of the taxes due to cover the costs of collecting and administering the taxes if the taxes are paid in accordance with the provisions of NRS 370.465. 4. Any wholesale dealer of other tobacco products who sells or distributes other tobacco products without paying the tax provided for by this section is guilty of a misdemeanor. (Added to NRS by 1983, 707; A 1997, 1504; 2001, 1596; 2003, 20th Special Session, 19; 2007, 911; 2008, 25th Special Session, 19; 2009, 2097; 2015, 2497; 2019, 636; 2023, 3353, effective July 1, 2027)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.460 - Unlawful to sell products on which tax is not paid.

It is unlawful for any person to sell or offer to sell other tobacco products on which the tax is not paid as provided for in NRS 370.450. (Added to NRS by 1983, 707; A 2001, 1596; 2015, 2497)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.465 - Monthly reports of wholesale dealers: Contents; accompaniment by tax owed.

1. A wholesale dealer of other tobacco products shall, not later than 20 days after the end of each month, submit to the Department a report on a form prescribed by the Department setting forth such information as the Department may prescribe concerning other

tobacco products on which the tax provided by NRS 370.450 was imposed during the previous month. 2. Each report submitted pursuant to this section on or after August 20, 2001, must be accompanied by the tax owed pursuant to NRS 370.450 for other tobacco products on which that tax was imposed during the previous month. (Added to NRS by 1997, 1504; A 2001, 1596; 2015, 2498; 2019, 637)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.470 - Invoices for certain products required.

1. A wholesale dealer of other tobacco products must obtain from each manufacturer or wholesale dealer of other tobacco products from whom the wholesale dealer of other tobacco products purchases other tobacco products itemized invoices of all other tobacco products purchased from or delivered by the manufacturer or wholesale dealer of other tobacco products. The wholesale dealer of other tobacco products must obtain from the manufacturer or wholesale dealer of other tobacco products separate invoices for each purchase made. 2. A retail dealer must obtain from each wholesale dealer of other tobacco products itemized invoices of all other tobacco products purchased from the wholesale dealer of other tobacco products. The retail dealer must obtain separate invoices for each purchase made. 3. The invoices required by subsections 1 and 2 must include: (a) The name and address of the manufacturer or wholesale dealer of other tobacco products who sold the other tobacco products; (b) The name and address of the wholesale dealer of other tobacco products or retail dealer who purchased the other tobacco products; (c) The date of the purchase; (d) The invoice number; (e) The method of delivery; and (f) The itemized quantity of each brand, type, size and price of other tobacco products purchased. (Added to NRS by 1983, 707; A 1997, 1505; 2001, 1597; 2015, 2498; 2019, 637)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.480 - Records required of retail and wholesale dealers; period for retention.

1. Every wholesale dealer of other tobacco products must keep at its place of business complete and accurate records for that place of business, including copies of all invoices of other tobacco products which the wholesale dealer of other tobacco products holds, purchases and delivers, distributes or sells in this State. All records must be preserved for at least 5 years after the date of purchase or after the date of the last entry made on the record. 2. Every retail dealer shall keep at its place of business complete and accurate records for that place of business, including copies of all itemized invoices or purchases of other tobacco products purchased and delivered from wholesale dealers of other tobacco products. The invoices must show the name and address of the wholesale dealer of other tobacco products and the date of the purchase. All records must be preserved for at least 5 years after the date of the purchase. (Added to NRS by 1983, 708; A 2001, 1597; 2015, 2498; 2017, 1001; 2019, 638)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.490 - Allowance of credits. [Effective through June 30, 2027.] Allowance of credits. [Effective July 1, 2027.]

1. The Department shall allow a credit of the amount of the tax paid pursuant to NRS 370.450, not including any amount of the tax retained by the wholesale dealer of other tobacco products to cover the costs of collecting and administering the tax, for other tobacco products that may no longer be sold. If the other tobacco products have been purchased and delivered, a credit memo of the manufacturer is required for proof of returned merchandise. 2. A credit must also be granted for any other tobacco products shipped from this State and destined for retail sale and consumption outside the State on which the tax has previously been paid. A duplicate or copy of the invoice is required for proof of the sale outside the State. 3. A wholesale dealer of other tobacco products may claim a credit by filing with the Department the proof required by this section. The claim must be made on a form prescribed by the Department. (Added to NRS by 1983, 708; A 1989, 1597; 2001, 1597; 2003, 20th Special Session, 20; 2008, 25th Special Session, 19; 2009, 2097; 2015, 2498; 2019, 638; 2023, 3354) 1. The Department shall allow a credit of 30 percent of the wholesale price, less a discount of 0.25 percent for the services rendered in collecting the tax, for other tobacco products on which the tax has been paid pursuant to NRS 370.450 and that may no longer be sold. If the other tobacco products have been purchased and delivered, a credit memo of the manufacturer is required for proof of returned merchandise. 2. A credit must also be granted for any other tobacco products shipped from this State and destined for retail sale and consumption outside the State on which the tax has previously been paid. A duplicate or copy of the invoice is required for proof of the sale outside the State. 3. A wholesale dealer of other tobacco products may claim a credit by filing with the Department the proof required by this section. The claim must be made on a form prescribed by the Department. (Added to NRS by 1983, 708; A 1989, 1597; 2001, 1597; 2003, 20th Special Session, 20; 2008, 25th Special Session, 19; 2009, 2097; 2015, 2498; 2019, 638; 2023, 3354, effective July 1, 2027)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.500 - Remittance of tax; credit to State General Fund.

1. All amounts of tax required to be paid to the State pursuant to NRS 370.440 to 370.490, inclusive, must be paid to the Department in the form of remittances payable to the Department. 2. The Department shall deposit these payments with the State Treasurer for credit to the Account for the Tax on Products Made From Tobacco, Other Than Cigarettes, in the State General Fund. (Added to NRS by 1983, 708)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.501 - Imposition and collection of tax by governing body of Indian reservation or colony.

1. The governing body of an Indian reservation or Indian colony may impose an excise tax on any other tobacco product sold on the reservation or colony. 2. If an excise tax is imposed, the governing body may establish procedures for collecting the excise tax from any retail dealer authorized to do business on the reservation or colony. (Added to NRS by 1991, 655; A 2015, 2499)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.503 - Allowance of refund for certain taxes paid.

1. Upon proof satisfactory to the Department and subject to the requirements of NRS 360.236, a refund must be allowed for the taxes paid pursuant to NRS 370.450 on other tobacco products that are sold to: (a) The United States Government for the purposes of the Army, Air Force, Navy or Marine Corps and are shipped to a point within this State to a place which has been lawfully ceded to the United States Government for the purposes of the Army, Air Force, Navy or Marine Corps; (b) Veterans' hospitals for distribution or sale to service personnel with disabilities or ex-service personnel with disabilities interned therein, but not to civilians or civilian employees; (c) Any person if sold and delivered on an Indian reservation or colony where an excise tax has been imposed which is equal to or greater than the rate of the tax imposed pursuant to NRS 370.501; or (d) An Indian if sold and delivered on an Indian reservation or colony where no excise tax has been imposed or the excise tax is less than the rate of the tax imposed pursuant to NRS 370.501. 2. Any refund must be paid as other claims against the State are paid. (Added to NRS by 1991, 2280; A 2009, 66; 2015, 2499)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.504 - Certification of excess amount collected; credit and refund.

If the Department determines that any amount, penalty or interest has been paid more than once or has been erroneously or illegally collected or computed, the Department shall set forth that fact in the records of the Department and certify to the State Board of Examiners the amount collected in excess of the amount legally due and the person from whom it was collected or by whom it was paid. If approved by the State Board of Examiners, the excess amount collected or paid must, after being credited against any amount then due from the person in accordance with NRS 360.236, be refunded to the person, or his or her successors, administrators or executors. (Added to NRS by 2019, 621)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.5041 - Limitations on claim for refund or credit; form and contents of claim; failure to file claim constitutes waiver; service of notice of rejection of claim.

1. Except as otherwise provided in NRS 360.235 and 360.395: (a) No refund may be allowed unless a claim for it is filed with the Department within 3 years after the close of the period for which the tax was due. (b) No credit may be allowed after the expiration of the period specified for filing claims for refund unless a claim for credit is filed with the Department within that period, or unless the credit relates to a period for which a waiver is given pursuant to NRS 360.355. 2. Every claim for a credit or refund must be in writing and must state the specific grounds upon which the claim is founded. 3. Failure to file a claim within the time prescribed in this chapter constitutes a waiver of any demand against the State on account of overpayment. 4. Within 30 days after disallowing any claim in whole or in part, the Department shall serve notice of its action on the claimant in the manner prescribed for service of notice of a deficiency determination. (Added to NRS by 2019, 621)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.5042 - Interest on overpayments; disallowance of interest.

1. Except as otherwise provided in this section, NRS 360.320 or any other specific statute, interest must be paid upon any overpayment of any amount of the taxes imposed by this chapter at the rate set forth in, and in accordance with the provisions of, NRS 360.2937. 2. If the Department determines that any overpayment has been made intentionally or by reason of carelessness, it may not allow any interest on the overpayment. (Added to NRS by 2019, 622)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.5043 - Injunction or other process to prevent collection of tax prohibited; filing of claim is condition precedent to maintaining action for refund.

1. No injunction, writ of mandate or other legal or equitable process may issue in any suit, action or proceeding in any court against this State or against any officer of the State to prevent or enjoin the collection under this chapter of any tax or any amount of tax required to be collected. 2. No suit or proceeding may be maintained in any court for the recovery of any amount alleged to have been erroneously or illegally determined or collected unless a claim for refund or credit has been filed. (Added to NRS by 2019, 622)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.5044 - Action for refund: Period for commencement; venue; waiver.

1. Within 90 days after a final decision upon a claim filed pursuant to this chapter is rendered by the Nevada Tax Commission, the claimant may bring an action against the Department on the grounds set forth in the claim in a court of competent jurisdiction in

Carson City, the county of this State where the claimant resides or maintains his or her principal place of business or a county in which any relevant proceedings were conducted by the Department, for the recovery of the whole or any part of the amount with respect to which the claim has been disallowed. 2. Failure to bring an action within the time specified constitutes a waiver of any demand against the State on account of alleged overpayments. (Added to NRS by 2019, 622)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.5045 - Rights of claimant upon failure of Department to mail notice of action on claim; allocation of judgment for claimant.

1. If the Department fails to mail notice of action on a claim within 6 months after the claim is filed, the claimant may consider the claim disallowed and file an appeal with a hearing officer within 45 days after the last day of the 6-month period. If the claimant is aggrieved by the decision of the hearing officer on appeal, the claimant may, pursuant to the provisions of NRS 360.245, appeal the decision to the Nevada Tax Commission. If the claimant is aggrieved by the decision of the Commission on appeal, the claimant may file a petition for judicial review pursuant to NRS 233B.130. 2. If judgment is rendered for the plaintiff, the amount of the judgment must first be credited on any amount of tax due from the plaintiff pursuant to this chapter. 3. The balance of the judgment must be refunded to the plaintiff. (Added to NRS by 2019, 622)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.5046 - Allowance of interest in judgment for amount illegally collected.

In any judgment, interest must be allowed at the rate of 3 percent per annum upon the amount found to have been illegally collected from the date of payment of the amount to the date of allowance of credit on account of the judgment, or to a date preceding the date of the refund warrant by not more than 30 days, the date to be determined by the Department. (Added to NRS by 2019, 622)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.5047 - Standing to recover.

A judgment may not be rendered in favor of the plaintiff in any action brought against the Department to recover any amount paid when the action is brought by or in the name of an assignee of the person paying the amount or by any person other than the person who paid the amount. (Added to NRS by 2019, 622)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.5048 - Action for recovery of erroneous refund: Jurisdiction; venue; prosecution.

1. The Department may recover any refund or part of it which is erroneously made and any credit or part of it which is erroneously allowed in an action brought in a court of competent jurisdiction in Carson City or Clark County in the name of the State of Nevada. 2. The action must be tried in Carson City or Clark County unless the court with the consent of the Attorney General orders a change of place of trial. 3. The Attorney General shall prosecute the action, and the provisions of NRS, the Nevada Rules of Civil Procedure and the Nevada Rules of Appellate Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings. (Added to NRS by 2019, 623)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.5049 - Cancellation of illegal determination.

1. If any amount in excess of \$25 has been illegally determined, either by the person filing the return or by the Department, the Department shall certify this fact to the State Board of Examiners, and the latter shall authorize the cancellation of the amount upon the records of the Department. 2. If an amount not exceeding \$25 has been illegally determined, either by the person filing a return or by the Department, the Department, without certifying this fact to the State Board of Examiners, shall authorize the cancellation of the amount upon the records of the Department. (Added to NRS by 2019, 623)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.505 - Payment to wholesale dealer for cigarettes and other tobacco products purchased by retail dealer: Time for payment; prohibition of and penalty for extension of credit; investigations and hearings.

1. A retail dealer shall pay a wholesale dealer for all cigarettes and other tobacco products purchased from the wholesale dealer: (a) If the cigarettes or other tobacco products were delivered to the retail dealer on or after the 1st day of the month but before the 16th day of the month, on or before the 29th day of the same month; and (b) If the cigarettes or other tobacco products were delivered to the retail dealer on or after the 16th day of the month but before the 1st day of the next month, on or before the 14th day of the next month. 2. A wholesale dealer shall not extend credit or otherwise allow a retail dealer to violate the provisions of subsection 1. 3. The Department may impose a penalty on a wholesale dealer who violates the provisions of subsection 2 as follows: (a) For the first violation, a penalty of \$500. (b) For a second or subsequent violation, if paragraph (c) does not apply, a penalty of \$1,000. (c) For a third or subsequent violation within any 12-month period, a penalty of \$5,000 or suspension or revocation of the license of the wholesale dealer, or both. 4. Pursuant to a written complaint or upon its own motion, the Department shall investigate an alleged violation of subsection 2. The Department shall give notice to the alleged violator and conduct a hearing, if warranted by the

investigation. The Department may assess a penalty pursuant to subsection 3, if it determines that the wholesale dealer violated the provisions of subsection 2. (Added to NRS by 1987, 1789; A 1989, 285)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.510 - Regulations of Department.

The Department may make all necessary regulations for the administration and enforcement of this chapter, including: 1. Necessary regulations for the keeping of records to ensure compliance with this chapter by persons dealing in both taxable and exempt cigarettes. 2. Regulations authorizing persons other than dealers to possess unstamped cigarettes. 3. Regulations relating to the licensing of wholesale dealers and retail dealers. [Part 16:192:1947; 1943 NCL § 6528.16]—(NRS A 1971, 1165; 1975, 1714; 1977, 783; 1997, 1505)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.515 - Restriction on collection by Department of tax for products sold on Indian reservation or colony.

The Department shall not collect the tax imposed by this chapter on cigarettes or other tobacco products sold on an Indian reservation or Indian colony if: 1. The governing body of the reservation or colony imposes an excise tax pursuant to NRS 370.0751 or 370.501; 2. The excise tax imposed is equal to or greater than the tax imposed pursuant to this chapter; and 3. The governing body of the colony or reservation submits a copy of the ordinance imposing the excise tax to the Department. (Added to NRS by 1991, 655; A 2015, 2499)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.520 - Indian rights unabridged.

Nothing in this chapter shall operate to abridge the rights of any Indian, individual or tribe, or to infringe upon the sovereignty of any Indian tribe, organized under the Indian Reorganization Act, 25 U.S.C. §§ 476 et seq. (Added to NRS by 1973, 1006)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.521 - Sale and distribution of cigarettes, cigarette paper and tobacco, vapor and nicotine products to person under 21 years of age prohibited; age verification through enhanced controls; civil penalty; notice of civil infraction; denial of liability for civil infraction; payment and disposition of civil penalty.

1. Except as otherwise provided in subsections 2, 4 and 5, a person shall not sell, distribute or offer to sell cigarettes, cigarette paper, any product containing, made or derived from tobacco, any vapor product, any alternative nicotine product or any product containing, made or derived from nicotine to any person under the age of 21 years. 2. A person shall be deemed to be in compliance with the provisions of subsection 1 if, before the person sells, distributes or offers to sell to another any item described in subsection 1, the person: (a) Demands that the other person present a valid driver's license, permanent resident card, tribal identification card or other written or documentary evidence which shows that the other person is 21 years of age or older; (b) Is presented a valid driver's license, permanent resident card, tribal identification card or other written or documentary evidence which shows that the other person is 21 years of age or older; and (c) Reasonably relies upon the driver's license, permanent resident card, tribal identification card or other written or documentary evidence presented by the other person. 3. Except as otherwise provided in this subsection, a person shall not sell, distribute or offer to sell cigarettes, cigarette paper or other tobacco products to any person under 40 years of age without first performing age verification through enhanced controls that utilize a scanning technology or other automated, software-based system to verify that the person is 21 years of age or older. A person who violates this subsection is liable for a civil penalty of \$100 for each offense. The provisions of this subsection do not apply to a person selling, distributing or offering to sell cigarettes, cigarette paper or other tobacco products in a face-to-face transaction that occurs in an area within a casino where loitering by persons who are under 21 years of age is already prohibited pursuant to NRS 463.350. As used in this subsection, "casino" means an establishment which holds a nonrestricted license as defined in NRS 463.0177 and which is operating 16 or more slot machines together with any other game, race book or sports pool. 4. The employer of a person who is under 21 years of age may, for the purpose of allowing the person to handle or transport any item described in subsection 1 in the course of the person's lawful employment, provide an item described in subsection 1 to the person under 21 years of age. 5. The provisions of this section do not apply to any product regulated by the United States Food and Drug Administration under Subchapter V of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 351 et seq. 6. A person who violates subsection 1 is liable for a civil penalty of: (a) For the first violation within a 24-month period, \$100. (b) For the second violation within a 24-month period, \$250. (c) For the third and any subsequent violation within a 24-month period, \$500. 7. If an employee or agent of a licensee has violated subsection 1: (a) For the first violation within a 24-month period at the same premises, the licensee is liable for a civil penalty of \$2,500. (b) For the second violation within a 24-month period at the same premises, the licensee is liable for a civil penalty of \$5,000. (c) For the third violation within a 24-month period at the same premises, the licensee is liable for a civil penalty of \$7,500. (d) For the fourth and any subsequent violation within a 24-month period at the same premises, the licensee is liable for a civil penalty of \$10,000. 8. A peace officer or any person performing an inspection pursuant to NRS 202.2496 may issue a notice of infraction for a violation of this section. A notice of infraction must be issued on a form prescribed by the Department and must contain: (a) The location at which the violation occurred; (b) The date and time of the violation; (c) The name of the establishment at which the violation

occurred; (d) The signature of the person who issued the notice of infraction; (e) A copy of the section which allegedly is being violated; (f) Information advising the person to whom the notice of infraction is issued of the manner in which, and the time within which, the person must submit an answer to the notice of infraction; and (g) Such other pertinent information as the peace officer or person performing the inspection pursuant to NRS 202.2496 determines is necessary. 9. A notice of infraction issued pursuant to subsection 8 or a facsimile thereof must be filed with the Department and retained by the Department and is deemed to be a public record of matters which are observed pursuant to a duty imposed by law and is prima facie evidence of the facts alleged in the notice. 10. A person to whom a notice of infraction is issued pursuant to subsection 8 shall respond to the notice by: (a) Admitting the violation stated in the notice and paying to the State of Nevada the applicable civil penalty set forth in subsection 3, 6 or 7. (b) Denying liability for the infraction by notifying the Department and requesting a hearing in the manner indicated on the notice of infraction. Upon receipt of a request for a hearing pursuant to this paragraph, the Department shall provide the person submitting the request an opportunity for a hearing pursuant to chapter 233B of NRS. 11. Any money collected by the State of Nevada from a civil penalty pursuant to this section must be deposited in a separate account in the State General Fund to be used for the enforcement of this section and NRS 202.2493 and 202.2494. 12. As used in this section, "licensee" means a person who holds a license issued by the Department pursuant to this chapter. (Added to NRS by 2019, 3588; A 2021, 448, 820; 2021, 317, 321)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.523 - Civil penalties for certain violations; penalty for late payment of tax.

In addition to any other penalty authorized by law: 1. The Department may impose on each person who violates any of the provisions of this chapter a civil penalty of: (a) Not more than \$1,000 for the first violation of a provision; and (b) Not more than \$5,000 for each subsequent violation of the same provision. 2. Each violation of any provision of this chapter is considered a separate violation. 3. Any person who fails to pay any tax imposed pursuant to the provisions of NRS 370.090 to 370.327, inclusive, or 370.440 to 370.503, inclusive, within the time prescribed by law or regulation shall, in addition to the tax due: (a) For a first such failure, pay a penalty of 10 percent of the tax due but unpaid, in addition to the tax. In addition to the penalty, the Department may suspend or revoke the license of the licensee who failed to pay the tax. (b) For a second such failure in a 24-month period, pay a penalty of 25 percent of the amount of tax due but unpaid. In addition to the penalty, the Department may suspend or revoke the license of the licensee who failed to pay the tax. (c) For a third and each subsequent such failure in a 24-month period, pay a penalty of 25 percent of the amount of tax due but unpaid. In addition to the penalty, the Department shall suspend or revoke the license of the licensee who failed to pay the tax. (Added to NRS by 2005, 1190; A 2009, 167; 2019, 634)—(Substituted in revision for NRS 370.425)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.525 - Civil action for injunctive relief.

1. Except as otherwise provided in subsection 2, a person may institute a civil action in a court of competent jurisdiction for appropriate injunctive relief if the person: (a) Sells, distributes or manufactures cigarettes; and (b) Sustains direct economic or commercial injury as a result of a violation of NRS 370.090 to 370.327, inclusive, 370.380, 370.382, 370.385, 370.405, 370.410 or 370.531 to 370.597, inclusive. 2. Nothing in this section authorizes an action against this State, a political subdivision of this State, or an officer, employee or agency thereof. (Added to NRS by 2001, 2135; A 2005, 1198; 2009, 167; 2019, 638; 2021, 450)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.530 - Enforcement: Authority of Attorney General and district attorneys; duty of peace officers.

1. The Attorney General or the district attorney of the proper county may investigate and prosecute any civil or criminal violation of this chapter. 2. Sheriffs, within their counties, and all other peace officers of the State of Nevada shall, without further compensation, assist in the enforcement of this chapter. [18:192:1947; 1943 NCL § 6528.18]—(NRS A 2005, 1198)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.531 - Definitions.

As used in NRS 370.531 to 370.597, inclusive, unless the context otherwise requires, the words and terms defined in NRS 370.533 to 370.565, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2019, 613)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.533 - "Cigarette" defined.

"Cigarette" has the meaning ascribed to it in NRS 370.010. (Added to NRS by 2019, 613)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.535 - "Cigarette rolling machine" defined.

"Cigarette rolling machine" has the meaning ascribed to it in NRS 370.014. (Added to NRS by 2019, 613)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers

DealersNRS 370.537 - "Cigarette vending machine operator" defined.

"Cigarette vending machine operator" has the meaning ascribed to it in NRS 370.015. (Added to NRS by 2019, 613)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.539 - "Commission" defined.

"Commission" means the Nevada Tax Commission. (Added to NRS by 2019, 613)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.541 - "Consumer" defined.

"Consumer" means any person who comes into possession of cigarettes or other tobacco products in this State as a final user for any purpose other than offering them for sale as a wholesale or retail dealer. (Added to NRS by 2019, 613)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.543 - "License" defined.

"License" means a license issued pursuant to NRS 370.531 to 370.597, inclusive, that authorizes the holder of the license to operate a warehouse or distribution center or to conduct business as a manufacturer, a wholesale dealer of cigarettes, a wholesale dealer of other tobacco products, a tobacco retail dealer or a logistics company. (Added to NRS by 2019, 613)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.545 - "Licensee" defined.

"Licensee" means the holder of a license. (Added to NRS by 2019, 613)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.547 - "Logistics company" defined.

1. "Logistics company" means a person who is: (a) Not licensed as a manufacturer, a wholesale dealer of cigarettes, a wholesale dealer of other tobacco products or a tobacco retail dealer; and (b) Authorized by a manufacturer, a wholesale dealer of cigarettes or a wholesale dealer of other tobacco products to temporarily store, fulfill orders for and coordinate the transport or delivery of cigarettes or other tobacco products from a facility in this State on behalf of and at the direction of the manufacturer, wholesale dealer of cigarettes or wholesale dealer of other tobacco products. 2. The term does not include a common carrier who undertakes for hire, as a regular business, the transportation of cigarettes or other tobacco products from place to place, and who offers its services to all who choose to employ it and to pay its charges therefor. (Added to NRS by 2019, 613)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.549 - "Manufacturer" defined.

"Manufacturer" has the meaning ascribed to it in NRS 370.0315. (Added to NRS by 2019, 613)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.551 - "Other tobacco product" defined.

"Other tobacco product" has the meaning ascribed to it in NRS 370.0318. (Added to NRS by 2019, 613)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.553 - "Place of business" defined.

"Place of business" has the meaning ascribed to it in NRS 370.032. (Added to NRS by 2019, 614)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.555 - "Sale" and "to sell" defined.

"Sale" and "to sell" have the meaning ascribed to them in NRS 370.035. (Added to NRS by 2019, 614)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.557 - "Stamp" defined.

"Stamp" has the meaning ascribed to it in NRS 370.048. (Added to NRS by 2019, 614)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.559 - "Tobacco retail dealer" defined.

"Tobacco retail dealer" has the meaning ascribed to: 1. "Retail dealer" in NRS 370.033; and 2. "Retail dealer" in NRS 370.440. (Added to NRS by 2019, 614)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale

DealersNRS 370.561 - "Warehouse or distribution center" defined.

"Warehouse or distribution center" means a building in this State which is owned, leased or rented and operated by a manufacturer, wholesale dealer of cigarettes, wholesale dealer of other tobacco products or tobacco retail dealer for the temporary storage of cigarettes or other tobacco products. (Added to NRS by 2019, 614)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.563 - "Wholesale dealer of cigarettes" defined.

"Wholesale dealer of cigarettes" has the meaning ascribed to "wholesale dealer" in NRS 370.055. (Added to NRS by 2019, 614)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.565 - "Wholesale dealer of other tobacco products" defined.

"Wholesale dealer of other tobacco products" has the meaning ascribed to "wholesale dealer" in NRS 370.440. (Added to NRS by 2019, 614)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.567 - Required licensing.

1. A person shall not engage in business as a wholesale dealer of cigarettes, a wholesale dealer of other tobacco products or a tobacco retail dealer in this State unless that person first secures a license to engage in that activity from the Department. 2. A person shall not engage in business as a cigarette vending machine operator in this State unless that person first secures a license to engage in that activity from the Department. 3. A person shall not engage in business as a logistics company unless that person first secures a license to engage in that activity from the Department. 4. A person shall not operate a warehouse or distribution center unless that person first secures a license to engage in that activity from the Department. 5. A manufacturer shall not: (a) Sell any cigarettes to a wholesale dealer of cigarettes in this State; (b) Temporarily store, fulfill orders for or coordinate the transport or delivery of cigarettes by using a logistics company; or (c) Operate or permit any person other than the manufacturer to operate a cigarette rolling machine for the purpose of producing, filling, rolling, dispensing or otherwise manufacturing cigarettes, unless that manufacturer first secures a license to engage in that activity from the Department. 6. A separate license is required to engage in each of the activities described in this section. 7. A person may be licensed as a wholesale dealer of cigarettes, a wholesale dealer of other tobacco products, a tobacco retail dealer and as an operator of a warehouse or distribution center. (Added to NRS by 2019, 614)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.569 - Exemptions from licensing requirements.

The provisions of NRS 370.531 to 370.597, inclusive, do not apply to: 1. Common carriers while engaged in interstate commerce which sell or furnish cigarettes or other tobacco products on their trains, buses or airplanes; 2. A person entering this State with a quantity of cigarettes or other tobacco products for household or personal use which is exempt from federal import duty; and 3. A duty-free sales enterprise as defined in 19 U.S.C. § 1555(b)(8)(D) that: (a) Operates pursuant to the provisions of 19 U.S.C. § 1555(b); and (b) To the extent it sells cigarettes or other tobacco products, only sells cigarettes or other tobacco products that are duty-free merchandise as defined in 19 U.S.C. § 1555(b)(8)(E). (Added to NRS by 2019, 621)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.571 - Maintenance and distribution of list of licenses and licensees and of Indian tribes from which Department does not collect tax.

1. The Department shall create and maintain on its Internet website and otherwise make available for public inspection a list of all: (a) Currently valid licenses and the identity of the licensees holding those licenses; and (b) Indian tribes on whose reservations or colonies cigarettes or other tobacco products are sold and, pursuant to NRS 370.515, from which the Department does not collect the tax imposed by this chapter on such cigarettes or other tobacco products sold on the reservations or colonies. 2. The Department shall update the list at least once each month. (Added to NRS by 2019, 614)

2024 Nevada Revised StatutesChapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale DealersNRS 370.573 - Restrictions on issuance, maintenance and renewal of licenses.

1. No license may be issued, maintained or renewed if: (a) The applicant for the license or any combination of persons directly or indirectly owning, in the aggregate, more than 10 percent of the ownership interests in the applicant: (1) Is delinquent in the payment of any tax, penalty or fee administered by the Department; (2) Is delinquent in any return that is required to be filed with the Department; (3) Had a license revoked or had an equivalent license revoked in another jurisdiction within the past 2 years; (4) Has been convicted of a crime relating to the manufacture, distribution or sale of cigarettes or other tobacco products or a crime relating to the avoidance or evasion of taxes; (5) Is a manufacturer who has: (I) Imported any cigarettes into the United States in violation of 19 U.S.C. § 1681a; or (II) Imported or manufactured any cigarettes that do not fully comply with the Federal Cigarette Labeling and Advertising Act, 15 U.S.C. §§ 1331 et seq.; or (6) Is a nonparticipating manufacturer who is not in full compliance

with subsection 2 of NRS 370A.140. (b) Except as otherwise provided in this paragraph, the issuance of the license would result in the applicant conducting operations in the same physical location as another licensee. This paragraph does not apply to a licensee if: (1) The licensee is licensed or is applying to be licensed as: (I) A wholesale dealer of cigarettes or a wholesale dealer of other tobacco products; and (II) A tobacco retail dealer; (2) The licensee would conduct operations under both licenses at the same location; and (3) Each licensee has the same ownership. (c) The issuance would result in the applicant conducting operations from a residential address, storage facility, mailbox or post office box. 2. As used in this section: (a) "Nonparticipating manufacturer" means any manufacturer of tobacco products that is not a participating manufacturer. (b) "Participating manufacturer" has the meaning ascribed to it in NRS 370A.080. (Added to NRS by 2019, 615)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.575 - Application for license.

An application for a license must: 1. Be made to the Department on forms prescribed by the Department. 2. Include the name and address of the applicant. If the applicant is a firm, association or partnership, the application must include the name and address of each of its members. If the applicant is a corporation, the application must include the names and addresses of the president, vice president, secretary and managing officer or officers. 3. Specify the location, by street and number, of the principal place of business of the applicant. In addition to specifying the principal place of business of the applicant pursuant to this subsection, an application for a license as a cigarette vending machine operator must list all cigarette vending machine locations for which the license is sought. 4. Specify the location, by street and number, of any place used by the applicant to distribute, ship, affix stamps to, warehouse or store cigarettes or other tobacco products and for which the license is sought. 5. Specify any other information the Department may require to carry out the provisions of this chapter. 6. Except as otherwise provided in NRS 370.007 to 370.430, inclusive, and 370.531 to 370.597, inclusive, be accompanied by the required license fee. 7. Be accompanied by a certified copy of the certificate required by NRS 602.010 or any renewal certificate required by NRS 602.035. (Added to NRS by 2019, 615; A 2019, 3300)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.577 - Issuance of license to certain applicants without payment of fees.

The Department may issue a license without payment of fees to any applicant who is authorized to do business on an Indian reservation or Indian colony or upon a military or other federal reservation. (Added to NRS by 2019, 616)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.579 - Contents of license.

Each license must set forth: 1. The name of the person to whom it is issued. If the license is issued under a fictitious name, the license must also set forth the name of each of the persons conducting the business under the fictitious name. 2. The location, by street and number, of the premises for which the license is issued. (Added to NRS by 2019, 616)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.581 - Prohibition against operation from any location not listed on license; cigarette vending machine operator required to update list of cigarette vending machines; temporary license for convention or trade show.

1. Except as otherwise provided in subsection 2, a licensee shall not operate from any location other than the location listed on the face of the license of the licensee. A person who is licensed as a cigarette vending machine operator shall provide the Department with an updated list of all cigarette vending machines maintained by that person whenever there is a change or addition to the list. 2. Upon application by a licensee other than a manufacturer, the Department may issue a temporary license authorizing the licensee to operate at a convention or trade show. A licensee who has been issued a temporary license may operate pursuant to that license only on the specific dates of the convention or trade show for which the temporary license was issued. (Added to NRS by 2019, 616)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.583 - Signing, posting and transfer of license.

Each holder of a license shall: 1. Sign the license or cause an authorized representative to sign it. 2. Post the license in a conspicuous place in the premises for which it was issued. Licenses issued under the provisions of this chapter are nontransferable, except that upon prior written notice to the Department the location of the premises for which it was issued may be changed. (Added to NRS by 2019, 616)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.585 - Scope of license.

A current license as a: 1. Manufacturer authorizes the holder thereof to: (a) Sell cigarettes from the premises for which the license was issued to a licensed wholesale dealer of cigarettes in this State; (b) Ship cigarettes to a licensed logistics company; and (c) Temporarily store, fulfill orders for or coordinate the transport or delivery of cigarettes by using a licensed warehouse or distribution center. 2. Wholesale dealer of cigarettes authorizes the holder thereof to: (a) Purchase unstamped cigarettes from any manufacturer

who holds a current license; (b) Purchase stamped cigarettes from a licensed wholesale dealer of cigarettes; (c) Sell stamped cigarettes from the premises for which the license was issued to any Indian tribe or colony listed by the Department pursuant to NRS 370.571, to any licensed wholesale dealer of cigarettes or to any licensed tobacco retail dealer; and (d) Temporarily store and fulfill orders for stamped cigarettes at a licensed warehouse or distribution center or through a licensed logistics company. 3. Wholesale dealer of other tobacco products authorizes the holder thereof to: (a) Purchase other tobacco products from any manufacturer of other tobacco products or wholesale dealer of other tobacco products; (b) Sell other tobacco products from the premises for which the license was issued to any Indian tribe or colony listed by the Department pursuant to NRS 370.571, to any wholesale dealer of other tobacco products who holds a current license or to any tobacco retail dealer who holds a current license; and (c) Temporarily store and fulfill orders for other tobacco products at a licensed warehouse or distribution center or through a licensed logistics company. 4. Tobacco retail dealer authorizes the holder thereof to: (a) Purchase stamped cigarettes from any wholesale dealer of cigarettes who holds a current license; (b) Sell cigarettes from the premises for which the license was issued to any consumer in this State; (c) Purchase other tobacco products from a wholesale dealer of other tobacco products who holds a current license; (d) Sell other tobacco products to any consumer in this State; and (e) Temporarily store and fulfill orders for cigarettes or other tobacco products at a licensed warehouse or distribution center. 5. Cigarette vending machine operator authorizes the holder thereof to sell Nevada stamped cigarettes by means of coin-operated machines within the borders of this State. (Added to NRS by 2019, 616)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.587 - Period of validity of license; renewal; fees.

1. Each license issued by the Department is valid only for the calendar year for which it is issued, and must be renewed annually. 2. The Department shall not charge any license fees to operate a warehouse or distribution center or for a license as a logistics company. Except as otherwise provided in subsections 3 and 5, the Department shall charge: (a) For a license as a manufacturer, an annual license fee of \$1,000. (b) For a license as a wholesale dealer of cigarettes, an annual license fee of \$650. (c) For a license as a wholesale dealer of other tobacco products, an annual license fee of \$650. (d) For a license as a tobacco retail dealer, \$50. 3. If a license is issued at any time during the year other than on January 1, except for the renewal of a delinquent license pursuant to subsection 5, the licensee shall pay a proportionate part of the annual fee for the remainder of the year, but not less than 25 percent of the annual license fee. 4. The fees for a license are due and payable on January 1 of each year. If the annual license fee is not paid by January 15, the license is cancelled automatically. 5. A license which is cancelled for nonpayment of the annual license fee may be renewed at any time by the payment of the fee plus a 5 percent penalty thereon. (Added to NRS by 2019, 617; A 2019, 3300)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.589 - Wholesale dealers: Bond or other security.

1. Except as otherwise provided in this section, each licensed wholesale dealer of cigarettes and licensed wholesale dealer of other tobacco products shall furnish a bond executed by the wholesale dealer as principal, and by a corporation qualified under the laws of this State as surety, payable to the State of Nevada and conditioned upon the payment of all excise taxes required to be precollected by the wholesale dealer under the provisions of this chapter. Each bond must be in a principal sum equal to: (a) For a wholesale dealer of cigarettes, the largest amount of tax precollected by the wholesale dealer in any quarter of the preceding year; or (b) For a wholesale dealer of other tobacco products, the largest amount of tax paid by the wholesale dealer in any quarter of the preceding year. If the information to establish that amount is not available, then in a sum required from a licensee operating under conditions deemed comparable by the Department. No bond may be for less than \$1,000. When cash is used, the amount must be rounded up to the next larger integral multiple of \$100. 2. Except as otherwise provided in this section, each licensed wholesale dealer of cigarettes who wishes to defer payment on the purchase of revenue stamps shall furnish a bond executed by the wholesale dealer of cigarettes as principal, and by a corporation qualified under the laws of this State as surety, payable to the State of Nevada and conditioned upon the payment of all deferred payments for revenue stamps. Each bond must be in a principal sum equal to the maximum amount of revenue stamps which the wholesale dealer of cigarettes may have unpaid at any time. No bond may be for less than \$1,000. When cash is used, the amount must be rounded up to the next larger integral multiple of \$100. 3. Upon application and a satisfactory showing, the Department may increase or decrease the amount of a bond required by subsection 1 or 2, based on the record of taxes remitted by the wholesale dealer of cigarettes or wholesale dealer of other tobacco products. 4. The Department may waive the requirement of the bond required by subsection 1 or 2, whenever a licensed wholesale dealer of cigarettes or wholesale dealer of other tobacco products has maintained a satisfactory record of payment of excise taxes or deferred payments, respectively, for a period of 5 consecutive years. 5. A wholesale dealer of cigarettes and a wholesale dealer of other tobacco products are not entitled to a refund of any portion of money paid as a bond pursuant to this section if the wholesale dealer of cigarettes or wholesale dealer of other tobacco products has failed to file a report required by this chapter or owes the Department any fee, payment or penalty. (Added to NRS by 2019, 618)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.591 - Counties, cities and towns may require business licenses.

This chapter does not prohibit any county, city or town in the State of Nevada from requiring licenses before a person engages in business as a wholesale dealer of cigarettes, a wholesale dealer of other tobacco products or a tobacco retail dealer. (Added to NRS by 2019, 619)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.593 - Retention of records; inspection, copying and auditing of records by Department; verification of information by licensees; subpoenas.

1. Except as otherwise provided in subsection 2, a licensee shall retain for not less than 5 years all receipts, invoices, records, inventory records and financial statements necessary to substantiate information submitted by the licensee to the Department in any report or return required pursuant to this chapter. 2. If a licensee fails to submit a return or report which is required by this chapter, the licensee shall retain for not less than 8 years all receipts, invoices, records, inventory records and financial statements necessary to substantiate any information which the licensee was required to include in the report or return which the licensee failed to submit. 3. Upon request, a licensee shall provide access to and permit the Department to inspect, examine, photocopy and audit all receipts, invoices, records, inventory records and financial statements retained by the licensee pursuant to subsections 1 and 2 and all records and financial statements relating to the gross income of the licensee. 4. Upon request, a licensee shall provide verification of his or her gross income and any other matters affecting the enforcement of the provisions of this chapter. 5. The Department may demand access to and inspect, examine, photocopy and audit all receipts, invoices, records, inventory records and financial statements of any affiliate of a licensee who the Department knows or reasonably believes is involved in the financing, operation or management of the licensee. The inspection, examination, photocopying or audit may take place on the premises of the affiliate or another location, as practicable. 6. The Executive Director or any person authorized in writing by the Executive Director may issue a subpoena to compel the attendance of witnesses at a hearing held by the Department or to compel the production of records. (Added to NRS by 2019, 618)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.595 - Suspension or revocation of license; civil penalties; powers and duties of Department.

1. After notice to the licensee and a hearing as prescribed by the Department, the Department may suspend or revoke the license of a licensee who: (a) Fails to file a report or certification required by this chapter or files an incomplete or inaccurate report or certification required by this chapter; (b) Fails to pay any tax owed upon cigarettes or other tobacco products required by this chapter; (c) Is licensed as a wholesale dealer of cigarettes and fails to cure any shortfall for which the wholesale dealer of cigarettes is liable pursuant to NRS 370.683; (d) Sells in this State, purchases or possesses any cigarettes, cigarette packages or other tobacco products in violation of any provision of this chapter; (e) Imports into or exports from this State any cigarettes, cigarette packages or other tobacco products in violation of any provision of this chapter; or (f) Otherwise violates, or causes or permits to be violated, the provisions of this chapter or any regulation adopted thereunder. 2. Except as otherwise provided by subsection 4, the Department, upon a finding that the licensee has knowingly or negligently failed to comply with any provision of this chapter or any regulation adopted by the Commission, may: (a) Impose on the licensee a civil penalty pursuant to NRS 370.523; (b) In the case of a first violation of a provision of this chapter or any regulation adopted by the Commission, suspend the license of the licensee for not more than 60 consecutive calendar days; (c) In the case of a second or subsequent violation of the same provision of this chapter or any regulation adopted by the Commission, suspend the license of the licensee for not more than 180 consecutive calendar days or permanently revoke the license of the licensee; or (d) Take any combination of the actions authorized by paragraphs (a), (b) and (c). 3. A person whose license has been suspended or revoked shall not purchase or sell cigarettes or other tobacco products or permit cigarettes or other tobacco products to be sold during the period of suspension or revocation: (a) On the premises in this State occupied or controlled by the person; or (b) From any premises located outside this State if the cigarettes or other tobacco products are purchased or sold for distribution in this State. 4. The expiration, transfer, surrender, continuance, renewal or extension of a license issued pursuant to this chapter does not bar or abate any disciplinary proceedings or action. 5. The Department shall permanently revoke the license of any licensee who knowingly or negligently: (a) Sells or otherwise disposes of cigarettes or other tobacco products that are in the constructive possession of the Department; or (b) Is convicted of any felony relating to the manufacture, distribution or sale of cigarettes or other tobacco products. 6. In determining the penalty to be imposed on a licensee for a violation of paragraph (a) of subsection 1, the Department shall consider: (a) The documented reporting and discipline record of the licensee with the Department from the immediately preceding 24 months; (b) The timeliness of the licensee in correcting any inaccurate information included in a report or certification required by this chapter; (c) The efforts of the licensee to provide an explanation of the reason for any inaccurate information included in a report or certification required by this chapter or the basis for the omission of information from such a report or certification; (d) If a report or certification is inaccurate because of a variance between the inventory of cigarettes provided in the report or certification and the actual inventory of cigarettes, the quantity of the variance, the materiality of the variance and the extent to which the licensee accounts for the variance by brand or by whether tax has been paid on the cigarettes; (e) Any remedial measures initiated by the licensee to prevent future violations of a similar nature; and (f) Any other mitigating factors offered by the licensee or aggravating or mitigating factors identified by the Department. 7. For the purposes of this section, a report or certification required by this chapter is: (a) Inaccurate if the report or certification does not correctly record factual information or there is a discrepancy in the information included in the report and the factual information. (b) Incomplete if the report or certification does not include all necessary or responsive information. (Added to NRS by 2019, 619)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.597 - Procedure for suspension and revocation of license; regulations.

The Department shall adopt regulations establishing a procedure for the suspension and revocation of any license issued pursuant to NRS 370.531 to 370.597, inclusive. In adopting the regulations required by this section, the Department shall consider the effect of any suspension or revocation of a license on the inventory of cigarettes or other tobacco products that are in the stream of distribution at the time of suspension or revocation. (Added to NRS by 2019, 621)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.600 - Legislative findings.

The Legislature finds that: 1. Violations of the provisions of chapter 370A of NRS threaten the integrity of the Master Settlement Agreement, the fiscal soundness of the State and public health. 2. The enactment of the procedural enhancements set forth in NRS 370.600 to 370.705, inclusive, will aid in the enforcement of the provisions of chapter 370A of NRS and thereby safeguard the Master Settlement Agreement, the fiscal soundness of the State and public health. (Added to NRS by 2005, 374; A 2013, 2660)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.605 - Definitions.

As used in NRS 370.600 to 370.705, inclusive, unless the context otherwise requires, the words and terms defined in NRS 370.610 to 370.660, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2005, 374; A 2011, 934; 2013, 2660)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.610 - "Brand family" defined.

"Brand family" means all styles of cigarettes sold under the same trademark and differentiated from one another by means of additional modifiers or descriptors, and includes any brand name, whether or not occurring alone or in conjunction with any other word, any trademark, logo, symbol, motto, selling message or recognizable pattern of colors, or any other indicia of product identification identical or similar to, or identifiable with, a previously known brand of cigarettes. (Added to NRS by 2005, 374; A 2017, 1001)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.615 - "Cigarette" defined.

"Cigarette" has the meaning ascribed to it in NRS 370A.050. (Added to NRS by 2005, 374)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.620 - "Directory" defined.

"Directory" means the directory created pursuant to NRS 370.675. (Added to NRS by 2005, 374)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.625 - "Distributor" defined.

"Distributor" means a person that is authorized to affix stamps to cigarette packages pursuant to this chapter or any person that is required to pay the taxes on cigarettes imposed pursuant to this chapter. (Added to NRS by 2005, 374)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.630 - "Manufacturer of tobacco products" defined.

"Manufacturer of tobacco products" has the meaning ascribed to it in NRS 370A.060. (Added to NRS by 2005, 374)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.635 - "Master Settlement Agreement" defined.

"Master Settlement Agreement" has the meaning ascribed to it in NRS 370A.070. (Added to NRS by 2005, 374)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.640 - "Nonparticipating manufacturer" defined.

"Nonparticipating manufacturer" means any manufacturer of tobacco products that is not a participating manufacturer. (Added to NRS by 2005, 374)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.645 - "Participating manufacturer" defined.

"Participating manufacturer" has the meaning ascribed to it in NRS 370A.080. (Added to NRS by 2005, 374)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.650 - "Qualified escrow fund" defined.

"Qualified escrow fund" has the meaning ascribed to it in NRS 370A.090. (Added to NRS by 2005, 375)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.655 - "Stamp" defined.

"Stamp" means the indicia required to be placed on a cigarette package that evidences payment of the taxes on cigarettes imposed pursuant to this chapter. (Added to NRS by 2005, 375)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.660 - "Units sold" defined.

"Units sold" has the meaning ascribed to it in NRS 370A.120. (Added to NRS by 2005, 375)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.663 - Agreement with Indian tribe to implement this chapter or chapter 370A of NRS.

The State may enter into an agreement with an Indian tribe to enforce, administer or otherwise implement any provision of this chapter or chapter 370A of NRS. (Added to NRS by 2013, 2654)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.665 - Certification by manufacturers: Execution and delivery; form and contents; supplemental certification.

1. A manufacturer of tobacco products whose cigarettes are sold in this State, whether or not directly or through a distributor, retailer or similar intermediary or intermediaries shall, not later than April 30 of each year, execute and deliver to the Attorney General and the Department, on a form provided by the Attorney General, a certification which certifies under penalty of perjury that, as of the date of that certification, the manufacturer of tobacco products is: (a) A participating manufacturer; or (b) In full compliance with subsection 2 of NRS 370A.140, including any quarterly installment payments required pursuant to NRS 370.690.

2. Except as otherwise provided in NRS 370.670: (a) A participating manufacturer shall include in its certification pursuant to this section a list of its brand families and styles of cigarettes. The participating manufacturer shall update that list at least 30 calendar days before it adds to or modifies its brand families or styles of cigarettes by executing and delivering a supplemental certification to the Attorney General and the Department. (b) A nonparticipating manufacturer shall, in its certification pursuant to this section: (1) Include: (I) A list of all of its brand families and the number of units sold for each brand family that were sold in the State during the preceding calendar year; (II) A list of all of its brand families and styles of cigarettes that have been sold in the State at any time during the current calendar year; (III) The current mailing address of the nonparticipating manufacturer; and (IV) A valid electronic mail address of the nonparticipating manufacturer; (2) Indicate each brand family and style of cigarettes sold in the State during the preceding calendar year that is no longer being sold in the State as of the date of the certification; and (3) Identify, by name and address: (I) Any other manufacturer of those brand families in the preceding or current calendar year; and (II) Each wholesale dealer that sells or offers for sale in this State any brand family of the nonparticipating manufacturer. A nonparticipating manufacturer shall update the information required by this paragraph at least 30 calendar days before it adds to or modifies its brand families or styles of cigarettes or sells or distributes cigarettes in this State through a new wholesale dealer by executing and delivering a supplemental certification to the Attorney General and the Department.

3. In addition to the requirements of subsection 2, the certification of a nonparticipating manufacturer pursuant to this section must certify: (a) That the nonparticipating manufacturer is registered to do business in the State or has appointed an agent for service of process and provided notice thereof as required by NRS 370.680; (b) That the nonparticipating manufacturer has: (1) Established and continues to maintain a qualified escrow fund; and (2) Executed a qualified escrow agreement governing the qualified escrow fund that has been reviewed and approved by the Attorney General; (c) That the nonparticipating manufacturer is in full compliance with chapter 370A of NRS and any regulations adopted pursuant thereto; (d) The name, address and telephone number of the financial institution where the nonparticipating manufacturer has established the qualified escrow fund required pursuant to chapter 370A of NRS and any regulations adopted pursuant thereto; (e) The account number of that qualified escrow fund and any subaccount number for this State; (f) The amount the nonparticipating manufacturer placed in that qualified escrow fund for cigarettes sold in the State during the preceding calendar year, the date and amount of each such deposit, and such evidence or verification as may be deemed necessary by the Department or the Attorney General to confirm the information required by this paragraph; and (g) The amount and date of any withdrawal or transfer of money the nonparticipating manufacturer made at any time from that qualified escrow fund or from any other qualified escrow fund into which it ever made escrow payments pursuant to chapter 370A of NRS and any regulations adopted pursuant thereto. (Added to NRS by 2005, 375; A 2007, 2718; 2013, 2660; 2017, 1001; 2019, 470)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.670 - Certification by manufacturers: Prerequisites to inclusion of brand family; maintenance of certain pertinent information.

A manufacturer of tobacco products: 1. Shall not include a brand family in its certification pursuant to NRS 370.665 unless, if the manufacturer is: (a) A participating manufacturer, the manufacturer affirms that the brand family is to be deemed to be its cigarettes for the purposes of calculating its payments under the Master Settlement Agreement for the relevant year, in the volume and shares determined pursuant to the Master Settlement Agreement; or (b) A nonparticipating manufacturer, the manufacturer affirms that the

brand family is to be deemed to be its cigarettes for the purposes of chapter 370A of NRS. This subsection must not be construed as limiting or otherwise affecting the right of the State to maintain that a brand family constitutes cigarettes of a different manufacturer of tobacco products for the purposes of calculating payments under the Master Settlement Agreement or for the purposes of chapter 370A of NRS. 2. Shall maintain all invoices and documentation of sales, and any other information relied upon by the manufacturer for its certification pursuant to NRS 370.665, for at least 5 years, unless the manufacturer is otherwise required by law to maintain them for a greater period. (Added to NRS by 2005, 376)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.675 - Directory of manufacturers, brand families and styles of cigarettes: Duties of Department; judicial review of exclusion from directory.

1. The Department shall create and maintain on its Internet website and otherwise make available for public inspection a directory that lists, except as otherwise provided in NRS 370.600 to 370.705, inclusive, all manufacturers of tobacco products that have provided current and accurate certifications conforming to the requirements of NRS 370.600 to 370.705, inclusive, and all brand families and styles of cigarettes that are listed in those certifications. The Department: (a) Shall not include or retain in the directory the name or brand families of any nonparticipating manufacturer that has failed to provide the required certification or whose certification the Department determines is not in compliance with NRS 370.600 to 370.705, inclusive, unless the Department has determined that the violation has been cured to its satisfaction. (b) Shall not include or retain in the directory a manufacturer of tobacco products or brand family if the Department concludes, for a nonparticipating manufacturer, that: (1) Any escrow payment required pursuant to chapter 370A of NRS for any period for any brand family, whether or not listed by the nonparticipating manufacturer, has not been fully paid into a qualified escrow fund governed by a qualified escrow agreement which has been approved by the Attorney General; or (2) Any outstanding final judgment, including any interest thereon, for a violation of chapter 370A of NRS has not been fully satisfied for that manufacturer or brand family. 2. The Department shall update the directory as necessary to correct mistakes and to add or remove a manufacturer of tobacco products, brand family or style of cigarettes to keep the directory in conformity with the requirements of NRS 370.600 to 370.705, inclusive. 3. Any determination of the Department not to include in or to remove from the directory a manufacturer of tobacco products, brand family or style of cigarettes is a final decision for the purposes of judicial review. (Added to NRS by 2005, 376; A 2019, 471)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.677 - Department required to notify wholesale dealer or retail dealer of certain changes to directory of manufacturers, brand families and styles of cigarettes; duties of wholesale dealer or retail dealer upon receiving notice.

1. The Department shall notify each wholesale dealer and retail dealer when any changes are made to the directory pursuant to NRS 370.675, including, without limitation, when a manufacturer, brand family or style of cigarettes is added to or removed from the directory, by sending a notice to the electronic mail address of the wholesale dealer or retail dealer provided to the Department pursuant to NRS 370.073. 2. A retail dealer may, not later than 60 days after receiving a notice pursuant to subsection 1 that a manufacturer, brand family or style of cigarettes has been removed from the directory pursuant to NRS 370.675, sell any cigarettes in its possession from the manufacturer, brand family or style. The retail dealer shall, at the expiration of the 60-day period, turn over possession of any unsold cigarettes to the Department for disposal in the manner provided in subsection 4 of NRS 370.270. 3. A wholesale dealer shall not purchase cigarettes for resale from a manufacturer, or of a style or brand family, which has been removed from the directory by the Department, or for which the wholesale dealer receives a notice of removal from the Department, until the manufacturer, style or brand family is reentered in the directory by the Department. 4. A wholesale dealer that receives a notice pursuant to subsection 1 that a manufacturer, brand family or style of cigarettes has been removed from the directory pursuant to NRS 370.675 shall, not later than 20 days after receiving the notice, identify and set aside any cigarettes of that manufacturer or of that brand family or style of cigarettes for sale or distribution outside of the borders of this State pursuant to NRS 370.210 and keep a record of the destination state for that product, or return any cigarettes of that manufacturer or of that brand family or style to the manufacturer or wholesale dealer. (Added to NRS by 2013, 2653; A 2019, 472, 639)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.680 - Nonresident or foreign nonparticipating manufacturers and wholesale dealers: Agent for service of process.

1. Any nonresident or foreign nonparticipating manufacturer or wholesale dealer that has not registered to do business in the State as a foreign corporation or other business entity must, as a condition precedent: (a) For a nonparticipating manufacturer, to having its brand families included or retained in the directory; or (b) For a wholesale dealer, to selling cigarettes in this State, appoint and continually engage without interruption the services of an agent in this State to act as its agent for the service of process on whom all process, in any action or proceeding against it concerning or arising out of the enforcement of this chapter or chapter 370A of NRS, may be served in any manner authorized by law. 2. Service upon an agent pursuant to this section constitutes legal and valid service of process on the nonparticipating manufacturer or wholesale dealer. The nonparticipating manufacturer or wholesale dealer shall provide the name, address, phone number and proof of the appointment and availability of such agent to, and to the satisfaction of, the Attorney General and the Department. 3. A nonparticipating manufacturer or wholesale dealer shall provide notice to the Attorney General and the Department at least 30 calendar days before the termination of the authority of an agent appointed

pursuant to this section and shall provide proof to the satisfaction of the Attorney General and the Department of the appointment of a new agent not less than 5 calendar days before the termination of appointment of an existing agent. If an agent terminates his or her appointment as an agent, the nonparticipating manufacturer or wholesale dealer shall notify the Attorney General and the Department of that termination within 5 calendar days and include with that notification proof to the satisfaction of the Attorney General and the Department of the appointment of a new agent. 4. Any nonparticipating manufacturer or wholesale dealer which sells or purchases cigarettes in this State and which has not appointed and engaged an agent as required by this section shall be deemed to have appointed the Secretary of State as an agent and may be proceeded against in courts of this State by service of process upon the Secretary of State, except that the appointment of the Secretary of State as an agent does not satisfy the condition precedent for having the brand families of the nonparticipating manufacturer included or retained in the directory. (Added to NRS by 2005, 377; A 2013, 2661)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.682 - Bond of nonparticipating manufacturer: Posting requirements; amount; execution; application of amount collected by State; regulations.

1. A nonparticipating manufacturer shall post a bond approved by the Attorney General for the benefit of the State of Nevada. 2. The bond must be posted not less than 10 days before the beginning of each calendar quarter as a condition of the nonparticipating manufacturer and its brand families being included in the directory for that quarter. The amount of the bond must be the greater of \$50,000 or the greatest required escrow amount due from the nonparticipating manufacturer or its predecessor for any of the immediately preceding 12 calendar quarters. 3. If a nonparticipating manufacturer has failed to make or have made on its behalf escrow deposits equal to the full amount due for a calendar quarter within 15 business days after the due date for that calendar quarter, the State of Nevada may execute upon the bond posted by the nonparticipating manufacturer pursuant to subsection 1 in an amount equal to any remaining escrow amount due. 4. Any amount that the State of Nevada collects on a bond posted by a nonparticipating manufacturer pursuant to this section: (a) Must be deposited into a special escrow account established and maintained by the State of Nevada and used for purposes authorized for the use of money in the qualified escrow fund of the nonparticipating manufacturer pursuant to this chapter and chapter 370A of NRS; and (b) Reduces the escrow amount due from the nonparticipating manufacturer in the dollar amount collected. 5. Escrow obligations above the amount collected on the bond remain due from the nonparticipating manufacturer and, as provided in NRS 370.683 and 370.684, from wholesale dealers and importers, respectively, that sold the cigarettes of the nonparticipating manufacturer during that calendar quarter. 6. The withholding, use or return of amounts deposited into the special escrow account must be handled in the same manner as amounts deposited in the qualified escrow fund of the nonparticipating manufacturer pursuant to the provisions of this chapter and chapter 370A of NRS. 7. The Attorney General shall adopt regulations to carry out the provisions of this section. (Added to NRS by 2011, 931; A 2017, 1003)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.683 - Liability of wholesale dealer for required escrow deposits; prepayment by nonparticipating manufacturer of amount of escrow deposit.

1. Except as otherwise provided in subsection 5: (a) A wholesale dealer is liable for escrow deposits required pursuant to this chapter and chapter 370A of NRS if: (1) The wholesale dealer receives notice from the Attorney General or the Department that there is a shortfall in a qualified escrow fund with respect to cigarettes of a nonparticipating manufacturer that were stamped or distributed by the wholesale dealer; and (2) The shortfall is not cured by the wholesale dealer or nonparticipating manufacturer within 90 calendar days after the wholesale dealer receives that notice. The liability of the wholesale dealer for the escrow deposits must be calculated pursuant to paragraph (b). (b) If there is a shortfall in the qualified escrow fund of a nonparticipating manufacturer for a calendar quarter, each wholesale dealer that sold or distributed cigarettes of that nonparticipating manufacturer during that calendar quarter shall deposit into an escrow account designated by the Attorney General an amount equal to the shortfall multiplied by a fraction, the numerator of which is the number of cigarettes of that nonparticipating manufacturer that were sold in or into this State by the wholesale dealer during that calendar quarter, and the denominator of which is the total number of cigarettes of that nonparticipating manufacturer that were sold or distributed by all wholesale dealers in or into this State during that calendar quarter. In making the calculation, any cigarettes of the nonparticipating manufacturer that were sold or distributed in or into this State by a wholesale dealer during the calendar quarter in which the wholesale dealer collected and deposited the required escrow deposit amount on or before the due date for deposits for that quarter must be excluded from both the numerator and the denominator of the fraction. 2. To the extent that a wholesale dealer makes any payment with respect to a shortfall pursuant to this section, the wholesale dealer has a claim against the nonparticipating manufacturer for the amount of the payment. 3. A wholesale dealer may require a nonparticipating manufacturer, as a condition of the agreement of the wholesale dealer to purchase the cigarettes of the nonparticipating manufacturer, to: (a) Prepay the escrow deposit amount of the nonparticipating manufacturer into the escrow account designated in the certification of the nonparticipating manufacturer filed with the Attorney General pursuant to NRS 370.665; and (b) Require the escrow agent to provide to the wholesale dealer and the Attorney General proof of that prepayment. 4. Upon the request of a wholesale dealer who requires a nonparticipating manufacturer to comply with the provisions of paragraphs (a) and (b) of subsection 3, the Attorney General shall provide to the wholesale dealer a written verification of whether the nonparticipating manufacturer has made the escrow deposits required from the nonparticipating manufacturer pursuant

to this chapter and chapter 370A of NRS for a calendar quarter. 5. If a wholesale dealer requires a nonparticipating manufacturer to comply with the provisions of paragraph (a) of subsection 3 and receives a written verification from the Attorney General that the nonparticipating manufacturer has made the escrow deposits required from the nonparticipating manufacturer pursuant to this chapter and chapter 370A of NRS for a calendar quarter: (a) The wholesale dealer is not liable for any of those escrow deposits required for that calendar quarter; (b) The provisions of subsection 1 do not apply to the wholesale dealer with respect to any cigarettes of the nonparticipating manufacturer that were sold or distributed in or into this State during that calendar quarter; and (c) The cigarettes of the nonparticipating manufacturer that were sold or distributed in or into this State by the wholesale dealer during that calendar quarter must be excluded entirely from the calculations required by subsection 1. (Added to NRS by 2011, 929)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.684 - Liability of importer for required escrow deposit and certain reports.

1. An importer is jointly and severally liable for: (a) The escrow deposit due pursuant to NRS 370A.140 for each cigarette which is intended for sale in this State which the importer causes to be sent to a person who holds a license as a wholesale dealer issued by the Department; and (b) The reports required by subsection 1 of NRS 370.327. 2. A nonparticipating manufacturer located outside the United States that conducts business in this State shall provide to the Attorney General on a form prescribed by the Attorney General a declaration from each importer that imports the cigarettes of the nonparticipating manufacturer which are intended for sale in this State stating that the importer accepts liability pursuant to subsection 1 and consents to the jurisdiction of the courts of this State for the purposes of enforcing this section. 3. As used in this section, "importer" has the meaning ascribed to it in NRS 370.0295. (Added to NRS by 2013, 2654; A 2017, 1004; 2019, 639)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.685 - Distributor required to maintain and submit records; sharing of information between Department and Attorney General; proof from nonparticipating manufacturer of qualified escrow fund; distributor and manufacturers required to provide additional information upon request.

1. Not later than the 25th day of each calendar month, and more frequently if so directed by the Department, each distributor shall submit such information as the Department requires to facilitate compliance with the provisions of this chapter and chapter 370A of NRS, including, without limitation, a list by brand family of the total number of cigarettes or, in the case of "roll-your-own" tobacco, the equivalent unit count, for which the distributor affixed stamps during the previous calendar month or otherwise paid the tax due for those cigarettes. The distributor shall maintain for at least 5 years, and make available to the Department, all invoices and documentation of sales of all cigarettes of nonparticipating manufacturers and any other information relied upon in reporting to the Department. 2. The Department may disclose to the Attorney General any information received pursuant to this chapter or chapter 370A of NRS and requested by the Attorney General for purposes of determining compliance with and enforcing the provisions of this chapter and chapter 370A of NRS. The Department and Attorney General shall share with each other the information received pursuant to the provisions of this chapter and chapter 370A of NRS and may share such information with other federal, state or local agencies only for purposes of enforcement of those provisions or the corresponding laws of other states. 3. The Department or the Attorney General may require at any time from a nonparticipating manufacturer proof, from the financial institution in which that manufacturer has established a qualified escrow fund for the purpose of compliance with chapter 370A of NRS, of the amount of money in that fund, exclusive of interest, the amount and date of each deposit to that fund, and the amount and date of each withdrawal from that fund. 4. In addition to the information otherwise required to be submitted pursuant to this chapter and chapter 370A of NRS, the Department or the Attorney General may, at any time, require a distributor or manufacturer of tobacco products to submit any additional information or documentation as is necessary to determine whether a manufacturer of tobacco products is or will continue to be in compliance with the provisions of this chapter and chapter 370A of NRS. (Added to NRS by 2005, 377; A 2013, 2662; 2017, 1004; 2019, 640)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.690 - Adoption of certain regulations by Department.

1. To promote compliance with the provisions of NRS 370A.140, the Department may adopt regulations requiring a manufacturer of tobacco products to make the escrow deposits required by NRS 370A.140 in quarterly installments during the year in which the sales covered by those deposits are made. The Department may require the production of information sufficient to enable the Department to determine the adequacy of the amount of each quarterly installment. 2. The Department may adopt such regulations as it deems necessary to carry out the provisions of NRS 370.600 to 370.705, inclusive. (Added to NRS by 2005, 378; A 2011, 934)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.692 - Account for Tobacco Enforcement: Creation; administration; use.

1. The Account for Tobacco Enforcement is hereby created in the State General Fund. The Attorney General shall administer the Account. 2. The money in the Account must only be used to enforce the provisions of NRS 370.600 to 370.705, inclusive, and to pay the expenses incurred by the Attorney General in the discharge of his or her duties, including, without limitation, expenses relating to the provision of training and the payment of the salaries and benefits of employees. 3. Money in the Account must remain

in the Account and does not revert to the State General Fund at the end of any fiscal year. (Added to NRS by 2011, 932)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.693 - Attorney General: Application for grants; acceptance and deposit of gifts, grants and donations.

1. Except as otherwise provided in subsection 2, the Attorney General may apply for any available grant and may accept any gift, grant or donation to assist in carrying out his or her duties pursuant to NRS 370.600 to 370.705, inclusive. 2. The Attorney General shall not accept any gift, grant or donation from any manufacturer of tobacco products or any other manufacturer, as that term is defined in NRS 370.0315. 3. Any money received by the Attorney General pursuant to this section must be deposited in the Account for Tobacco Enforcement. (Added to NRS by 2011, 933)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.695 - Unlawful acts; penalties; violation constitutes deceptive trade practice.

1. It is unlawful for any person to: (a) Affix a stamp to a package or other container of cigarettes of a manufacturer of tobacco products, brand family or style which is not included in the directory; or (b) Sell, or offer or possess for sale, in this State cigarettes of a manufacturer of tobacco products, brand family or style not included in the directory. 2. A person who violates any provision of subsection 1 is guilty of a gross misdemeanor. 3. In addition to any other penalty authorized by law, the Department may impose on each person who violates any provision of subsection 1 a civil penalty for each such violation of not more than \$5,000 or 500 percent of the retail value of the cigarettes involved in the violation, whichever is greater. 4. Any violation of subsection 1 constitutes a deceptive trade practice for the purposes of NRS 598.0903 to 598.0999, inclusive. 5. For the purposes of this section, each stamp affixed to and each sale or offer to sell cigarettes in violation of subsection 1 constitutes a separate violation. (Added to NRS by 2005, 378; A 2019, 472)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.696 - Civil penalty: Noncompliance of wholesale dealer or manufacturer; failure to pay; deposit.

1. In addition to or in lieu of any other penalty or remedy provided by law, the Attorney General may seek a civil penalty in an amount not to exceed \$1,000 per day for the failure of a wholesale dealer timely or accurately to comply with any provision of this chapter or chapter 370A of NRS or any regulation adopted pursuant thereto. The license of the wholesale dealer may be suspended or revoked if the wholesale dealer fails to pay such a civil penalty within 30 days after it is imposed. 2. In addition to or in lieu of any other penalty or remedy provided by law, the Attorney General may seek a civil penalty in an amount not to exceed \$1,000 per day for the failure of a manufacturer of tobacco products timely or accurately to comply with any provision of this chapter or chapter 370A of NRS or any regulation adopted pursuant thereto. A manufacturer of tobacco products and the brand families of a manufacturer of tobacco products may be denied listing in the directory or removed from the directory if the manufacturer of tobacco products fails to pay such a civil penalty within 30 days after it is imposed. 3. Any civil penalty collected pursuant to this section must be deposited in the Account for Tobacco Enforcement. (Added to NRS by 2011, 933; A 2019, 472)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.697 - Civil penalty: False or inaccurate certification by wholesale dealer or nonparticipating manufacturer; deposit; failure to pay.

In addition to or in lieu of any other penalty or remedy provided by law, the Attorney General may seek a civil penalty in an amount not to exceed \$20,000 against any wholesale dealer or nonparticipating manufacturer that makes a certification pursuant to this chapter or chapter 370A of NRS which asserts the truth of any material matter that the wholesale dealer or nonparticipating manufacturer knows to be false or inaccurate. Any civil penalty collected pursuant to this section must be deposited in the Account for Tobacco Enforcement. If such a civil penalty is not paid within 30 days after it is imposed against: 1. A wholesale dealer, the license of the wholesale dealer may be suspended or revoked. 2. A nonparticipating manufacturer, the nonparticipating manufacturer and the brand families of the nonparticipating manufacturer may be denied listing in the directory or removed from the directory. (Added to NRS by 2011, 933)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.698 - Suspension, revocation and reinstatement of license of wholesale dealer whose license is suspended or revoked in another state; denial of listing in, removal from and reinstatement to directory of nonparticipating manufacturer and its brand families and styles of cigarettes.

1. The license of a wholesale dealer may be suspended or revoked if a similar license of the wholesale dealer is suspended or revoked in any other state based on an act or omission that would, if the act or omission had occurred in this State, be grounds for the suspension or revocation of the license of the wholesale dealer pursuant to NRS 370.595, unless the wholesale dealer demonstrates that the suspension or revocation of its license in the other state was effected without due process. A wholesale dealer whose license is suspended or revoked in this State pursuant to this subsection is eligible for reinstatement upon the earlier of the date on which the violation in the other state is cured or the date on which the license of the wholesale dealer is reinstated in the other state. 2. A nonparticipating manufacturer and its brand families and styles of cigarettes may be denied listing in the directory

or removed from the directory for any of the following reasons: (a) The nonparticipating manufacturer is removed from the directory of another state based on an act or omission that would, if the act or omission had occurred in this State, be grounds for the removal of the nonparticipating manufacturer from the directory of this State pursuant to NRS 370.675, unless the nonparticipating manufacturer demonstrates that its removal from the directory of the other state was effected without due process. A nonparticipating manufacturer that is removed from the directory of this State pursuant to this paragraph is eligible for reinstatement to the directory upon the earlier of the date on which the violation in the other state is cured or the date on which the nonparticipating manufacturer is reinstated to the directory of the other state. (b) The nonparticipating manufacturer is convicted of any crime relating to the manufacture, sale or distribution of tobacco products in this State or another state. (c) The nonparticipating manufacturer fails to report the existence or result, including any conviction, of any investigation of the nonparticipating manufacturer which is known to the nonparticipating manufacturer regarding the commission of any crime relating to the manufacture, sale or distribution of tobacco products in this State or another state. (d) The nonparticipating manufacturer fails to report any investigation of the nonparticipating manufacturer which is known to the nonparticipating manufacturer regarding any violation of the laws of any other state based on an act or omission that would, if the act or omission had occurred in this State, be grounds for the removal of the nonparticipating manufacturer from the directory of this State pursuant to NRS 370.675. (e) The nonparticipating manufacturer knowingly makes a false, material statement in any report, filing or other communication provided to this State pursuant to this chapter or chapter 370A of NRS. (f) The nonparticipating manufacturer has a shortfall or fails to make an escrow deposit that is due in another state or territory of the United States, has been given reasonable notice of the shortfall or failure and has failed to cure the shortfall or make the deposit within 30 days after receiving notice of the shortfall or failure. (g) In any calendar year the total nationwide sales of cigarettes on which federal excise tax is paid by the nonparticipating manufacturer exceeds by more than 5 percent the amount of such sales reported in: (1) Any nationwide report made by the nonparticipating manufacturer or any importer pursuant to 15 U.S.C. §§ 375 et seq.; (2) Any interstate report required by law; or (3) Any intrastate report required by law, unless the nonparticipating manufacturer cures the discrepancy or provides a satisfactory explanation of the discrepancy within 30 days after receiving notice of the discrepancy. 3. The provisions of NRS 233B.121 to 233B.150, inclusive, apply to: (a) The suspension or revocation of the license of a wholesale dealer pursuant to subsection 1; and (b) The removal of a nonparticipating manufacturer and its brand families and styles of cigarettes from the directory pursuant to subsection 2. (Added to NRS by 2011, 931; A 2013, 2663; 2017, 1005; 2019, 640)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.700 - Action for injunction or enforcement; recovery of costs; disgorgement of profits; remedies and penalties cumulative.

1. The Attorney General, on behalf of the Department, may bring an action in the district court of this State to: (a) Enjoin any threatened or actual violation of the provisions of NRS 370.600 to 370.705, inclusive, by a distributor or manufacturer and to compel the distributor or manufacturer to comply with those provisions; or (b) Enforce any of the provisions of NRS 370.600 to 370.705, inclusive. 2. In any action brought by the State to enforce the provisions of NRS 370.600 to 370.705, inclusive, the State is entitled to recover any costs of investigation, expert witness fees, costs of the action and reasonable attorney's fees. 3. If a court determines that a person has violated any provision of NRS 370.600 to 370.705, inclusive, the court shall order any profits, gain, gross receipts or other benefit from the violation to be disgorged and paid to the State Treasurer for deposit in the State General Fund. 4. The remedies and penalties provided in NRS 370.600 to 370.705, inclusive, are cumulative to each other and to the remedies and penalties available under any other law of this State. (Added to NRS by 2005, 379; A 2011, 935)

2024 Nevada Revised Statutes Chapter 370 - Tobacco: Licenses and Taxes; Supervision of Manufacturers and Wholesale Dealers NRS 370.705 - Controlling provisions; invalidity and severability.

1. If a court of competent jurisdiction finds that the provisions of NRS 370.600 to 370.705, inclusive, conflict and cannot be harmonized with the provisions of chapter 370A of NRS, then the provisions of chapter 370A of NRS shall be deemed to control. 2. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of NRS 370.600 to 370.705, inclusive, causes chapter 370A of NRS to no longer constitute a qualifying or model statute, as those terms are defined in the Master Settlement Agreement, then that portion of NRS 370.600 to 370.705, inclusive, shall be deemed to be invalid. 3. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this chapter is for any reason held to be invalid, unlawful or unconstitutional, that decision shall be deemed not to affect the validity of the remaining portions of this chapter or any part thereof. (Added to NRS by 2005, 379; A 2011, 935)

Title: chapter-372

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.010 - Short title.

This chapter is known and may be cited as the Sales and Use Tax Act. [1:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.015 - Definitions.

Except where the context otherwise requires, the definitions given in NRS 372.020 to 372.102, inclusive, govern the construction of this chapter. [2:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.020 - "Business" defined.

"Business" includes any activity engaged in by any person or caused to be engaged in by him with the object of gain, benefit or advantage, either direct or indirect. [13:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.025 - "Gross receipts" defined.

1. "Gross receipts" means the total amount of the sale or lease or rental price, as the case may be, of the retail sales of retailers, valued in money, whether received in money or otherwise, without any deduction on account of any of the following: (a) The cost of the property sold. However, in accordance with such rules and regulations as the Tax Commission may prescribe, a deduction may be taken if the retailer has purchased property for some other purpose than resale, has reimbursed his vendor for tax which the vendor is required to pay to the State or has paid the use tax with respect to the property, and has resold the property before making any use of the property other than retention, demonstration or display while holding it for sale in the regular course of business. If such a deduction is taken by the retailer, no refund or credit will be allowed to his vendor with respect to the sale of the property. (b) The cost of the materials used, labor or service cost, interest paid, losses or any other expense. (c) The cost of transportation of the property before its sale to the purchaser. 2. The total amount of the sale or lease or rental price includes all of the following: (a) Any services that are a part of the sale. (b) All receipts, cash, credits and property of any kind. (c) Any amount for which credit is allowed by the seller to the purchaser. 3. "Gross receipts" does not include any of the following: (a) Cash discounts allowed and taken on sales. (b) The sale price of property returned by customers when the full sale price is refunded either in cash or credit, but this exclusion does not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned. (c) The price received for labor or services used in installing or applying the property sold. (d) The amount of any tax, not including any manufacturers' or importers' excise tax, imposed by the United States upon or with respect to retail sales, whether imposed upon the retailer or the consumer. (e) The amount of any allowance against the selling price given by a retailer for the value of a used vehicle which is taken in trade on the purchase of another vehicle. 4. For purposes of the sales tax, if the retailers establish to the satisfaction of the Tax Commission that the sales tax has been added to the total amount of the sale price and has not been absorbed by them, the total amount of the sale price shall be deemed to be the amount received exclusive of the tax imposed. [12:397:1955]—(Amended in 2006. Proposed by the 2005 Legislature; adopted by the people at the 2006 General Election, effective January 1, 2007. See Statutes of Nevada 2005, p. 2494.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.030 - "In this State" and "in the State" defined.

"In this State" or "in the State" means within the exterior limits of the State of Nevada and includes all territory within these limits owned by or ceded to the United States of America. [17:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.035 - "Occasional sale" defined.

1. "Occasional sale" includes: (a) A sale of property not held or used by a seller in the course of an activity for which he is required to hold a seller's permit, provided such sale is not one of a series of sales sufficient in number, scope and character to constitute an activity requiring the holding of a seller's permit. (b) Any transfer of all or substantially all the property held or used by a person in the course of such an activity when after such transfer the real or ultimate ownership of such property is substantially similar to that which existed before such transfer. 2. For the purposes of this section, stockholders, bondholders, partners or other persons holding an interest in a corporation or other entity are regarded as having the "real or ultimate ownership" of the property of such corporation or other entity. [18.1:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.040 - "Person" defined.

"Person" includes any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, trustee, syndicate, cooperative, assignee, or any other group or combination acting as a unit, but shall not include the United States, this State or any agency thereof, or any city, county, district or other political subdivision of this State. [3:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.045 - "Purchase" defined.

1. "Purchase" means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for a consideration. 2. A transaction whereby the possession of property is transferred but the seller retains the title as security for the payment of the price is a purchase. 3. A transfer for a consideration of tangible personal property which has been produced, fabricated or printed to the special order of the customer, or of any publication, is also a purchase. [10:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.050 - "Retail sale" and "sale at retail" defined.

1. "Retail sale" or "sale at retail" means a sale for any purpose other than resale in the regular course of business of tangible personal property. 2. The delivery in this State of tangible personal property by an owner or former owner thereof or by a factor, or agent of such owner, former owner or factor, if the delivery is to a consumer or person for redelivery to a consumer, pursuant to a retail sale

made by a retailer not engaged in business in this State, is a retail sale in this State by the person making the delivery. He shall include the retail selling price of the property in his gross receipts. [6:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.055 - "Retailer" defined.

1. "Retailer" includes: (a) Every seller who makes any retail sale or sales of tangible personal property, and every person engaged in the business of making retail sales at auction of tangible personal property owned by the person or others. (b) Every person engaged in the business of making sales for storage, use or other consumption or in the business of making sales at auction of tangible personal property owned by the person or others for storage, use or other consumption. (c) Every person making more than two retail sales of tangible personal property during any 12-month period, including sales made in the capacity of assignee for the benefit of creditors, or receiver or trustee in bankruptcy. 2. When the Tax Commission determines that it is necessary for the efficient administration of this chapter to regard any salesmen, representatives, peddlers or canvassers as the agents of the dealers, distributors, supervisors or employers under whom they operate or from whom they obtain the tangible personal property sold by them, irrespective of whether they are making sales on their own behalf or on behalf of such dealers, distributors, supervisors or employers, the Tax Commission may so regard them and may regard the dealers, distributors, supervisors or employers as retailers for purposes of this chapter. 3. A licensed optometrist or physician and surgeon is a consumer of, and shall not be considered, a retailer within the provisions of this chapter, with respect to the ophthalmic materials used or furnished by him in the performance of his professional services in the diagnosis, treatment or correction of conditions of the human eye, including the adaptation of lenses or frames for the aid thereof. [15:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.060 - "Sale" defined.

1. "Sale" means and includes any transfer of title or possession, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for a consideration. 2. "Transfer of possession," "lease," or "rental" includes only transactions found by the Tax Commission to be in lieu of a transfer of title, exchange or barter. 3. "Sale" includes: (a) The producing, fabricating, processing, printing or imprinting of tangible personal property for a consideration for consumers who furnish, either directly or indirectly, the materials used in the producing, fabricating, processing, printing or imprinting. (b) The furnishing and distributing of tangible personal property for a consideration by social clubs and fraternal organizations to their members or others. (c) The furnishing, preparing, or serving for a consideration of food, meals or drinks. (d) A transaction whereby the possession of property is transferred but the seller retains the title as security for the payment of the price. (e) A transfer for a consideration of the title or possession of tangible personal property which has been produced, fabricated or printed to the special order of the customer, or of any publication. [5:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.065 - "Sales price" defined.

1. "Sales price" means the total amount for which tangible property is sold, valued in money, whether paid in money or otherwise, without any deduction on account of any of the following: (a) The cost of the property sold. (b) The cost of materials used, labor or service cost, interest charged, losses, or any other expenses. (c) The cost of transportation of the property before its purchase. 2. The total amount for which property is sold includes all of the following: (a) Any services that are a part of the sale. (b) Any amount for which credit is given to the purchaser by the seller. 3. "Sales price" does not include any of the following: (a) Cash discounts allowed and taken on sales. (b) The amount charged for property returned by customers when the entire amount charged therefor is refunded either in cash or credit, except that this exclusion does not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned. (c) The amount charged for labor or services rendered in installing or applying the property sold. (d) The amount of any tax, not including any manufacturers' or importers' excise tax, imposed by the United States upon or with respect to retail sales, whether imposed upon the retailer or the consumer. (e) The amount of any allowance against the selling price given by a retailer for the value of a used vehicle which is taken in trade on the purchase of another vehicle. [11:397:1955]—(Amended in 2006. Proposed by the 2005 Legislature; adopted by the people at the 2006 General Election, effective January 1, 2007. See Statutes of Nevada 2005, p. 2493.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.070 - "Seller" defined.

"Seller" includes every person engaged in the business of selling tangible personal property of a kind, the gross receipts from the retail sale of which are required to be included in the measure of the sales tax. [14:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.075 - "Storage" defined.

"Storage" includes any keeping or retention in this State for any purpose except sale in the regular course of business or subsequent use solely outside this State of tangible personal property purchased from a retailer. [7:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.080 - "Storage" and "use": Exclusion.

"Storage" and "use" do not include the keeping, retaining or exercising any right or power over tangible personal property for the purpose of subsequently transporting it outside the State for use thereafter solely outside the State, or for the purpose of being processed, fabricated or manufactured into, attached to, or incorporated into, other tangible personal property to be transported

outside the State and thereafter used solely outside the State. [9:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.085 - "Tangible personal property" defined.

"Tangible personal property" means personal property which may be seen, weighed, measured, felt or touched, or which is in any other manner perceptible to the senses. [16:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.090 - "Tax Commission" defined.

"Tax Commission" means the Nevada Tax Commission. [18:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.095 - "Taxpayer" defined.

"Taxpayer" means any person liable for tax under this chapter. [4:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.102 - "Vehicle" defined.

"Vehicle" has the meaning ascribed to it in NRS 482.135. [18.2:397:1955]—(Added in 2006. Proposed by the 2005 Legislature; adopted by the people at the 2006 General Election, effective January 1, 2007. See Statutes of Nevada 2005, p. 2493.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.105 - Imposition and rate.

For the privilege of selling tangible personal property at retail a tax is hereby imposed upon all retailers at the rate of 2 percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this State on or after July 1, 1955. [19:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.110 - Method of collection.

The tax hereby imposed shall be collected by the retailer from the consumer insofar as it can be done. [20:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.115 - Advertisement of assumption or absorption of tax by retailer unlawful; penalty.

1. It is unlawful for any retailer to advertise or hold out or state to the public or to any customer, directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the retailer or that it will not be added to the selling price of the property sold or that if added it or any part thereof will be refunded. 2. Any person violating any provision of this section is guilty of a misdemeanor. [21:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.120 - Display of tax separately from price.

The Department may by regulation provide that the amount collected by the retailer from the consumer in reimbursement of the tax be displayed separately from the list price, the price advertised in the premises, the marked price, or other price on the sales check or other proof of sale. (Added to NRS by 1979, 412)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.123 - Provisions required in certain purchasing contracts of State or political subdivision.

1. If the State or a political subdivision of the State enters into a contract pursuant to chapter 332 or 333 of NRS on or after June 5, 2001, with a person who: (a) Sells tangible personal property in this State; and (b) Has not obtained a permit pursuant to NRS 360.5971 or registered pursuant to NRS 360B.200, the contract must include a provision requiring the person to obtain a permit pursuant to NRS 360.5971 or to register pursuant to NRS 360B.200, and to collect and pay the taxes imposed pursuant to this chapter on the sale of tangible personal property in this State. For the purposes of a permit obtained pursuant to NRS 360.5971, the person shall be deemed to have a single place of business in this State. 2. The Department may require a state agency or local government to submit such documentation as is necessary to ensure compliance with this section. (Added to NRS by 2001, 1714; A 2003, 2364; 2005, 1778; 2021, 2009)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.155 - Presumption of taxability; purchase for resale; sale by drop shipment.

1. For the purpose of the proper administration of this chapter and to prevent evasion of the sales tax, it is presumed that all gross receipts are subject to the tax until the contrary is established. The burden of proving that a sale of tangible personal property is not a sale at retail is upon the person who makes the sale unless the person takes from the purchaser a certificate to the effect that the property is purchased for resale and the purchaser: (a) Is engaged in the business of selling tangible personal property; (b) Is registered pursuant to NRS 360B.200 or holds a permit issued pursuant to NRS 360.5973; and (c) At the time of purchasing the property, intends to sell it in the regular course of business or is unable to ascertain at the time of purchase whether the property will be sold or will be used for some other purpose. 2. If a sale of tangible personal property is transacted by drop shipment, the third-party vendor is relieved of the burden of proving that the sale is not a sale at retail if: (a) The third-party vendor: (1) Takes from his or her customer a certificate to the effect that the property is purchased for resale; or (2) Obtains any other evidence

acceptable to the Department that the property is purchased for resale; and (b) His or her customer: (1) Is engaged in the business of selling tangible personal property; and (2) Is selling the property in the regular course of business. (Added to NRS by 1979, 413; A 2007, 2310; 2011, 2755; 2021, 2010)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.165 - Form and contents of resale certificate.

A resale certificate must: 1. Be substantially in such form and include such information as the Department may prescribe; and 2. Unless submitted in electronic form, be signed by the purchaser. (Added to NRS by 1979, 413; A 2003, 2365; 2005, 1778; 2007, 2311)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.170 - Liability of purchaser who gives and seller who takes resale certificate.

1. If a purchaser who gives a resale certificate makes any use of the property other than retention, demonstration or display while holding it for sale in the regular course of business: (a) The use is taxable to the purchaser as of the time the property is first so used by him or her, and the sales price of the property to the purchaser is the measure of the tax. If the sole use of the property other than retention, demonstration or display in the regular course of business is the rental of the property while holding it for sale, the purchaser may elect to include in his or her gross receipts the amount of the rental charged rather than the sales price of the property to him or her. (b) The seller is liable for the sales tax with respect to the sale of the property to the purchaser only if: (1) There is an unsatisfied use tax liability pursuant to paragraph (a); and (2) The seller fraudulently failed to collect the tax or solicited the purchaser to provide the resale certificate unlawfully. 2. As used in this section, "seller" includes a certified service provider, as that term is defined in NRS 360B.060, acting on behalf of a seller who is registered pursuant to NRS 360B.200. (Added to NRS by 1979, 413; A 2007, 2311)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.175 - Improper use of resale certificate; penalty.

Any person who gives a resale certificate for property which the person knows at the time of purchase is not to be resold by the person in the regular course of business for the purpose of evading payment to the seller of the amount of the tax applicable to the transaction is guilty of a misdemeanor. (Added to NRS by 1979, 414)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.180 - Resale certificate: Commingled fungible goods.

If a purchaser gives a certificate with respect to the purchase of fungible goods and thereafter commingles these goods with other fungible goods not so purchased but of such similarity that the identity of the constituent goods in the commingled mass cannot be determined, sales from the mass of commingled goods shall be deemed to be sales of the goods so purchased until a quantity of commingled goods equal to the quantity of purchased goods so commingled has been sold. (Added to NRS by 1979, 414)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.185 - Imposition and rate.

1. An excise tax is hereby imposed on the storage, use or other consumption in this State of tangible personal property purchased from any retailer on or after July 1, 1955, for storage, use or other consumption in this State at the rate of 2 percent of the sales price of the property. 2. The tax is imposed with respect to all property which was acquired out of state in a transaction that would have been a taxable sale if it had occurred within this State. [34:397:1955]—(Amended in 1986. Proposed by the 1985 Legislature; adopted by the people at the 1986 general election, effective January 1, 1987. See Statutes of Nevada 1985, p. 1563.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.190 - Liability for tax; extinguishment of liability.

Every person storing, using or otherwise consuming in this State tangible personal property purchased from a retailer is liable for the tax. His liability is not extinguished until the tax has been paid to this State, except that a receipt from a retailer maintaining a place of business in this State or from a retailer who is authorized by the Tax Commission, under such rules and regulations as it may prescribe, to collect the tax and who is, for the purposes of this chapter relating to the use tax, regarded as a retailer maintaining a place of business in this State, given to the purchaser pursuant to NRS 372.195 is sufficient to relieve the purchaser from further liability for the tax to which the receipt refers. [35:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.195 - Collection by retailer; purchaser's receipt.

Every retailer maintaining a place of business in this State and making sales of tangible personal property for storage, use or other consumption in this State, not exempted under NRS 372.260 to 372.350, inclusive, shall, at the time of making the sales or, if the storage, use or other consumption of the tangible personal property is not then taxable hereunder, at the time the storage, use or other consumption becomes taxable, collect the tax from the purchaser and give to the purchaser a receipt therefor in the manner and form prescribed by the Tax Commission. [36:397:1955]—(NRS A 2019, 1394)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.200 - Tax as debt to State.

The tax required to be collected by the retailer constitutes a debt owed by the retailer to this State. [37:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.205 - Advertisement of assumption or absorption of tax by retailer unlawful.

It is unlawful for any retailer to advertise or hold out or state to the public or to any customer, directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the retailer or that it will not be added to the selling price of the property sold or that if added it or any part thereof will be refunded. [38:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.210 - Tax must be displayed separately from price.

The tax required to be collected by the retailer from the purchaser must be displayed separately from the list price, the price advertised in the premises, the marked price, or other price on the sales check or other proof of sales. (Added to NRS by 1979, 414)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.215 - Unlawful acts.

Any person who violates section 36 or 38 of the Sales and Use Tax Act (chapter 397, Statutes of Nevada 1955) or NRS 372.210 is guilty of a misdemeanor. (Added to NRS by 1979, 414)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.220 - Registration of retailers; registration of certain businesses when obtaining state business license.

1. Every retailer who sells tangible personal property for storage, use or other consumption in this State shall register with the Department and give: (a) The name and address of all agents operating in this State. (b) The location of all distribution or sales houses or offices or other places of business in this State. (c) Such other information as the Department may require. 2. Every business that purchases tangible personal property for storage, use or other consumption in this State shall, at the time the business obtains a state business license pursuant to chapter 76 of NRS, register with the Department on a form prescribed by the Department. As used in this section, "business" has the meaning ascribed to it in NRS 76.020. (Added to NRS by 1979, 414; A 2003, 20th Special Session, 20; 2009, 2051)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.225 - Presumption of purchase for use; purchase for resale; sale by drop shipment.

1. For the purpose of the proper administration of this chapter and to prevent evasion of the use tax and the duty to collect the use tax, it is presumed that tangible personal property sold by any person for delivery in this State is sold for storage, use or other consumption in this State until the contrary is established. The burden of proving the contrary is upon the person who makes the sale unless the person takes from the purchaser a certificate to the effect that the property is purchased for resale and the purchaser: (a) Is engaged in the business of selling tangible personal property; (b) Is registered pursuant to NRS 360B.200 or holds a permit issued pursuant to NRS 360.5973; and (c) At the time of purchasing the property, intends to sell it in the regular course of business or is unable to ascertain at the time of purchase whether the property will be sold or will be used for some other purpose. 2. If a sale of tangible personal property is transacted by drop shipment, the third-party vendor is relieved of the burden of proving that the property is sold for storage, use or other consumption in this State if: (a) The third-party vendor: (1) Takes from his or her customer a certificate to the effect that the property is purchased for resale; or (2) Obtains any other evidence acceptable to the Department that the property is purchased for resale; and (b) His or her customer: (1) Is engaged in the business of selling tangible personal property; and (2) Is selling the property in the regular course of business. (Added to NRS by 1979, 414; A 2007, 2311; 2011, 2756; 2021, 2010)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.235 - Form and contents of resale certificate.

A resale certificate must: 1. Be substantially in such form and include such information as the Department may prescribe; and 2. Unless submitted in electronic form, be signed by the purchaser. (Added to NRS by 1979, 415; A 2003, 2365; 2005, 1778; 2007, 2312)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.240 - Liability of purchaser giving resale certificate: Use of article bought for resale.

If a purchaser who gives a certificate makes any storage or use of the property other than retention, demonstration or display while holding it for sale in the regular course of business, the storage or use is taxable as of the time the property is first so stored or used. If the sole use of the property, other than retention, demonstration or display in the regular course of business, is the rental of the property while holding it for sale, the purchaser may elect to pay the tax on the use measured by the amount of the rental charged rather than the sales price of the property to him or her. (Added to NRS by 1979, 415)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.245 - Resale certificate: Commingled fungible goods.

If a purchaser gives a certificate with respect to the purchase of fungible goods and thereafter commingles these goods with other fungible goods not so purchased but of such similarity that the identity of the constituent goods in the commingled mass cannot be determined, sales from the mass of commingled goods shall be deemed to be sales of the goods so purchased until a quantity of

commingled goods equal to the quantity of purchased goods so commingled has been sold. (Added to NRS by 1979, 415)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.250 - Presumption of purchase for use in this State.

It is presumed that tangible personal property shipped or brought to this State by the purchaser on or after July 1, 1979, was purchased from a retailer on or after July 1, 1979, for storage, use or other consumption in this State. (Added to NRS by 1979, 415)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.255 - Presumption that property delivered outside this State to certain purchasers was purchased for use in this State.

1. Except as otherwise provided in NRS 372.258, on and after July 1, 1979, it is presumed that tangible personal property delivered outside this State to a purchaser known by the retailer to be a resident of this State was purchased from a retailer for storage, use or other consumption in this State and stored, used or otherwise consumed in this State. 2. This presumption may be controverted by: (a) A statement in writing, signed by the purchaser or his or her authorized representative, and retained by the vendor, that the property was purchased for use at a designated point or points outside this State. (b) Other evidence satisfactory to the Department that the property was not purchased for storage, use or other consumption in this State. (Added to NRS by 1979, 415; A 1999, 943)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.258 - Presumption that certain property delivered outside this State was not purchased for use in this State.

1. It is presumed that tangible personal property delivered outside this State to a purchaser was not purchased from a retailer for storage, use or other consumption in this State if the property: (a) Was first used in interstate or foreign commerce outside this State; and (b) Is used continuously in interstate or foreign commerce, but not exclusively in this State, for at least 12 months after the date that the property was first used pursuant to paragraph (a). 2. As used in this section: (a) "Interstate or foreign commerce" means the transportation of passengers or property between: (1) A point in one state and a point in: (I) Another state; (II) A possession or territory of the United States; or (III) A foreign country; or (2) Points in the same state when such transportation consists of one or more segments of transportation that immediately follow movement of the property into the state from a point beyond its borders or immediately precede movement of the property from within the state to a point outside its borders. (b) "State" includes the District of Columbia. (Added to NRS by 1999, 943)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.260 - "Exempted from the taxes imposed by this chapter" defined.

"Exempted from the taxes imposed by this chapter," as used in NRS 372.260 to 372.350, inclusive, means exempted from the computation of the amount of taxes imposed. [48:397:1955]—(NRS A 2019, 1394)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.265 - Constitutional and statutory exemptions.

There are exempted from the taxes imposed by this chapter the gross receipts from the sale of, and the storage, use or other consumption in this State of, tangible personal property the gross receipts from the sale of which, or the storage, use or other consumption of which, this State is prohibited from taxing under the Constitution or laws of the United States or under the Constitution of this State. [49:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.270 - Proceeds of mines.

There are exempted from the taxes imposed by this chapter the gross receipts from the sale of, and the storage, use or other consumption in this State of, the proceeds of mines which are subject to taxes levied pursuant to chapter 362 of NRS. [52:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.275 - Fuel used to propel motor vehicle.

There are exempted from the taxes imposed by this chapter the gross receipts from the sale and distribution of, and the storage, use or other consumption in this State of, any combustible gas, liquid or material of a kind used in an internal or combustion or diesel engine for the generation of power to propel a motor vehicle on the highways. [55:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.280 - Animals and plants intended for human consumption; feed; fertilizer.

There are exempted from the taxes imposed by this chapter the gross receipts from sales of, and the storage, use or other consumption of: 1. Any form of animal life of a kind the products of which ordinarily constitute food for human consumption. 2. Feed for any form of animal life of a kind the products of which ordinarily constitute food for human consumption or are to be sold in the regular course of business. 3. Seeds and annual plants the products of which ordinarily constitute food for human consumption or are to be sold in the regular course of business. 4. Fertilizer to be applied to land the products of which are to be used as food for human consumption or sold in the regular course of business. [56:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.281 - Farm machinery and equipment.

1. There are exempted from the taxes imposed by this Act the gross receipts from the sale, storage, use or other consumption in a county of farm machinery and equipment. 2. As used in this section: (a) "Farm machinery and equipment" means a farm tractor, implement of husbandry, piece of equipment used for irrigation, or a part used in the repair or maintenance of farm machinery and equipment. The term does not include: (1) A vehicle required to be registered pursuant to the provisions of chapter 482 or 706 of NRS; or (2) Machinery or equipment only incidentally employed for agricultural purposes. (b) "Farm tractor" means a motor vehicle designed and used primarily for drawing an implement of husbandry. (c) "Implement of husbandry" means a vehicle that is designed, adapted or used for agricultural purposes, including, without limitation, a plow, machine for mowing, hay baler, combine, piece of equipment used to stack hay, till, harvest, handle agricultural commodities or apply fertilizers, or other heavy, movable equipment designed, adapted or used for agricultural purposes. [55.5:397:1955]—(Added in 2006. Proposed by the 2005 Legislature; adopted by the people at the 2006 General Election, effective January 1, 2007. See Statutes of Nevada 2005, p. 2493.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.282 - Durable medical equipment, mobility enhancing equipment and oxygen delivery equipment.

There are hereby exempted from the taxes imposed by this chapter the gross receipts from sales of, and the storage, use or other consumption of: 1. Durable medical equipment; 2. Mobility enhancing equipment; and 3. Oxygen delivery equipment, prescribed for human use by a licensed provider of health care acting within his or her scope of practice. (Added to NRS by 2019, 1394)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.283 - Prosthetic devices, orthotic appliances and certain supports and casts; appliances and supplies relating to ostomy; products for hemodialysis; medicine; feminine hygiene products. [Effective: (1) through December 31, 2024, if the proposal to amend the Sales and Use Tax Act of 1955 submitted pursuant to chapter 425, Statutes of Nevada 2023, is approved by the voters at the 2024 General Election; or (2) through December 31, 2028, if the proposal is not approved by the voters.] Prosthetic devices, orthotic appliances and certain supports and casts; appliances and supplies relating to ostomy; products for hemodialysis; medicine; feminine hygiene products; diapers. [Effective January 1, 2025, through December 31, 2028, if the proposal to amend the Sales and Use Tax Act of 1955 submitted pursuant to chapter 425, Statutes of Nevada 2023, is approved by the voters at the 2024 General Election.] Prosthetic devices, orthotic appliances and certain supports and casts; appliances and supplies relating to ostomy; products for hemodialysis; medicine; diapers. [Effective January 1, 2029, through December 31, 2050, if the proposal to amend the Sales and Use Tax Act of 1955 submitted pursuant to chapter 425, Statutes of Nevada 2023, is approved by the voters at the 2024 General Election.] Prosthetic devices, orthotic appliances and certain supports and casts; appliances and supplies relating to ostomy; products for hemodialysis; medicine. [Effective: (1) January 1, 2029, if the proposal to amend the Sales and Use Tax Act of 1955 submitted pursuant to chapter 425, Statutes of Nevada 2023, is not approved by the voters at the 2024 General Election; or (2) January 1, 2051, if the proposal is approved by the voters.]

1. There are exempted from the taxes imposed by this act the gross receipts from sales and the storage, use or other consumption of: (a) Prosthetic devices, orthotic appliances and ambulatory casts for human use, and other supports and casts if prescribed or applied by a licensed provider of health care, within his scope of practice, for human use. (b) Appliances and supplies relating to an ostomy. (c) Products for hemodialysis. (d) Medicines: (1) Prescribed for the treatment of a human being by a person authorized to prescribe medicines, and dispensed on a prescription filled by a registered pharmacist in accordance with law; (2) Furnished by a licensed physician, dentist or podiatric physician to his own patient for the treatment of the patient; (3) Furnished by a hospital for treatment of any person pursuant to the order of a licensed physician, dentist or podiatric physician; or (4) Sold to a licensed physician, dentist, podiatric physician or hospital for the treatment of a human being. (e) Feminine hygiene products. 2. As used in this section: (a) "Medicine" means any substance or preparation intended for use by external or internal application to the human body in the diagnosis, cure, mitigation, treatment or prevention of disease or affliction of the human body and which is commonly recognized as a substance or preparation intended for such use. The term includes splints, bandages, pads, compresses and dressings. (b) "Medicine" does not include: (1) Any auditory, ophthalmic or ocular device or appliance. (2) Articles which are in the nature of instruments, crutches, canes, devices or other mechanical, electronic, optical or physical equipment. (3) Any alcoholic beverage, except where the alcohol merely provides a solution in the ordinary preparation of a medicine. (4) Braces or supports, other than those prescribed or applied by a licensed provider of health care, within his scope of practice, for human use. 3. Insulin furnished by a registered pharmacist to a person for treatment of diabetes as directed by a physician shall be deemed to be dispensed on a prescription within the meaning of this section. [56.1:397:1955]—(Added in 1970. Proposed by the 1969 Legislature; adopted by the people at the 1970 General Election, effective January 1, 1971. See Statutes of Nevada 1969, p. 532. Amended in 1986. Proposed by the 1985 Legislature; adopted by the people at the 1986 General Election, effective January 1, 1987. See Statutes of Nevada 1985, p. 2028. Amended in 1996. Proposed by the 1995 Legislature; adopted by the people at the 1996 General Election, effective January 1, 1997. See Statutes of Nevada 1995, p. 1007. Amended in 2018. Proposed by the 2017 Legislature; adopted by the people at the 2018 General Election, effective January 1, 2019. See Statutes of Nevada 2017, p. 2540.)—(Amendment proposed by the 2023 Legislature; effective January 1, 2025, if approved by the voters at the 2024 General Election. See Statutes of Nevada 2023, p. 2586.) 1. There are exempted from the taxes imposed by this act the gross receipts from sales and the storage, use or other consumption of: (a) Prosthetic devices, orthotic appliances and ambulatory casts for human use, and other supports and casts if prescribed or applied by a licensed provider of health care, within his scope of practice, for human use. (b) Appliances and supplies relating to an ostomy. (c) Products for hemodialysis. (d) Medicines: (1) Prescribed for the treatment of a human being by a person

authorized to prescribe medicines, and dispensed on a prescription filled by a registered pharmacist in accordance with law; (2) Furnished by a licensed physician, dentist or podiatric physician to his own patient for the treatment of the patient; (3) Furnished by a hospital for treatment of any person pursuant to the order of a licensed physician, dentist or podiatric physician; or (4) Sold to a licensed physician, dentist, podiatric physician or hospital for the treatment of a human being. (e) Feminine hygiene products. (f) Diapers. 2. As used in this section: (a) "Medicine" means any substance or preparation intended for use by external or internal application to the human body in the diagnosis, cure, mitigation, treatment or prevention of disease or affliction of the human body and which is commonly recognized as a substance or preparation intended for such use. The term includes splints, bandages, pads, compresses and dressings. (b) "Medicine" does not include: (1) Any auditory, ophthalmic or ocular device or appliance. (2) Articles which are in the nature of instruments, crutches, canes, devices or other mechanical, electronic, optical or physical equipment. (3) Any alcoholic beverage, except where the alcohol merely provides a solution in the ordinary preparation of a medicine. (4) Braces or supports, other than those prescribed or applied by a licensed provider of health care, within his scope of practice, for human use. 3. Insulin furnished by a registered pharmacist to a person for treatment of diabetes as directed by a physician shall be deemed to be dispensed on a prescription within the meaning of this section. [56.1:397:1955]—(Added in 1970. Proposed by the 1969 Legislature; adopted by the people at the 1970 General Election, effective January 1, 1971. See Statutes of Nevada 1969, p. 532. Amended in 1986. Proposed by the 1985 Legislature; adopted by the people at the 1986 General Election, effective January 1, 1987. See Statutes of Nevada 1985, p. 2028. Amended in 1996. Proposed by the 1995 Legislature; adopted by the people at the 1996 General Election, effective January 1, 1997. See Statutes of Nevada 1995, p. 1007. Amended in 2018. Proposed by the 2017 Legislature; adopted by the people at the 2018 General Election, effective January 1, 2019. See Statutes of Nevada 2017, p. 2540.)—(Amendment proposed by the 2023 Legislature; effective January 1, 2025, if approved by the voters at the 2024 General Election. See Statutes of Nevada 2023, p. 2586.) 1. There are exempted from the taxes imposed by this act the gross receipts from sales and the storage, use or other consumption of: (a) Prosthetic devices, orthotic appliances and ambulatory casts for human use, and other supports and casts if prescribed or applied by a licensed provider of health care, within his scope of practice, for human use. (b) Appliances and supplies relating to an ostomy. (c) Products for hemodialysis. (d) Medicines: (1) Prescribed for the treatment of a human being by a person authorized to prescribe medicines, and dispensed on a prescription filled by a registered pharmacist in accordance with law; (2) Furnished by a licensed physician, dentist or podiatric physician to his own patient for the treatment of the patient; (3) Furnished by a hospital for treatment of any person pursuant to the order of a licensed physician, dentist or podiatric physician; or (4) Sold to a licensed physician, dentist, podiatric physician or hospital for the treatment of a human being. (e) Diapers. 2. As used in this section: (a) "Medicine" means any substance or preparation intended for use by external or internal application to the human body in the diagnosis, cure, mitigation, treatment or prevention of disease or affliction of the human body and which is commonly recognized as a substance or preparation intended for such use. The term includes splints, bandages, pads, compresses and dressings. (b) "Medicine" does not include: (1) Any auditory, ophthalmic or ocular device or appliance. (2) Articles which are in the nature of instruments, crutches, canes, devices or other mechanical, electronic, optical or physical equipment. (3) Any alcoholic beverage, except where the alcohol merely provides a solution in the ordinary preparation of a medicine. (4) Braces or supports, other than those prescribed or applied by a licensed provider of health care, within his scope of practice, for human use. 3. Insulin furnished by a registered pharmacist to a person for treatment of diabetes as directed by a physician shall be deemed to be dispensed on a prescription within the meaning of this section. [56.1:397:1955]—(Added in 1970. Proposed by the 1969 Legislature; adopted by the people at the 1970 General Election, effective January 1, 1971. See Statutes of Nevada 1969, p. 532. Amended in 1986. Proposed by the 1985 Legislature; adopted by the people at the 1986 General Election, effective January 1, 1987. See Statutes of Nevada 1985, p. 2028. Amended in 1996. Proposed by the 1995 Legislature; adopted by the people at the 1996 General Election, effective January 1, 1997. See Statutes of Nevada 1995, p. 1007. Amended in 2018. Proposed by the 2017 Legislature; adopted by the people at the 2018 General Election, effective January 1, 2019. See Statutes of Nevada 2017, p. 2540.)—(Amendment proposed by the 2023 Legislature; effective January 1, 2025, if approved by the voters at the 2024 General Election. See Statutes of Nevada 2023, p. 2586.) 1. There are exempted from the taxes imposed by this act the gross receipts from sales and the storage, use or other consumption of: (a) Prosthetic devices, orthotic appliances and ambulatory casts for human use, and other supports and casts if prescribed or applied by a licensed provider of health care, within his scope of practice, for human use. (b) Appliances and supplies relating to an ostomy. (c) Products for hemodialysis. (d) Medicines: (1) Prescribed for the treatment of a human being by a person authorized to prescribe medicines, and dispensed on a prescription filled by a registered pharmacist in accordance with law; (2) Furnished by a licensed physician, dentist or podiatric physician to his own patient for the treatment of the patient; (3) Furnished by a hospital for treatment of any person pursuant to the order of a licensed physician, dentist or podiatric physician; or (4) Sold to a licensed physician, dentist, podiatric physician or hospital for the treatment of a human being. 2. As used in this section: (a) "Medicine" means any substance or preparation intended for use by external or internal application to the human body in the diagnosis, cure, mitigation, treatment or prevention of disease or affliction of the human body and which is commonly recognized as a substance or preparation intended for such use. The term includes splints, bandages, pads, compresses and dressings. (b) "Medicine" does not include: (1) Any auditory, ophthalmic or ocular device or appliance. (2) Articles which are in the nature of instruments, crutches, canes, devices or other mechanical, electronic, optical or physical equipment. (3) Any alcoholic beverage, except where the alcohol merely provides a solution in the ordinary preparation of a medicine. (4) Braces or supports, other than those prescribed or applied by a licensed provider of health care, within his scope of practice, for human use. 3. Insulin furnished by a registered pharmacist to a person for treatment of diabetes as directed by a physician shall be deemed to be dispensed on a prescription within the meaning of this section. [56.1:397:1955]—(Added in 1970. Proposed by the 1969 Legislature; adopted by

the people at the 1970 General Election, effective January 1, 1971. See Statutes of Nevada 1969, p. 532. Amended in 1986. Proposed by the 1985 Legislature; adopted by the people at the 1986 General Election, effective January 1, 1987. See Statutes of Nevada 1985, p. 2028. Amended in 1996. Proposed by the 1995 Legislature; adopted by the people at the 1996 General Election, effective January 1, 1997. See Statutes of Nevada 1995, p. 1007. Amended in 2018. Proposed by the 2017 Legislature; adopted by the people at the 2018 General Election, effective January 1, 2019. See Statutes of Nevada 2017, p. 2540.—(Amendment proposed by the 2023 Legislature; effective January 1, 2025, if approved by the voters at the 2024 General Election. See Statutes of Nevada 2023, p. 2586.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.284 - Food for human consumption.

1. There are exempted from the taxes imposed by this chapter the gross receipts from sales and the storage, use or other consumption of food for human consumption. 2. "Food for human consumption" does not include: (a) Alcoholic beverages. (b) Pet foods. (c) Tonics and vitamins. (d) Prepared food intended for immediate consumption. [56.2:397:1955]—(Added in 1979. Proposed by the 1979 Legislature; adopted by the people at a special election on June 5, 1979, effective July 1, 1979. See Statutes of Nevada 1979, p. 409.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.285 - Meals and food products sold to students or teachers by school, organization of students or parent-teacher association.

There are exempted from the taxes imposed by this chapter the gross receipts from the sale of, and the storage, use or other consumption in this State of, meals and food products for human consumption served by public or private schools, school districts, student organizations and parent-teacher associations to the students or teachers of a school. [57:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.287 - Textbooks sold within Nevada System of Higher Education.

There are exempted from the taxes imposed by this chapter the gross receipts from the sale of textbooks sold within the University of Nevada System. [63.1:397:1955]—(Added in 1991. Proposed by the 1989 Legislature; adopted by the people at the 1990 general election, effective January 1, 1991. See Statutes of Nevada 1989, p. 821.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.290 - Containers.

1. There are exempted from the taxes imposed by this chapter the gross receipts from sales of, and the storage, use or other consumption in this State of: (a) Nonreturnable containers when sold without the contents to persons who place the contents in the container and sell the contents together with the container. (b) Containers when sold with the contents if the sales price of the contents is not required to be included in the measure of the taxes imposed by this chapter. (c) Returnable containers when sold with the contents in connection with a retail sale of the contents or when resold for refilling. 2. As used in this section the term "returnable containers" means containers of a kind customarily returned by the buyer of the contents for reuse. All other containers are "nonreturnable containers." [58:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.295 - Gas, electricity and water.

There are exempted from the taxes imposed by this chapter the gross receipts from the sales, furnishing or service of, and the storage, use or other consumption in this State of, gas, electricity and water when delivered to consumers through mains, lines or pipes. [59:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.300 - Domestic fuels.

There are exempted from the taxes imposed by this chapter the gross receipts from the sale, furnishing or service of, and the storage, use or other consumption in this State of, any matter used to produce domestic heat by burning, including, without limitation, wood, coal, petroleum and gas. [59.1:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.305 - Personal property used for performance of contract on public works executed before July 1, 1955.

There are exempted from the taxes imposed by this chapter the gross receipts from the sale of, and the storage, use or other consumption in this State of, tangible personal property used for the performance of a contract on public works executed prior to July 1, 1955. [60:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.310 - Personal property used for performance of written contract executed before March 29, 1955.

There are exempted from the taxes imposed by this chapter the gross receipts from the sale of, and the storage, use or other consumption in this State of, tangible personal property used for the performance of a written contract entered into prior to March 29, 1955. [60.1:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.315 - Newspapers.

There are exempted from the taxes imposed by this chapter the gross receipts from the sale of, and the storage, use or other consumption in this State of, tangible personal property which becomes an ingredient or component part of any newspaper regularly issued at average intervals not exceeding 1 week and any such newspaper. [61:397:1955]—(Amended in 1970. Proposed by the 1969 Legislature; adopted by the people at the 1970 general election, effective January 1, 1971. See Statutes of Nevada 1969, p. 533.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.316 - Manufactured homes and mobile homes.

1. There are exempted from the taxes imposed by this chapter an amount equal to 40 percent of the gross receipts from the sales and storage, use or other consumption of new manufactured homes and new mobile homes. 2. There are exempted from the taxes imposed by this chapter the gross receipts from the sales and storage, use or other consumption of used manufactured homes and used mobile homes for which taxes under this chapter have been paid as a result of a previous sale, storage, use or consumption. 3. As used in this section: (a) "Manufactured home" has the meaning ascribed to it in NRS 489.113; and (b) "Mobile home" has the meaning ascribed to it in NRS 489.120. The term does not include a motor home as defined in NRS 482.071. [62:397:1955]—(Added in 1988. Proposed by the 1987 Legislature; adopted by the people at the 1988 general election, effective November 23, 1988. See Statutes of Nevada 1987, p. 819.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.320 - Occasional sales.

There are exempted from the taxes imposed by this chapter the gross receipts from occasional sales of tangible personal property and the storage, use or other consumption in this State of tangible personal property, the transfer of which to the purchaser is an occasional sale. [63:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.325 - Sale to United States, State or political subdivision.

There are exempted from the computation of the amount of the sales tax the gross receipts from the sale of any tangible personal property to: 1. The United States, its unincorporated agencies and instrumentalities. 2. Any incorporated agency or instrumentality of the United States wholly owned by the United States or by a corporation wholly owned by the United States. 3. The State of Nevada, its unincorporated agencies and instrumentalities. 4. Any county, city, district or other political subdivision of this State. [50:397:1955]—(Amended in 1996. Proposed by the 1995 Legislature; adopted by the people at the 1996 general election, effective January 1, 1997. See Statutes of Nevada 1995, p. 1436.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.326 - Personal property sold by or to nonprofit organization created for religious, charitable or educational purposes.

There are exempted from the taxes imposed by this act the gross receipts from the sale of, and the storage, use or other consumption in this State of, any tangible personal property sold by or to a nonprofit organization created for religious, charitable or educational purposes. The Legislature shall establish: 1. Standards for determining whether an organization is created for religious, charitable or educational purposes. 2. Procedures for administering the provisions of this section. [50.1:397:1995]—(Added in 1996. Proposed by the 1995 Legislature; adopted by the people at the 1996 general election, effective January 1, 1997. See Statutes of Nevada 1995, p. 1436.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.3261 - Requirements for organization created for religious, charitable or educational purposes.

1. For the purposes of NRS 372.326, an organization is created for religious, charitable or educational purposes if it complies with the provisions of this section. 2. An organization is created for religious purposes if: (a) It complies with the requirements set forth in subsection 5; and (b) The sole or primary purpose of the organization is the operation of a church, synagogue or other place of religious worship at which nonprofit religious services and activities are regularly conducted. Such an organization includes, without limitation, an integrated auxiliary or affiliate of the organization, men's, women's or youth groups established by the organization, a school or mission society operated by the organization, an organization of local units of a church and a convention or association of churches. 3. An organization is created for charitable purposes if: (a) It complies with the requirements set forth in subsection 5; (b) The sole or primary purpose of the organization is to: (1) Advance a public purpose, donate or render gratuitously or at a reduced rate a substantial portion of its services to the persons who are the subjects of its charitable services, and benefit a substantial and indefinite class of persons who are the legitimate subjects of charity; (2) Provide services that are otherwise required to be provided by a local government, this State or the Federal Government; or (3) Operate a hospital or medical facility licensed pursuant to chapter 449 or 450 of NRS; and (c) The organization is operating in this State. 4. An organization is created for educational purposes if: (a) It complies with the requirements set forth in subsection 5; and (b) The sole or primary purpose of the organization is to: (1) Provide athletic, cultural or social activities for children; (2) Provide displays or performances of the visual or performing arts to members of the general public; (3) Provide instruction and disseminate information on subjects beneficial to the community; (4) Operate a school, college or university located in this State that conducts regular classes and provides courses of study required

for accreditation or licensing by the State Board of Education or the Commission on Postsecondary Education, or for membership in the Northwest Association of Schools and of Colleges and Universities; (5) Serve as a local or state apprenticeship committee to advance programs of apprenticeship in this State; or (6) Sponsor programs of apprenticeship in this State through a trust created pursuant to 29 U.S.C. § 186. 5. In addition to the requirements set forth in subsection 2, 3 or 4, an organization is created for religious, charitable or educational purposes if: (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity; (b) The business of the organization is not conducted for profit; (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation; (d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and (e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization. (Added to NRS by 1995, 1437; A 1999, 965; 2003, 1283)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.327 - Loan or donation to United States, State, political subdivision or religious or eleemosynary organization.

There are exempted from the taxes imposed by this chapter on the storage, use or other consumption of tangible personal property any such property loaned or donated to: 1. The United States, its unincorporated agencies and instrumentalities. 2. Any incorporated agency or instrumentality of the United States wholly owned by the United States or by a corporation wholly owned by the United States. 3. The State of Nevada, its unincorporated agencies and instrumentalities. 4. Any county, city, district or other political subdivision of this State. 5. Any organization created for religious, charitable or eleemosynary purposes, provided that no part of the net earnings of any such organization inures to the benefit of any private shareholder or individual. [50.2:397:1955]—(Added in 1988. Proposed by the 1987 Legislature; adopted by the people at the 1988 general election, effective January 1, 1989. See Statutes of Nevada 1987, p. 406.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.330 - Sale to common carrier.

There are exempted from the computation of the amount of the sales tax the gross receipts from sales of tangible personal property to a common carrier, shipped by the seller via the purchasing carrier under a bill of lading, whether the freight is paid in advance or the shipment is made freight charges collect, to a point outside this State and the property is actually transported to the out-of-state destination for use by the carrier in the conduct of its business as a common carrier. [65:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.335 - Property shipped outside State pursuant to sales contract; delivery by vendor.

There are exempted from the computation of the amount of the sales tax the gross receipts from any sale of tangible personal property which is shipped to a point outside this State pursuant to the contract of sale by delivery by the vendor to such point by means of: 1. Facilities operated by the vendor; 2. Delivery by the vendor to a carrier for shipment to a consignee at such point; or 3. Delivery by the vendor to a customs broker or forwarding agent for shipment outside this State. [66:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.340 - Personal property sold to or used by contractor who is constituent part of governmental, religious or charitable entity.

The taxes imposed under this chapter apply to the sale of tangible personal property to and the storage, use or other consumption in this State of tangible personal property by a contractor for a governmental, religious or charitable entity which is otherwise exempted from the tax unless the contractor is a constituent part of that entity. [51:397:1955]—(Amended in 1986. Proposed by the 1985 Legislature; adopted by the people at the 1986 general election, effective January 1, 1987. See Statutes of Nevada 1985, p. 1563.)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.345 - Use tax: Property on which sales tax paid.

The storage, use or other consumption in this State of property, the gross receipts from the sale of which are required to be included in the measure of the sales tax, is exempted from the use tax. [67:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.347 - Claim of exemption: Information required; electronic system; identification system; records; liability for improper claim.

1. If a purchaser wishes to claim an exemption from the taxes imposed by this chapter, the retailer shall obtain such information from the purchaser as is required by the Department. 2. The Department shall, to the extent feasible, establish an electronic system for submitting a request for an exemption. A purchaser is not required to provide a signature to claim an exemption if the request is submitted electronically. 3. The Department may establish a system whereby a purchaser who is exempt from the payment of the taxes imposed by this chapter is issued an identification number that can be presented to the retailer at the time of sale. 4. A retailer shall maintain such records of exempt transactions as are required by the Department and provide those records to the Department upon request. 5. Except as otherwise provided in this subsection, a retailer who complies with the provisions of this section is not liable for the payment of any tax imposed by this chapter if the purchaser improperly claims an exemption. If the purchaser

improperly claims an exemption, the purchaser is liable for the payment of the tax. The provisions of this subsection do not apply if the retailer: (a) Fraudulently fails to collect the tax; (b) Solicits a purchaser to participate in an unlawful claim of an exemption; or (c) Accepts a certificate of exemption from a purchaser who claims an entity-based exemption, the subject of the transaction sought to be covered by the certificate is actually received by the purchaser at a location operated by the seller, and the Department provides, and posts on a website or other Internet site that is operated or administered by or on behalf of the Department, a certificate of exemption which clearly and affirmatively indicates that the claimed exemption is not available. 6. As used in this section: (a) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product, and which is not available to all. (b) "Retailer" includes a certified service provider, as that term is defined in NRS 360B.060, acting on behalf of a retailer who is registered pursuant to NRS 360B.200. (Added to NRS by 2003, 2362; A 2005, 1778; 2007, 2312; 2011, 2756)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.348 - Claim of exemption: Nonprofit organization created for religious, charitable or educational purposes.

1. Any nonprofit organization created for religious, charitable or educational purposes that wishes to claim an exemption pursuant to NRS 372.326, must file an application with the Department to obtain a letter of exemption. The application must be on a form and contain such information as is required by the Department. 2. If the Department determines that the organization is created for religious, charitable or educational purposes, it shall issue a letter of exemption to the organization. The letter of exemption expires 5 years after the date on which it is issued by the Department. At least 90 days before the expiration of the letter of exemption, the Department shall notify the organization to whom the letter was issued of the date on which the letter will expire. The organization may renew its letter of exemption for an additional 5 years by filing an application for renewal with the Department. The application for renewal must be on a form and contain such information as is required by the Department. 3. To claim an exemption pursuant to NRS 372.326 for the sale of tangible personal property to such an organization: (a) The organization must give a copy of its letter of exemption to the retailer from whom the organization purchases the property; and (b) The retailer must retain and present upon request a copy of the letter of exemption. 4. The Department shall adopt such regulations as are necessary to carry out the provisions of this section. (Added to NRS by 1995, 1438)—(Substituted in revision for NRS 372.343)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.350 - Liability of purchaser who uses property declared exempt for purpose not exempt.

If a purchaser certifies in writing to a seller that the property purchased will be used in a manner or for a purpose entitling the seller to regard the gross receipts from the sale as exempted by this chapter from the computation of the amount of the sales tax, and uses the property in some other manner or for some other purpose, the purchaser shall be liable for payment of sales tax as if he were a retailer making a retail sale of the property at the time of such use, and the cost of the property to him shall be deemed the gross receipts from such retail sale. [67.1:397:1955]

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.354 - Taxes collected to be held in separate account.

A retailer shall hold the amount of all taxes collected pursuant to this chapter in a separate account in trust for the State. (Added to NRS by 1995, 1067)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.355 - Date tax due.

Except as otherwise provided in NRS 372.380 or required by the Department pursuant to NRS 360B.200, the taxes imposed by this chapter are due and payable to the Department monthly on or before the last day of the month next succeeding each month. (Added to NRS by 1979, 415; A 1981, 287; 2003, 2365; 2005, 1755, 1778)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.360 - Return: Filing requirements; combination with certain other returns; signatures.

Except as otherwise required by the Department pursuant to NRS 360B.200: 1. On or before the last day of the month following each reporting period, a return for the preceding period must be filed with the Department in such form and manner as the Department may prescribe. Any return required to be filed by this section must be combined with any return required to be filed pursuant to the provisions of chapter 374 of NRS. 2. For purposes of: (a) The sales tax, a return must be filed by each seller. (b) The use tax, a return must be filed by each retailer maintaining a place of business in the State and by each person purchasing tangible personal property, the storage, use or other consumption of which is subject to the use tax, who has not paid the use tax due. 3. Unless filed electronically, returns must be signed by the person required to file the return or by his or her authorized agent but need not be verified by oath. (Added to NRS by 1979, 416; A 1981, 287; 2003, 2366; 2005, 1778; 2011, 2757)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.365 - Contents of return; violations.

1. Except as otherwise required by the Department pursuant to NRS 360B.200 or provided in NRS 360B.281 or 360B.350 to 360B.375, inclusive: (a) For the purposes of the sales tax: (1) The return must show the gross receipts of the seller during the preceding reporting period. (2) The gross receipts must be segregated and reported separately for each county to which a sale of

tangible personal property pertains. (3) A sale pertains to the county in this State in which the tangible personal property is or will be delivered to the purchaser or his or her agent or designee. (b) For purposes of the use tax: (1) In the case of a return filed by a retailer, the return must show the total sales price of the property purchased by him or her, the storage, use or consumption of which property became subject to the use tax during the preceding reporting period. (2) The sales price must be segregated and reported separately for each county to which a purchase of tangible personal property pertains. (3) If the property was: (I) Brought into this State by the purchaser or his or her agent or designee, the sale pertains to the county in this State in which the property is or will be first used, stored or otherwise consumed. (II) Not brought into this State by the purchaser or his or her agent or designee, the sale pertains to the county in this State in which the property was delivered to the purchaser or his or her agent or designee. 2. In case of a return filed by a purchaser, the return must show the total sales price of the property purchased by him or her, the storage, use or consumption of which became subject to the use tax during the preceding reporting period and indicate the county in this State in which the property was first used, stored or consumed. 3. The return must also show the amount of the taxes for the period covered by the return and such other information as the Department deems necessary for the proper administration of this chapter. 4. Except as otherwise provided in subsection 5, upon determining that a retailer has filed a return which contains one or more violations of the provisions of this section, the Department shall: (a) For the first return of any retailer which contains one or more violations, issue a letter of warning to the retailer which provides an explanation of the violation or violations contained in the return. (b) For the first or second return, other than a return described in paragraph (a), in any calendar year which contains one or more violations, assess a penalty equal to the amount of the tax which was not reported or was reported for the wrong county or \$1,000, whichever is less. (c) For the third and each subsequent return in any calendar year which contains one or more violations, assess a penalty of three times the amount of the tax which was not reported or was reported for the wrong county or \$3,000, whichever is less. 5. For the purposes of subsection 4, if the first violation of this section by any retailer was determined by the Department through an audit which covered more than one return of the retailer, the Department shall treat all returns which were determined through the same audit to contain a violation or violations in the manner provided in paragraph (a) of subsection 4. (Added to NRS by 1979, 416; A 1995, 1971, 2555; 1997, 647, 1104; 2003, 2366; 2005, 1778; 2011, 2757)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.366 - Computation of amount of taxes due.

In determining the amount of taxes due pursuant to this chapter: 1. The amount due must be computed to the third decimal place and rounded to a whole cent using a method that rounds up to the next cent if the numeral in the third decimal place is greater than 4. 2. A retailer may compute the amount due on a transaction on the basis of each item involved in the transaction or a single invoice for the entire transaction. (Added to NRS by 2003, 2362; A 2005, 1778)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.368 - Deduction of certain bad debts from taxable sales; violations.

1. If a retailer is unable to collect all or part of the sales price of a sale, the retailer is entitled to receive a deduction from his or her taxable sales for that bad debt. 2. Any deduction that is claimed pursuant to this section may not include interest. 3. The amount of any deduction claimed must equal the amount of a deduction that may be claimed pursuant to section 166 of the Internal Revenue Code, 26 U.S.C. § 166, for that sale minus: (a) Any finance charge or interest charged as part of the sale; (b) Any sales or use tax charged on the sales price; (c) Any amount not paid on the sales price because the tangible personal property that was sold has remained in the possession of the retailer until the full sales price is paid; (d) Any expense incurred in attempting to collect the bad debt; and (e) The value of any property sold that has been repossessed by the retailer. 4. A bad debt may be claimed as a deduction on the return that covers the period during which the bad debt is written off in the business records of the retailer that are maintained in the ordinary course of the retailer's business and is eligible to be claimed as a deduction pursuant to section 166 of the Internal Revenue Code, 26 U.S.C. § 166, or if the retailer is not required to file a federal income tax return, would be eligible to be claimed as a deduction pursuant to section 166 of the Internal Revenue Code, 26 U.S.C. § 166. 5. If a bad debt for which a deduction has been claimed is subsequently collected in whole or in part, the tax on the amount so collected must be reported on the return that covers the period in which the collection is made. 6. If the amount of the bad debt is greater than the amount of the taxable sales reported for the period during which the bad debt is claimed as a deduction, a claim for a refund may be filed pursuant to NRS 372.630 to 372.720, inclusive, except that the time within which the claim may be filed begins on the date on which the return that included the deduction was filed. 7. If the retailer has contracted with a certified service provider for the remittance of the tax due under this chapter, the service provider may, on behalf of the retailer, claim any deduction to which the retailer is entitled pursuant to this section. The service provider shall credit or refund the full amount of any deduction or refund received pursuant to this section to the retailer. 8. For the purposes of reporting a payment received on a bad debt for which a deduction has been claimed, the payment must first be applied to the sales price of the property sold and the tax due thereon, and then to any interest, service charge or other charge that was charged as part of the sale. 9. If the records of a retailer indicate that a bad debt may be allocated among other states that are members of the Streamlined Sales and Use Tax Agreement, the retailer may allocate the bad debt among those states. 10. A retailer who assigns a debt to an entity which is part of an affiliated group that includes the retailer may claim any deduction or refund to which the retailer would otherwise be entitled pursuant to this section, notwithstanding: (a) The assignment of the debt to the entity; (b) That the debt is written off as a bad debt in the business records of the entity which are maintained in the ordinary course of the entity's business; and (c) That the bad debt is or would be eligible to be claimed by the entity as a deduction pursuant to section 166 of the Internal Revenue Code, 26 U.S.C. § 166. 11. Except as otherwise provided in subsection 12, upon

determining that a retailer has filed a return which contains one or more violations of the provisions of this section, the Department shall: (a) For the first return of any retailer which contains one or more violations, issue a letter of warning to the retailer which provides an explanation of the violation or violations contained in the return. (b) For the first or second return, other than a return described in paragraph (a), in any calendar year which contains one or more violations, assess a penalty equal to the amount of the deduction claimed or \$1,000, whichever is less. (c) For the third and each subsequent return in any calendar year which contains one or more violations, assess a penalty of three times the amount of the deduction claimed or \$3,000, whichever is less. 12. For the purposes of subsection 11, if the first violation of this section by any retailer was determined by the Department through an audit which covered more than one return of the retailer, the Department shall treat all returns which were determined through the same audit to contain a violation or violations in the manner provided in paragraph (a) of subsection 11. 13. As used in this section: (a) "Affiliated group" means: (1) An affiliated group as defined in section 1504(a) of the Internal Revenue Code, 26 U.S.C. § 1504(a); or (2) A controlled group of corporations as described in section 1563(a)(2) of the Internal Revenue Code, 26 U.S.C. § 1563(a)(2). (b) "Bad debt" means a debt that may be deducted pursuant to section 166 of the Internal Revenue Code, 26 U.S.C. § 166. (c) "Certified service provider" has the meaning ascribed to it in NRS 360B.060. (Added to NRS by 2003, 2362; A 2005, 1778; 2013, 973)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.370 - Reimbursement for collection of tax.

1. Except as otherwise provided in subsection 2, if the taxes imposed by this chapter are paid in accordance with NRS 372.355, a taxpayer may deduct and withhold from the taxes otherwise due from him or her 0.25 percent of those taxes as reimbursement for the cost of collecting the tax. 2. The regulations adopted by the Department pursuant to NRS 360B.110 may authorize the deduction and withholding from the taxes otherwise due from a taxpayer such other amounts as are required to carry out the Streamlined Sales and Use Tax Agreement. (Added to NRS by 1979, 416; A 1981, 288; 1991, 2293; 2003, 2367; 2003, 20th Special Session, 21; 2005, 1778; 2008, 25th Special Session, 20; 2009, 2097)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.375 - Delivery of return; remittance.

1. Except as otherwise authorized or required by the Department, the person required to file a return shall deliver the return together with a remittance of the amount of the tax due to the Department. 2. The Department shall provide for the acceptance of credit cards, debit cards or electronic transfers of money for the payment of the tax due in the manner prescribed pursuant to NRS 360.092. (Added to NRS by 1979, 416; A 2003, 2368; 2005, 1778; 2011, 2758)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.380 - Reporting and payment periods.

1. Except as otherwise provided in this section or required by the Department pursuant to NRS 360B.200, the reporting and payment period of: (a) A taxpayer whose taxable sales do not exceed \$10,000 per month is a calendar quarter. (b) A taxpayer who files reports on a quarterly basis in accordance with paragraph (a) and: (1) From whom no tax is due pursuant to this chapter for the immediately preceding three quarterly reporting periods; or (2) Whose taxable sales do not exceed a total amount of \$1,500 for the immediately preceding four quarterly reporting periods, is 12 calendar months, unless the taxable sales of the taxpayer exceed a total amount of \$1,500 for such a 12-month reporting and payment period or \$10,000 for a calendar month. 2. The Department, if it deems this action necessary to ensure payment to or facilitate the collection by the State of the amount of taxes, may require returns and payment of the amount of taxes for periods other than calendar months or quarters, depending upon the principal place of business of the seller, retailer or purchaser, as the case may be, or for other than monthly, quarterly or annual periods. (Added to NRS by 1979, 416; A 1981, 288, 909; 2003, 2368; 2005, 1778; 2007, 389)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.383 - Presumption of payment: Certificate of title for used manufactured home or used mobile home.

1. If a certificate of title has been issued for a used manufactured home or used mobile home by the Department of Motor Vehicles or the Housing Division of the Department of Business and Industry, it is presumed that the taxes imposed by this chapter have been paid with respect to that manufactured home or mobile home. 2. As used in this section, "manufactured home" and "mobile home" have the meanings ascribed to them in NRS 372.316. (Added to NRS by 1989, 960; A 1993, 1578; 2001, 2601; 2017, 3620; 2023, 40)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.385 - Lease and rental receipts: Reporting; payment.

For the purposes of the sales tax, gross receipts from rentals or leases of tangible personal property must be reported and the tax paid in accordance with such regulations as the Department may prescribe. (Added to NRS by 1979, 416)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.390 - Affixing and cancelling of revenue stamps.

The Department, if it deems it necessary to insure the collection of the taxes, may provide by regulation for the collection of the taxes by the affixing and cancelling of revenue stamps and may prescribe the form and method of the affixing and cancelling. (Added to NRS by 1979, 416)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.395 - Extension of time for filing return and paying tax.

The Department for good cause may extend for not to exceed 1 month the time for making any return or paying any amount required to be paid under this chapter. (Added to NRS by 1979, 417; A 1985, 949)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.397 - Deferral of payment of tax on certain sales of eligible property.

1. A person may apply to the Office of Economic Development for a deferment of the payment of the tax on the sale of eligible property for a sales price of \$1,000,000 or more for use by the person in a business in this State. If a purchase is made outside of the State from a retailer who is not registered with the Department, an application for a deferment must be made in advance or, if the purchase has been made, within 60 days after the date on which the tax is due. If a purchase is made in this State from a retailer who is registered with the Department and to whom the tax is paid, an application must be made within 60 days after the payment of the tax. If the application for a deferment is approved, the taxpayer is eligible for a refund of the tax paid. 2. The Office of Economic Development shall certify the person's eligibility for a deferment pursuant to this section if: (a) The person meets the eligibility requirements set forth in NRS 360.750 for a partial abatement of the taxes imposed on the person pursuant to chapter 374 of NRS; (b) The purchase is consistent with the State Plan for Economic Development developed by the Executive Director of the Office pursuant to subsection 2 of NRS 231.053; and (c) The Office determines that: (1) The deferment is a significant factor in the decision of the person to locate or expand a business in this State; and (2) The eligible property will be retained at the location of the person's business in this State until at least the date which is 5 years after the date on which the Office certifies the person's eligibility for the deferment. Upon certification, the Office shall immediately forward the deferment to the Nevada Tax Commission. 3. Upon receipt of such a certification, the Nevada Tax Commission shall verify the sale, the price paid, the date of the sale and the applicable period for payment of the deferred tax. It may require security for the payment in an amount which does not exceed the amount of tax deferred. 4. If the Office of Economic Development certifies a person's eligibility for a deferment pursuant to this section: (a) Payment of the total amount of tax due on the sale of the eligible property must be deferred without interest for the 60-month period beginning on the date the Office makes that certification; and (b) Payment of the tax must be made in each month, beginning not later than the date which is 1 year after the date on which the Office makes that certification, at a rate which is at least sufficient to result in payment of the total obligation within the period described in paragraph (a). 5. The Nevada Tax Commission shall adopt regulations governing: (a) The aggregation of related purchases which are made to expand a business, establish a new business, or renovate or replace eligible property; and (b) The period within which such purchases may be aggregated. 6. As used in this section, "eligible property" does not include any of the following capital assets: (a) Buildings or the structural components of buildings; (b) Equipment used by a public utility; (c) Equipment used for medical treatment; (d) Machinery or equipment used in mining; or (e) Machinery or equipment used in gaming. (Added to NRS by 1985, 2024; A 1989, 214; 2011, 3467; 2013, 27th Special Session, 17)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.510 - Authority of Department; amount; sales; return of surplus.

1. The Department, whenever it deems it necessary to insure compliance with this chapter, may require any person subject to the chapter to place with it such security as the Department may determine. The Department shall fix the amount of the security which, except as otherwise provided in subsection 2, may not be greater than twice the estimated average tax due quarterly of persons filing returns for quarterly periods, three times the estimated average tax due monthly of persons filing returns for monthly periods or four times the estimated average tax due annually of persons filing returns for annual periods, determined in such a manner as the Department deems proper. 2. In the case of persons who are habitually delinquent in their obligations under this chapter, the amount of the security may not be greater than three times the average actual tax due quarterly of persons filing returns for quarterly periods, five times the average actual tax due monthly of persons filing returns for monthly periods or seven times the average actual tax due annually of persons filing returns for annual periods. 3. The limitations provided in this section apply regardless of the type of security placed with the Department. 4. The amount of the security may be increased or decreased by the Department subject to the limitations provided in this section. 5. The Department may sell the security at public auction if it becomes necessary to recover any tax or any amount required to be collected, or interest or penalty due. Notice of the sale may be served upon the person who placed the security personally or by mail. If the notice is served by mail, service must be made in the manner prescribed for service of a notice of a deficiency determination and must be addressed to the person at his or her address as it appears in the records of the Department. Security in the form of a bearer bond issued by the United States or the State of Nevada which has a prevailing market price may be sold by the Department at a private sale at a price not lower than the prevailing market price. 6. Upon any sale any surplus above the amounts due must be returned to the person who placed the security. (Added to NRS by 1979, 420; A 1981, 289, 909; 1985, 1179; 2007, 389)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.630 - Certification of excess amount collected; credit and refund; overpayment of use tax by purchaser.

1. If the Department determines that any amount, penalty or interest has been paid more than once or has been erroneously or

illegally collected or computed, the Department shall set forth that fact in the records of the Department and certify to the State Board of Examiners the amount collected in excess of the amount legally due and the person from whom it was collected or by whom paid. If approved by the State Board of Examiners, the excess amount collected or paid must, after being credited against any amount then due from the person in accordance with NRS 360.236, be refunded to the person, or his or her successors, administrators or executors. 2. Any overpayment of the use tax by a purchaser to a retailer who is required to collect the tax and who gives the purchaser a receipt therefor pursuant to sections 34 to 38, inclusive, of the Sales and Use Tax Act (chapter 397, Statutes of Nevada 1955) and NRS 372.210 to 372.255, inclusive, must be credited or refunded by the State to the purchaser, subject to the requirements of NRS 360.236. (Added to NRS by 1979, 426; A 2009, 67)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.635 - Limitations on claims for refund or credit.

Except as otherwise provided in NRS 360.235, 360.395 and 372.368: 1. No refund may be allowed unless a claim for it is filed with the Department within 3 years after the last day of the month following the close of the period for which the overpayment was made. 2. No credit may be allowed after the expiration of the period specified for filing claims for refund unless a claim for credit is filed with the Department within that period, or unless the credit relates to a period for which a waiver is given pursuant to NRS 360.355. (Added to NRS by 1979, 427; A 1981, 289; 1983, 475; 1991, 1407; 1995, 1067; 2003, 2368; 2005, 1778)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.640 - Credit or refund for use tax: Reimbursement of vendor for sales tax.

No credit or refund of any amount paid pursuant to sections 34 to 38, inclusive, of the Sales and Use Tax Act (chapter 397, Statutes of Nevada 1955) and NRS 372.210 to 372.255, inclusive, may be allowed on the ground that the storage, use or other consumption of the property is exempt under section 67 of the Sales and Use Tax Act, unless the person who paid the amount reimburses his or her vendor for the amount of the sales tax imposed upon his or her vendor with respect to the sale of the property and paid by the vendor to the State. (Added to NRS by 1979, 427)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.645 - Form and contents of claim for credit or refund.

Every claim must be in writing and must state the specific grounds upon which the claim is founded. (Added to NRS by 1979, 427)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.650 - Failure to file claim constitutes waiver.

Failure to file a claim within the time prescribed in NRS 372.635 constitutes a waiver of any demand against the State on account of overpayment. (Added to NRS by 1979, 427)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.655 - Service of notice of disallowance of claim.

Within 30 days after disallowing any claim in whole or in part, the Department shall serve notice of its action on the claimant in the manner prescribed for service of notice of a deficiency determination. (Added to NRS by 1979, 427)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.660 - Payment of interest on overpayments.

Except as otherwise provided in NRS 360.320 or any other specific statute, interest must be paid upon any overpayment of any amount of tax at the rate set forth in, and in accordance with the provisions of, NRS 360.2937. (Added to NRS by 1979, 427; A 1981, 290; 1999, 2495; 2007, 913)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.665 - Disallowance of interest.

If the Department determines that any overpayment has been made intentionally or by reason of carelessness, it may not allow any interest on it. (Added to NRS by 1979, 428)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.670 - Injunction or other process to prevent collection of tax prohibited.

No injunction, writ of mandate or other legal or equitable process may issue in any suit, action or proceeding in any court against this State or against any officer of the State to prevent or enjoin the collection under this chapter of any tax or any amount of tax required to be collected. (Added to NRS by 1979, 428)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.675 - Action for refund: Claim as condition precedent.

No suit or proceeding may be maintained in any court for the recovery of any amount alleged to have been erroneously or illegally determined or collected unless a claim for refund or credit has been filed. (Added to NRS by 1979, 428)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.680 - Action for refund: Time to sue; venue of action; waiver.

1. Within 90 days after a final decision upon a claim filed pursuant to this chapter is rendered by the Nevada Tax Commission, the claimant may bring an action against the Department on the grounds set forth in the claim in a court of competent jurisdiction in Carson City, the county of this State where the claimant resides or maintains his or her principal place of business or a county in which any relevant proceedings were conducted by the Department, for the recovery of the whole or any part of the amount with respect to which the claim has been disallowed. 2. Failure to bring an action within the time specified constitutes a waiver of any demand against the State on account of alleged overpayments. (Added to NRS by 1979, 428; A 1999, 2495)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.685 - Right of appeal on failure of Department to mail notice of action on claim.

If the Department fails to mail notice of action on a claim within 6 months after the claim is filed, the claimant may consider the claim disallowed and file an appeal with a hearing officer within 45 days after the last day of the 6-month period. If the claimant is aggrieved by the decision of the hearing officer on appeal, the claimant may, pursuant to the provisions of NRS 360.245, appeal the decision to the Nevada Tax Commission. If the claimant is aggrieved by the decision of the Commission on appeal, the claimant may, within 45 days after the decision is rendered, bring an action against the Department on the grounds set forth in the claim for the recovery of the whole or any part of the amount claimed as an overpayment. (Added to NRS by 1979, 428; A 1999, 2495)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.690 - Judgment for plaintiff: Credits; refund of balance.

1. If judgment is rendered for the plaintiff, the amount of the judgment must first be credited as follows: (a) If the judgment is for a refund of sales taxes, it must be credited on any amount of sales or use tax due from the plaintiff pursuant to this chapter. (b) If the judgment is for a refund of use taxes, it must be credited on any amount of use tax due from the plaintiff pursuant to this chapter. 2. The balance of the judgment must be refunded to the plaintiff. (Added to NRS by 1979, 428; A 2005, 1775)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.695 - Allowance of interest.

In any judgment, interest must be allowed at the rate of 3 percent per annum upon the amount found to have been illegally collected from the date of payment of the amount to the date of allowance of credit on account of the judgment, or to a date preceding the date of the refund warrant by not more than 30 days, the date to be determined by the Department. (Added to NRS by 1979, 429; A 2011, 3144)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.700 - Standing to recover.

A judgment may not be rendered in favor of the plaintiff in any action brought against the Department to recover any amount paid when the action is brought by or in the name of an assignee of the person paying the amount or by any person other than the person who paid the amount. (Added to NRS by 1979, 429)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.705 - Action to recover erroneous refund: Authority of Department.

The Department may recover any refund or part of it which is erroneously made and any credit or part of it which is erroneously allowed in an action brought in a court of competent jurisdiction in Carson City or Clark County in the name of the State of Nevada. (Added to NRS by 1979, 429; A 1999, 2495)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.710 - Action to recover erroneous refund: Venue.

The action must be tried in Carson City or Clark County unless the court with the consent of the Attorney General orders a change of place of trial. (Added to NRS by 1979, 429; A 1999, 2496)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.715 - Action to recover erroneous refund: Prosecution by Attorney General; applicable provisions.

The Attorney General shall prosecute the action, and the provisions of NRS, the Nevada Rules of Civil Procedure and the Nevada Rules of Appellate Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings. (Added to NRS by 1979, 429)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.720 - Cancellation of illegal determination: Procedure; limitation.

1. If any amount in excess of \$25 has been illegally determined, either by the person filing the return or by the Department, the Department shall certify this fact to the State Board of Examiners, and the latter shall authorize the cancellation of the amount upon the records of the Department. 2. If an amount not exceeding \$25 has been illegally determined, either by the person filing a return or by the Department, the Department, without certifying this fact to the State Board of Examiners, shall authorize the cancellation of the amount upon the records of the Department. (Added to NRS by 1979, 429)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.723 - Application of chapter 360B of NRS.

This chapter must be administered in accordance with the provisions of chapter 360B of NRS. (Added to NRS by 2003, 2362; A 2005, 1778)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.724 - Applicability to certain retailers; construction of certain terms.

1. The provisions of this chapter relating to: (a) The imposition, collection and remittance of the sales tax apply to every retailer whose activities have a sufficient nexus with this State to satisfy the requirements of the United States Constitution. (b) The collection and remittance of the use tax apply to every retailer whose activities have a sufficient nexus with this State to satisfy the requirements of the United States Constitution. 2. In administering the provisions of this chapter, the Department shall construe the terms "seller," "retailer" and "retailer maintaining a place of business in this State" in accordance with the provisions of subsection 1. (Added to NRS by 2011, 2755)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7243 - Applicability to retailer that is part of controlled group of entities with certain affiliates having physical presence in this State; construction of certain terms.

1. Except as otherwise provided in this section, it is presumed that the provisions of this chapter relating to the imposition, collection and remittance of the sales tax, and the collection and remittance of the use tax, apply to a retailer if: (a) The retailer is part of a controlled group of corporations that has a component member, other than a common carrier acting in its capacity as such, that has physical presence in this State; and (b) The component member with physical presence in this State: (1) Sells a similar line of products or services as the retailer and does so under a business name that is the same or similar to that of the retailer; (2) Maintains an office, distribution facility, warehouse or storage place or similar place of business in this State to facilitate the delivery of tangible personal property sold by the retailer to the retailer's customers; (3) Uses trademarks, service marks or trade names in this State that are the same or substantially similar to those used by the retailer; (4) Delivers, installs, assembles or performs maintenance services for the retailer's customers within this State; (5) Facilitates the retailer's delivery of tangible personal property to customers in this State by allowing the retailer's customers to pick up tangible personal property sold by the retailer at an office, distribution facility, warehouse, storage place or similar place of business maintained by the component member in this State; or (6) Conducts any other activities in this State that are significantly associated with the retailer's ability to establish and maintain a market in this State for the retailer's products or services. 2. A retailer may rebut the presumption set forth in subsection 1 by providing proof satisfactory to the Department that, during the calendar year in question, the activities of the component member with physical presence in this State are not significantly associated with the retailer's ability to establish or maintain a market in this State for the retailer's products or services. 3. In administering the provisions of this chapter, the Department shall construe the terms "seller," "retailer" and "retailer maintaining a place of business in this State" in accordance with the provisions of this section. 4. As used in this section: (a) "Component member" has the meaning ascribed to it in section 1563(b) of the Internal Revenue Code, 26 U.S.C. § 1563(b), and includes any entity that, notwithstanding its form of organization, bears the same ownership relationship to the retailer as a corporation that would qualify as a component member of the same controlled group of corporations as the retailer. (b) "Controlled group of corporations" has the meaning ascribed to it in section 1563(a) of the Internal Revenue Code, 26 U.S.C. § 1563(a), and includes any entity that, notwithstanding its form of organization, bears the same ownership relationship to the retailer as a corporation that would qualify as a component member of the same controlled group of corporations as the retailer. (Added to NRS by 2015, 1017)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7247 - Applicability to retailers that enter into certain agreements with residents of this State for the referral of customers through Internet links; construction of certain terms.

1. Except as otherwise provided in this section, it is presumed that the provisions of this chapter relating to: (a) The imposition, collection and remittance of the sales tax; and (b) The collection and remittance of the use tax, apply to every retailer who enters into an agreement with a resident of this State under which the resident, for a commission or other consideration based upon the sale of tangible personal property by the retailer, directly or indirectly refers potential customers, whether by a link on an Internet website or otherwise, to the retailer, if the cumulative gross receipts from sales by the retailer to customers in this State who are referred to the retailer by all residents with this type of an agreement with the retailer is in excess of \$10,000 during the preceding four quarterly periods ending on the last day of March, June, September and December. 2. A retailer may rebut the presumption set forth in subsection 1 by providing proof satisfactory to the Department that each resident with whom the retailer has an agreement did not engage in any activity in this State that was significantly associated with the retailer's ability to establish or maintain a market in this State for the retailer's products or services during the preceding four quarterly periods ending on the last day of March, June, September and December. Such proof may consist of the sworn written statements of each resident with whom the retailer has an agreement stating that the resident did not engage in any solicitation in this State on behalf of the retailer during the preceding four quarterly periods ending on the last day of March, June, September and December, if the statements were obtained from each resident and provided to the Department in good faith. 3. In administering the provisions of this chapter, the Department shall construe the terms "seller," "retailer" and "retailer maintaining a place of business in this State" in accordance with the

provisions of this section. (Added to NRS by 2015, 1018)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.725 - Enforcement by Department; adoption of regulations.

1. The Department shall enforce the provisions of this chapter and may adopt regulations relating to the administration and enforcement of this chapter. 2. The Department may prescribe the extent to which any regulation may be applied without retroactive effect. (Added to NRS by 1979, 429)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7261 - Application and calculation of tax on property purchased for certain purposes related to aircraft and components of aircraft. [Effective through June 30, 2035.]

1. In administering the provisions of this chapter: (a) The Department shall calculate the amount of tax imposed on tangible personal property purchased for use in owning, operating, manufacturing, servicing, maintaining, testing, repairing, overhauling or assembling an aircraft or any component of an aircraft as follows: (1) If the tangible personal property is purchased by a business for use in the performance of a contract, the business is deemed the consumer of the tangible personal property and the sales tax must be paid by the business on the sales price of the tangible personal property to the business. (2) If the tangible personal property is purchased by a business for use in the performance of a contract and the sales tax is not paid because the vendor did not have a valid seller's permit, or because the resale certificate was properly presented, or for any other reason, the use tax must be imposed based on the sales price of the tangible personal property to the business. (b) Any tangible personal property purchased by a business for use in the performance of a contract is deemed to have been purchased for use in owning, operating, manufacturing, servicing, maintaining, testing, repairing, overhauling or assembling an aircraft or any component of an aircraft. 2. As used in this section: (a) "Aircraft" has the meaning ascribed to it in paragraph (a) of subsection 12 of NRS 360.753. (b) "Component of an aircraft" has the meaning ascribed to it in paragraph (b) of subsection 12 of NRS 360.753. (c) "Contract" means any contract for the ownership, operation, manufacture, service, maintenance, testing, repair, overhaul or assembly of an aircraft or any component of an aircraft entered into by a business. (Added to NRS by 2015, 2332)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7263 - Application of exemption for sale of personal property for shipment outside State to certain sales of motor vehicles, farm machinery and equipment and vessels.

In administering the provisions of NRS 372.335, the Department shall apply the exemption for the sale of tangible personal property delivered by the vendor to a forwarding agent for shipment out of State to include: 1. The sale of a vehicle to a nonresident to whom a special movement permit has been issued by the Department of Motor Vehicles pursuant to subsection 1 of NRS 482.3955; 2. The sale of farm machinery and equipment, as defined in NRS 372.281, to a nonresident who submits proof to the vendor that the farm machinery and equipment will be delivered out of State not later than 15 days after the sale; and 3. The sale of a vessel to a nonresident who submits proof to the vendor that the vessel will be delivered out of State not later than 15 days after the sale. (Added to NRS by 1997, 180; A 2001, 823, 2601; 2003, 2368, 2821; 2005, 2485, 2486)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7265 - Calculation of tax imposed on retail sale of large appliances.

1. In administering the provisions of this chapter, the Department shall calculate the amount of tax imposed on the retail sale of large appliances as follows: (a) If the large appliance is sold separately or with installation or replacement services, or any combination thereof, the sales tax must be applied to the retail sales price of the large appliance to the customer. The sales tax does not apply to charges for or associated with installation and replacement if those charges are stated separately on the sales receipt or in the contract of sale. (b) If the large appliance is sold as a constituent part of a contract for the construction or refurbishment of an improvement to real property or a mobile home, the sales tax must be paid by the contractor on the sales price of the large appliance to the contractor. 2. As used in this section: (a) "Contract for the construction or refurbishment of an improvement to real property" means a contract for erecting, constructing or affixing a structure or other improvement to real property or a mobile home, including the remodeling, altering or repairing of an improvement to real property or a mobile home. The term does not include the sale, delivery, installation or replacement of one or more large appliances not included in a contract for erecting, constructing or affixing a structure or other improvement to real property or a mobile home. (b) "Large appliance" includes, without limitation, a washing machine, dryer, range, stove, oven, dishwasher, refrigerator, freezer, ice maker and hot water dispenser. (c) "Replacement" means the removal of an old large appliance and the installation of a new large appliance. (Added to NRS by 1997, 912)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7273 - Intent of Legislature regarding complimentary food, meals and nonalcoholic drinks provided to employees, patrons and guests of retailer.

In administering the provisions of this chapter, the Department shall consider the intent of the Legislature as hereby expressed that: 1. The complimentary portion of any food, meals or nonalcoholic drinks provided on a complimentary basis, in whole or in part, to the employees, patrons or guests of a retailer is not being furnished, prepared or served for consideration within the meaning of paragraph (c) of subsection 3 of NRS 372.060; and 2. For the purposes of the tax on the use or other consumption of tangible personal property, the complimentary portion of any such food, meals or nonalcoholic drinks does not lose its tax-exempt status as

food for human consumption as the result of being provided on a complimentary basis, in whole or in part, to the employees, patrons or guests of the retailer. (Added to NRS by 2013, 3735)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7275 - Application of use tax to certain property acquired free of charge at convention, trade show or other public event.

In its administration of the use tax imposed by NRS 372.185, the Department shall not consider the storage, use or other consumption in this State of tangible personal property which: 1. Does not have significant value; and 2. Is acquired free of charge at a convention, trade show or other public event. (Added to NRS by 2005, 2485; A 2007, 2313)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7281 - Application of NRS 372.325 to sale of property to certain members of Nevada National Guard, relatives of such members and relatives of certain deceased members of Nevada National Guard. [Effective through June 30, 2031.] Application of NRS 372.325 to sale of property to certain members of Nevada National Guard, relatives of such members and relatives of certain deceased members of Nevada National Guard. [Effective July 1, 2031.]

In administering the provisions of NRS 372.325, the Department shall apply the exemption for the sale of tangible personal property to the State of Nevada, its unincorporated agencies and instrumentalities to include all tangible personal property that is sold to: 1. A member of the Nevada National Guard who has been called into active duty for a period of more than 30 days, as defined in 10 U.S.C. § 101(d)(2), outside of the United States. 2. A relative of a member of the Nevada National Guard eligible for the exemption pursuant to subsection 1 who: (a) Resides in the same home or dwelling in this State as the member; and (b) Is related by blood, adoption or marriage within the first degree of consanguinity or affinity to the member. 3. A relative of a deceased member of the Nevada National Guard who was killed while performing his or her duties as a member of the Nevada National Guard during a period when the member was called into active duty, as defined in 10 U.S.C. § 101(d)(1). To be eligible under this subsection, the relative must be a person who: (a) Resided in the same house or dwelling in this State as the deceased member; and (b) Was related by blood, adoption or marriage within the first degree of consanguinity or affinity to the deceased member. 4. A member of the Nevada National Guard who is on active status, as defined in 10 U.S.C. § 101(d)(4), and who is a resident of this State, if the sale occurs on the date on which Nevada Day is observed pursuant to NRS 236.015 or the Saturday or Sunday immediately following that day. 5. A relative of a member of the Nevada National Guard eligible for the exemption pursuant to subsection 4 who: (a) Resides in the same home or dwelling in this State as the member; and (b) Is related by blood, adoption or marriage within the first degree of consanguinity or affinity to the member, if the sale occurs on the date on which Nevada Day is observed pursuant to NRS 236.015 or the Saturday or Sunday immediately following that day. (Added to NRS by 2005, 2449; A 2015, 3930; 2021, 2083)

In administering the provisions of NRS 372.325, the Department shall apply the exemption for the sale of tangible personal property to the State of Nevada, its unincorporated agencies and instrumentalities to include all tangible personal property that is sold to: 1. A member of the Nevada National Guard who is engaged in full-time National Guard duty, as defined in 10 U.S.C. § 101(d)(5), and has been called into active service. 2. A relative of a member of the Nevada National Guard eligible for the exemption pursuant to subsection 1 who: (a) Resides in the same home or dwelling in this State as the member; and (b) Is related by blood, adoption or marriage within the first degree of consanguinity or affinity to the member. 3. A relative of a deceased member of the Nevada National Guard who was engaged in full-time National Guard duty, as defined in 10 U.S.C. § 101(d)(5), and who was killed while performing his or her duties as a member of the Nevada National Guard during a period when the member was called into active service. To be eligible under this subsection, the relative must be a person who: (a) Resided in the same house or dwelling in this State as the deceased member; and (b) Was related by blood, adoption or marriage within the first degree of consanguinity or affinity to the deceased member. (Added to NRS by 2005, 2449; A 2015, 3930; 2021, 2083, effective July 1, 2031)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7282 - Claim of exemption by certain members of Nevada National Guard, relatives of such members and relatives of certain deceased members of Nevada National Guard. [Effective through June 30, 2031.] Claim of exemption by certain members of Nevada National Guard, relatives of such members and relatives of certain deceased members of Nevada National Guard. [Effective July 1, 2031.]

1. A person who wishes to claim an exemption pursuant to NRS 372.7281 must file an application with the Department to obtain a letter of exemption. The application must be on a form and contain such information as is required by the Department. A person who wishes to claim an exemption pursuant to subsection 4 or 5 of NRS 372.7281 must file the application not later than 30 days before the date on which Nevada Day is observed pursuant to NRS 236.015, unless a different deadline is specified by the Department by regulation, provided that any deadline established by the Department must not be earlier than 45 days before the date on which Nevada Day is observed. 2. If the Department determines that a person is eligible for the exemption provided pursuant to NRS 372.7281, the Department shall issue a letter of exemption to the person. A letter of exemption issued to a member of the Nevada National Guard described in subsection 1 of NRS 372.7281 or a relative of a member described in subsection 2 of NRS 372.7281 expires 30 days after the member of the Nevada National Guard returns to the United States. A letter of exemption issued to a relative of a deceased member of the Nevada National Guard described in subsection 3 of NRS 372.7281 expires on the date 3 years after the date of the death of the member. A letter of exemption issued to a member of the Nevada National Guard described in subsection 4 of NRS 372.7281 or a relative of a member described in subsection 5 of NRS 372.7281 expires on December 31 of the year it is issued but may be renewed. A retailer who makes a retail sale of tangible personal property to a member of the Nevada

National Guard described in subsection 4 of NRS 372.7281 or a relative of a member described in subsection 5 of NRS 372.7281 shall collect the tax imposed by this chapter. 3. To claim an exemption pursuant to subsection 1, 2 or 3 of NRS 372.7281 for the sale of tangible personal property to such a person: (a) The person must provide a copy of the letter of exemption to the retailer from whom the person purchases the property; and (b) The retailer must retain and present upon request a copy of the letter of exemption to the Department. 4. To claim an exemption pursuant to subsection 4 or 5 of NRS 372.7281, as applicable, for the sale of tangible personal property to such a person, not later than 30 calendar days after the date of the sale, the person must submit to the Department: (a) A request for a refund of the tax paid by the person upon a sale of tangible personal property that was exempt from tax pursuant to subsection 4 or 5 of NRS 372.7281, as applicable; (b) A copy of the letter of exemption issued to the person; and (c) A copy of the receipt which was provided to the person by the retailer from whom the person purchased the property and which indicates that the person to whom the letter of exemption was issued paid tax upon a sale of tangible personal property that was exempt from tax pursuant to subsection 4 or 5 of NRS 372.7281, as applicable. The Department shall issue a refund to a person who submits the information required by this subsection within the period established by this subsection. 5. The Department shall adopt such regulations as are necessary to carry out the provisions of this section. (Added to NRS by 2005, 2450; A 2015, 3930; 2021, 2084; 2023, 42) 1. A person who wishes to claim an exemption pursuant to NRS 372.7281 must file an application with the Department to obtain a letter of exemption. The application must be on a form and contain such information as is required by the Department. 2. If the Department determines that a person is eligible for the exemption provided pursuant to NRS 372.7281, the Department shall issue a letter of exemption to the person. A letter of exemption issued to a member of the Nevada National Guard described in subsection 1 of NRS 372.7281 or a relative of a member described in subsection 2 of NRS 372.7281 expires on the date on which the person no longer meets the qualifications for eligibility. A letter of exemption issued to a relative of a deceased member of the Nevada National Guard described in subsection 3 of NRS 372.7281 expires on the date 3 years after the date of the death of the member. 3. To claim an exemption pursuant to NRS 372.7281 for the sale of tangible personal property to such a person: (a) The person must provide a copy of the letter of exemption to the retailer from whom the person purchases the property; and (b) The retailer must retain and present upon request a copy of the letter of exemption to the Department. 4. The Department shall adopt such regulations as are necessary to carry out the provisions of this section. (Added to NRS by 2005, 2450; A 2015, 3930; 2021, 2084; 2023, 42, effective July 1, 2031)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7283 - Application of NRS 372.325 to transfer of property pursuant to certain agreements and to transfer of motor vehicle.

In administering the provisions of NRS 372.325, the Department shall apply the exemption for the sale of tangible personal property to the State of Nevada, its unincorporated agencies and instrumentalities, to include: 1. All tangible personal property that is transferred for use by a state entity in accordance with an agreement executed pursuant to NRS 353.500 to 353.630, inclusive; and 2. Any type of motor vehicle that is transferred for use by a state entity or a county, city, district or other local entity, whether by sale or lease and regardless of whether title to the vehicle passes to the state or local entity at any time during the use of the vehicle. (Added to NRS by 2001, 2481; A 2003, 1202)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7285 - Application of NRS 372.325 to sale of certain medical devices to governmental entities.

1. In administering the provisions of NRS 372.325, the Department shall apply the exemption to the sale of a medical device to a governmental entity that is exempt pursuant to that section without regard to whether the person using the medical device or the governmental entity that purchased the device is deemed to be the holder of title to the device if: (a) The medical device was ordered or prescribed by a provider of health care, within his or her scope of practice, for use by the person to whom it is provided; (b) The medical device is covered by Medicaid or Medicare; and (c) The purchase of the medical device is made pursuant to a contract between the governmental entity that purchases the medical device and the person who sells the medical device to the governmental entity. 2. As used in this section: (a) "Medicaid" means the program established pursuant to Title XIX of the Social Security Act, 42 U.S.C. §§ 1396 et seq., to provide assistance for part or all of the cost of medical care rendered on behalf of indigent persons. (b) "Medicare" means the program of health insurance for aged persons and persons with disabilities established pursuant to Title XVIII of the Social Security Act, 42 U.S.C. §§ 1395 et seq. (c) "Provider of health care" means a physician or physician assistant licensed pursuant to chapter 630, 630A or 633 of NRS, perfusionist, dentist, licensed nurse, dispensing optician, optometrist, practitioner of respiratory care, registered physical therapist, podiatric physician, licensed psychologist, licensed audiologist, licensed speech-language pathologist, licensed hearing aid specialist, licensed marriage and family therapist, licensed clinical professional counselor, chiropractic physician, naprapath, licensed dietitian or doctor of Oriental medicine in any form. (Added to NRS by 2001, 1294; A 2007, 3083; 2009, 2995; 2011, 1519; 2019, 137; 2023, 1702)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7287 - Application of NRS 372.326 to transfer of motor vehicle.

In administering the provisions of NRS 372.326, the Department shall apply the exemption for the sale of tangible personal property to a nonprofit organization created for religious, charitable or educational purposes to include any type of motor vehicle that is transferred for use by such a nonprofit organization, whether by sale or lease and regardless of whether title to the vehicle passes to the nonprofit organization at any time during the use of the vehicle. (Added to NRS by 2005, 692)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.729 - Taxation of photographers: Furnishing of proofs considered to be rendition of service.

In administering the provisions of this chapter, the Department shall not consider the furnishing of one or more proofs by a photographer to a customer as a sale of tangible personal property but rather as part of the rendition of the photographer's service, whether or not a separate charge is made for furnishing the proof. (Added to NRS by 1999, 1262)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7293 - Circumstances under which veterinarian is considered consumer of tangible personal property.

1. In administering the provisions of this chapter, the Department shall consider a licensed veterinarian to be a consumer and not a retailer of the tangible personal property used, furnished or dispensed by him or her in providing medical care or treatment to animals as part of the performance of his or her professional services in the practice of veterinary medicine. 2. As used in this section: (a) "Licensed veterinarian" means: (1) A person who holds a license to engage in the practice of veterinary medicine issued pursuant to chapter 638 of NRS; and (2) An office, clinic or facility through which a licensed veterinarian engages in his or her practice. (b) "Practice of veterinary medicine" has the meaning ascribed to it in NRS 638.008. (Added to NRS by 2017, 1013)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7297 - "Feminine hygiene product" construed. [Effective through December 31, 2028.]

In administering the provisions of section 56.1 of chapter 397, Statutes of Nevada 1955, which is included in NRS as NRS 372.283, the Department shall construe the term "feminine hygiene product" to mean a sanitary napkin or tampon. (Added to NRS by 2017, 2542)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.7299 - Diaper" construed. [Effective January 1, 2025, through December 31, 2050, if the proposal to amend the Sales and Use Tax Act of 1955 submitted pursuant to chapter 425, Statutes of Nevada 2023, is approved by the voters at the 2024 General Election.]

In administering the provisions of section 56.1 of chapter 397, Statutes of Nevada 1955, which is included in NRS as NRS 372.283, the Department shall construe the term "diaper" to mean any type of diaper intended for use by a child or an adult, including, without limitation, a disposable diaper. (Added to NRS by 2023, 2588, effective January 1, 2025, if the proposal to amend the Sales and Use Tax Act of 1955 submitted pursuant to chapter 425, Statutes of Nevada 2023, is approved by the voters at the 2024 General Election)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.730 - Employment of accountants, investigators and other persons; delegation of authority.

The Department may employ accountants, auditors, investigators, assistants and clerks necessary for the efficient administration of this chapter, and may delegate authority to its representatives to conduct hearings, adopt regulations or perform any other duties imposed by this chapter. (Added to NRS by 1979, 429)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.733 - Certain broadcasters, printers, advertising firms, distributors and publishers deemed agents and retailers maintaining place of business in this State.

1. Notwithstanding any other provision of law, any broadcaster, printer, outdoor advertising firm, advertising distributor or publisher which broadcasts, publishes, displays or distributes paid commercial advertising in this State which is intended to be disseminated primarily to persons located in this State and is only secondarily disseminated to bordering jurisdictions, including advertising appearing exclusively in a Nevada edition or section of a national publication, must be regarded, for the purposes set forth in subsection 2 only, as the agent of the person or entity placing the advertisement, and as a retailer maintaining a place of business in this State. 2. The agency created by this section is solely for the purpose of the proper administration of this chapter, to prevent evasion of the use tax and the duty to collect the use tax, and to provide a presence in Nevada for the collection of the use tax by and from advertisers and sellers who do not otherwise maintain a place of business in this State. The agent has no responsibility to report, or liability to pay, any tax imposed under this chapter and is not restricted by the provisions of this chapter from accepting advertisements from advertisers or sellers who do not otherwise maintain a place of business in this State. (Added to NRS by 1989, 1507)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.734 - Certain broadcasting activities not taxable transactions.

In administering the provisions of this chapter, the Department shall not consider the activities of persons that are directly related to the process of transmitting radio, television, cable television, video or data signals, including the transmission of news or information by video or data signal, the transmission of signals from one broadcaster to another and from a broadcaster to a member of the public and including the production and airing of any form of speech or broadcast by radio or television, whether or not compensation is provided to the broadcaster in connection therewith, to be transactions that are taxable pursuant to the provisions of this chapter. (Added to NRS by 1993, 2744; A 2007, 1390)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.735 - Records to be kept by sellers, retailers and others.

1. Every seller, every retailer, and every person storing, using or otherwise consuming in this State tangible personal property purchased from a retailer shall keep records, receipts, invoices and other pertinent papers in such form as the Department may require. 2. Every seller, retailer or person who files the returns required under this chapter shall keep the records for not less than 4 years from their making unless the Department in writing sooner authorizes their destruction. 3. Every seller, retailer or person who fails to file the returns required under this chapter shall keep the records for not less than 8 years from their making unless the Department in writing sooner authorizes their destruction. (Added to NRS by 1979, 430)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.740 - Examinations and investigations; payment of expenses for examination of records outside State.

1. The Department, or any person authorized in writing by it, may examine the books, papers, records and equipment of any person selling tangible personal property and any person liable for the use tax and may investigate the character of the business of the person to verify the accuracy of any return made, or, if no return is made by the person, to ascertain and determine the amount required to be paid. 2. Any person selling or purchasing tangible personal property in this State who: (a) Is required to: (1) Obtain a permit pursuant to NRS 360.5971 or register pursuant to NRS 360B.200; or (2) File a return pursuant to subsection 2 of NRS 372.360; and (b) Keeps outside of this State his or her records, receipts, invoices and other documents relating to sales the person has made or the use tax due this State, shall pay to the Department an amount equal to the allowance provided for state officers and employees generally while traveling outside of the State for each day or fraction thereof during which an employee of the Department is engaged in examining those documents, plus any other actual expenses incurred by the employee while he or she is absent from his or her regular place of employment to examine those documents. (Added to NRS by 1979, 430; A 1989, 392; 1993, 101; 2003, 2369; 2005, 1778; 2021, 2011)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.745 - Reports for administering use tax: Filing; contents.

In its administration of the use tax, the Department may require the filing of reports by any person or class of persons having in their possession or custody information relating to sales of tangible personal property, the storage, use or other consumption of which is subject to the tax. The report must: 1. Be filed when the Department requires. 2. Set forth the names and addresses of purchasers of the tangible personal property, the sales price of the property, the date of sale, and such other information as the Department may require. (Added to NRS by 1979, 430)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.746 - Definitions.

As used in NRS 372.746 to 372.754, inclusive, unless the context otherwise requires, the words and terms defined in NRS 372.747, 372.748 and 372.749 have the meanings ascribed to them in those sections. (Added to NRS by 2019, 3683)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.747 - "Affiliate" defined.

"Affiliate" means a person who directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For the purposes of this section, control shall be presumed to exist if any person directly or indirectly owns, controls, holds with the power to vote or holds proxies representing 10 percent or more of the voting securities of any other person. This presumption may be rebutted by a showing that control does not exist in fact. (Added to NRS by 2019, 3683)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.748 - "Marketplace facilitator" defined.

1. "Marketplace facilitator" means a person, including any affiliate of the person, who: (a) Directly or indirectly, does one or more of the following to facilitate a retail sale: (1) Lists, makes available or advertises tangible personal property for sale by a marketplace seller in a marketplace owned, operated or controlled by the person; (2) Facilitates the sale of a marketplace seller's product through a marketplace by transmitting or otherwise communicating an offer or acceptance of a retail sale of tangible personal property between a marketplace seller and a purchaser in a forum including a shop, store, booth, catalog, Internet site or similar forum; (3) Owns, rents, licenses, makes available or operates any electronic or physical infrastructure or any property, process, method, copyright, trademark or patent that connects marketplace sellers to purchasers for the purpose of making retail sales of tangible personal property; (4) Provides a marketplace for making retail sales of tangible personal property, or otherwise facilitates retail sales of tangible personal property, regardless of ownership or control of the tangible personal property that is the subject of the retail sale; (5) Provides software development or research and development activities related to any activity described in this subsection, if such software development or research and development activities are directly related to the physical or electronic marketplace provided by a marketplace provider; (6) Provides or offers fulfillment or storage services for a marketplace seller; (7) Sets prices for the sale of tangible personal property by a marketplace seller; (8) Provides or offers customer service to a marketplace seller or the customers of a marketplace seller, or accepts or assists with taking orders, returns or exchanges of tangible personal property sold by a marketplace seller; or (9) Brands or otherwise identifies sales as those of the marketplace facilitator; and (b) Directly or indirectly, does one or more of the following to facilitate a retail sale: (1) Collects the sales price or purchase price of

a retail sale of tangible personal property; (2) Provides payment processing services for a retail sale of tangible personal property; (3) Charges, collects or otherwise receives selling fees, listing fees, referral fees, closing fees, fees for inserting or making available tangible personal property on a marketplace or other consideration from the facilitation of a retail sale of tangible personal property, regardless of ownership or control of the tangible personal property that is the subject of the retail sale; (4) Through terms and conditions, agreements or arrangements with a third party, collects payment in connection with a retail sale of tangible personal property from a purchaser and transmits that payment to the marketplace seller, regardless of whether the person collecting and transmitting such payment receives compensation or other consideration in exchange for the service; or (5) Provides a virtual currency that purchasers are allowed or required to use to purchase tangible personal property. 2. The term does not include: (a) A person who provides Internet advertising services, including, without limitation, the listing of products for sale, if the person does not directly or indirectly or through an affiliate: (1) Transmit or otherwise communicate an offer or acceptance of a retail sale of tangible personal property between a marketplace seller and a purchaser; and (2) Do one or more of the activities listed in paragraph (b) of subsection 1. (b) A person who arranges, books or otherwise facilitates, for a commission, fee or other consideration, vacation or travel packages or rental car or other travel reservations or accommodations through a marketplace owned, operated or controlled by the person. The exclusion set forth in this paragraph applies only with respect to the arranging, booking or facilitation, for a commission, fee or other consideration, of the lease or rental of a passenger car, as defined in NRS 482.087. (Added to NRS by 2019, 3683)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.749 - "Marketplace seller" defined.

"Marketplace seller" means: 1. A seller who makes retail sales through any physical or electronic marketplace owned, operated or controlled by a marketplace facilitator, even if such seller would not have been required to collect and remit the sales tax or use tax had the sale not been made through such marketplace; or 2. A seller who makes retail sales resulting from a referral by a referrer, even if such seller would not have been required to collect and remit the sales tax or use tax had the sale not been made through such referrer. (Added to NRS by 2019, 3684)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.751 - Applicability to marketplace facilitators of provisions regarding imposition, collection and remittance of sales and use taxes; construction of certain terms.

1. Except as otherwise provided in this section and NRS 372.752, the provisions of this chapter relating to the imposition, collection and remittance of the sales tax, and the collection and remittance of the use tax, apply to a marketplace facilitator during a calendar year in which or during a calendar year immediately following any calendar year in which: (a) The cumulative gross receipts from retail sales made or facilitated by the marketplace facilitator on its own behalf or for one or more marketplace sellers to customers in this State exceed \$100,000; or (b) The marketplace facilitator makes or facilitates 200 or more separate retail sales transactions on his or her own behalf or for one or more marketplace sellers to customers in this State. 2. The provisions of this chapter relating to the imposition, collection and remittance of sales tax and the collection and remittance of use tax do not apply to a marketplace facilitator described in subsection 1 if: (a) The marketplace facilitator and the marketplace seller have entered into a written agreement whereby the marketplace seller assumes responsibility for the collection and remittance of the sales tax, and the collection and remittance of the use tax, for retail sales made by the marketplace seller through the marketplace facilitator; and (b) The marketplace seller has obtained a permit pursuant to NRS 360.5971 or registered pursuant to NRS 360B.200. Upon request of the Department, a marketplace facilitator shall provide to the Department a report containing the name of each marketplace seller with whom the marketplace facilitator has entered into an agreement pursuant to this subsection and such other information as the Department determines is necessary to ensure that each marketplace seller with whom the marketplace facilitator has entered into an agreement pursuant to this subsection has obtained a permit pursuant to NRS 360.5971 or registered pursuant to NRS 360B.200. 3. Except as otherwise provided in this section and NRS 372.752, the provisions of subsection 1 apply regardless of whether: (a) The marketplace seller for whom a marketplace facilitator makes or facilitates a retail sale would not have been required to collect and remit the sales tax or the use tax had the retail sale not been facilitated by the marketplace facilitator; (b) The marketplace seller for whom a marketplace facilitator makes or facilitates a retail sale was required to register with the Department pursuant to NRS 360B.200 or obtain a permit pursuant to NRS 360.5971; or (c) The amount of the sales price of a retail sale will ultimately accrue to or benefit the marketplace facilitator, the marketplace seller or any other person. 4. In administering the provisions of this chapter, the Department shall construe the terms "seller," "retailer" and "retailer maintaining a place of business in this State" in accordance with the provisions of this section. (Added to NRS by 2019, 3684; A 2021, 2011)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.752 - Relief from liability for payment of tax attributable to retail sales facilitated by marketplace facilitator.

1. In administering the provisions of this chapter, the Department shall not hold a marketplace facilitator liable for the payment of any tax imposed by this chapter which is attributable to a retail sale made or facilitated on behalf of a marketplace seller who is not an affiliate of the marketplace facilitator if: (a) The marketplace facilitator provides proof satisfactory to the Department that the marketplace facilitator has made a reasonable effort to obtain accurate information from the marketplace seller about the retail sale; and (b) The failure to collect and remit the correct tax on the retail sale was due to incorrect information provided to the marketplace facilitator by the marketplace seller. 2. Except as otherwise provided in subsection 3, in administering the provisions of this chapter, the Department shall not hold a marketplace facilitator liable for the payment of any tax imposed by this chapter which is

attributable to a retail sale made or facilitated on behalf of a marketplace seller who is not an affiliate of the marketplace facilitator if the marketplace facilitator provides proof satisfactory to the Department that: (a) The retail sale was made before January 1, 2021; (b) The retail sale was made through a marketplace of the marketplace facilitator; and (c) The failure to collect the sales tax or use tax was due to an error other than an error in sourcing the retail sale. 3. The relief from liability provided pursuant to subsection 2 for the 2019 and 2020 calendar year, respectively, shall not exceed 5 percent of the total sales and use tax owed for the calendar year on the cumulative gross receipts of the marketplace facilitator from retail sales made or facilitated by the marketplace facilitator for one or more marketplace sellers to customers in this State. 4. If a marketplace facilitator is relieved of liability for the collection and remittance of any amount of the sales tax or use tax pursuant to subsection 1, the marketplace seller or purchaser, as applicable, is liable for the payment of such uncollected, unpaid or unremitted tax. 5. To the extent that a marketplace facilitator is relieved of liability for the collection and remittance of any tax pursuant to subsections 2 and 3, the marketplace seller for whom the marketplace facilitator made or facilitated the retail sale giving rise to the tax is also relieved of such liability. 6. Nothing in this section shall be construed to relieve any person of liability for collecting but failing to remit to the Department any tax imposed by this chapter. (Added to NRS by 2019, 3685)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.753 - Applicability to referrers of provisions relating to imposition, collection and remittance of sales and use taxes; regulations; construction of certain terms.

1. The Department may provide by regulation that, except as otherwise provided in this section, the provisions of this chapter relating to the imposition, collection and remittance of the sales tax, and the collection and remittance of the use tax, apply to a referrer during a calendar year in which, or during a calendar year immediately following any calendar year in which: (a) The cumulative gross receipts from retail sales to customers in this State resulting from referrals from a platform of the referrer are in excess of \$100,000; or (b) There are 200 or more separate retail sales transactions involving sales to customers in this State resulting from referrals from a platform of the referrer. 2. Any regulations adopted by the Department pursuant to subsection 1 must provide that the provisions of this chapter relating to the imposition, collection and remittance of the sales tax, and the collection and remittance of the use tax do not apply to a referrer described in subsection 1 if the referrer: (a) Posts a conspicuous notice on each platform of the referrer that includes all of the following: (1) A statement that sales and use tax is due on certain purchases; (2) A statement that the marketplace seller from whom the person is purchasing on the platform may or may not collect and remit sales and use tax on a purchase; (3) A statement that Nevada requires the purchaser to pay sales or use tax and file a sales and use tax return if sales or use tax is not collected at the time of the sale by the marketplace seller; (4) Information informing the purchaser that the notice is provided under the requirements of this section; and (5) Instructions for obtaining additional information from the Department regarding whether and how to remit sales and use tax; (b) The referrer provides a monthly notice to each marketplace seller to whom the referrer made a referral of a potential customer located in this State during the previous calendar year, which monthly notice shall contain all of the following: (1) A statement that Nevada imposes sales and use tax on retail sales in this State; (2) A statement that a marketplace facilitator or other retailer making retail sales in this State must collect and remit sales and use tax; and (3) Instructions for obtaining additional information from the Department regarding the collection and remittance of sales and use tax; and (c) The referrer provides the Department with periodic reports in an electronic format and in the manner prescribed by the Department, which reports contain all of the following: (1) A list of marketplace sellers who received a notice from the referrer pursuant to paragraph (b); (2) A list of marketplace sellers that collect and remit sales and use tax and that list or advertise the marketplace seller's products for sale on a platform of the referrer; and (3) An affidavit signed under penalty of perjury from an officer of the referrer affirming that the referrer made reasonable efforts to comply with the applicable sales and use tax notice and reporting requirements of this subsection. 3. Any regulations adopted by the Department pursuant to subsection 1 must provide that in administering the provisions of this chapter, the Department shall construe the terms "seller," "retailer" and "retailer maintaining a place of business in this State" in accordance with the provisions of this section. 4. Any regulations adopted by the Department pursuant to subsection 1 must apply only to referrals by a referrer and shall not preclude the applicability of other provisions of this chapter to a person who is a referrer and is also a retailer, a marketplace facilitator or a marketplace seller. 5. As used in this section: (a) "Platform" means an electronic or physical medium, including, without limitation, an Internet site or catalog, that is owned, operated or controlled by a referrer. (b) "Referral" means the transfer through telephone, Internet link or other means by a referrer of a potential customer to a retailer or seller who advertises or lists products for sale on a platform of the referrer. (c) "Referrer": (1) Means a person who does all of the following: (I) Contracts or otherwise agrees with a retailer, seller or marketplace facilitator to list or advertise for sale a product of the retailer, seller or marketplace facilitator on a platform, provided such listing or advertisement identifies whether or not the retailer, seller or marketplace facilitator collects sales and use tax; (II) Receives a commission, fee or other consideration from the retailer, seller or marketplace facilitator for the listing or advertisement; (III) Provides referrals to a retailer, seller or marketplace facilitator, or an affiliate of a retailer, seller or marketplace facilitator; and (IV) Does not collect money or other consideration from the customer for the transaction. (2) Does not include: (I) A person primarily engaged in the business of printing or publishing a newspaper; or (II) A person who does not provide the retailer's, seller's or marketplace facilitator's shipping terms and who does not advertise whether a retailer, seller or marketplace facilitator collects sales or use tax. (Added to NRS by 2019, 3686)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.754 - Civil actions; immunity; remedies.

1. Nothing in NRS 372.746 to 372.754, inclusive, shall be construed to create any remedy or private right of action against a

marketplace facilitator. 2. A marketplace facilitator that is required to collect taxes imposed by this chapter is immune from civil liability for claims arising from or related to the overpayment of taxes imposed by this chapter if the marketplace facilitator acted in good faith and without malicious intent. 3. Nothing in this section shall apply to or otherwise limit: (a) Any claim, action, mandate, power, remedy or discretion of the Department, or an agent or designee of the Department. (b) The right of a taxpayer to seek a refund pursuant to NRS 372.630 to 372.720, inclusive. (Added to NRS by 2019, 3688)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.755 - Failure to make return or furnish data.

Any retailer or other person who fails or refuses to furnish any return required to be made, or who fails or refuses to furnish a supplemental return or other data required by the Department, or who renders a false or fraudulent return shall be fined not more than \$500 for each offense. (Added to NRS by 1979, 431)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.760 - False or fraudulent return.

Any person required to make, render, sign or verify any report who makes any false or fraudulent return, with intent to defeat or evade the determination of an amount due required by law to be made, is guilty of a gross misdemeanor and shall for each offense be fined not less than \$300 nor more than \$5,000, or be imprisoned for not more than 364 days in the county jail, or be punished by both fine and imprisonment. (Added to NRS by 1979, 431; A 2013, 983)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.765 - Other violations of chapter.

Any violation of this chapter, except as otherwise provided, is a misdemeanor. (Added to NRS by 1979, 431)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.770 - Statute of limitations.

Any prosecution for violation of any of the penal provisions of this chapter must be instituted within 3 years after the commission of the offense. (Added to NRS by 1979, 431)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.775 - Application of doctrine of res judicata.

In the determination of any case arising under this chapter, the rule of res judicata is applicable only if the liability involved is for the same period as was involved in another case previously determined. (Added to NRS by 1979, 431; A 1981, 290)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.780 - Sales and Use Tax Account: Remittances; deposits.

1. All fees, taxes, interest and penalties imposed and all amounts of tax required to be paid to the State under this chapter must be paid to the Department in the form of remittances payable to the Department. 2. The Department shall deposit the payments in the State Treasury to the credit of the Sales and Use Tax Account in the State General Fund. (Added to NRS by 1979, 431; A 1981, 258)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.785 - Sales and Use Tax Account: Refunds.

The money in the Sales and Use Tax Account may, upon order of the State Controller, be used for refunds under this chapter. (Added to NRS by 1979, 431; A 1981, 259)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.790 - Remedies of State are cumulative.

The remedies of the State provided for in this chapter are cumulative, and no action taken by the Department or the Attorney General constitutes an election by the State to pursue any remedy to the exclusion of any other remedy for which provision is made in this chapter. (Added to NRS by 1979, 431)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.795 - Authority of Department to act for people of State.

In all proceedings under this chapter the Department may act for and on behalf of the people of the State of Nevada. (Added to NRS by 1979, 431)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.800 - Indian reservations and colonies: Imposition and collection of sales tax.

1. The governing body of an Indian reservation or Indian colony may impose a tax on the privilege of selling tangible personal property at retail on the reservation or colony. 2. If a sales tax is imposed, the governing body may establish procedures for collecting the tax from any person authorized to do business on the reservation or colony. (Added to NRS by 1989, 1109)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.805 - Indian reservations and colonies: Restriction on collection of tax by Department.

The Department of Taxation shall not collect the tax imposed by this chapter on the sale of tangible personal property on an Indian

reservation or Indian colony on which a tax has been imposed pursuant to NRS 372.800 if: 1. The tax is equal to or greater than the tax imposed by this chapter; and 2. A copy of an approved tribal tax ordinance imposing the tax has been filed with the Department of Taxation. (Added to NRS by 1989, 1109)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.810 - Rights of Indians not abridged.

Nothing in this chapter abridges the rights of any Indian, individual or tribe, or infringes upon the sovereignty of any Indian tribe, organized under the Indian Reorganization Act (25 U.S.C. §§ 476 et seq.). (Added to NRS by 1989, 1109)

2024 Nevada Revised Statutes Chapter 372 - Sales and Use Taxes NRS 372.815 - Strict construction of certain provisions of chapter.

The imposition of taxes by this chapter, the categories of transactions upon which taxes are imposed and the specification of exemptions are exclusive. The Tax Commission and the Department shall not construe any provision of this chapter to authorize the imposition of a tax imposed by this chapter upon any transaction not expressly made taxable by this chapter. (Added to NRS by 1999, 1311)

Title: chapter-482

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.010 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 482.0105 to 482.137, inclusive, have the meanings ascribed to them in those sections. [Part 1:202:1931; A 1951, 165; 1953, 280]—(NRS A 1961, 128; 1967, 704; 1969, 684; 1973, 230, 399, 1568; 1975, 444, 1075; 1979, 854; 1985, 1836; 1987, 1592, 2079; 1991, 2330, 2353; 1993, 620; 1995, 1861, 2355, 2359, 2365; 1997, 624, 625; 2001, 1725; 2003, 374; 2005, 1240; 2007, 3200; 2009, 466; 2013, 2829; 2017, 416, 975, 1126; 2019, 1879; 2023, 1470)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0105 - "Assembly" defined.

"Assembly" means a combination of parts assembled together in such a way as to create a complete part. (Added to NRS by 2005, 1239)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0107 - "Autocycle" defined. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles.]

"Autocycle" means a three-wheeled motor vehicle that: 1. Is designed with two front wheels and one rear wheel; 2. Is equipped with a steering wheel or handlebars; 3. Is equipped with safety belts for the driver and each passenger; 4. Uses foot pedals to control the braking and acceleration of the vehicle; 5. Does not require the operator or passengers to straddle or sit astride the vehicle; and 6. Has been manufactured to meet the federal safety requirements for a motorcycle. (Added to NRS by 2023, 1470, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.011 - "Based" defined.

"Based" means the place or domicile where a vehicle is primarily used, or if a vehicle is often used in more than one county, then it means the place or domicile where the vehicle is primarily stored or kept. A vehicle registered for intercounty or interstate operation under the provisions of chapter 706 of NRS shall be deemed to have no base. (Added to NRS by 1973, 399; A 2007, 3200)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.012 - "Border state employee" defined.

"Border state employee" means a person whose legal residence is not in this State, who resides outside of the State of Nevada and who commutes on a daily basis into the State of Nevada solely for the purpose of employment at a place of employment which is less than 35 air miles from the state border. (Added to NRS by 1973, 1567; A 1989, 703; 1991, 1988)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0125 - "Branch" defined.

"Branch" means an established place of business of a vehicle dealer or long-term or short-term lessor at which the dealer or

long-term or short-term lessor conducts business simultaneously with, and physically separated from, his or her principal established place of business. (Added to NRS by 1979, 1023; A 2007, 3200)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0127 - "Broker" defined.

"Broker" means a person who, for a fee or any other consideration, offers to provide to another person the service of arranging, negotiating or assisting in the purchase of a new or used vehicle which has not been registered or for which an ownership interest has not been taken by the broker. (Added to NRS by 1995, 2362; A 2007, 3200)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.013 - "Bus" defined.

"Bus" means any motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for transportation of persons for compensation. (Added to NRS by 1965, 316)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.014 - "Calendar year" defined.

"Calendar year" means a year commencing at 12 p.m. December 31 and ending at 12 p.m. the following December 31. (Added to NRS by 1969, 683)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0145 - "Charitable organization" defined.

"Charitable organization" means an organization which: 1. The Secretary of the Treasury has determined is an exempt organization pursuant to the provisions of section 501(c) of the Internal Revenue Code; and 2. For not less than 2 years, has held a certificate of organization or has been qualified by the Secretary of State to conduct business in this State. (Added to NRS by 1995, 2354)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0151 - "Chassis-mount camper" defined.

"Chassis-mount camper" means a portable unit designed to be permanently affixed to a truck chassis and cab, and so constructed as to provide temporary living quarters for travel, camping or recreational use. (Added to NRS by 1973, 229)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0152 - "Combined gross vehicle weight" defined.

"Combined gross vehicle weight" means the actual weight of a commercial motor vehicle, including any load the vehicle is carrying, combined with the actual weight of any trailer or load the vehicle is towing. (Added to NRS by 2017, 973)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0153 - "Combined gross vehicle weight rating" defined.

"Combined gross vehicle weight rating" means the maximum gross weight, as designated by the manufacturer, that a vehicle is capable of towing in combination with its own gross vehicle weight rating. (Added to NRS by 2009, 466)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0154 - "Complete front inner structure for a unibody" defined.

"Complete front inner structure for a unibody" means the weld-on structure of a vehicle, including, without limitation, the radiator support, left and right aprons, upper and lower rails and strut towers, designed and intended to be located forward of the cowl assembly. (Added to NRS by 2005, 1239)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0157 - "Conventional frame" defined.

"Conventional frame" means the main longitudinal structural members of the chassis of a vehicle used as the major support in the construction of the vehicle. (Added to NRS by 2005, 1239)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.016 - "Converter dolly" defined.

"Converter dolly" means a vehicle with a fifth wheel lower half or equivalent mechanism, the attachment of which converts a semitrailer to a full trailer. (Added to NRS by 1969, 683)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.018 - "Cowl assembly" defined.

"Cowl assembly" means the forward structural portion of a vehicle to which are intended to be attached all or a part of the windshield frame, fire wall, housing of the instrument panel and hinges for the front doors. (Added to NRS by 2005, 1239)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.020 - "Dealer" and "vehicle dealer" defined.

1. "Dealer" or "vehicle dealer" means any person who: (a) For compensation, money or other thing of value sells, exchanges, buys, offers or displays for sale, negotiates or attempts to negotiate a sale or exchange of an interest in a vehicle subject to registration under this chapter or induces or attempts to induce any person to buy or exchange an interest in a vehicle; (b) Represents that he or she has the ability to sell, exchange, buy or negotiate the sale or exchange of an interest in a vehicle subject to registration under this chapter or in any other state or territory of the United States; (c) Receives or expects to receive a commission, money, brokerage fee, profit or any other thing of value from the seller or purchaser of a vehicle; or (d) Is engaged wholly or in part in the business of selling vehicles or buying or taking in trade vehicles for the purpose of resale, selling or offering for sale or consignment to be sold or otherwise dealing in vehicles, whether or not he or she owns the vehicles. 2. "Dealer" or "vehicle dealer" does not include: (a) An insurance company, bank, finance company, government agency or any other person coming into possession of a vehicle, acquiring a contractual right to a vehicle or incurring an obligation with respect to a vehicle in the performance of official duties or under the authority of any court of law, if the sale of the vehicle is for the purpose of saving the seller from loss or pursuant to the authority of a court of competent jurisdiction; (b) A person, other than a long-term or short-term lessor, who is not engaged in the purchase or sale of vehicles as a business, but is disposing of vehicles acquired by the owner for his or her use and not for the purpose of avoiding the provisions of this chapter, or a person who sells not more than three personally owned vehicles in any 12-month period; (c) Persons regularly employed as salespersons by dealers, licensed under this chapter, while those persons are acting within the scope of their employment; (d) Persons who are incidentally engaged in the business of soliciting orders for the sale and delivery of vehicles outside the territorial limits of the United States if their sales of such vehicles produce less than 5 percent of their total gross revenue; or (e) Persons who sell kit trailers but no other vehicle defined by this chapter. [Part 1:202:1931; A 1951, 165; 1953, 280]—(NRS A 1975, 1069; 1993, 2339; 2007, 3201)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.023 - "Declared gross weight" defined.

"Declared gross weight" means the maximum gross weight at which a motor vehicle or combination of vehicles will be operated, except the term does not include the weight of: 1. Another vehicle which is being carried or towed by a tow car, as that term is defined in NRS 706.131; 2. Implements of husbandry; 3. A trailer or other towed vehicle which is not used for a commercial enterprise; 4. Towable tools or equipment, as that term is defined in NRS 484D.055; or 5. The load on a farm vehicle which has an unladen weight of 10,000 pounds or more. (Added to NRS by 1985, 1835; A 1987, 144; 1991, 2353)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.028 - "Distributor" defined; exception.

Except as otherwise provided in NRS 482.36318, "distributor" means a person, other than a manufacturer, who is engaged in the business of selling new motor vehicles to dealers. (Added to NRS by 1981, 189; A 2003, 20th Special Session, 299)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0285 - "Duplicate number plate" defined.

"Duplicate number plate" means a license plate or a set of license plates issued to a registered owner which repeats the code of a plate or set of plates previously issued to the owner to maintain the registration using the same code. (Added to NRS by 2003, 373)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0287 - "Electric bicycle" defined.

"Electric bicycle" has the meaning ascribed to it in NRS 484B.017. The term does not include a moped or an electric scooter. (Added to NRS by 2009, 394; A 2019, 1879; 2021, 1742)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.029 - "Electric personal assistive mobility device" defined.

"Electric personal assistive mobility device" means a self-balancing, two nontandem wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less. (Added to NRS by 2003, 1205)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0295 - "Electric scooter" defined.

"Electric scooter" means a vehicle: 1. With handlebars and an electric motor that is designed to be ridden on in an upright or seated position and is propelled by its electric motor or by propulsion provided by the rider; 2. That does not weigh more than 100 pounds

without a rider; and 3. That has a maximum speed of not more than 20 miles per hour when powered solely by its electric motor. (Added to NRS by 2019, 1879)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.030 - "Essential parts" defined.

"Essential parts" means all integral parts and body parts, the removal, alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.035 - "Farm tractor" defined.

"Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.036 - "Farm vehicle" defined.

"Farm vehicle" means any vehicle or combination of vehicles which is: 1. Controlled and operated by a farmer or rancher; 2. Used to transport livestock, agricultural products, or ranch or farm machinery or supplies to or from a ranch or farm; and 3. Not used in the operation of a common motor carrier or contract motor carrier. (Added to NRS by 1991, 2353; A 2015, 1116)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.037 - "Fiscal year" defined.

"Fiscal year" means a year commencing at 12 p.m. June 30 and ending at 12 p.m. the following June 30. (Added to NRS by 1969, 684)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0385 - "Floor pan assembly" defined.

"Floor pan assembly" means the pans designed and intended to form the floor of the passenger compartment of a vehicle. (Added to NRS by 2005, 1239)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.040 - "Foreign vehicle" defined.

"Foreign vehicle" means every motor vehicle, trailer or semitrailer which has been brought into this State otherwise than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this State. The term does not include a retired military vehicle which is registered pursuant to NRS 482.3817. [Part 1:202:1931; A 1951, 165; 1953, 280]—(NRS A 1969, 186; 2019, 1324)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.043 - "Franchise" defined.

"Franchise" means a written agreement between a manufacturer or distributor and a dealer by which: 1. A commercial relationship of definite duration or continuing indefinite duration is established. 2. The dealer is granted the right to offer and sell at retail new vehicles, other than mopeds, farm tractors or special mobile equipment. 3. The dealer constitutes a component of a distribution system for new vehicles. 4. The operation of the dealer's business is substantially associated with the trademark, trade name, advertising or other commercial symbol designating a manufacturer or distributor. 5. The operation of a portion of the dealer's business is substantially reliant on the manufacturer or distributor for a continued supply of new vehicles, parts and accessories. (Added to NRS by 1981, 189; A 1983, 838; 2003, 20th Special Session, 299)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0435 - "Full trailer" defined.

"Full trailer" means any commercial vehicle without motive power supported by front and rear axles and pulled by a drawbar. (Added to NRS by 2013, 2829)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.044 - "Golf cart" defined.

"Golf cart" means a motor vehicle which: 1. Has no fewer than three wheels in contact with the ground; and 2. Is designed to carry golf equipment and no more than four persons, including the driver. (Added to NRS by 1991, 2329; A 1995, 18)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0443 - "Gross vehicle weight" defined.

"Gross vehicle weight" means the actual weight of a commercial motor vehicle, including any load the vehicle is carrying. (Added to NRS by 2017, 973)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0445 - "Gross vehicle weight rating" defined.

"Gross vehicle weight rating" means the maximum gross weight, as designated by the manufacturer, at which a vehicle is capable of being operated, including any load the vehicle is capable of carrying but excluding any weight the vehicle is capable of towing. (Added to NRS by 2009, 466)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.045 - "Highway" defined.

"Highway" means the entire width between the boundary lines of every way maintained by a public authority when any part of such way is open to the use of the public for purposes of vehicular traffic. [Part 1:202:1931; A 1951, 165; 1953, 280]—(NRS A 1973, 230)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.050 - "Identification" and "permanent identifying" defined.

"Identification" or "permanent identifying" as used in this chapter with respect to the number of a vehicle subject to registration under this chapter shall, for the purpose of the registration or departmental record thereof, or any evidence of such registration, be construed to mean such identification, or permanent identifying number of any vehicle which the manufacturer thereof may, in its discretion, adopt or has adopted as an identification or permanent identifying number of the vehicles manufactured by it, or which the Director may approve as the identification number, in lieu of or in addition to a motor number or serial number or a motor and serial number. [1.5:202:1931; added 1949, 511; 1943 NCL § 4435a]—(NRS A 1961, 128)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0515 - "Kit trailer" defined.

"Kit trailer" means a vehicle without motive power which: 1. Is designed to carry property on its own structure and to be drawn or towed by a motor vehicle; 2. Is sold new in an unassembled, prepackaged condition; 3. Does not exceed 6 feet in width and 8 feet in length once assembled; and 4. Does not weigh more than 250 pounds unladen. (Added to NRS by 2007, 3199)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.053 - "Lease," "long-term lessee," "long-term lessor," "short-term lessee" and "short-term lessor" defined.

For the purposes of regulation under this chapter and of imposing tort liability under NRS 41.440, and for no other purpose: 1. "Lease" means a contract by which the lienholder or owner of a vehicle transfers to another person, for compensation, the right to use such vehicle but does not include the sharing of a vehicle through a peer-to-peer car sharing program pursuant to chapter 482C of NRS. 2. "Long-term lessee" means a person who has leased a vehicle from another person for a fixed period of more than 31 days. 3. "Long-term lessor" means a person who has leased a vehicle to another person for a fixed period of more than 31 days. 4. "Short-term lessee" means a person who has leased a vehicle from another person for a period of 31 days or less, or by the day, or by the trip. 5. "Short-term lessor" means a person who has leased a vehicle to another person for a period of 31 days or less, or by the day, or by the trip. (Added to NRS by 1967, 704; A 1975, 1070; 2021, 1853)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.055 - "Lienholder" defined.

"Lienholder" means a person who holds a security interest in a vehicle and whose name appears on the certificate of title as legal owner. [Part 1:202:1931; A 1951, 165; 1953, 280]—(NRS A 1965, 1472; 1975, 1071)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0555 - "Local authority" defined.

"Local authority" has the meaning ascribed to it in NRS 484A.115. (Added to NRS by 1995, 2358)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.060 - "Manufacturer" defined.

"Manufacturer" means every person engaged in the business of manufacturing motor vehicles, trailers or semitrailers. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.065 - "Metal tires" defined.

"Metal tires" means all tires the surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient

material. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.066 - "Mini motor home" defined.

"Mini motor home" means a vehicular-type unit designed for temporary living quarters for travel, camping or recreational use which is: 1. A structure attached permanently on a self-propelled chassis; or 2. A portable unit designed to be affixed permanently to a truck chassis with cab, which is designated as a mini motor home by the manufacturer. (Added to NRS by 1973, 229)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.067 - "Mobile home" defined.

"Mobile home" means a vehicular structure, built on a chassis or frame, which is designed to be used with or without a permanent foundation and is capable of being drawn by a motor vehicle. It may be used as a dwelling when connected to utilities or may be used permanently or temporarily for the advertising, sales, display or promotion of merchandise or services. The term does not include a recreational park trailer. (Added to NRS by 1963, 348; A 1973, 230; 2001, 1725)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.069 - "Moped" defined.

"Moped" means a motor-driven scooter, motor-driven cycle or similar vehicle that is propelled by a small engine which produces not more than 2 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 1500 watts final output, and: 1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and 2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged. The term does not include an electric bicycle or an electric scooter. (Added to NRS by 1975, 1075; A 1983, 895; 2009, 394; 2019, 1879)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.070 - "Motorcycle" defined. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles.] "Motorcycle" defined. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles.]

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "electric bicycle," "electric scooter," "tractor" or "moped" as defined in this chapter. [Part 1:202:1931; A 1951, 165; 1953, 280]—(NRS A 1975, 1075; 2009, 394; 2019, 1880) "Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "electric bicycle," "electric scooter," "tractor" or "moped" as defined in this chapter. The term does not include an autocycle. [Part 1:202:1931; A 1951, 165; 1953, 280]—(NRS A 1975, 1075; 2009, 394; 2019, 1880; 2023, 1471, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.071 - "Motor home" defined.

"Motor home" means a structure: 1. Attached permanently to a self-propelled motor vehicle chassis; 2. Designed as a temporary dwelling for travel, recreational or camping use; and 3. When assembled for the road, has a maximum body width of 102 inches. (Added to NRS by 1973, 229; A 2001, 1725)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.073 - "Motortruck" defined.

"Motortruck" means every motor vehicle designed, used or maintained primarily for the transportation of property. (Added to NRS by 1969, 689)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.075 - "Motor vehicle" defined.

"Motor vehicle" means every vehicle as defined in NRS 482.135 which is self-propelled. The term does not include an electric bicycle or an electric scooter. [Part 1:202:1931; A 1951, 165; 1953, 280]—(NRS A 2019, 1880)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.076 - "New vehicle" defined.

Except as otherwise provided in NRS 482.363521, "new vehicle" means a vehicle: 1. That has never been registered with the Department and has never been registered with the appropriate agency of authority of any other state, the District of Columbia, any territory or possession of the United States or foreign state, province or country; 2. For which a certificate of title has never been issued by the Department or by the appropriate agency of authority of any other state, the District of Columbia, any territory or possession of the United States or foreign state, province or country; or 3. That has been so registered or for which a certificate of title has been so issued, if the vehicle is equipped with an odometer that registers 2,500 miles or less. (Added to NRS by 1965, 1471; A 1995, 776; 2007, 3201)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.078 - "New vehicle dealer" defined.

"New vehicle dealer" means any: 1. Vehicle dealer licensed under the provisions of this chapter as a new vehicle dealer who has a franchise from a manufacturer of vehicles to sell new vehicles and who acquires new or new and used vehicles for resale; or 2. Manufacturer described in NRS 482.36349 that is licensed under the provisions of this chapter as a new vehicle dealer. (Added to NRS by 1965, 1471; A 1975, 1071; 2014, 28th Special Session, 4)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.080 - "Nonresident" defined.

"Nonresident" means every person who is not a resident of this State, and who does not use his or her motor vehicle for a gainful purpose. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.083 - "Out-of-service order" defined.

"Out-of-service order" means a temporary prohibition on operation by a motor carrier that is issued: 1. By a federal or state entity with authority to issue such a temporary prohibition; and 2. Pursuant to a provision of 49 C.F.R. Part 385 or 386 that is specified in regulations adopted pursuant to NRS 482.2914. (Added to NRS by 2017, 973)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.084 - "Out-of-state student" defined.

"Out-of-state student" means a student whose legal residence is not in this State and who comes into Nevada for the purpose of attending an educational institution. (Added to NRS by 1973, 1567)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.085 - "Owner" defined.

"Owner" means a person who holds the legal title of a vehicle and whose name appears on the certificate of title, and any lienholder whose name appears on the certificate of title. If a vehicle is the subject of an agreement for the conditional sale or lease thereof with or without the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter. [Part 1:202:1931; A 1951, 165; 1953, 280]—(NRS A 1973, 230; 1987, 1144; 2003, 457)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.087 - "Passenger car" defined.

"Passenger car" means a motor vehicle designed for carrying 10 persons or less, except a motorcycle, an electric bicycle, an electric scooter or a moped. (Added to NRS by 1969, 684; A 2009, 394; 2015, 1747; 2019, 1880)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.091 - "Passenger compartment" defined.

"Passenger compartment" means the area of a vehicle designed and intended for the seating of the driver and passengers. (Added to NRS by 2005, 1239)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.095 - "Pneumatic tires" defined.

"Pneumatic tires" means all tires inflated with compressed air. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.096 - "Purchase price" defined.

"Purchase price" means: 1. If no security interest is taken, retained, created or in existence by virtue of a sale of a vehicle in this State, the price of the vehicle plus any additional included amounts for taxes, official fees, registration fees, transfer of title fees, delivery charges, installation charges, servicing charges, repair charges, alteration charges and improvement charges, or any of them. 2. If a security interest is taken, retained, created or in existence by virtue of a sale of a vehicle in this State, the amounts specified in subsection 1 plus any time price differential included in the security agreement or the obligation which it secures. (Added to NRS by 1975, 443)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0962 - "Qualifying service-connected disability" defined.

"Qualifying service-connected disability" means: 1. A service-connected disability rated at 100 percent; 2. More than one service-connected disability, the combined ratings of which add up to at least 100 percent; or 3. A service-connected disability of any rating that constitutes or includes a permanent disability that qualifies a person for a special license plate pursuant to NRS 482.384. (Added to NRS by 2017, 1126)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.0965 - "Rear clip assembly" defined.

"Rear clip assembly" means the entire rear structural portion of a vehicle designed and intended to be located behind the rear seat of the vehicle. (Added to NRS by 2005, 1239)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.097 - "Rebuilder" defined.

1. "Rebuilder" means a person engaged in the: (a) Business of reconstructing motor vehicles by the alteration, addition or substitution of substantial or essential parts; or (b) Assembling of replica or specially constructed vehicles from unassembled parts. 2. Nothing in this section shall be construed to require any licensed new or used vehicle dealer to secure a license as a rebuilder in conjunction with rebuilding in his or her own facilities. (Added to NRS by 1971, 1302; A 2007, 3202)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.098 - "Rebuilt vehicle" defined.

1. "Rebuilt vehicle" means a vehicle: (a) That is a salvage vehicle as that term is defined in NRS 487.770, excluding a nonrepairable vehicle; or (b) One or more major components of which have been replaced as set forth in this subsection. For the purposes of this subsection, the requisite major components of a vehicle which must be replaced for a vehicle to be considered rebuilt are the: (1) Cowl assembly; (2) Rear clip assembly; (3) Roof assembly; (4) Floor pan assembly; (5) Conventional frame coupled with one additional major component; or (6) Complete front inner structure for a unibody. 2. The term does not include a vehicle for which the only change is the installation of a truck cab assembly. 3. For the purposes of this section, "replaced" means the substitution, or change in whole, of a new, used or after-market part of a vehicle. (Added to NRS by 1987, 1591; A 1997, 2861; 2003, 515, 1907; 2005, 1240)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.100 - "Reconstructed vehicle" defined.

"Reconstructed vehicle" means any vehicle which shall have been assembled or constructed largely by means of essential parts, new or used, derived from other vehicles or makes of vehicles of various names, models or types, or which, if originally otherwise constructed, shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.1005 - "Recreational park trailer" defined.

1. "Recreational park trailer" means a vehicle which is primarily designed to provide temporary living quarters for recreational, camping or seasonal use and which: (a) Is built on a single chassis mounted on wheels; (b) Has a gross trailer area not exceeding 400 square feet in the set-up mode; and (c) Is certified by the manufacturer as complying with Standard No. A119.5 of the American National Standards Institute. 2. Nothing in this section shall be construed to mean that a recreational park trailer is a vehicle which must be registered pursuant to the provisions of this chapter. (Added to NRS by 2001, 1725; A 2007, 3202)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.101 - "Recreational vehicle" defined.

"Recreational vehicle" means a vehicular-type unit primarily designed as temporary living quarters for travel, recreational or camping use, which may be self-propelled, mounted upon, or drawn by, a motor vehicle. The term includes a recreational park trailer. (Added to NRS by 1973, 229, 1585; A 2001, 1726)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.1015 - "Registered dealer" defined.

"Registered dealer" means a new vehicle dealer who is authorized to issue certificates of registration pursuant to NRS 482.216. (Added to NRS by 1995, 1860)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.102 - "Registered owner" defined.

"Registered owner" means a natural person, firm, corporation or association whose name appears in the files of the Department as the person to whom the vehicle is registered. (Added to NRS by 1973, 229; A 1999, 3576)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.1025 - "Replacement number plate" defined.

"Replacement number plate" means a license plate or set of license plates issued to a registered owner which bear the code of a plate or set of plates which were previously issued but expired and have remained expired for a continuous period longer than 18 months. (Added to NRS by 2017, 416)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.103 - "Resident" defined.

1. "Resident" includes, but is not limited to, a person: (a) Whose legal residence is in the State of Nevada. (b) Who engages in intrastate business and operates in such a business any motor vehicle, trailer or semitrailer, or any person maintaining such vehicles in this State, as the home state of such vehicles. (c) Who physically resides in this State and engages in a trade, profession, occupation or accepts gainful employment in this State. (d) Who declares that he or she is a resident of Nevada for purposes of obtaining privileges not ordinarily extended to nonresidents of this State. 2. The term does not include a person who is an actual tourist, an out-of-state student, a border state employee or a seasonal resident. 3. The provisions of this section do not apply to persons who operate vehicles in this State under the provisions of NRS 482.385, 482.390, 482.395, 482.3961 or 706.801 to 706.861, inclusive. (Added to NRS by 1973, 1567; A 1989, 703; 2013, 3192)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.106 - "Roof assembly" defined.

"Roof assembly" means the structural parts of a vehicle, including, without limitation, more than one-half of the vertical roof supports, the framework of the roof and the exterior metal skin, that together are designed and intended to be located over the passenger compartment to form the roof of the vehicle. (Added to NRS by 2005, 1239)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.107 - "Salesperson" defined.

"Salesperson" means: 1. A person employed by a vehicle dealer, under any form of contract or arrangement to sell, exchange, buy, or offer for sale, or exchange an interest in a vehicle to any person, who receives or expects to receive a commission, fee or any other consideration from the seller or purchaser of the vehicle; or 2. A person who exercises managerial control within the business of a dealer or a long-term or short-term lessor, or who supervises salespersons employed by a dealer or a long-term or short-term lessor, whether compensated by salary or by commission, or who negotiates with or induces a customer to enter into a security agreement on behalf of a dealer or a long-term or short-term lessor. (Added to NRS by 1957, 508; A 1993, 2340)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.109 - "Security interest" defined.

"Security interest" means an interest in a vehicle, including a mobile home whether or not permanently attached to the land, reserved or created by agreement, which secures payment or performance of an obligation. "Security interest" includes the interest of a lessor under a lease intended as security. Whether a lease is intended as security is to be determined by the facts of each case, but: 1. The inclusion of an option to purchase does not of itself make the lease one intended for security; and 2. An agreement that upon compliance with the terms of the lease the lessee shall become or has the option to become the owner of the vehicle for no additional consideration does make the lease one intended for security. (Added to NRS by 1975, 443)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.110 - "Semitrailer" defined.

"Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.1115 - "Service vehicle" and "work vehicle" defined.

"Service vehicle" or "work vehicle" means a vehicle owned and operated by a licensed dealer, manufacturer, distributor, long-term or short-term lessor, rebuilder or broker in the furtherance of his or her business. Such vehicles include, without limitation, a passenger shuttle bus, a tow car, a delivery vehicle or any other vehicle used to transport customers or property to or from the place of business of the dealer, manufacturer, distributor, long-term or short-term lessor, rebuilder or broker. (Added to NRS by 2007, 3199)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.113 - "Slide-in camper" defined.

"Slide-in camper" means a portable unit designed to be loaded and unloaded from the bed of a pickup truck, and so constructed as to provide temporary living quarters for travel, camping or recreational use. (Added to NRS by 1973, 230)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.115 - "Solid rubber tires" defined.

"Solid rubber tires" means every tire made of rubber other than a pneumatic tire. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.120 - "Specially constructed vehicle" defined.

"Specially constructed vehicle" means any vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a generally recognized manufacturer of vehicles. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.123 - "Special mobile equipment" defined.

1. "Special mobile equipment" means every motor vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved upon a highway, including, but not limited to, scoopmobiles, forklifts, ditch-digging apparatus, well-boring apparatus and road construction and maintenance machinery such as asphalt graders, bituminous mixers, bucket loaders, tractors other than truck tractors, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and earth-moving equipment. 2. "Special mobile equipment" does not include house trailers, dump trucks, truck-mounted transit mixers, concrete pumpers, cranes or drill rigs with highway-rated tires or other vehicles designed for the transportation of persons or property to which machinery has been attached. 3. The Director may make the final determination as to whether a vehicle not specifically enumerated in subsection 1 or 2 falls within this definition. 4. The Department shall, by regulation, define "incidentally operated or moved upon a highway" for purposes of this section. (Added to NRS by 1971, 1302; A 1973, 221; 2007, 229)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.124 - "Substitute number plate" defined.

"Substitute number plate" means a license plate or a set of license plates issued in place of a previously issued and unexpired plate or set of plates. The plate or set of plates does not repeat the code of the previously issued plate or set. (Added to NRS by 2003, 374)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.125 - "Trailer" defined.

"Trailer" means every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.127 - "Travel trailer" defined.

"Travel trailer" means a portable structure mounted on wheels, constructed on a vehicular-type chassis primarily designed as temporary living quarters for recreational, camping or travel use and designed to be drawn by another vehicle and designated by the manufacturer as a travel trailer. A vehicle is not a travel trailer if, when equipped for highway use, it is more than 8 feet wide. (Added to NRS by 1973, 230; A 1979, 1222)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.129 - "Trimobile" defined.

"Trimobile" means every motor vehicle equipped with handlebars and a saddle seat and designed to travel with three wheels in contact with the ground, at least one of which is power driven. The term does not include a motorcycle with a sidecar. (Added to NRS by 1979, 854; A 2015, 327; 2019, 3099)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.1295 - "Truck cab assembly" defined.

"Truck cab assembly" means a removable portion of a truck that uses a conventional frame assembly consisting of a cab that may be bolted and unbolted which includes a floor assembly, cowl assembly, roof assembly and rear panel and may also include front, side or rear glass and front or rear left or right doors. (Added to NRS by 2005, 1239)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.130 - "Truck-tractor" defined.

"Truck-tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn. [Part 1:202:1931; A 1951, 165; 1953, 280]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.132 - "Used vehicle" defined.

Except as otherwise provided in NRS 482.366605, "used vehicle" means a vehicle that: 1. Has been registered with the Department or with the appropriate agency of authority of any other state, the District of Columbia, any territory or possession of the United States or foreign state, province or country and, if equipped with an odometer, registers more than 2,500 miles on the odometer; or 2. Regardless of mileage, is at least 1 model year old, as determined by the vehicle manufacturer, and has been registered with the Department or with the appropriate agency of authority of any other state, the District of Columbia, any territory or possession of the United States or foreign state, province or country for 30 days or more, if no exemptions for registration exist under the laws of this State or the laws of the jurisdiction in which the vehicle was registered. (Added to NRS by 1965, 1472; A 1995, 776; 1999, 1163; 2007, 3202)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.133 - "Used vehicle dealer" defined.

"Used vehicle dealer" means any vehicle dealer who is licensed in accordance with the provisions of this chapter as a used vehicle dealer and who acquires used vehicles for resale. (Added to NRS by 1965, 1472; A 1971, 1302; 1973, 231; 1975, 1071; 1995, 776)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.134 - "Utility trailer" defined.

"Utility trailer" means a vehicle, without motive power, designed to carry property or passengers wholly on its own structure, and to be drawn by a motor vehicle. It may not exceed 8 feet in width nor 3,500 pounds in weight. (Added to NRS by 1973, 230)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.1345 - "Van conversion" defined.

"Van conversion" means a vehicular-type unit originally designed and manufactured as a van or enclosed truck, which is modified to be used for travel, camping or recreational use, but which retains the basic silhouette of a van. (Added to NRS by 1973, 230)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.135 - "Vehicle" defined.

Except as otherwise provided in NRS 482.36348, "vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway. The term does not include: 1. Devices moved by human power or used exclusively upon stationary rails or tracks; 2. Mobile homes or commercial coaches as defined in chapter 489 of NRS; 3. Electric bicycles; 4. Electric personal assistive mobility devices; 5. Electric scooters; 6. A mobile carrying device as that term is defined in NRS 484B.029; or 7. A personal delivery device as that term is defined in NRS 484B.044. [Part 1:202:1931; A 1951, 165; 1953, 280]—(NRS A 1979, 1222; 2003, 1205; 2003, 20th Special Session, 299; 2019, 1880, 3099; 2023, 940)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.137 - "Vehicle transporter" defined.

"Vehicle transporter" means a person who engages in the business of transporting motor vehicles in which he or she has no ownership interest and which are otherwise required to be registered pursuant to this chapter by operating them, singly or in combination, upon the highway under their own motive power. (Added to NRS by 1987, 2077)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.155 - Enforcement of provisions of chapter by Department, its officers and peace officers.

The Department, all officers thereof and all peace officers in this State shall enforce the provisions of this chapter. [Part 3:202:1931; A 1953, 105]

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.160 - Administrative regulations; establishment of branch offices; appointment of agents; compensation of certain agents; prohibition and exception on use of name, service mark, trademark or logo of Department in advertisement.

1. The Director may adopt and enforce such administrative regulations as are necessary to carry out the provisions of this chapter. 2. The Director may establish branch offices as provided in NRS 481.055, and may by contract appoint any person or public agency as an agent to assist in carrying out the duties of the Department pursuant to this chapter. 3. Except as otherwise provided in this subsection, the contract with each agent appointed by the Department in connection with the registration of motor vehicles and issuance of license plates may provide for compensation based upon the reasonable value of the services of the agent but must not exceed \$2 for each registration. An authorized inspection station or authorized station that issues certificates of registration pursuant to NRS 482.281 is not entitled to receive compensation from the Department pursuant to this subsection. 4. Except as otherwise provided in this section, no person may use in an advertisement: (a) The name, service marks, trademarks or logo of the Department; or (b) A service mark, trademark or logo designed to closely resemble a service mark, trademark or logo of the Department and intended to mislead a viewer to believe that the service mark, trademark or logo is the service mark, trademark or logo of the Department. 5. An agent appointed pursuant to subsection 2 or NRS 487.815 may use the name, service marks, trademarks or logo of the Department in an advertisement if the agent has obtained the written permission of the Department for such use. 6. A document preparation service registered pursuant to chapter 240A of NRS may use the term "Department of Motor Vehicles" or "DMV" in an advertisement if: (a) The term is immediately followed by the term "services" or "registration services" or other similar language which clearly indicates that the document preparation service is a third-party business and that the advertisement is not an advertisement of the Department; and (b) The advertisement includes a clear and conspicuous statement that the document preparation service is a third-party business not affiliated with the Department. The statement must be of a conspicuous size, if in writing, and must appear in substantially the following form: THIS DOCUMENT PREPARATION SERVICE IS A THIRD-PARTY BUSINESS NOT AFFILIATED WITH THE NEVADA DEPARTMENT OF MOTOR VEHICLES. [Part 3:202:1931; A 1953, 105]—(NRS A 1959, 909; 1961, 128; 1969, 1544; 1979, 552; 1981, 242; 1983, 1618; 1985, 732; 1989, 505, 703; 1991, 1914, 1988; 1993, 586, 2860; 2019, 74; 2021, 7; 2023, 1517)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.162 - Department to adopt regulations setting forth criteria for determination of whether person is farmer or rancher; presentation of evidence to Department.

The Department shall adopt regulations establishing the criteria to be used to determine whether a person is a farmer or rancher for the purposes of NRS 482.036 and 706.071. A person must present appropriate evidence to allow the Department to make the determination that the person satisfies the criteria set forth in the regulations. (Added to NRS by 1991, 2353)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.163 - Department to develop and implement process for determining whether criminal history will disqualify person from obtaining a license pursuant to chapter; fee; quarterly reports.

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license pursuant to this chapter. 2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a license. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time. 3. The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification. 4. A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Department. 5. A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department. 6. The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant. 7. The Department may post on its Internet website: (a) The requirements to obtain a license from the Department; and (b) A list of crimes, if any, that would disqualify a person from obtaining a license from the Department. 8. The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from: (a) The Central Repository for Nevada Records of Criminal History; and (b) The Federal Bureau of Investigation. 9. A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department. 10. The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes: (a) The number of petitions submitted to the Department pursuant to subsection 1; (b) The number of determinations of disqualification made by the Department pursuant to subsection 1; (c) The reasons for such determinations; and (d) Any other information that is requested by the Director or which the Department determines would be helpful. 11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission. (Added to NRS by 2019, 2933)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.165 - Director to provide forms.

The Director shall provide suitable forms for applications, registration cards, license number plates, and all other forms requisite for the purposes of this chapter, and shall prepay all transportation charges thereon. [Part 3:202:1931; A 1953, 105]—(NRS A 1961, 129)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.167 - Department prohibited from requiring person to disclose communication need. [Effective through December 31, 2025.] Department required to place designation on vehicle registration that person is person with communication need upon application; Department prohibited from requiring person to disclose communication need. [Effective January 1, 2026.]

1. The Department shall not require any person to disclose that the person is a person with a communication need. 2. As used in this section, "a person with a communication need" means a person who: (a) Is deaf, as defined in NRS 426.084; (b) Has a speech disorder that impairs the ability of the person to articulate speech sounds, speak fluently or use the person's voice; (c) Has a language disorder that impairs the ability of the person to comprehend language; (d) Has an auditory processing disorder that impairs the ability of the person to comprehend language; (e) Is neurodivergent; or (f) Has any other condition that impairs the ability of the person to comprehend language. (Added to NRS by 2023, 1714) 1. Upon the application of a person with a communication need, the Department shall place on any vehicle registration issued to the person pursuant to the provisions of this chapter a designation that the person is a person with a communication need. 2. The Department shall not require any person to disclose that the person is a person with a communication need. 3. As used in this section, "a person with a communication need" means a person who: (a) Is deaf, as defined in NRS 426.084; (b) Has a speech disorder that impairs the ability of the person to articulate speech sounds, speak fluently or use the person's voice; (c) Has a language disorder that impairs the ability of the person to comprehend language; (d) Has an auditory processing disorder that impairs the ability of the person to comprehend language; (e) Is neurodivergent; or (f) Has any other condition that impairs the ability of the person to comprehend language. (Added to NRS by 2023, 1714; A 2023, 1715, effective January 1, 2026)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.170 - Records of Department concerning registration and licensing.

Except as otherwise provided in NRS 239.0115, 481.063, 483.651, 483.655, 483.657 and 485.316, all personal information in the records of registration and licensing in the offices of the Department is confidential and must not knowingly be disclosed by the Department. [4:202:1931; 1931 NCL § 4435.03]—(NRS A 1991, 487; 1993, 2479; 1995, 1929; 2007, 2114; 2015, 433)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.171 - List of registered owners to be provided for selection of jury; reimbursement of Department.

1. The Department shall provide a list of registered owners of motor vehicles in any county upon the request of a district judge or jury commissioner of the judicial district in which the county lies for use by the district judge or jury commissioner for purposes of jury selection. 2. The court or jury commissioner who requests the list shall reimburse the Department for the reasonable cost of the list. (Added to NRS by 1977, 739; A 2017, 3881)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.175 - Validity of registration: Powers and duties of Department and registered dealers.

The Department and the officers and deputies thereof and registered dealers shall examine, and to the best of their ability determine the genuineness and regularity of, every registration and transfer of registration of a vehicle as provided in this chapter, in order that every certificate issued for a vehicle must contain true statements of the ownership thereof, and to prevent the registration of a vehicle by any person not entitled thereto. The Department or a registered dealer may require any applicant to furnish such information in addition to that contained in the application as may be necessary to satisfy the Department of the truth and regularity of the application. [Part 7:202:1931; 1931 NCL § 4435.06]—(NRS A 1995, 1861)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.180 - Motor Vehicle Fund: Creation; deposits; interest and income; dishonored payments; distribution of money collected for basic governmental services tax; transfers.

1. The Motor Vehicle Fund is hereby created as an agency fund. Except as otherwise provided in subsection 4 or by a specific statute, all money received or collected by the Department must be deposited in the State Treasury for credit to the Motor Vehicle Fund. 2. The interest and income on the money in the Motor Vehicle Fund, after deducting any applicable charges, must be credited to the State Highway Fund. 3. Any check accepted by the Department in payment of the governmental services tax or any other fee required to be collected pursuant to this chapter must, if it is dishonored upon presentation for payment, be charged back against the Motor Vehicle Fund or the county to which the payment was credited pursuant to this section or NRS 482.181, in the proper proportion. 4. Except as otherwise provided in subsection 6, all money received or collected by the Department for the basic

governmental services tax must be distributed in the manner set forth in NRS 482.181 and 482.182. 5. Money for the administration of the provisions of this chapter must be provided by direct legislative appropriation from the State Highway Fund or other legislative authorization, upon the presentation of budgets in the manner required by law. Out of the appropriation or authorization, the Department shall pay every item of expense. 6. The Department shall withhold 6 percent from the amount of the governmental services tax collected by the Department as a commission. From the amount of the governmental services tax collected by a county assessor, the State Controller shall credit 1 percent to the Department as a commission and remit 5 percent to the county for credit to its general fund as commission for the services of the county assessor. All money withheld by or credited to the Department pursuant to this subsection must be used only for the administration of this chapter as authorized by the Legislature pursuant to subsection 5. 7. When the requirements of this section and NRS 482.181 and 482.182 have been met, and when directed by the Department, the State Controller shall transfer monthly to the State Highway Fund any balance in the Motor Vehicle Fund. 8. If a statute requires that any money in the Motor Vehicle Fund be transferred to another fund or account, the Department shall direct the State Controller to transfer the money in accordance with the statute. [Part 30:202:1931; A 1931, 339; 1937, 330; 1941, 19; 1949, 410; 1951, 177; 1953, 280]—(NRS A 1957, 769; 1959, 910, 917; 1960, 99; 1963, 1124; 1965, 683, 1230; 1969, 339; 1971, 2090; 1973, 220; 1975, 210, 440; 1977, 393; 1979, 110, 553, 1119, 1121, 1247, 1248; 1981, 242, 811, 1545, 1547; 1983, 1586; 1985, 732; 1987, 2272; 1989, 1149; 1991, 42; 1993, 2648; 1995, 990; 1997, 3298; 1999, 22, 2777; 2001, 306, 1832, 1834; 2001 Special Session, 144, 159; 2003, 274; 2009, 2194)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.1805 - Revolving Account for Issuance of Special License Plates: Creation; deposit of certain fees; use of money in Account; transfer of excess balance to State Highway Fund; exception.

1. The Revolving Account for the Issuance of Special License Plates is hereby created as a special account in the State Highway Fund. An amount equal to \$35 of the fee received by the Department for the initial issuance of a special license plate, not including any additional fee which may be added to generate financial support for a particular cause or charitable organization, must be deposited in the State Highway Fund for credit to the Account. 2. The Department shall use the money in the Account to: (a) Pay the expenses involved in issuing special license plates; and (b) Purchase improved and upgraded technology, including, without limitation, digital technology for the production of special license plates, to ensure that special license plates are produced in the most efficient manner possible. 3. Money in the Account must be used only for the purposes specified in subsection 2. 4. At the end of each fiscal year, the State Controller shall transfer from the Account to the State Highway Fund an amount of money equal to the balance in the Account which exceeds \$50,000. 5. The provisions of this section do not apply to NRS 482.37901. (Added to NRS by 1999, 779; A 2001, 1837; 2003, 3067, 3346; 2009, 1029; 2013, 2546)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.181 - Governmental services taxes: Certification of amount collected each month; distribution.

1. Except as otherwise provided in subsection 5, after deducting the amount withheld by the Department and the amount credited to the Department pursuant to subsection 6 of NRS 482.180, and the amount transferred to the State Highway Fund pursuant to NRS 482.182, the Department shall certify monthly to the State Board of Examiners the amount of the basic and supplemental governmental services taxes collected for each county by the Department and its agents during the preceding month, and that money must be distributed monthly as provided in this section. 2. Any supplemental governmental services tax collected for a county must be distributed only to the county, to be used as provided in NRS 371.043, 371.045 and 371.047. 3. The distribution of the basic governmental services tax received or collected for each county must be made to the State Education Fund or the fund for capital projects or debt service fund of a county school district, as applicable, before any distribution is made to a local government, special district or enterprise district. For the purpose of calculating the amount of the basic governmental services tax to be distributed to the State Education Fund or the fund for capital projects or debt service fund of a county school district, as applicable, the taxes levied by each local government, special district and enterprise district are the product of its certified valuation, determined pursuant to subsection 2 of NRS 361.405, and its tax rate, established pursuant to NRS 361.455 for the fiscal year beginning on July 1, 1980, except that the tax rate for school districts, including the rate attributable to a district's debt service, is the rate established pursuant to NRS 361.455 for the fiscal year beginning on July 1, 1978, but if the rate attributable to a district's debt service in any fiscal year is greater than its rate for the fiscal year beginning on July 1, 1978, the higher rate must be used to determine the amount attributable to debt service. 4. After making the distributions set forth in subsection 3, the remaining money received or collected for each county must be deposited in the Local Government Tax Distribution Account created by NRS 360.660 for distribution to local governments, special districts and enterprise districts within each county pursuant to the provisions of NRS 360.680 and 360.690. 5. An amount equal to any basic governmental services tax distributed to a redevelopment agency in the Fiscal Year 1987-1988 must continue to be distributed to that agency as long as it exists but must not be increased. 6. The Department shall make distributions of the basic governmental services tax directly to the State Education Fund or the fund for capital projects or debt service fund of a county school district, as applicable. 7. As used in this section: (a) "Enterprise district" has the meaning ascribed to it in NRS 360.620. (b) "Local government" has the meaning ascribed to it in NRS 360.640. (c) "Received or collected for each county" means: (1) For the basic governmental services tax collected on vehicles subject to the provisions of chapter 706 of NRS, the amount determined for each county based on the following percentages: Carson City..... 1.07 percent Lincoln..... 3.12 percent Churchill..... 5.21 percent Lyon..... 2.90 percent Clark..... 22.54 percent

Mineral..... 2.40 percent Douglas..... 2.52 percent Nye..... 4.09 percent Elko.....
 13.31 percent Pershing..... 7.00 percent Esmeralda..... 2.52 percent Storey..... 0.19 percent
 Eureka..... 3.10 percent Washoe..... 12.24 percent Humboldt..... 8.25 percent White Pine..... 5.66
 percent Lander..... 3.88 percent (2) For all other basic and supplemental governmental services tax received or
 collected by the Department, the amount attributable to each county based on the county of registration of the vehicle for which the
 tax was paid. (d) "Special district" has the meaning ascribed to it in NRS 360.650. (Added to NRS by 1985, 731; A 1987, 1693,
 1724; 1989, 1882; 1991, 43; 1995, 180, 2183, 2747; 1997, 604, 1587, 1589, 2565, 2566, 2567, 3301, 3299; 1999, 664, 1216; 2001,
 307, 1001; 2001 Special Session, 145, 160; 2003, 18, 1313; 2009, 2080, 2194, 2196; 2013, 2570; 2015, 2927, 2928, 2930; 2017,
 3491; 2019, 2029, 4250; 2020, 31st Special Session, 27; 2023, 2449)

**2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS
 482.182 - Governmental services taxes: Transfer of certain amount from proceeds to State Highway Fund.**

1. After deducting the amount withheld by the Department and the amount credited to the Department pursuant to subsection 6 of
 NRS 482.180 and before carrying out the provisions of NRS 482.181 each month, the Department shall direct the State Controller to
 transfer to the State Highway Fund from the proceeds of the basic governmental services tax collected by the Department and its
 agents during the preceding month, the amounts indicated pursuant to this section. 2. Except as otherwise provided in subsection 3,
 the amount required to be transferred pursuant to subsection 1 from the proceeds of the basic governmental services tax imposed on
 vehicles depreciated in accordance with: (a) Subsection 1 of NRS 371.060 based upon an age of: (1) One year, is a sum equal to 11
 percent of those proceeds; (2) Two years, is a sum equal to 12 percent of those proceeds; (3) Three years, is a sum equal to 13
 percent of those proceeds; (4) Four years, is a sum equal to 15 percent of those proceeds; (5) Five years, is a sum equal to 18 percent
 of those proceeds; (6) Six years, is a sum equal to 22 percent of those proceeds; (7) Seven years, is a sum equal to 29 percent of
 those proceeds; (8) Eight years, is a sum equal to 40 percent of those proceeds; and (9) Nine years or more, is a sum equal to 67
 percent of those proceeds; and (b) Subsection 2 of NRS 371.060 based upon an age of: (1) One year, is a sum equal to 12 percent of
 those proceeds; (2) Two years, is a sum equal to 14 percent of those proceeds; (3) Three years, is a sum equal to 18 percent of those
 proceeds; (4) Four years, is a sum equal to 21 percent of those proceeds; (5) Five years, is a sum equal to 26 percent of those
 proceeds; (6) Six years, is a sum equal to 30 percent of those proceeds; (7) Seven years, is a sum equal to 33 percent of those
 proceeds; (8) Eight years, is a sum equal to 37 percent of those proceeds; (9) Nine years, is a sum equal to 40 percent of those
 proceeds; and (10) Ten years or more, is a sum equal to 43 percent of those proceeds. 3. The amount required to be transferred
 pursuant to subsection 1 from the proceeds of the basic governmental services tax imposed on vehicles to which the minimum
 amount of that tax applies pursuant to paragraph (b) of subsection 3 of NRS 371.060 is a sum equal to 63 percent of those proceeds.
 (Added to NRS by 2009, 2193; A 2009, 2198; 2013, 2570; 2015, 2931, 2932; 2017, 3492; 2019, 2029; 2020, 31st Special Session,
 29; 2023, 2450)

**2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS
 482.1825 - Contributions for Complete Streets Program: Distribution; certification of amount collected each month;
 deduction and withholding by Department.**

1. Except as otherwise provided in subsection 3, any voluntary contributions collected pursuant to subsection 12 of NRS 482.480
 must be distributed to each county based on the county of registration of the vehicle for which the contribution was made, to be used
 as provided in NRS 244.2643, 277A.285 or 403.575, as applicable. The Department shall remit monthly the contributions directly:
 (a) In a county in which a regional transportation commission exists, to the regional transportation commission. (b) In a county
 whose population is 100,000 or more and in which a regional transportation commission does not exist, to the board of county
 commissioners. (c) In a county whose population is less than 100,000 and in which a regional transportation commission does not
 exist, to the board of county highway commissioners created pursuant to NRS 403.010. 2. The Department shall certify monthly to
 the State Board of Examiners the amount of the voluntary contributions collected pursuant to subsection 12 of NRS 482.480 for
 each county by the Department and its agents during the preceding month, and that the money has been distributed as provided in
 this section. 3. The Department shall deduct and withhold 1 percent of the contributions collected pursuant to subsection 1 to
 reimburse the Department for its expenses in collecting and distributing the contributions. 4. As used in this section, "regional
 transportation commission" means a regional transportation commission created and organized in accordance with chapter 277A of
 NRS. (Added to NRS by 2013, 2813; A 2015, 1747)

**2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS
 482.183 - Motor Vehicle Revolving Account: Creation; use; deposits.**

The Motor Vehicle Revolving Account is hereby created and must be used for making change in the main and branch offices of the
 Department. The State Board of Examiners shall determine the amount of money to be deposited in the Account, within the limits of
 money available for that purpose. (Added to NRS by 1963, 174; A 1973, 221; 1975, 211; 1979, 112; 1983, 1242; 1987, 1144; 1995,
 100; 2001, 380)

**2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS
 482.186 - Certain odometers deemed to register actual miles traveled by vehicle.**

For the purposes of this chapter, if an odometer that is connected to a motor vehicle is not capable of registering 100,000 miles or more, the odometer shall be deemed to register the actual mileage the vehicle has traveled while in operation. (Added to NRS by 1997, 2214)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.187 - Department authorized to enter into written agreements for periodic payment of delinquent taxes or fees; regulations.

The Department may: 1. Enter into written agreements providing for the periodic payment of delinquent taxes or fees imposed pursuant to this chapter. 2. Adopt regulations: (a) Setting forth the permissible terms of those agreements; and (b) Providing for the cancellation of such an agreement if the person with whom the Department has contracted becomes delinquent in his or her payments pursuant to the agreement or in payment of other taxes or fees owed to the Department pursuant to the provisions of chapter 365, 366, 371, 373 or 482 of NRS. (Added to NRS by 1997, 319; A 1999, 1021)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.188 - Waiver of penalty or interest for failure timely to file return or pay tax, penalty or fee in certain circumstances.

1. The Department may waive payment of a penalty or interest for a person's failure timely to file a return or pay a tax, penalty or fee imposed by the Department pursuant to this chapter or any other provision of law, if the Department determines that the failure: (a) Was caused by circumstances beyond the person's control; (b) Occurred despite the person's exercise of ordinary care; and (c) Was not a result of the person's willful neglect. 2. A person requesting relief from payment of a penalty or interest must file with the Department a sworn statement specifying the facts supporting the person's claim for relief. (Added to NRS by 1997, 318; A 2003, 457)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.205 - Registration required for certain vehicles.

Except as otherwise provided in this chapter and NRS 706.188, every owner of a motor vehicle, trailer or semitrailer intended to be operated upon any highway in this State shall, before the motor vehicle, trailer or semitrailer can be operated, apply to the Department or a registered dealer for and obtain the registration thereof. [Part 6:202:1931; A 1941, 51; 1949, 511; 1953, 52]—(NRS A 1963, 1276; 1995, 1861; 2009, 390)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.206 - Periods of registration for vehicles; exceptions.

1. Except as otherwise provided in this section and NRS 482.2065 and 482.2085, every motor vehicle, except for a motor vehicle that is required to be registered through the Motor Carrier Division of the Department, and except for a full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483 or a moped registered pursuant to NRS 482.2155, must be registered for a period of 12 consecutive months beginning the day after the first registration by the owner in this State. 2. Except as otherwise provided in subsections 7 and 8 and NRS 482.2065, every vehicle registered by an agent of the Department or a registered dealer must be registered for 12 consecutive months beginning the first day of the month after the first registration by the owner in this State. 3. Except as otherwise provided in subsection 7 and NRS 482.2065 and 482.2085, a motor vehicle which must be registered through the Motor Carrier Division of the Department, including, without limitation: (a) Pursuant to the provisions of NRS 706.801 to 706.861, inclusive; or (b) As a commercial motor vehicle which has a declared gross weight in excess of 10,000 pounds, must be registered for a period of 12 consecutive months beginning on the date established by the Department by regulation. 4. Upon the application of the owner of a fleet of vehicles which are not required to be registered through the Motor Carrier Division of the Department, the Director may permit the owner to register the fleet on the basis of a calendar year. 5. Except as otherwise provided in subsections 3, 6, 7 and 8, when the registration of any vehicle is transferred pursuant to NRS 482.399, the expiration date of each regular license plate, special license plate or substitute decal must, at the time of the transfer of registration, be advanced for a period of 12 consecutive months beginning: (a) The first day of the month after the transfer, if the vehicle is transferred by an agent of the Department; or (b) The day after the transfer in all other cases, and a credit on the portion of the fee for registration and the governmental services tax attributable to the remainder of the current period of registration must be allowed pursuant to the applicable provisions of NRS 482.399. 6. When the registration of any trailer that is registered for a 3-year period pursuant to NRS 482.2065 is transferred pursuant to NRS 482.399, the expiration date of each license plate or substitute decal must, at the time of the transfer of the registration, be advanced, if applicable pursuant to NRS 482.2065, for a period of 3 consecutive years beginning: (a) The first day of the month after the transfer, if the trailer is transferred by an agent of the Department; or (b) The day after the transfer in all other cases, and a credit on the portion of the fee for registration and the governmental services tax attributable to the remainder of the current period of registration must be allowed pursuant to the applicable provisions of NRS 482.399. 7. A full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483 is registered until the date on which the owner of the full trailer or semitrailer: (a) Transfers the ownership of the full trailer or semitrailer; or (b) Cancels the registration of the full trailer or semitrailer and surrenders the license plates to the Department. 8. A moped that is registered pursuant to NRS 482.2155 is registered until the date on which the owner of the moped: (a) Transfers the ownership of the moped; or (b) Cancels the registration

of the moped and surrenders the license plate to the Department. (Added to NRS by 1969, 684; A 1971, 1553; 1973, 260; 1975, 156, 333; 1979, 89; 1983, 1618; 1985, 679; 1989, 1150, 1421; 1993, 1345; 1995, 1861; 1997, 567, 568, 1618; 2001, 308; 2003, 3375; 2007, 54; 2013, 2829; 2015, 1747; 2017, 975; 2019, 182, 1569)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2065 - Alternate 3-year period of registration for trailers; imposition of governmental services tax; fees.

1. A trailer may be registered for a 3-year period as provided in this section. 2. A person who registers a trailer for a 3-year period must pay upon registration all fees and taxes that would be due during the 3-year period if he or she registered the trailer for 1 year and renewed that registration for 2 consecutive years immediately thereafter, including, without limitation: (a) Registration fees pursuant to NRS 482.480 and 482.483. (b) A fee for each license plate issued pursuant to NRS 482.268. (c) Fees for the initial issuance and renewal of a special license plate pursuant to NRS 482.265, if applicable. (d) Fees for the initial issuance and renewal of a personalized prestige license plate pursuant to NRS 482.367, if applicable. (e) Additional fees for the initial issuance and renewal of a special license plate issued pursuant to NRS 482.3667 to 482.3823, inclusive, which are imposed to generate financial support for a particular cause or charitable organization, if applicable. (f) Governmental services taxes imposed pursuant to chapter 371 of NRS, as provided in NRS 482.260. (g) The applicable taxes imposed pursuant to chapters 372, 374, 377 and 377A of NRS. 3. As used in this section, the term "trailer" does not include a full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483. (Added to NRS by 2013, 2829; A 2015, 658, 1941, 2814; 2017, 3561; 2019, 559, 896, 1480, 3085; 2021, 682, 3735; 2023, 1877, 2692)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.208 - Registration of leased vehicles by long-term lessor or long-term lessee.

Any vehicle which is leased by a long-term lessor to a long-term lessee having a place of business or residence in this State, for use on the public highways of this State, is subject to registration in this State either by the long-term lessor or the long-term lessee. (Added to NRS by 1965, 1472; A 1967, 705; 1989, 1422)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2085 - Registration program for short-term lessors: Establishment by Department; eligibility; decal to indicate registration status of vehicle; Department to provide electronic notice of renewal; duties of short-term lessor; regulations.

1. The Department shall establish a vehicle registration program for short-term lessors that have a fleet of vehicles registered in this State to allow the short-term lessors which satisfy the requirements for eligibility established by the Department to submit to the Department: (a) Applications for initial registration of vehicles added to the fleet, which must include, without limitation, the information required by NRS 482.295. (b) Applications for the renewal of the registration of vehicles in the fleet, including, without limitation, the information required by NRS 482.295. (c) Payment of the registration fees and governmental services taxes due for the initial registration and renewal of vehicles in the fleet, including, without limitation, any sales or use tax due pursuant to NRS 482.225. 2. The Department shall issue for each vehicle in the fleet of a short-term lessor that is registered pursuant to this section a: (a) Certificate of registration; and (b) Decal indicating the registration status of the vehicle pursuant to the program, which must be affixed to the license plate of each vehicle. 3. A certificate of registration and decal issued pursuant to this section are valid for the vehicle until the vehicle is no longer a part of the fleet of the short-term lessor, unless the short-term lessor fails to renew the registration. The short-term lessor must not be required to display on the license plate of a vehicle registered pursuant to this section the month and year on which the registration expires. 4. The Department shall provide to a short-term lessor that participates in the program established pursuant to subsection 1 electronic notice of the required renewal of registration for a vehicle in the fleet, which must be sent at least 30 days before payment is due. Notification sent pursuant to this subsection must include the information required pursuant to subsection 3 of NRS 482.280 for other renewals. 5. A short-term lessor that participates in the program established pursuant to subsection 1 must: (a) Pay annually the renewal fees and governmental services taxes required for each fleet vehicle registered in this State. (b) Upon removing a vehicle from the fleet, notify the Department. 6. Any vehicle having a declared gross weight in excess of 26,000 pounds is not eligible to be registered as part of a fleet pursuant to this section. 7. The Department shall adopt regulations necessary to carry out the provisions of this section. The regulations must include, without limitation, the number of vehicles that a short-term lessor must possess as part of the fleet to participate in the program. (Added to NRS by 2019, 181)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.209 - Department prohibited from charging additional fee for delinquent or late registration of vehicle owned by deployed member of military; affidavit required.

1. Notwithstanding any other provision of law, the Department shall not impose an additional fee against the owner of a vehicle for the delinquent or late registration of that vehicle if the owner was a member of the military deployed to a combat or combat supporting position at the time of the expiration of the prior registration. 2. Evidence that the owner of a vehicle was a member of the military deployed to a combat or combat supporting position at a particular time must be furnished by an affidavit executed by a person having knowledge of the fact. The affidavit must accompany the application for renewal of registration. 3. As used in this

section: (a) "Additional fee" means any fine, fee, assessment or other monetary penalty that the Department imposes or collects solely because a vehicle is registered after the date by which it is ordinarily required to be registered. The term does not include a fee or tax that would be due and payable irrespective of the registration of a vehicle being late. (b) "Military" means the Armed Forces of the United States, a reserve component thereof or the National Guard. (Added to NRS by 2011, 296)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.210 - Exemptions from registration.

1. The provisions of this chapter requiring the registration of certain vehicles do not apply to: (a) Special mobile equipment. (b) Implements of husbandry. (c) Any mobile home or commercial coach subject to the provisions of chapter 489 of NRS. (d) Electric bicycles. (e) Golf carts which are: (1) Traveling upon highways properly designated by the appropriate city or county as permissible for the operation of golf carts; and (2) Operating pursuant to a permit issued pursuant to this chapter. (f) Towable tools or equipment as defined in NRS 484D.055. (g) Any motorized conveyance for a wheelchair, whose operator is a person with a disability who is unable to walk about. (h) Electric scooters. 2. For the purposes of this section, "motorized conveyance for a wheelchair" means a vehicle which: (a) Can carry a wheelchair; (b) Is propelled by an engine which produces not more than 3 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 2250 watts final output; (c) Is designed to travel on not more than three wheels; and (d) Can reach a speed of not more than 30 miles per hour on a flat surface with not more than a grade of 1 percent in any direction. The term does not include a tractor. [Part 6:202:1931; A 1941, 51; 1949, 511; 1953, 52]—(NRS A 1963, 348; 1973, 470; 1975, 1075; 1979, 1223; 1981, 620; 1983, 436; 1991, 2330; 2009, 394; 2015, 1117, 1748; 2019, 1880)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.215 - Application for registration. [Effective through December 31, 2026.] Application for registration. [Effective January 1, 2027.]

1. Except as otherwise provided in NRS 482.2085 and 482.2155, all applications for registration, except applications for renewal of registration, must be made as provided in this section. 2. Except as otherwise provided in NRS 482.294, applications for all registrations, except renewals of registration, must be made in person, if practicable, to any office or agent of the Department or to a registered dealer. 3. Each application must be made upon the appropriate form furnished by the Department and contain: (a) The signature of the owner, except as otherwise provided in subsection 2 of NRS 482.294, if applicable. (b) The owner's residential address. (c) The owner's declaration of the county where he or she intends the vehicle to be based, unless the vehicle is deemed to have no base. The Department shall use this declaration to determine the county to which the governmental services tax is to be paid. (d) If required pursuant to NRS 482.2177, the mileage shown on the odometer of the vehicle at the time of application and any other information required by the Department. (e) A brief description of the vehicle to be registered, including the name of the maker, the engine, identification or serial number, whether new or used, and the last license number, if known, and the state in which it was issued, and upon the registration of a new vehicle, the date of sale by the manufacturer or franchised and licensed dealer in this State for the make to be registered to the person first purchasing or operating the vehicle. (f) Except as otherwise provided in this paragraph, if the applicant is not an owner of a fleet of vehicles or a person described in subsection 5: (1) Proof satisfactory to the Department or registered dealer that the applicant carries insurance on the vehicle provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185; and (2) A declaration signed by the applicant that he or she will maintain the insurance required by NRS 485.185 during the period of registration. If the application is submitted by electronic means pursuant to NRS 482.294, the applicant is not required to sign the declaration required by this subparagraph. (g) If the applicant is an owner of a fleet of vehicles or a person described in subsection 5, evidence of insurance provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185: (1) In the form of a certificate of insurance on a form approved by the Commissioner of Insurance; (2) In the form of a card issued pursuant to NRS 690B.023 which identifies the vehicle or the registered owner of the vehicle; or (3) In another form satisfactory to the Department, including, without limitation, an electronic format authorized by NRS 690B.023. The Department may file that evidence, return it to the applicant or otherwise dispose of it. (h) If required, evidence of the applicant's compliance with controls over emission. (i) If the application for registration is submitted via the Internet, a statement which informs the applicant that he or she may make a nonrefundable monetary contribution of \$2 for each vehicle registered for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c). The application form must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration, and must include a method by which the applicant must indicate his or her intention to opt in or opt out of making such a contribution. 4. The application must contain such other information as is required by the Department or registered dealer and must be accompanied by proof of ownership satisfactory to the Department. 5. For purposes of the evidence required by paragraph (g) of subsection 3: (a) Vehicles which are subject to the fee for a license and the requirements of registration of the Interstate Highway User Fee Apportionment Act, and which are based in this State, may be declared as a fleet by the registered owner thereof on his or her original application for or application for renewal of a proportional registration. The owner may file a single certificate of insurance covering that fleet. (b) Other fleets composed of 10 or more vehicles based in this State or vehicles insured under a blanket policy which does not identify individual vehicles may each be declared annually as a fleet by the registered owner thereof for the purposes of an application for his or her original or any

renewed registration. The owner may file a single certificate of insurance covering that fleet. (c) A person who qualifies as a self-insurer pursuant to the provisions of NRS 485.380 may file a copy of his or her certificate of self-insurance. (d) A person who qualifies for an operator's policy of liability insurance pursuant to the provisions of NRS 485.186 and 485.3091 may file or provide electronic evidence of that insurance. [Part 6:202:1931; A 1941, 51; 1949, 511; 1953, 52]—(NRS A 1957, 506; 1959, 911; 1960, 126; 1963, 1126; 1973, 399; 1975, 1792; 1977, 923; 1979, 1818; 1981, 1692, 1693; 1983, 1131; 1987, 1084, 2144; 1989, 704, 1871, 1874; 1991, 1989; 1993, 2200, 2480; 1995, 700, 1862, 2729; 1997, 567; 2001, 308, 2780; 2003, 374; 2007, 2043; 2009, 2204; 2013, 1888, 2813; 2015, 796, 1749, 3513; 2019, 183, 3002) 1. Except as otherwise provided in NRS 482.2085 and 482.2155, all applications for registration, except applications for renewal of registration, must be made as provided in this section. 2. Except as otherwise provided in NRS 482.294, applications for all registrations, except renewals of registration, must be made in person, if practicable, to any office or agent of the Department or to a registered dealer. 3. Each application must be made upon the appropriate form furnished by the Department and contain: (a) The signature of the owner, except as otherwise provided in subsection 2 of NRS 482.294, if applicable. (b) The owner's residential address. (c) The owner's declaration of the county where he or she intends the vehicle to be based, unless the vehicle is deemed to have no base. The Department shall use this declaration to determine the county to which the governmental services tax is to be paid. (d) A brief description of the vehicle to be registered, including the name of the maker, the engine, identification or serial number, whether new or used, and the last license number, if known, and the state in which it was issued, and upon the registration of a new vehicle, the date of sale by the manufacturer or franchised and licensed dealer in this State for the make to be registered to the person first purchasing or operating the vehicle. (e) Except as otherwise provided in this paragraph, if the applicant is not an owner of a fleet of vehicles or a person described in subsection 5: (1) Proof satisfactory to the Department or registered dealer that the applicant carries insurance on the vehicle provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185; and (2) A declaration signed by the applicant that he or she will maintain the insurance required by NRS 485.185 during the period of registration. If the application is submitted by electronic means pursuant to NRS 482.294, the applicant is not required to sign the declaration required by this subparagraph. (f) If the applicant is an owner of a fleet of vehicles or a person described in subsection 5, evidence of insurance provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185: (1) In the form of a certificate of insurance on a form approved by the Commissioner of Insurance; (2) In the form of a card issued pursuant to NRS 690B.023 which identifies the vehicle or the registered owner of the vehicle; or (3) In another form satisfactory to the Department, including, without limitation, an electronic format authorized by NRS 690B.023. The Department may file that evidence, return it to the applicant or otherwise dispose of it. (g) If required, evidence of the applicant's compliance with controls over emission. (h) If the application for registration is submitted via the Internet, a statement which informs the applicant that he or she may make a nonrefundable monetary contribution of \$2 for each vehicle registered for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c). The application form must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration, and must include a method by which the applicant must indicate his or her intention to opt in or opt out of making such a contribution. 4. The application must contain such other information as is required by the Department or registered dealer and must be accompanied by proof of ownership satisfactory to the Department. 5. For purposes of the evidence required by paragraph (f) of subsection 3: (a) Vehicles which are subject to the fee for a license and the requirements of registration of the Interstate Highway User Fee Apportionment Act, and which are based in this State, may be declared as a fleet by the registered owner thereof on his or her original application for or application for renewal of a proportional registration. The owner may file a single certificate of insurance covering that fleet. (b) Other fleets composed of 10 or more vehicles based in this State or vehicles insured under a blanket policy which does not identify individual vehicles may each be declared annually as a fleet by the registered owner thereof for the purposes of an application for his or her original or any renewed registration. The owner may file a single certificate of insurance covering that fleet. (c) A person who qualifies as a self-insurer pursuant to the provisions of NRS 485.380 may file a copy of his or her certificate of self-insurance. (d) A person who qualifies for an operator's policy of liability insurance pursuant to the provisions of NRS 485.186 and 485.3091 may file or provide electronic evidence of that insurance. [Part 6:202:1931; A 1941, 51; 1949, 511; 1953, 52]—(NRS A 1957, 506; 1959, 911; 1960, 126; 1963, 1126; 1973, 399; 1975, 1792; 1977, 923; 1979, 1818; 1981, 1692, 1693; 1983, 1131; 1987, 1084, 2144; 1989, 704, 1871, 1874; 1991, 1989; 1993, 2200, 2480; 1995, 700, 1862, 2729; 1997, 567; 2001, 308, 2780; 2003, 374; 2007, 2043; 2009, 2204; 2013, 1888, 2813; 2015, 796, 1749, 3513; 2019, 183, 3002, effective January 1, 2027)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2155 - Registration of moped: Application; inspection; fees; Department to issue license plate; registration not renewable or transferable.

1. The owner of a moped shall, before the moped may be operated upon any highway in this State, apply to the Department for and obtain registration thereof. The application must be made upon the appropriate form as prescribed by the Department. 2. An application for the registration of a moped pursuant to this section must include: (a) The signature and residential address of the owner of the moped. (b) The owner's declaration of the county where he or she intends the moped to be based, unless the moped is deemed to have no base. The Department shall use this declaration to determine the county to which the governmental services tax is to be paid. (c) A brief description of the moped to be registered, including the name of the maker, the engine, identification or

serial number, whether new or used, and, upon the registration of a new moped, the date of sale by the manufacturer or franchised and licensed dealer in this State for the make to be registered to the person first purchasing or operating the moped. (d) Proof of ownership satisfactory to the Department. 3. An application for the registration of a moped pursuant to subsection 2 must be accompanied by: (a) The registration fee required pursuant to NRS 482.480. (b) The governmental services tax imposed pursuant to chapter 371 of NRS, as provided in NRS 482.260. (c) The fees for a license plate and an inspection required pursuant to this section. 4. An applicant for the registration of a moped pursuant to this section must provide proof satisfactory to the Department that the moped was inspected and meets the definition of "moped" as provided in NRS 482.069. An applicant who: (a) Purchased the moped from a new vehicle dealer or a used vehicle dealer may submit to the Department, on a form prescribed by the Department, verification of an inspection by the new vehicle dealer or used vehicle dealer which certifies that the moped meets the definition of "moped" as provided in NRS 482.069. (b) Did not purchase the moped from a new vehicle dealer or a used vehicle dealer and: (1) Resides in a county where an office of the Department is located must, at an office of the Department in that county, allow the Department to inspect the moped for verification that the moped meets the definition of "moped" as provided in NRS 482.069. The Department may by regulation establish a fee for such an inspection. (2) Resides in a county where no office of the Department is located must allow the Department to inspect the moped, as specified in subparagraph (1), at an office of the Department in another county or, in lieu of an inspection by the Department, allow a sheriff or deputy sheriff of the county in which the applicant resides to inspect the moped for verification that the moped meets the definition of "moped" as provided in NRS 482.069. A sheriff or deputy sheriff shall, upon the request of the applicant, conduct such an inspection and transmit his or her determination, in writing, to the Department and may collect the fee established by the Department pursuant to subparagraph (1) for such an inspection. The fees must be accounted for as provided in subsection 6 of NRS 248.275. 5. As soon as practicable after the Department: (a) Receives the application and fees required by this section; and (b) Receives the form completed by a new vehicle dealer or used vehicle dealer pursuant to paragraph (a) of subsection 4, conducts the inspection required by subparagraph (1) of paragraph (b) of subsection 4 or receives the alternative written determination from a sheriff or deputy sheriff that is authorized by subparagraph (2) of paragraph (b) of subsection 4, the Department shall, if the inspection or written determination confirms that the moped meets the definition of "moped" as provided in NRS 482.069, issue a license plate and certificate of registration to the owner of the moped. 6. The fee for the issuance of a license plate pursuant to this section is \$5, which must be allocated to the Revolving Account for the Issuance of Special License Plates, created by NRS 482.1805, to defray the costs of manufacturing license plates pursuant to this section. 7. The registration issued pursuant to this section is not renewable or transferable, and a moped that is registered pursuant to this section is registered until the date on which the owner of the moped: (a) Transfers the ownership of the moped; or (b) Cancels the registration of the moped and surrenders the license plate to the Department. 8. The Department may, upon proof of ownership satisfactory to it, issue a certificate of title before the registration of a moped pursuant to this section. A certificate of title issued pursuant to this subsection is valid until cancelled by the Department upon the transfer of interest therein. (Added to NRS by 2015, 1745; A 2019, 74)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.216 - Department may authorize new vehicle dealer to accept applications for registration and transfer of registration of new motor vehicles and to issue certificates of registration; duties of dealer; prohibited acts; regulations.

1. Except as otherwise provided in NRS 482.2155, upon the request of a new vehicle dealer, the Department may authorize the new vehicle dealer to: (a) Accept applications for the registration of the new motor vehicles he or she sells and the related fees and taxes; (b) Issue certificates of registration to applicants who satisfy the requirements of this chapter; and (c) Accept applications for the transfer of registration pursuant to NRS 482.399 if the applicant purchased from the new vehicle dealer a new vehicle to which the registration is to be transferred. 2. A new vehicle dealer who is authorized to issue certificates of registration pursuant to subsection 1 shall: (a) Transmit the applications received to the Department within the period prescribed by the Department; (b) Transmit the fees collected from the applicants and properly account for them within the period prescribed by the Department; (c) Comply with the regulations adopted pursuant to subsection 5; and (d) Bear any cost of equipment which is necessary to issue certificates of registration, including any computer hardware or software. 3. A new vehicle dealer who is authorized to issue certificates of registration pursuant to subsection 1 shall not: (a) Charge any additional fee for the performance of those services; (b) Receive compensation from the Department for the performance of those services; (c) Accept applications for the renewal of registration of a motor vehicle; or (d) Accept an application for the registration of a motor vehicle if the applicant wishes to: (1) Obtain special license plates pursuant to NRS 482.3667 to 482.3823, inclusive; or (2) Claim the exemption from the governmental services tax provided pursuant to NRS 361.1565 to veterans and their relations. 4. The provisions of this section do not apply to the registration of a moped pursuant to NRS 482.2155. 5. The Director shall adopt such regulations as are necessary to carry out the provisions of this section. The regulations adopted pursuant to this subsection must provide for: (a) The expedient and secure issuance of license plates and decals by the Department; and (b) The withdrawal of the authority granted to a new vehicle dealer pursuant to subsection 1 if that dealer fails to comply with the regulations adopted by the Department. (Added to NRS by 1995, 1860; A 1997, 173, 1359, 1548, 3052; 1999, 1166; 2001, 309, 578, 585, 1467, 1509, 1675, 1677, 1860; 2003, 89, 92, 361, 3068, 3347; 2007, 573; 2009, 492; 2011, 1791; 2013, 555, 2547; 2015, 254, 658, 1751, 1941; 2017, 3562, 3571; 2019, 559, 896, 1481, 2520, 3086; 2021, 3735; 2023, 2693)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS

482.217 - Department authorized to enter into agreement with certain motor carriers and service providers to register, transfer or renew registration of vehicles; conditions of such agreement; regulations.

1. Upon the request of a motor carrier or a service provider, the Department may enter into an agreement with the motor carrier or service provider which authorizes the motor carrier or service provider: (a) Without applying to the Department, to register or transfer or renew the registration of any vehicle: (1) Owned solely by the motor carrier or service provider; or (2) Leased solely by the motor carrier or service provider, if the lease is a long-term lease; and (b) To issue registration credentials on behalf of the Motor Carrier Division of the Department for any vehicle registered pursuant to paragraph (a) and for any vehicle with a registration that has been renewed or transferred pursuant to paragraph (a). 2. Before registering or transferring or renewing the registration of any vehicle pursuant to subsection 1: (a) A motor carrier who enters into an agreement with the Department pursuant to this section shall, if required by the Department, file with the Department a bond of a surety company authorized to transact business in this State for the benefit of this State in an amount not less than \$25,000; and (b) A service provider who enters into an agreement with the Department pursuant to this section shall file with the Department a bond of a surety company authorized to transact business in this State for the benefit of this State in an amount not less than \$50,000. 3. If a motor carrier or service provider provides a savings certificate, certificate of deposit or investment certificate pursuant to NRS 100.065 in lieu of a bond filed pursuant to subsection 2, the certificate must state that the amount is not available for withdrawal except upon the approval of the Director. 4. If at any time a motor carrier or service provider is unable to account for an unissued license plate, the motor carrier or service provider must immediately pay to the Department an amount established by the Department. 5. If the Department determines that the motor carrier responsible for the safety of a commercial motor vehicle with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds which is operating in intrastate commerce and which is registered pursuant to this section is subject to an out-of-service order, the Department may: (a) Revoke the registration of each commercial motor vehicle with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds which is operating in intrastate commerce and which is registered to the motor carrier responsible for the safety of the commercial motor vehicles who is subject to the out-of-service order; and (b) Revoke or refuse to grant the authority to register or transfer or renew any registration granted pursuant to this section. 6. The Department, in revoking a registration pursuant to paragraph (a) of subsection 5, shall comply with the requirements of subsections 4 and 5 of NRS 482.465. 7. The Director shall adopt such regulations as are necessary to carry out the provisions of this section. 8. As used in this section: (a) "Long-term lease" means a lease for a fixed period of more than 30 days. (b) "Motor carrier" means a common, contract or private motor carrier registered through the Motor Carrier Division of the Department. (c) "Registration credentials" includes, without limitation, license plates, registration cab cards and temporary authority permits. (d) "Service provider" means a business or organization authorized by the Department to register or transfer or renew the registration of vehicles on behalf of motor carriers. (Added to NRS by 2009, 389; A 2017, 976)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2175 - Pilot program for determining vehicle miles traveled; duties of Department; reports; acceptance of gifts, grants and donations; regulations. [Effective through December 31, 2026.]

1. The Legislature hereby finds and declares that: (a) The State faces major financial challenges to adequately fund the construction and maintenance of the highways of this State as revenues from taxes imposed on fuel, at both the state and federal level, long used to fund construction and maintenance of the highways of this State and many other states, have declined primarily because of the improved efficiency of the motor vehicles operated on the highways of this State. (b) The Legislature must seek significant and innovative solutions in order to meet the challenges of adequately funding the construction and maintenance of the highways of this State into the future, among them the concept of basing revenue collection on the annual vehicle miles traveled by each vehicle using the highways of this State. 2. The Legislature therefore directs the Department of Motor Vehicles to conduct a pilot program to gather data on annual vehicle miles traveled and other relevant information for certain motor vehicles registered in this State. 3. Upon receipt of the information obtained pursuant to NRS 482.2177, the Department shall compile the data and prepare a report on the annual vehicle miles traveled of those motor vehicles in this State required to provide odometer readings pursuant to NRS 482.2177 by categories determined by the Department, including, without limitation, the annual vehicle miles traveled by: (a) Type of motor vehicle, including, without limitation: (1) Passenger car; (2) Light-duty; (3) Heavy-duty; (4) Motortruck; (5) Truck-tractor; and (6) Bus. (b) Weight of motor vehicle, including, without limitation: (1) Less than 6,000 pounds; (2) From 6,000 pounds to 8,499 pounds; (3) From 8,500 pounds to 10,000 pounds; (4) From 10,001 pounds to 26,000 pounds; (5) From 26,001 pounds to 80,000 pounds; and (6) Over 80,000 pounds. (c) Motor vehicle fuel type or power source, including, without limitation: (1) Compressed natural gas; (2) Diesel; (3) Electric; (4) Flexible fuel E85; (5) Flexible fuel M85; (6) Hybrid diesel; (7) Hybrid electric; (8) Hybrid gasoline/gasohol; (9) Hydrogen; (10) Gasoline/gasohol; (11) Liquefied natural gas; and (12) Propane. 4. Beginning not later than December 31, 2019, the Department shall compile all the information available to produce the report required pursuant to subsection 3 every 6 months, and shall transmit the report not later than January 1 and July 1 of each year to: (a) The Chair of the Assembly Standing Committee on Growth and Infrastructure; (b) The Chair of the Senate Standing Committee on Growth and Infrastructure; and (c) The Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission, if the report is received during an odd-numbered year, or to the next session of the Legislature, if the report is received during an even-numbered year. 5. The Department may apply for and accept gifts, grants and donations to assist with the implementation of the pilot program. 6. The

Department shall not disclose any information provided to the Department pursuant to NRS 482.2177 to an insurer, self-insurer or organization that provides assistance or support to an insurer or self-insurer or its agents, employees or contractors, in connection with activities relating to the rating, underwriting, cancellation or nonrenewal of insurance required by NRS 485.185. 7. The Department: (a) Shall adopt regulations which establish procedures for implementing the pilot program, including, without limitation, those procedures required for: (1) A person to provide to the Department the mileage shown on the odometer of each vehicle and other information as required by NRS 482.2177; and (2) Any exemptions from the requirements of NRS 482.2177 that the Department deems appropriate to avoid undue hardship for the registered owner of a motor vehicle. (b) May adopt regulations providing for an administrative fine for failure to comply in a timely manner with the requirements of NRS 482.2177. 8. The Department shall investigate and, where possible, implement technology or other solutions which allow a person required to provide to the Department the mileage shown on the odometer of his or her vehicle and other information pursuant to NRS 482.2177 to provide that digitally or electronically to the Department. (Added to NRS by 2019, 3000; A 2021, 1075)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2177 - Mileage on odometer to be provided to Department at registration, renewal and transfer of motor vehicle; exceptions; inspection to verify reported mileage. [Effective through December 31, 2026.]

1. Except as otherwise provided in subsection 4, upon application for the initial registration of any motor vehicle pursuant to this chapter, the applicant shall provide the Department or registered dealer the mileage shown on the odometer of the vehicle at the time of application and any other information required by the Department. Upon application for the transfer of registration pursuant to NRS 482.399 to another motor vehicle, the applicant shall provide to the Department or registered dealer the mileage shown on the odometer of the vehicle to which the registration is to be transferred at the time of application and any other information required by the Department. 2. At the time of renewal of registration of a motor vehicle pursuant to this chapter, the mileage shown on the odometer of the vehicle and any other information required by the Department must be provided to the Department as follows: (a) If the vehicle is required upon renewal of registration to submit evidence of compliance with standards for the control of emissions pursuant to chapter 445B of NRS, the mileage shown on the odometer of the vehicle at the time of the inspection and any other information required by the Department must be noted on the evidence of compliance. (b) If the vehicle is not required upon renewal of registration to submit evidence of compliance with standards for the control of emissions pursuant to chapter 445B of NRS, the mileage shown on the odometer of the vehicle at the time of renewal and any other information required by the Department must be noted by the owner in a manner prescribed by the Department. 3. Upon the transfer of the ownership of or interest in a motor vehicle and the expiration of the registration pursuant to NRS 482.399, the holder of the original registration must provide to the Department the mileage shown on the odometer of the vehicle at the time of the transfer and any other information required by the Department in a manner prescribed by the Department. 4. The provisions of this section do not apply to a: (a) Motorcycle or moped. (b) Recreational vehicle. (c) Vehicle that is exempt from registration pursuant to NRS 482.210. (d) Vehicle registered as a farm vehicle. (e) Vehicle that is registered through the Motor Carrier Division pursuant to the provisions of NRS 706.801 to 706.861, inclusive, and which has a declared gross weight in excess of 10,000 pounds. (f) Vehicle that has been exempted by regulations adopted pursuant to subsection 7 of NRS 482.2175. 5. The Department or its agents may inspect the odometer of a vehicle for which the mileage shown on the odometer is reported pursuant to paragraph (b) of subsection 2 not more than once every 2 years to verify the mileage reported. (Added to NRS by 2019, 3001; A 2021, 1077)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.218 - Owners of certain motortrucks, truck-tractors and buses required to maintain certain books, papers and records; penalty for failure to comply.

1. Any person who is the owner of a vehicle described in subsection 1 of NRS 482.482 shall maintain books, papers and records as required by the Department for the 36 months following the year for which the vehicle is registered. The books, papers and records must be made available for inspection by the Department during normal business hours. 2. For any person who fails to maintain books, papers or records as required pursuant to subsection 1, the Department may: (a) Revoke or refuse to grant the authority to register or transfer or renew registrations granted pursuant to NRS 482.217; and (b) Revoke any license of the person issued by the Department pursuant to this chapter. (Added to NRS by 2009, 390)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.220 - Application for registration of specially constructed, reconstructed, rebuilt or foreign vehicle; certificate of inspection; charge for inspection.

1. If the vehicle to be registered is a specially constructed, reconstructed, rebuilt or foreign vehicle, that fact must be stated in the application. If the vehicle is a foreign vehicle which has been registered theretofore outside of this State, the owner shall exhibit to the Department the certificate of title and registration card or other evidence of such former registration as may be in the applicant's possession or control or such other evidence as will satisfy the Department that the applicant is the lawful owner or possessor of the vehicle. 2. The application must be accompanied by a motor vehicle inspection certificate signed by a representative of the Department or, as one of the Department's authorized agents, by: (a) A peace officer; (b) A dealer; (c) A rebuilder; (d) An automobile wrecker; or (e) A garage operator or a service station operator or attendant, so designated in writing by the Director. 3. Except for a peace officer acting in his or her official capacity, the Department or any of its authorized inspection agents shall

charge the fee imposed by the Department by regulation for inspection of any vehicle described in subsection 1. 4. For the purposes of this section, "peace officer" means any employee, volunteer or designee of a law enforcement agency acting in an official capacity. [Part 6:202:1931; A 1941, 51; 1949, 511; 1953, 52]—(NRS A 1960, 127; 1963, 136; 1973, 140; 2005, 1241; 2007, 3202; 2010, 26th Special Session, 46)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.223 - Application for title for rebuilt, reconstructed or specially constructed vehicle; inspection; certificate of inspection; affidavit.

1. Before an application for a title for a rebuilt, reconstructed or specially constructed vehicle may be submitted, the vehicle must be inspected and a certificate of inspection must be completed on a form prescribed by the Department which attests that: (a) The work performed on the vehicle meets the standards of the manufacturer for mechanical fitness and safety; (b) The vehicle has been repaired to the standards of the manufacturer; and (c) Any safety equipment, including, without limitation, occupant restraint devices, which was present in the vehicle at the time the vehicle was manufactured is present and operational to the standards of the manufacturer. 2. An application for a title for a rebuilt, reconstructed or specially constructed vehicle must include an affidavit which states that the vehicle: (a) Has been inspected pursuant to subsection 1; (b) Is in a condition to be operated safely on the highways of this State; and (c) Has all safety equipment required by the manufacturer. 3. Any of the following persons may complete the inspection and sign the certificate of inspection and the affidavit required by subsections 1 and 2: (a) A garage operator who operates a garage that is registered pursuant to NRS 487.560; (b) The owner of a body shop licensed pursuant to NRS 487.630; (c) A rebuilder licensed pursuant to NRS 482.325; or (d) Any employee of a garage operator, owner of a body shop or rebuilder who is authorized by his or her employer to inspect the vehicle and attest that the repairs have been completed in accordance with the standards of the manufacturer. (Added to NRS by 2007, 3199)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.224 - Replica vehicles: Limitation on number of vehicles for which Department may issue certificate of registration; application for registration to state certain facts.

1. The Department may not issue a certificate of registration for more than 100 replica vehicles each year. The fact that the vehicle is to be registered as a replica vehicle must be stated in the application for registration. 2. For purposes of this section, "replica vehicle" has the meaning ascribed to it in NRS 445B.759. (Added to NRS by 2007, 1243)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.225 - Collection of sales or use tax upon application for registration of certain vehicles purchased outside this State; payment of all applicable taxes and fees required for registration; refund of tax erroneously or illegally collected.

1. When application is made to the Department for registration of a vehicle purchased outside this State and not previously registered within this State where the registrant or owner at the time of purchase was not a resident of or employed in this State, the Department or its agent shall determine and collect any sales or use tax due and shall remit the tax to the Department of Taxation except as otherwise provided in NRS 482.260. 2. If the registrant or owner of the vehicle was a resident of the State, or employed within the State, at the time of the purchase of that vehicle, it is presumed that the vehicle was purchased for use within the State and the representative or agent of the Department of Taxation shall collect the tax and remit it to the Department of Taxation. 3. Until all applicable taxes and fees are collected, the Department shall refuse to register the vehicle. 4. In any county whose population is less than 55,000, the Department shall designate the county assessor as the agent of the Department for the collection of any sales or use tax. 5. If the registrant or owner desires to refute the presumption stated in subsection 2 that he or she purchased the vehicle for use in this State, the registrant or owner must pay the tax to the Department and then may submit a claim for exemption in writing, signed by the registrant or owner or his or her authorized representative, to the Department together with a claim for refund of tax erroneously or illegally collected. 6. If the Department finds that the tax has been erroneously or illegally collected, the tax must be refunded. [7.6:202:1931; added 1955, 542]—(NRS A 1957, 471; 1959, 911; 1965, 1008; 1969, 1544; 1973, 38; 1975, 1746; 1979, 554; 1981, 243; 1983, 2064; 1985, 1936; 1989, 1930; 2001, 1994; 2003, 2388; 2011, 1288)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.230 - Grounds requiring refusal of registration.

The Department or a registered dealer shall not grant an application for the registration of a vehicle in any of the following events: 1. When the applicant therefor is not entitled thereto pursuant to the provisions of this chapter. 2. When the applicant has neglected or refused to furnish the Department or registered dealer with the information required in the appropriate official form or reasonable additional information required by the Department or registered dealer. 3. When the fees required therefor by law have not been paid. 4. When the applicant for the registration of a commercial motor vehicle with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds and which is intended to operate in intrastate commerce is a motor carrier who: (a) Has not complied with NRS 482.2912; or (b) Is subject to an out-of-service order. [22:202:1931; 1931 NCL § 4435.21]—(NRS A 1995, 1863; 2017, 977)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS

482.231 - Refusal of registration if local authority has filed notice of nonpayment of certain fee charged by constable; exceptions.

1. Except as otherwise provided in subsection 3, the Department shall not register a motor vehicle if a local authority has filed with the Department a notice stating that the owner of the motor vehicle: (a) Was cited by a constable pursuant to subsection 6 of NRS 258.070 for failure to comply with the provisions of NRS 482.385; and (b) After the imposition of punishment pursuant to NRS 482.385, has failed to pay the fee charged by the constable pursuant to subsection 6 of NRS 258.070. 2. The Department shall, upon request, furnish to the owner of the motor vehicle a copy of the notice of nonpayment described in subsection 1. 3. The Department may register a motor vehicle for which the Department has received a notice of nonpayment described in subsection 1 if: (a) The Department receives: (1) A receipt from the owner of the motor vehicle which indicates that the owner has paid the fee charged by the constable; or (2) Notification from the applicable local authority that the owner of the motor vehicle has paid the fee charged by the constable; and (b) The owner of the motor vehicle otherwise complies with the requirements of this chapter for the registration of the motor vehicle. (Added to NRS by 2011, 1588; A 2013, 2949; 2015, 2524)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.235 - Registration indexes and records; assignment of registration number by registered dealer.

1. The Department shall file each application received and register the vehicle therein described and the owner thereof in suitable books or on index cards as follows: (a) Under a distinctive registration number assigned to the vehicle and to the owner thereof, referred to in this chapter as the registration number. (b) Alphabetically under the name of the owner. (c) Numerically under the serial or vehicle identification number of the vehicle or a permanent identifying number, as may be determined by the Department. 2. A registered dealer who registers a vehicle shall assign a registration number for that vehicle according to a list of registration numbers issued by the Department for use by that dealer. [9:202:1931; A 1949, 511; 1943 NCL § 4435.08]—(NRS A 1973, 65; 1987, 1086; 1995, 1863; 2003, 457)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.240 - Issuance of certificates of registration and title by Department or registered dealer; period of validity of certificate.

1. Except as otherwise provided in NRS 482.2085, upon the registration of a vehicle, the Department or a registered dealer shall issue a certificate of registration to the owner. 2. When an applicant for registration or transfer of registration is unable, for any reason, to submit to the Department in support of the application for registration, or transfer of registration, such documentary evidence of legal ownership as, in the opinion of the Department, is sufficient to establish the legal ownership of the vehicle concerned in the application for registration or transfer of registration, the Department may issue to the applicant only a certificate of registration. 3. The Department may, upon proof of ownership satisfactory to it or pursuant to NRS 482.2605, issue a certificate of title before the registration of the vehicle concerned. The certificate of registration issued pursuant to this chapter is valid only during the registration period or calendar year for which it is issued, and a certificate of title is valid until cancelled by the Department upon the transfer of interest therein. [Part 10:202:1931; A 1947, 453; 1943 NCL § 4435.09]—(NRS A 1960, 127; 1963, 559; 1965, 1473; 1967, 131; 1969, 684; 1995, 1864; 2003, 458; 2017, 2749; 2019, 184)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.245 - Contents of certificates of registration and title.

1. The certificate of registration must contain the date issued, the registration number assigned to the vehicle, the name and address of the registered owner, the county where the vehicle is to be based unless it is deemed to have no base, a description of the registered vehicle and such other statement of facts as may be determined by the Department. 2. The certificate of title must contain the date issued, the name and address of the registered owner and the owner or lienholder, if any, a description of the vehicle, any entries required by NRS 482.423 to 482.428, inclusive, a reading of the vehicle's odometer as provided to the Department by the person making the sale or transfer, the word "rebuilt" if it is a rebuilt vehicle, the information required pursuant to subsection 4 of NRS 482.247 if the certificate of title is a certificate of title in beneficiary form pursuant to NRS 482.247 and such other statement of facts as may be determined by the Department. The certificate of title must also contain forms for notice to the Department of a transfer of the title or interest of the owner or lienholder and application for registration by the transferee. If a new certificate of title is issued for a vehicle, it must contain the same information as the replaced certificate, except to the extent that the information has changed after the issuance of the replaced certificate. Except as otherwise required by federal law, the certificate of title of a vehicle which the Department knows to have been stolen must not contain any statement or other indication that the mileage specified in the certificate or registered on the odometer is anything other than the actual mileage traveled by the vehicle, in the absence of proof that the odometer of the vehicle has been disconnected, reset or altered. [Part 10:202:1931; A 1947, 453; 1943 NCL § 4435.09]—(NRS A 1965, 1473; 1967, 132; 1973, 400; 1975, 1071; 1985, 659; 1987, 1086, 1592; 1999, 1919; 2003, 458; 2007, 988; 2023, 1471, 2925)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.247 - Certificate of title in beneficiary form: Request; application; fee; restriction upon issuance; contents; signatures and transactions; interest; duties of Department.

1. The owner or joint owners of a motor vehicle, trailer or semitrailer may request the Department to issue a certificate of title in beneficiary form for the motor vehicle, trailer or semitrailer, as applicable, which includes a directive to the Department to transfer the certificate of title upon the death of the owner or upon the death of all joint owners to a beneficiary named on the face of the certificate of title. 2. A request made pursuant to subsection 1 must be submitted on an application made available by the Department and accompanied by the fee for the issuance of a certificate of title. 3. A certificate of title in beneficiary form may not be issued to a person who holds an interest in a motor vehicle, trailer or semitrailer as a tenant in common with another person. 4. A certificate of title in beneficiary form must include after the name of the owner or after the names of joint owners the words "transfer on death to" or the abbreviation "TOD" followed by the name of the beneficiary. 5. During the lifetime of a sole owner or before the death of the last surviving joint owner: (a) The signature or consent of the beneficiary is not required for any transaction relating to a motor vehicle, trailer or semitrailer for which a certificate of title in beneficiary form has been issued; and (b) The certificate of title in beneficiary form may be revoked or the beneficiary changed at any time by: (1) Sale of the motor vehicle, trailer or semitrailer with proper assignment and delivery of the certificate of title to another person; or (2) Filing an application with, and paying a fee to, the Department to reissue the certificate of title with no designation of a beneficiary or with the designation of a different beneficiary. 6. The interest of the beneficiary in a motor vehicle, trailer or semitrailer on the death of the sole owner or on the death of the last surviving joint owner is subject to any contract of sale, assignment or ownership or security interest to which the owner or owners of the motor vehicle, trailer or semitrailer were subject during their lifetime. 7. Except as otherwise provided in paragraph (b) of subsection 5, the designation of a beneficiary in a certificate of title in beneficiary form may not be changed or revoked by will, any other instrument or a change in circumstances, or otherwise changed or revoked. 8. The Department shall, upon: (a) Proof of death of one of the owners, of two or more joint owners or of a sole owner; (b) Surrender of the outstanding certificate of title in beneficiary form; and (c) Application and payment of the fee for a certificate of title, issue a new certificate of title for the motor vehicle, trailer or semitrailer to the surviving owner or owners or, if none, to the beneficiary, subject to any security interest. 9. For the purposes of complying with the provisions of subsection 8, the Department may rely on a death certificate, record or report that constitutes prima facie evidence of death. 10. The transfer on death of a motor vehicle, trailer or semitrailer pursuant to this section is not considered as testamentary and is not subject to administration pursuant to the provisions of title 12 of NRS. 11. As used in this section: (a) "Beneficiary" means a person or persons designated to become the owner or owners of a motor vehicle, trailer or semitrailer on the death of the preceding owner or owners. (b) "Certificate of title in beneficiary form" means a certificate of title of a motor vehicle, trailer or semitrailer that indicates the present owner or owners of the motor vehicle, trailer or semitrailer and designates a beneficiary. (Added to NRS by 2007, 987)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.255 - Placement of certificate of registration in vehicle; electronic alternative; surrender upon demand of certain persons; limitation on conviction.

1. Except as otherwise provided in subsection 2, upon receipt of a certificate of registration, the registered owner shall place it or a legible copy in the vehicle for which it is issued and keep it in the vehicle. If the vehicle is a motorcycle, moped, trailer or semitrailer, the registered owner shall carry the certificate in the tool bag or other convenient receptacle attached to the vehicle. 2. The registered owner of a vehicle which, pursuant to the plan, must be registered through the Motor Carrier Division of the Department, in lieu of carrying a certificate of registration or a legible copy in the vehicle, may provide evidence of registration and other applicable licenses as an electronic image in an electronic format that can be displayed: (a) On an electronic device, which must be carried in the vehicle; or (b) Through other means by which the electronic image is accessible to law enforcement or other emergency personnel upon request, including, without limitation, a radio frequency identifying device. 3. The registered owner or operator of a motor vehicle shall, upon demand, surrender the certificate of registration, the copy, the electronic device or access to the electronic image for examination to any peace officer, including a constable of the township in which the motor vehicle is located or a justice of the peace or a deputy of the Department. 4. No person charged with violating this section may be convicted if the person produces in court a certificate of registration or evidence of registration in an electronic format which was previously issued to him or her and was valid at the time of the demand. 5. If the evidence of registration and other applicable licenses is provided by means of an electronic device: (a) The person who presents the device assumes all liability for any resulting damage to the device; (b) The owner of the electronic device may be held liable for any other infractions indicated by the electronic image displaying evidence of registration and other applicable licenses. 6. As used in this section, "plan" means the International Registration Plan. [Part 10:202:1931; A 1947, 453; 1943 NCL § 4435.09]—(NRS A 1969, 139; 1983, 1030; 2009, 3014; 2013, 2950; 2015, 1751; 2019, 1570)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.260 - Duties of Department and its agents relative to registration of vehicle; issuance of certificate of title; fees and taxes.

1. When registering a vehicle, the Department and its agents or a registered dealer shall: (a) Collect the fees for license plates and registration as provided for in this chapter. (b) Collect the governmental services tax on the vehicle, as agent for the State and for the county where the applicant intends to base the vehicle for the period of registration, unless the vehicle is deemed to have no base. (c) Collect the applicable taxes imposed pursuant to chapters 372, 374, 377 and 377A of NRS. (d) Except as otherwise provided in NRS 482.2085, issue a certificate of registration. (e) If the registration is performed by the Department, issue the regular license plate or plates. (f) If the registration is performed by a registered dealer, provide information to the owner regarding the manner in which the

regular license plate or plates will be made available to the owner. 2. Upon proof of ownership satisfactory to the Director or as otherwise provided in NRS 482.2605, the Director shall cause to be issued a certificate of title as provided in this chapter. 3. For the purposes of subsection 2, if a manufacturer described in paragraph (a) of subsection 2 of NRS 482.36349 operates one or more of its fully autonomous vehicles for the purpose of providing delivery services, the Director shall accept as proof of ownership the manufacturer's certificate of origin or the manufacturer's statement of origin issued for the fully autonomous vehicle. As used in this paragraph, "fully autonomous vehicle" has the meaning ascribed to it in NRS 482A.036. 4. Except as otherwise provided in NRS 371.070 and subsections 7, 8 and 9, every vehicle being registered for the first time in Nevada must be taxed for the purposes of the governmental services tax for a 12-month period. 5. The Department shall deduct and withhold 2 percent of the taxes collected pursuant to paragraph (c) of subsection 1 and remit the remainder to the Department of Taxation. 6. A registered dealer shall forward all fees and taxes collected for the registration of vehicles to the Department. 7. A trailer being registered pursuant to NRS 482.2065 must be taxed for the purposes of the governmental services tax for a 3-year period. 8. A full trailer or semitrailer being registered pursuant to subsection 3 of NRS 482.483 must be taxed for the purposes of the governmental services tax in the amount of \$86. The governmental services tax paid pursuant to this subsection is nontransferable and nonrefundable. 9. A moped being registered pursuant to NRS 482.2155 must be taxed for the purposes of the governmental services tax for only the 12-month period following the registration. The governmental services tax paid pursuant to this subsection is nontransferable and nonrefundable. [11:202:1931; A 1945, 151; 1949, 480; 1953, 280; 1954, 43]—(NRS A 1959, 912; 1960, 100; 1961, 129; 1963, 1126; 1969, 684; 1973, 70, 400; 1975, 156, 334; 1983, 1619, 2065; 1995, 1864; 2001, 310; 2003, 459, 3376; 2007, 3203; 2009, 2197; 2013, 2830; 2015, 1752; 2017, 2749; 2019, 185; 2023, 592)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2605 - Application for new certificate of title under certain circumstances; filing of bond with Department required; amount and form of bond; duties of Department.

1. If an applicant who is seeking a certificate of title to a vehicle from the Department pursuant to subsection 3 of NRS 482.240, subsection 2 of NRS 482.260, subsection 1 of NRS 482.285 or subsection 1 of NRS 482.415 is unable to satisfy the Department that the applicant is entitled to a certificate of title pursuant to those provisions, the applicant may obtain a new certificate of title from the Department by: (a) Filing a bond with the Department that meets the requirements of subsection 3; (b) Allowing the Department to inspect the vehicle to verify the vehicle identification number and identification numbers, if any, on parts used to repair the vehicle; and (c) Authorizing the Department to conduct a search of the history of the vehicle through any national crime information system, including, without limitation, the: (1) National Crime Information Center, as defined in NRS 179A.061; and (2) National Motor Vehicle Title Information System of the United States Department of Justice. 2. Any person damaged by the issuance of a certificate of title pursuant to this section has a right of action to recover on the bond for any breach of its conditions, except the aggregate liability of the surety to all persons must not exceed the amount of the bond. The Department shall return the bond, and any deposit accompanying it, 3 years after the bond was filed with the Department, except that the Department shall not return the bond if the Department has been notified of the pendency of an action to recover on the bond. 3. The bond required pursuant to subsection 1 must be: (a) In a form prescribed by the Department; (b) Executed by the applicant as principal and by a corporation qualified under the laws of this State as surety; (c) In an amount equal to one and one-half times the value of the vehicle, as determined by the Department; and (d) Conditioned to indemnify any: (1) Prior owner or lienholder of the vehicle, and his or her successors in interest; (2) Subsequent purchaser of the vehicle, and his or her successors in interest; or (3) Person acquiring a security interest in the vehicle, and his or her successors in interest, against any expense, loss or damage because of the issuance of the certificate of title or because of any defect in or undisclosed security interest in the applicant's right or title to the vehicle or the applicant's interest in the vehicle. 4. A right of action does not exist in favor of any person by reason of any action or failure to act on the part of the Department or any officer or employee thereof in carrying out the provisions of this section, or in giving or failing to give any information concerning the legal ownership of a vehicle or the existence of a title obtained pursuant to this section. 5. An applicant seeking a certificate of title pursuant to this section may participate in the electronic lien system authorized in NRS 482.4285. (Added to NRS by 2017, 2748)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2607 - Application for certificate of title upon cancellation of sale of vehicle; agreement between licensed dealer and purchaser to cancel sale; issuance of certificate of title to licensed dealer.

1. Notwithstanding any other provision of law, a dealer licensed in this State and the purchaser of a vehicle may enter into a written return agreement to cancel the sale of the vehicle. Upon entering into such an agreement, the sale is cancelled and the dealer shall, not later than 15 days after the sale is cancelled, return to the purchaser or secured party, as applicable, all of the money, taxes and fees that were collected by the dealer at the time of sale. 2. If a dealer and purchaser enter into a written return agreement to cancel the sale of a vehicle pursuant to subsection 1, the dealer may submit an application for a certificate of title to the Department. Any such application for a certificate of title must be in the form prescribed by the Department, may request the expedited processing of the application and must include, without limitation: (a) A copy of the written return agreement described in subsection 1; (b) The fees required for the issuance of a certificate of title pursuant to NRS 482.429; (c) If the Department has already issued a certificate of title for the vehicle in relation to the sale: (1) The certificate of title that the Department issued to the purchaser; or (2) An affidavit certifying that the certificate of title issued to the purchaser by the Department is unavailable and needs to be cancelled by

the Department; and (d) If the Department has not issued a certificate of title for the vehicle in relation to the sale, the certificate of title upon which the title transfer to the purchaser was made. 3. Except as otherwise provided in subsection 8, the Department shall issue the certificate of title to the dealer that sets forth: (a) The dealer as the owner of the vehicle; and (b) An odometer reading, as recorded at the time of the sale. 4. Except as otherwise provided in subsection 8, if an application for a certificate of title submitted pursuant to subsection 2 does not request the expedited processing of the application, the Department shall at its standard processing time, issue the certificate of title to the dealer that sets forth: (a) The dealer as the owner of the vehicle; and (b) An odometer reading, as recorded at the time of the sale. 5. A dealer shall not sell in this State a vehicle that is the subject of a cancellation of sale pursuant to this section if the dealer has submitted an application for a certificate of title pursuant to subsection 2 until the dealer receives the certificate of title from the Department. 6. A dealer must retain a written return agreement to cancel the sale of a vehicle entered into pursuant to subsection 1 with the sales records related to the sale between the dealer and purchaser. 7. The cancellation of the sale of a vehicle pursuant to a written return agreement entered into pursuant to subsection 1 does not negate the fact that the vehicle has been the subject of a previous retail sale. 8. Nothing in this section shall be construed to prohibit the Department from reviewing an application for a certificate of title submitted pursuant to subsection 2 for the accuracy and completeness of any information contained therein, or conduct any necessary investigations before issuing a certificate of title. (Added to NRS by 2023, 2924)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.262 - Application by lienholder for title to certain abandoned recreational vehicles: Requirements of lienholder; duties of Department; fee; regulations.

1. A person who holds a lien on an abandoned recreational vehicle pursuant to NRS 108.270 may apply to the Department for title to the abandoned recreational vehicle upon the expiration of: (a) Thirty days after the date on which the owner of the property where the abandoned recreational vehicle is located mails the registered or certified letter pursuant to paragraph (a) of subsection 1 of NRS 108.2723, if such a letter is required; or (b) Thirty days after the date of publication of the notice required by paragraph (b) of subsection 1 of NRS 108.2723, whichever is later. 2. An application for title to an abandoned recreational vehicle must contain: (a) A completed application form prescribed by the Department; (b) Proof that the letter required by paragraph (a) of subsection 1 of NRS 108.2723 was mailed at least 30 days before the submission of the application or, if no letter was sent, a detailed explanation of the steps taken to identify an owner of the abandoned recreational vehicle; (c) Proof that notice was printed in a newspaper as required by paragraph (b) of subsection 1 of NRS 108.2723 at least 30 days before the submission of the application; (d) A clear and accurate photograph of the abandoned recreational vehicle; and (e) The serial number, vehicle identification number, registration number or any other identifying information relating to the abandoned recreational vehicle. 3. The Department may charge and collect a fee for issuing a certificate of title pursuant to this section, which must be the fee established by law for the Department to issue the certificate of title. 4. Upon receipt of the materials and information required in subsection 2 and any fees required pursuant to subsection 3, the Department shall enter the application upon the records of its office and issue the certificate of title for the abandoned recreational vehicle. 5. A person to whom a certificate of title is issued pursuant to this section is not required to provide consideration for the recreational vehicle to the owner of the recreational vehicle. 6. The Department may adopt any regulations necessary to carry out the provisions of this section. (Added to NRS by 2015, 1514)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.265 - License plates issued upon registration; stickers, tabs or other devices issued upon renewal of registration; return of plates; fee for and limitations on issuance of special license plates.

1. The Department shall furnish to every owner whose vehicle is registered two license plates for a motor vehicle other than a motorcycle or moped and one license plate for all other vehicles required to be registered hereunder. Except as otherwise provided in NRS 482.2085 and 482.2155, upon renewal of registration, the Department may issue one or more license plate stickers, tabs or other suitable devices in lieu of new license plates. 2. The Director shall have the authority to require the return to the Department of all number plates upon termination of the lawful use thereof by the owner under this chapter. 3. Except as otherwise specifically provided by statute, for the issuance of each special license plate authorized pursuant to this chapter: (a) The fee to be received by the Department for the initial issuance of the special license plate is \$35, exclusive of any additional fee which may be added to generate funds for a particular cause or charitable organization; (b) The fee to be received by the Department for the renewal of the special license plate is \$10, exclusive of any additional fee which may be added to generate financial support for a particular cause or charitable organization; and (c) The Department shall not design, prepare or issue a special license plate unless, within 4 years after the date on which the measure authorizing the issuance becomes effective, it receives at least 250 applications for the issuance of that plate. 4. The provisions of subsection 3 do not apply to NRS 482.37901. [Part 12:202:1931; A 1949, 45; 1953, 106; 1955, 582]—(NRS A 1959, 862; 1961, 129; 1963, 224, 1126; 1997, 2996; 2009, 395; 2013, 2548; 2015, 1752, 2815; 2017, 416; 2019, 185; 2021, 682; 2023, 1878)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2655 - Department not to issue special license plates for certain older motor vehicles within 90 days after failed emissions test.

1. If, with respect to a motor vehicle that is required to comply with the provisions of NRS 445B.700 to 445B.815, inclusive, and the

regulations adopted pursuant thereto, an authorized inspection station or authorized station tests the emissions from the motor vehicle and the motor vehicle fails the emissions test, the Department shall not issue a special license plate for that vehicle pursuant to NRS 482.381, 482.3812, 482.3814 or 482.3816 for a period of 90 days after the motor vehicle fails the emissions test. 2. As used in this section: (a) "Authorized inspection station" has the meaning ascribed to it in NRS 445B.710. (b) "Authorized station" has the meaning ascribed to it in NRS 445B.720. (c) "Fails the emissions test" means that a motor vehicle does not comply with the applicable provisions of NRS 445B.700 to 445B.815, inclusive, and the regulations adopted pursuant thereto. (Added to NRS by 2011, 1526)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.266 - Manufacture of license plates substantially similar to license plates issued before January 1, 1982: Written request; fee; delivery; duties of Department; retention of old plates authorized if requested plates contain same letters and numbers.

1. A person who desires to have regular or personalized license plates that are substantially in the same color and form as license plates manufactured before January 1, 1982, must: (a) Submit a written request for such license plates to the Department in a manner and form prescribed by the Department; and (b) In addition to all other applicable registration fees, licensing fees and governmental services taxes, pay the manufacturing fee prescribed by the Department. A person requesting license plates pursuant to this section must comply with all requirements for registration and licensing pursuant to this chapter. A request for license plates pursuant to this section does not, by itself, constitute a request for special license plates pursuant to subsection 3 of NRS 482.265. 2. After receiving a request and the full amount of the payment due for license plates requested pursuant to subsection 1, the Department shall manufacture the license plates using substantially the same process, dies and materials as were used to manufacture license plates before January 1, 1982. The Department shall deliver license plates requested pursuant to this section to a person who requests such license plates within 180 days after acceptance of the written request or after receipt of payment therefor, whichever occurs last. 3. The Department shall: (a) Prescribe, by regulation, a manner and form for submitting a written request pursuant to subsection 1. The form must include, without limitation, an indication of whether the requester desires to have the same letters and numbers on the license plates requested as are on the license plates that are registered to the requester at the time of the request. (b) Determine the cost of manufacturing a license plate pursuant to this section and prescribe a manufacturing fee, which must not exceed \$25, to defray the cost of manufacturing license plates pursuant to this section. The manufacturing fee must be: (1) Collected by the Department; (2) Deposited with the State Treasurer to the credit of the State Highway Fund; and (3) Allocated to the Revolving Account for the Issuance of Special License Plates created pursuant to NRS 482.1805 to defray the costs of manufacturing license plates pursuant to this section. 4. A person who requests license plates pursuant to this section may keep the license plates which are registered to him or her at the time of the request if the license plates requested contain the same letters and numbers as the license plates which are registered to the person at the time of the request. (Added to NRS by 1997, 1502; A 1999, 766, 767, 3328; 2001, 311; 2009, 1029; 2015, 2816; 2017, 416; 2023, 1878)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.267 - License plates: Production at facility of Department of Corrections; exception.

1. Except as otherwise provided in subsection 2, the Director shall utilize the facility for the production of license plates which is located at the Department of Corrections to produce all license plates required by the Department of Motor Vehicles. 2. The Director may contract with a vendor for the production of license plates which require technological or mechanical processes which are not available at the facility. (Added to NRS by 1987, 1022; A 2001, 2547; 2001 Special Session, 244; 2003, 289; 2019, 76)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.268 - License plates: Additional fee for issuance; creation of License Plate Production Account; uses; deposit of fee into Account.

1. In addition to any other applicable fee, there must be paid to the Department for each license plate issued for a motor vehicle, trailer or semitrailer, to defray the cost of producing the license plate: (a) A fee of 50 cents which must be deposited with the State Treasurer for credit to the Fund for Prison Industries; and (b) Such fee as may be determined by regulation of the Department, which must be deposited with the State Treasurer for credit to the License Plate Production Account. 2. The License Plate Production Account is hereby created in the State Highway Fund. The Account is a continuing account without reversion. Interest and income earned on money in the Account must be credited to the Account. The money in the Account must be used only to defray the cost of producing license plates, as described in subsection 1. (Added to NRS by 1987, 1022; A 2013, 2528)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.270 - License plates: General specifications; redesign.

1. Except as otherwise provided in this section or by specific statute, the Director shall order the redesign and preparation of motor vehicle license plates. 2. Except as otherwise provided in subsection 3, the Department may, upon the payment of all applicable fees, issue redesigned motor vehicle license plates. 3. The Department shall not issue redesigned motor vehicle license plates pursuant to this section to a person who was issued motor vehicle license plates before January 1, 1982, or pursuant to NRS 482.2155, 482.3747, 482.3763, 482.3783, 482.379 or 482.37901, without the approval of the person. 4. The Director may determine and vary

the size, shape and form and the material of which license plates are made, but each license plate must be of sufficient size to be plainly readable from a distance of 100 feet during daylight. All license plates must be treated to reflect light and to be at least 100 times brighter than conventional painted number plates. When properly mounted on an unlighted vehicle, the license plates, when viewed from a vehicle equipped with standard headlights, must be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet. 5. Every license plate must have displayed upon it: (a) The registration number, or combination of letters and numbers, assigned to the vehicle and to the owner thereof; (b) The name of this State, which may be abbreviated; (c) If issued for a calendar year, the year; and (d) Except as otherwise provided in NRS 482.2085, if issued for a registration period other than a calendar year, the month and year the registration expires. [Part 12:202:1931; A 1949, 45; 1953, 106; 1955, 582] + [1:131:1943; 1943 NCL § 4443.01] + [1:319:1953]—(NRS A 1960, 128; 1961, 130, 419; 1965, 1337; 1969, 340, 685, 1048; 1971, 51; 1973, 864; 1975, 698; 1977, 356, 1008; 1979, 94; 1981, 1550; 1989, 1151; 1991, 134; 1993, 1345, 1387; 1995, 568, 1659, 1664, 1665, 1668; 1997, 137, 174, 539, 1360, 1502, 1549, 2977, 2997, 3003, 3005, 3053; 1999, 455, 456, 2566; 2003, 3068; 2007, 322; 2013, 1474, 2548; 2015, 255, 996, 2816; 2019, 186; 2021, 683)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2703 - License plates: Samples; form; fee; penalty.

1. The Director may order the preparation of sample license plates which must be of the same design and size as regular license plates or license plates issued pursuant to NRS 482.384. The Director shall ensure that: (a) Each license plate issued pursuant to this subsection, regardless of its design, is inscribed with the word SAMPLE and an identical designation which consists of the same group of three numerals followed by the same group of three letters; and (b) The designation of numerals and letters assigned pursuant to paragraph (a) is not assigned to a vehicle registered pursuant to this chapter or chapter 706 of NRS. 2. The Director may order the preparation of sample license plates which must be of the same design and size as any of the special license plates issued pursuant to NRS 482.3667 to 482.3823, inclusive. The Director shall ensure that: (a) Each license plate issued pursuant to this subsection, regardless of its design, is inscribed with the word SAMPLE and the number zero in the location where any other numerals would normally be displayed on a license plate of that design; and (b) The number assigned pursuant to paragraph (a) is not assigned to a vehicle registered pursuant to this chapter or chapter 706 of NRS. 3. The Director may establish a fee for the issuance of sample license plates of not more than \$15 for each license plate. 4. A decal issued pursuant to NRS 482.271 may be displayed on a sample license plate issued pursuant to this section. 5. All money collected from the issuance of sample license plates must be deposited in the State Treasury for credit to the Motor Vehicle Fund. 6. A person shall not affix a sample license plate issued pursuant to this section to a vehicle. A person who violates the provisions of this subsection is guilty of a misdemeanor. (Added to NRS by 1995, 341; A 1997, 174, 1360, 1550, 2823, 3053; 1999, 157; 2007, 574; 2015, 659, 1942; 2017, 3563, 3572; 2019, 560, 897, 1481, 2521, 3087; 2021, 3736; 2023, 2694)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2705 - License plates: Passenger cars and trucks; duties of Director.

1. The Director shall order the preparation of vehicle license plates for passenger cars and trucks in the same manner as is provided for motor vehicles generally in NRS 482.270. 2. Except as otherwise provided by specific statute, the Director shall determine the combinations of letters and numbers which constitute the designations for license plates assigned to passenger cars and trucks. 3. Any license plate issued for a passenger car or truck before January 1, 1982, bearing a designation which is not in conformance with the system described in subsection 2 is valid during the period for which the plate was originally issued as well as during any extensions by stickers. (Added to NRS by 1981, 1549; A 1983, 1229; 1989, 1151; 1993, 1346, 2600; 1995, 715; 2007, 323; 2013, 2831; 2017, 417; 2023, 1879)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.271 - License plates: Decals; fees.

1. The Director shall order the preparation of decals which are adhesive strips treated to reflect light and designed to fit in the spaces reserved for the names of counties on vehicle license plates for passenger cars and trucks. Each decal must display the name of a county in prominent block lettering. 2. The decals described in subsection 1 may be purchased for display on license plates in the spaces reserved for them. They must be available for purchase upon request, in person or by mail, in every office where motor vehicle license plates may be purchased. 3. The fee for a decal is \$0.50, which must be deposited with the State Treasurer for credit to the Motor Vehicle Fund and allocated to the Department to defray the cost of manufacturing the decals. (Added to NRS by 1981, 1549; A 1983, 1229; 1989, 1615)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2715 - License plates: Registrant entitled to maintain code if continuously renewed; exceptions; issuance of replacement number plates with same code after expiration of registration; fee.

1. Unless the vehicle license plate is: (a) A special plate which the registrant is no longer eligible to display; or (b) A personalized plate, the code of which denotes that the registrant holds a public office which the registrant no longer holds, if a certificate of registration and vehicle license plate with a particular code are continuously renewed, the registrant is entitled to maintain that code

as long as the registrant desires to do so. 2. When any certificate of registration and vehicle license plate expires and remains expired for a continuous period longer than 18 months, the Department may issue, without notice to the previous registrant, replacement number plates which bear the same codes. An applicant for such replacement number plates must pay the usual registration fees and an application fee of \$25. (Added to NRS by 1981, 1550; A 1985, 926; 2017, 418)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2717 - License plates to be issued to automobile wreckers and operators of salvage pools.

The Department shall provide suitable plates for automobile wreckers and operators of salvage pools upon payment of a fee of \$12 for each set of plates. The Department shall not issue more than three sets of plates to a licensee. Such plates authorize the movement of vehicles in accordance with NRS 487.090 and 487.460. (Added to NRS by 1987, 1592)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.272 - License plates: Motorcycles and mopeds.

1. Each license plate for a motorcycle or moped may contain a number of characters, including numbers and letters, as determined necessary by the Director. Only one plate may be issued for a motorcycle or moped. 2. The Department shall ensure that the license plate for a moped is distinct in appearance from the license plate for a motorcycle. Such distinction may be provided by, without limitation, the size, color or design of the plate. A license plate produced pursuant to this subsection is not required to have displayed upon it the month and year the registration expires. (Added to NRS by 1973, 865; A 1975, 699; 2003, 459; 2013, 2549; 2015, 1753)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.274 - License plates: Trailers; duties of Director.

1. The Director shall order the preparation of vehicle license plates for trailers in the same manner provided for motor vehicles in NRS 482.270, except that a vehicle license plate prepared for a full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483 is not required to have displayed upon it the month and year the registration expires. 2. The Director shall order preparation of two sizes of vehicle license plates for trailers. The smaller plates may be used for trailers with a gross vehicle weight of less than 1,000 pounds. 3. The Director shall determine the registration numbers assigned to trailers. 4. Any license plates issued for a trailer before July 1, 1975, bearing a different designation from that provided for in this section, are valid during the period for which such plates were issued. 5. The Department shall not issue for a full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483 a special license plate available pursuant to NRS 482.3667 to 482.3823, inclusive. (Added to NRS by 1969, 1050; A 1971, 53; 1975, 700; 1979, 97; 1983, 812; 2007, 323; 2013, 2831; 2015, 660, 1943; 2017, 418, 3563, 3572; 2019, 561, 897, 1482, 2521, 3087; 2021, 3737; 2023, 1879, 2694)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.275 - License plates: Display.

1. The license plates for a motor vehicle other than a motorcycle, moped or motor vehicle being transported by a licensed vehicle transporter must be attached thereto, one in the rear and, except as otherwise provided in subsection 2, one in the front. The license plate issued for all other vehicles required to be registered must be attached to the rear of the vehicle. The license plates must be so displayed during the current calendar year or registration period. 2. If the motor vehicle was not manufactured to include a bracket, device or other contrivance to display and secure a front license plate, and if the manufacturer of the motor vehicle provided no other means or method by which a front license plate may be displayed upon and secured to the motor vehicle: (a) One license plate must be attached to the motor vehicle in the rear; and (b) The other license plate may, at the option of the owner of the vehicle, be attached to the motor vehicle in the front. 3. The provisions of subsection 2 do not relieve the Department of the duty to issue a set of two license plates as otherwise required pursuant to NRS 482.265 or other applicable law and do not entitle the owner of a motor vehicle to pay a reduced tax or fee in connection with the registration or transfer of the motor vehicle. If the owner of a motor vehicle, in accordance with the provisions of subsection 2, exercises the option to attach a license plate only to the rear of the motor vehicle, the owner shall: (a) Retain the other license plate; and (b) Insofar as it may be practicable, return or surrender both plates to the Department as a set when required by law to do so. 4. Every license plate must at all times be securely fastened to the vehicle to which it is assigned so as to prevent the plate from swinging and at a height not less than 12 inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible, and must be maintained free from foreign materials and in a condition to be clearly legible. 5. Any license plate which is issued to a vehicle transporter or a dealer, rebuilder or manufacturer may be attached to a vehicle owned or controlled by that person by a secure means. No license plate may be displayed loosely in the window or by any other unsecured method in any motor vehicle. [13:202:1931; 1931 NCL § 4435.12]—(NRS A 1959, 863; 1963, 1127; 1969, 686; 1983, 1000; 1987, 2079; 2005, 983; 2009, 395; 2015, 1753)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.276 - Farm license plate for implement of husbandry; application; fee; renewal.

Notwithstanding any provision of this chapter to the contrary: 1. Any agricultural user who wishes to operate or tow an implement

of husbandry which is designed to operate at a speed of 25 miles per hour or more on the highways of this State, to operate an implement of husbandry on a highway of this State with a posted speed limit greater than 35 miles per hour or to transport a nonmotorized implement of husbandry on the highways of this State must submit an application to the Motor Carrier Division of the Department and obtain from the Division a farm license plate. Each application must be made upon the appropriate form furnished by the Department. The application must include a nonrefundable fee of \$100 plus the fees required pursuant to NRS 482.268 and evidence satisfactory to the Department that the agricultural user is the holder of a policy of liability insurance which provides at least \$300,000 in coverage for bodily injury and property damage resulting from any single crash caused by the agricultural user while operating the implement of husbandry on the highways of this State. As soon as practicable after receiving the application, fee and evidence of insurance, the Department shall issue the farm license plate to the agricultural user to affix to the implement of husbandry. The farm license plate is not transferable and must be surrendered or returned to the Department within 60 days after a transfer of ownership or interest in the implement of husbandry occurs. 2. The Department shall suspend a farm license plate issued pursuant to subsection 1 and require the return of the license plate to the Department if the agricultural user is not the holder of a policy of liability insurance specified in subsection 1. The Department shall reissue the farm license plate only upon evidence satisfactory to the Department that the agricultural user is the holder of a policy of liability insurance which meets the requirements of subsection 1 and the payment of a nonrefundable fee of \$100 plus the fees required pursuant to NRS 482.268. 3. A farm license plate issued pursuant to subsection 1 must be displayed on the implement of husbandry in such a manner that the license plate is easily visible from the rear of the implement of husbandry. If the farm license plate is lost or destroyed, the Department may issue a duplicate number plate upon the payment of the fees required pursuant to NRS 482.268. 4. Any motorized implement of husbandry designed to operate at a speed of 25 miles per hour or less and which is operated on the highways of this State must display a farm license plate issued pursuant to subsection 1 or a reflective placard for slow-moving vehicles that is approved for such use by the United States Department of Transportation. 5. Any nonmotorized implement of husbandry transported on the highways of this State must be transported in combination with a properly registered motor vehicle or a motorized implement of husbandry which displays a farm license plate issued pursuant to subsection 1 or a reflective placard for slow-moving vehicles that is approved for such use by the United States Department of Transportation. 6. If an implement of husbandry displays a reflective placard for slow-moving vehicles as authorized by subsection 4 or 5, the placard must be displayed on the rear of the implement of husbandry as near as practicable to the center of the implement of husbandry, must be entirely visible in daylight and must be visible at night from all distances between 100 feet and 600 feet from the rear when directly in front of lawful upper-beam headlamps. The display of such a placard is in addition to any warning device otherwise required by chapters 484A to 484E, inclusive, of NRS, including, without limitation, any tail lamps, reflectors, flashing lights or warning flags. A placard displayed pursuant to this section must not be used as a clearance marker for wide equipment. 7. Notwithstanding any provision of chapter 445B of NRS to the contrary, an agricultural user is not required to obtain a certificate of compliance or vehicle inspection report concerning the control of emissions from an implement of husbandry before obtaining a farm license plate for or operating the implement of husbandry pursuant to this section. 8. As used in this section: (a) "Agricultural user" means any person who owns or operates an implement of husbandry specified in subsection 1 for an agricultural use. As used in this subsection, "agricultural use" has the meaning ascribed to it in NRS 361A.030. (b) "Implement of husbandry" has the meaning ascribed to it in NRS 484D.020. (Added to NRS by 2011, 1935; A 2015, 1117, 1625; 2017, 418)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.280 - Expiration and renewal of registration. [Effective through December 31, 2026.] Expiration and renewal of registration. [Effective January 1, 2027.]

1. Except as otherwise provided in NRS 482.2155, the registration of every vehicle expires at midnight on the day specified on the receipt of registration, unless the day specified falls on a Saturday, Sunday or legal holiday. If the day specified on the receipt of registration is a Saturday, Sunday or legal holiday, the registration of the vehicle expires at midnight on the next judicial day. Except as otherwise provided in NRS 482.2085, the Department shall mail to each holder of a certificate of registration a notification for renewal of registration for the following period of registration. The notifications must be mailed by the Department in sufficient time to allow all applicants to mail the notifications to the Department or to renew the certificate of registration at a kiosk or authorized inspection station or via the Internet or an interactive response system and to receive new certificates of registration and license plates, stickers, tabs or other suitable devices by mail before the expiration of their registrations. An applicant may present or submit the notification to any agent or office of the Department. 2. A notification: (a) Mailed or presented to the Department or to a county assessor pursuant to the provisions of this section; (b) Submitted to the Department pursuant to NRS 482.294; or (c) Presented to an authorized inspection station or authorized station pursuant to the provisions of NRS 482.281, must include, if required, evidence of compliance with standards for the control of emissions. 3. The Department shall include with each notification mailed pursuant to subsection 1: (a) The amount of the governmental services tax to be collected pursuant to the provisions of NRS 482.260. (b) The amount set forth in a notice of nonpayment filed with the Department by a local authority pursuant to NRS 484B.527. (c) A statement which informs the applicant: (1) That, pursuant to NRS 485.185, the applicant is legally required to maintain insurance during the period in which the motor vehicle is registered which must be provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State; and (2) Of any other applicable requirements set forth in chapter 485 of NRS and any regulations adopted pursuant thereto. (d) A statement which informs the applicant that, if the applicant is required to report the mileage or any other information required by the

Department pursuant to NRS 482.2177, the applicant must submit to the Department the mileage shown on the odometer of the vehicle at the time of application for renewal and any other information required by the Department. (e) A statement which informs the applicant that, if the applicant renews a certificate of registration at a kiosk or via the Internet, he or she may make a nonrefundable monetary contribution of \$2 for each vehicle registration renewed for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c) of subsection 3 of NRS 482.215. The notification must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration. 4. An application for renewal of a certificate of registration submitted at a kiosk or via the Internet must include a statement which informs the applicant that he or she may make a nonrefundable monetary contribution of \$2, for each vehicle registration which is renewed at a kiosk or via the Internet, for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c) of subsection 3 of NRS 482.215. The application must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration, and must include a method by which the applicant must indicate his or her intention to opt in or opt out of making such a contribution. 5. Except as otherwise provided in NRS 482.2918, an owner who has made proper application for renewal of registration before the expiration of the current registration but who has not received the license plate or plates or card of registration for the ensuing period of registration is entitled to operate or permit the operation of that vehicle upon the highways upon displaying thereon the license plate or plates issued for the preceding period of registration for such a time as may be prescribed by the Department as it may find necessary for the issuance of the new plate or plates or card of registration. [14:202:1931; A 1953, 330]—(NRS A 1959, 912; 1960, 100; 1963, 224, 1127; 1969, 686; 1971, 1553; 1975, 334, 1793; 1977, 924; 1979, 1820; 1981, 1694, 1695; 1983, 1619; 1985, 679; 1987, 1086, 2145; 1989, 505, 1872, 1874; 1991, 1914; 1993, 2201, 2860; 1995, 727, 728, 2359, 2730; 1997, 131, 625; 2001, 312, 2781; 2009, 1357, 2197; 2013, 2815; 2015, 1754, 2818; 2017, 977; 2019, 187, 3004; 2023, 1880) 1. Except as otherwise provided in NRS 482.2155, the registration of every vehicle expires at midnight on the day specified on the receipt of registration, unless the day specified falls on a Saturday, Sunday or legal holiday. If the day specified on the receipt of registration is a Saturday, Sunday or legal holiday, the registration of the vehicle expires at midnight on the next judicial day. Except as otherwise provided in NRS 482.2085, the Department shall mail to each holder of a certificate of registration a notification for renewal of registration for the following period of registration. The notifications must be mailed by the Department in sufficient time to allow all applicants to mail the notifications to the Department or to renew the certificate of registration at a kiosk or authorized inspection station or via the Internet or an interactive response system and to receive new certificates of registration and license plates, stickers, tabs or other suitable devices by mail before the expiration of their registrations. An applicant may present or submit the notification to any agent or office of the Department. 2. A notification: (a) Mailed or presented to the Department or to a county assessor pursuant to the provisions of this section; (b) Submitted to the Department pursuant to NRS 482.294; or (c) Presented to an authorized inspection station or authorized station pursuant to the provisions of NRS 482.281, must include, if required, evidence of compliance with standards for the control of emissions. 3. The Department shall include with each notification mailed pursuant to subsection 1: (a) The amount of the governmental services tax to be collected pursuant to the provisions of NRS 482.260. (b) The amount set forth in a notice of nonpayment filed with the Department by a local authority pursuant to NRS 484B.527. (c) A statement which informs the applicant: (1) That, pursuant to NRS 485.185, the applicant is legally required to maintain insurance during the period in which the motor vehicle is registered which must be provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State; and (2) Of any other applicable requirements set forth in chapter 485 of NRS and any regulations adopted pursuant thereto. (d) A statement which informs the applicant that, if the applicant renews a certificate of registration at a kiosk or via the Internet, he or she may make a nonrefundable monetary contribution of \$2 for each vehicle registration renewed for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c) of subsection 3 of NRS 482.215. The notification must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration. 4. An application for renewal of a certificate of registration submitted at a kiosk or via the Internet must include a statement which informs the applicant that he or she may make a nonrefundable monetary contribution of \$2, for each vehicle registration which is renewed at a kiosk or via the Internet, for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c) of subsection 3 of NRS 482.215. The application must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration, and must include a method by which the applicant must indicate his or her intention to opt in or opt out of making such a contribution. 5. Except as otherwise provided in NRS 482.2918, an owner who has made proper application for renewal of registration before the expiration of the current registration but who has not received the license plate or plates or card of registration for the ensuing period of registration is entitled to operate or permit the operation of that vehicle upon the highways upon displaying thereon the license plate or plates issued for the preceding period of registration for such a time as may be prescribed by the Department as it may find necessary for the issuance of the new plate or plates or card of registration. [14:202:1931; A 1953, 330]—(NRS A 1959, 912; 1960, 100; 1963, 224, 1127; 1969, 686; 1971, 1553; 1975, 334, 1793; 1977, 924; 1979, 1820; 1981, 1694, 1695; 1983, 1619; 1985, 679; 1987, 1086, 2145; 1989, 505, 1872, 1874; 1991, 1914; 1993, 2201, 2860; 1995, 727, 728, 2359, 2730; 1997, 131, 625; 2001, 312, 2781; 2009, 1357, 2197; 2013, 2815; 2015, 1754, 2818; 2017, 977; 2019, 187, 3004; 2023, 1880, effective January 1, 2027)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2805 - Department not to renew registration if notice of nonpayment has been filed with Department by certain entities; exceptions; fee for service of certain fees, penalties, fines or other charges performed by Department.

1. Except as otherwise provided in subsection 3, the Department of Motor Vehicles shall not renew the registration of a motor vehicle if a local authority has filed with the Department of Motor Vehicles a notice of nonpayment pursuant to NRS 484B.527, or if the Department of Transportation or a private partner under a public-private partnership has filed a notice of nonpayment pursuant to section 42 of the Boulder City Bypass Toll Road Demonstration Project Act, unless, at the time for renewal of the registration, the registered owner of the motor vehicle provides to the Department of Motor Vehicles a receipt issued by the local authority pursuant to NRS 482.2807, or a receipt issued by the Department of Transportation or a private partner under a public-private partnership. 2. If the registered owner provides a receipt to the Department of Motor Vehicles pursuant to subsection 1 and complies with the other requirements of this chapter, the Department of Motor Vehicles shall renew the registration of the motor vehicle. 3. The Department of Motor Vehicles shall renew the registration of a motor vehicle owned by a short-term lessor for which the Department of Motor Vehicles has received a notice of nonpayment pursuant to NRS 484B.527 or section 42 of the Boulder City Bypass Toll Road Demonstration Project Act without requiring the short-term lessor to provide a receipt pursuant to subsection 1 if the short-term lessor submits to the Department of Motor Vehicles a certificate issued by a local authority, the Department of Transportation or a private partner under a public-private partnership pursuant to subsection 4. 4. A local authority, the Department of Transportation or a private partner under a public-private partnership shall, upon request, issue to a short-term lessor a certificate which requires the Department of Motor Vehicles to renew the registration of a motor vehicle owned by the short-term lessor without requiring the short-term lessor to provide a receipt pursuant to subsection 1 if the short-term lessor provides the local authority, the Department of Transportation or a private partner under a public-private partnership with the name, address and number of the driver's license of the short-term lessee who was leasing the vehicle at the time of the violation. 5. Upon the request of the registered owner of a motor vehicle, the Department of Motor Vehicles shall provide a copy of the notice of nonpayment filed with the Department of Motor Vehicles by the local agency pursuant to NRS 484B.527 or the Department of Transportation or a private partner under a public-private partnership pursuant to section 42 of the Boulder City Bypass Toll Road Demonstration Project Act. 6. If the registration of a motor vehicle that is identified in a notice of nonpayment filed with the Department of Motor Vehicles by a local authority pursuant to NRS 484B.527 or the Department of Transportation or a private partner under a public-private partnership pursuant to section 42 of the Boulder City Bypass Toll Road Demonstration Project Act is not renewed for two consecutive periods of registration, the Department of Motor Vehicles shall delete any records maintained by the Department of Motor Vehicles concerning that notice. 7. The Department of Motor Vehicles may require a local authority to pay a fee for the creation, maintenance or revision of a record of the Department of Motor Vehicles concerning a notice of nonpayment filed with the Department of Motor Vehicles by the local authority pursuant to NRS 484B.527. The Department of Motor Vehicles may require the Department of Transportation or a private partner under a public-private partnership to pay a fee for the creation, maintenance or revision of a record of the Department of Motor Vehicles concerning a notice of nonpayment filed with the Department of Motor Vehicles by the Department of Transportation or a private partner under a public-private partnership pursuant to section 42 of the Boulder City Bypass Toll Road Demonstration Project Act. The Department of Motor Vehicles shall, by regulation, establish any fee required by this subsection. Any fees collected by the Department pursuant to this subsection must be: (a) Deposited with the State Treasurer for credit to the Motor Vehicle Fund; and (b) Allocated to the Department to defray the cost of carrying out the provisions of this section. (Added to NRS by 1995, 2358; A 1997, 463; 2011, 2918)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2807 - Requirements for registration if local government has filed notice of nonpayment pursuant to NRS 484B.527.

If a local authority files with the Department a notice of nonpayment pursuant to NRS 484B.527 and the registered owner of the motor vehicle for which the Department received the notice pays to the local authority each civil penalty or criminal fine or other charge imposed by the local authority against the registered owner for a violation of: 1. The provisions of NRS 484B.440 to 484B.523, inclusive; or 2. An ordinance of the local authority authorized by chapters 484A to 484E, inclusive, of NRS that covers the same subject matter as the provisions of NRS 484B.440 to 484B.523, inclusive, the local authority shall issue to the registered owner a receipt which indicates that the penalty, fine or charge has been paid. (Added to NRS by 1995, 2359; A 1997, 465)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.281 - Authority of Department of Motor Vehicles to allow authorized inspection station or authorized station to renew certificates of registration; adoption of regulations.

1. The Department may allow an authorized inspection station or authorized station to renew certificates of registration for motor vehicles. 2. The Department shall not issue a license to an authorized inspection station or authorized station to renew certificates of registration if that station has committed any of the violations set forth in NRS 445B.790. 3. An authorized inspection station or authorized station shall not renew a certificate of registration for a motor vehicle unless the station has issued a certificate of emissions compliance for that vehicle. 4. The Department shall establish bonding and surety requirements for an authorized inspection station or authorized station that is authorized to renew certificates of registration. Each such station shall obtain the equipment necessary for the operation of the station, as determined by the Department, and pay the costs of any audit required by

the Department. 5. The Department shall adopt regulations necessary to carry out the provisions of this section. The regulations must include, without limitation: (a) The requirements for licensing an authorized inspection station or authorized station to renew certificates of registration; and (b) The compensation an authorized inspection station or authorized station is entitled to receive for the renewal of a certificate of registration. 6. As used in this section: (a) "Authorized inspection station" has the meaning ascribed to it in NRS 445B.710. (b) "Authorized station" has the meaning ascribed to it in NRS 445B.720. (Added to NRS by 1991, 1913; A 1993, 2861; 2001, 700)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.283 - Change of name or place of residence: Notice to Department required; timing and contents of notice.

Each holder of a valid registration, upon changing his or her name or place of residence, shall notify the Department of the change within 30 days after the change and shall include in the notice both the old and new names and residence addresses. (Added to NRS by 1959, 916; A 1960, 101; 2003, 375)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.285 - Certificates, decals and number plates: Illegibility, loss, mutilation or theft; obtaining of duplicates or substitutes; fees and taxes.

1. If any certificate of registration or certificate of title is lost, mutilated or illegible, the person to whom it was issued shall immediately make application for and obtain a duplicate or substitute therefor upon furnishing information satisfactory to the Department and upon payment of the required fees. An applicant who is unable to furnish information satisfactory to the Department that the applicant is entitled to a duplicate or substitute certificate of title pursuant to this subsection may obtain a new certificate of title pursuant to the provisions of NRS 482.2605. 2. If any license plate or plates or any decal is lost, mutilated or illegible, the person to whom it was issued shall immediately make application for and obtain: (a) A duplicate number plate or a substitute number plate; (b) A substitute decal; or (c) A combination of both (a) and (b), as appropriate, upon furnishing information satisfactory to the Department and payment of the fees required by NRS 482.500. 3. If any license plate or plates or any decal is stolen, the person to whom it was issued shall immediately make application for and obtain: (a) A substitute number plate; (b) A substitute decal; or (c) A combination of both (a) and (b), as appropriate, upon furnishing information satisfactory to the Department and payment of the fees required by NRS 482.500. 4. The Department shall issue duplicate number plates or substitute number plates and, if applicable, a substitute decal, if the applicant: (a) Returns the mutilated or illegible plates to the Department or signs a declaration that the plates were lost, mutilated or illegible; and (b) Complies with the provisions of subsection 6. 5. The Department shall issue substitute number plates and, if applicable, a substitute decal, if the applicant: (a) Signs a declaration that the plates were stolen; and (b) Complies with the provisions of subsection 6. 6. Except as otherwise provided in this subsection, an applicant who desires duplicate number plates or substitute number plates must make application for renewal of registration. Except as otherwise provided in subsection 8 or 9 of NRS 482.260, credit must be allowed for the portion of the registration fee and governmental services tax attributable to the remainder of the current registration period. In lieu of making application for renewal of registration, an applicant may elect to make application solely for: (a) Duplicate number plates or substitute number plates, and a substitute decal, if the previous license plates were lost, mutilated or illegible; or (b) Substitute number plates and a substitute decal, if the previous license plates were stolen. 7. An applicant who makes the election described in subsection 6 retains the current date of expiration for the registration of the applicable vehicle and is not, as a prerequisite to receiving duplicate number plates or substitute number plates or a substitute decal, required to: (a) Submit evidence of compliance with controls over emission; or (b) Pay the registration fee and governmental services tax attributable to a full period of registration. [18:202:1931; 1931 NCL § 4435.17]—(NRS A 1975, 132; 1977, 358; 1985, 29; 1991, 193, 2312; 2001, 312; 2003, 375; 2013, 2832; 2015, 1755; 2017, 2750; 2023, 593)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.290 - Assignment and recording of new vehicle identification number if old number has been falsely attached, removed, defaced, altered or obliterated; authority of Department; fee; penalty for certain acts committed with intent to defraud.

1. The Department is authorized to assign a distinguishing number to any motor vehicle or trailer whenever the vehicle identification number thereon has been falsely attached, removed, defaced, altered or obliterated, and any motor vehicle or trailer to which there is assigned a distinguishing number as authorized in this section shall be registered under such distinguishing number. 2. The Department shall collect a fee of \$2 for the assignment and recording of each such vehicle identification number and for the assignment of distinguishing numbers pursuant to NRS 482.553. 3. The number by which a motor vehicle or trailer is registered shall be permanently stamped or attached to the vehicle. False attachment or willful removal, defacement, alteration or obliteration of such a number with intent to defraud is a gross misdemeanor. [8:202:1931; 1931 NCL § 4435.07]—(NRS A 1959, 214; 1965, 654; 1975, 64; 2007, 2362)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2912 - Additional requirements for registration of certain commercial motor vehicles by certain motor carriers; exceptions.

1. Except as otherwise provided in subsection 4, each motor carrier operating a commercial motor vehicle in intrastate commerce with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds must: (a) Register with the Federal Motor Carrier Safety Administration of the United States Department of Transportation and obtain a USDOT number issued by the United States Department of Transportation; (b) Display the USDOT number as required pursuant to 49 C.F.R. § 390.21 on each commercial motor vehicle with a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds operated by the motor carrier in intrastate commerce; and (c) Notify the Department of Motor Vehicles at the time of registration or renewal of registration of each such commercial motor vehicle of: (1) The USDOT number of the motor carrier; and (2) The name of the motor carrier responsible for the safety of the commercial motor vehicle. 2. A motor carrier operating a commercial motor vehicle which is registered in this State and is being used to transport hazardous material must, in addition to the requirements of chapter 459 of NRS: (a) Register with the Federal Motor Carrier Safety Administration and obtain a USDOT number issued by the United States Department of Transportation; (b) Display the USDOT number as required pursuant to 49 C.F.R. § 390.21 on each commercial motor vehicle used to transport hazardous material; and (c) Notify the Department of Motor Vehicles at the time of registration and renewal of registration of each such commercial motor vehicle of: (1) The USDOT number of the motor carrier; and (2) The name of the motor carrier responsible for the safety of the commercial motor vehicle. 3. A motor carrier must notify the Department of Motor Vehicles within 10 days after a change in the name of the motor carrier responsible for the safety of a commercial motor vehicle reported to the Department pursuant to subparagraph (2) of paragraph (c) of subsection 1 or subparagraph (2) of paragraph (c) of subsection 2. 4. The provisions of subsection 1 do not apply to a farm vehicle or a covered farm vehicle. 5. As used in this section: (a) "Covered farm vehicle" has the meaning ascribed to it in 49 C.F.R. § 390.5. (b) "Hazardous material" has the meaning ascribed to it in NRS 459.7024. (Added to NRS by 2017, 973)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2914 - Department to adopt certain regulations regarding out-of-service orders.

The Department shall adopt regulations which set forth each provision of 49 C.F.R. Parts 385 and 386 which, when a violation of the provision is the basis for a temporary prohibition against operation by a motor carrier, qualifies that temporary prohibition as an out-of-service order for the purposes of NRS 482.083. (Added to NRS by 2017, 974)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2916 - Certain motor carriers required to submit registration and renewal documents to Motor Carrier Division of Department.

An applicant for the registration or renewal of registration of any commercial motor vehicle who is required by any provision of NRS to register with the Federal Motor Carrier Administration and obtain a USDOT number from the United States Department of Transportation must submit the application to the Motor Carrier Division of the Department of Motor Vehicles. (Added to NRS by 2017, 974)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.2918 - Department may refuse renewal of registration of certain motor carriers; notice.

1. The Department may refuse to renew the registration of a commercial motor vehicle operating in intrastate commerce which is registered pursuant to this chapter and which has a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds if: (a) The motor carrier applying for renewal has not complied with the requirements of NRS 482.2912; or (b) The motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order. 2. The Department shall mail a notice to the holder of a certificate of registration for a commercial motor vehicle if the Department refuses to renew the registration pursuant to subsection 1. The notice must be mailed as soon as practicable after the Department refuses to renew the registration and must include, without limitation: (a) The reason for the refusal to renew the registration; (b) The name of the federal or state entity which issued the out-of-service order, if applicable; and (c) The procedure by which the holder of the certificate of registration for the commercial motor vehicle may renew the registration by providing evidence satisfactory to the Department that, as applicable: (1) The motor carrier operating the commercial motor vehicle has complied with the requirements of NRS 482.2912; or (2) The motor carrier responsible for the safety of the commercial motor vehicle is no longer subject to an out-of-service order. 3. A motor carrier applying for the renewal of the registration of a commercial motor vehicle who receives a notice pursuant to this section is not entitled to operate or permit operation of that commercial motor vehicle upon the highways as provided in subsection 5 of NRS 482.280 until the Department notifies the motor carrier that the registration of the commercial motor vehicle is renewed. (Added to NRS by 2017, 974)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.292 - "Document" defined.

As used in this section and NRS 482.293 and 482.294, unless the context otherwise requires, "document" means an application, notice, report, statement or other record relating to the issuance or renewal of a certificate of registration, or the issuance of a certificate of title, pursuant to this chapter. (Added to NRS by 2001, 2778; A 2003, 460, 1218)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.293 - Authority of Department of Motor Vehicles to establish program; validity of electronic submission or storage; adoption of regulations; required content of regulations; acceptance of gifts and grants.

1. The Department may establish a program for the electronic submission and storage of documents. 2. If the Department establishes a program pursuant to subsection 1: (a) An electronic submission or storage of documents that is carried out pursuant to the program with respect to a particular transaction is not valid unless all original documents required for the transaction pursuant to: (1) The provisions of 49 U.S.C. §§ 32701 et seq.; and (2) The provisions of any regulations adopted pursuant thereto, have been executed and submitted to the Department. (b) The Department shall adopt regulations to carry out the program. 3. The regulations required to be adopted pursuant to paragraph (b) of subsection 2 must include, without limitation: (a) The type of electronic transmission that the Department will accept for the program. (b) The process for submission of an application by a person who desires to participate in the program and the fee, if any, that must accompany the application for participation. (c) The criteria that will be applied by the Department in determining whether to approve an application to participate in the program. (d) The standards for ensuring the security and integrity of the process for issuance and renewal of a certificate of registration and a certificate of title, including, without limitation, the procedure for a financial and performance audit of the program. (e) The terms and conditions for participation in the program and any restrictions on the participation. (f) The contents of a written agreement that must be on file with the Department before a participant may submit a document by electronic means to the Department. Such written agreement must include, without limitation: (1) An assurance that each document submitted by electronic means contains all the information that is necessary to complete the transaction for which the document is submitted; (2) Certification that all the information contained in each document that is submitted by electronic means is truthful and accurate; (3) An assurance that the participant who submits a document by electronic means will maintain all information and records that are necessary to support the document; and (4) The signature of the participant who files the written agreement with the Department. (g) The conditions under which the Department may revoke the approval of a person to participate in the program, including, without limitation, failure to comply with this section and NRS 482.294 and the regulations adopted pursuant thereto. (h) The method by which the Department will store documents that are submitted to it by electronic means. (i) The required technology that is necessary to carry out the program. (j) Any other regulations that the Department determines necessary to carry out the program. (k) Procedures to ensure compliance with: (1) The provisions of 49 U.S.C. §§ 32701 et seq.; and (2) The provisions of any regulations adopted pursuant thereto, to the extent that such provisions relate to the submission and retention of documents used for the transfer of the ownership of vehicles. 4. The Department may accept gifts and grants from any source, including, without limitation, donations of materials, equipment and labor, for the establishment and maintenance of a program pursuant to this section. (Added to NRS by 2001, 2778; A 2003, 460, 1218; 2023, 1471)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.294 - Effect of approval by Department of Motor Vehicles for person to participate in program; waiver of requirement of signature of natural person; document submitted by electronic means deemed to be original document.

1. If the Department approves an application for a person to participate in a program established pursuant to NRS 482.293, that participant may submit, by electronic means, a document that is required to be submitted pursuant to this chapter for the issuance or renewal of a certificate of registration or a certificate of title. 2. If the signature of a natural person is required pursuant to this chapter on a document that is submitted by electronic means, the Department may waive that requirement if the participant complies with all requirements of this program. 3. Notwithstanding any other provision of law to the contrary, a document that is submitted by electronic means pursuant to subsection 1, if accepted by the Department, shall be deemed an original document in administrative proceedings, quasi-judicial proceedings and judicial proceedings. (Added to NRS by 2001, 2780; A 2003, 461, 1220; 2023, 1472)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.295 - Registration by short-term lessor: Proof of financial ability to respond to damages.

The Department or a registered dealer shall not register a vehicle intended to be leased by a short-term lessor until the owner demonstrates to the Department the owner's financial ability to respond to damages by providing evidence of insurance as that term is defined in NRS 485.034. [Part 6:202:1931; A 1943, 51; 1949, 511; 1953, 52]—(NRS A 1967, 705; 1969, 186; 1973, 770; 1975, 1071; 1987, 668; 1995, 1864, 2731; 1997, 662)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.300 - Short-term lessor must be licensed.

1. It is unlawful for any person to engage in the activities of a short-term lessor unless such person has been licensed pursuant to NRS 482.363. 2. A peer-to-peer car sharing program licensed pursuant to NRS 482C.295 and a shared vehicle owner, as defined in NRS 482C.200, shall not be deemed to be engaged in the activities of a short-term lessor. [Part 20:202:1931; 1931 NCL § 4435.19]—(NRS A 1967, 705; 1973, 771; 1975, 1072; 2021, 1853)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.305 - Short-term lessor not providing coverage jointly and severally liable with short-term lessee for certain damages;

notice to lessee of extent of coverage; dismissal of action against lessor if coverage provided.

1. The short-term lessor of a motor vehicle who permits the short-term lessee to operate the vehicle upon the highways, and who has not complied with NRS 482.295 insuring or otherwise covering the short-term lessee against liability arising out of his or her negligence in the operation of the rented vehicle in limits of not less than \$25,000 for any one person injured or killed and \$50,000 for any number more than one, injured or killed in any one crash, and against liability of the short-term lessee for property damage in the limit of not less than \$20,000 for one crash, is jointly and severally liable with the short-term lessee for any damages caused by the negligence of the latter in operating the vehicle and for any damages caused by the negligence of any person operating the vehicle by or with the permission of the short-term lessee, except that the foregoing provisions do not confer any right of action upon any passenger in the rented vehicle against the short-term lessor. This section does not prevent the introduction as a defense of contributory negligence to the extent to which this defense is allowed in other cases. 2. The policy of insurance, surety bond or deposit of cash or securities inures to the benefit of any person operating the vehicle by or with the permission of the short-term lessee in the same manner, under the same conditions and to the same extent as to the short-term lessee. 3. The insurance policy, surety bond or deposit of cash or securities need not cover any liability incurred by the short-term lessee of any vehicle to any passenger in the vehicle; but the short-term lessor before delivering the vehicle shall give to the short-term lessee a written notice of the fact that such a policy, bond or deposit does not cover the liability which the short-term lessee may incur on account of his or her negligence in the operation of the vehicle to any passenger in the vehicle. 4. When any suit or action is brought against the short-term lessor under this section, the judge before whom the case is pending shall hold a preliminary hearing in the absence of the jury to determine whether the short-term lessor has provided insurance or a surety bond or deposit of cash or securities covering the short-term lessee as required by subsection 1. Whenever it appears that the short-term lessor has provided insurance or a surety bond or deposit of cash or securities covering the short-term lessee in the required amount, the judge shall dismiss as to the short-term lessor the action brought under this section. [Part 20:202:1931; 1931 NCL § 4435.19]—(NRS A 1967, 705; 1973, 771; 1987, 669; 2015, 1626; 2017, 1339)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.307 - Short-term lessor prohibited from offering, arranging for or allowing use of paid driver.

It is unlawful for a short-term lessor to offer, arrange for or allow the use of a paid driver whether directly or through an affiliated person. (Added to NRS by 2011, 2658)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.308 - Discrimination by short-term lessor against member of Armed Forces prohibited; penalty.

1. No short-term lessor may: (a) Refuse to lease a vehicle to a member of the Armed Forces of the United States; or (b) Discriminate against such a person in the terms, conditions or privileges of the rental of a vehicle, because of that person's membership in the Armed Forces. 2. Any person who willfully violates any provision of subsection 1 is guilty of a misdemeanor. (Added to NRS by 1989, 619)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.310 - Type of license plate for leased vehicle.

The Department shall issue for every passenger motor vehicle leased by a short-term lessor the same type of number plates as the type of plates issued for private passenger vehicles. [Part 12:202:1931; A 1949, 45; 1953, 106; 1955, 582]—(NRS A 1967, 706)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.313 - Charging, collecting, reporting and remitting of certain fees in connection with lease of passenger car by short-term lessor; deposit of money into State General Fund; certain amounts excluded from calculation of fees; exemptions; duties of Executive Director of Department of Taxation.

1. Except as otherwise provided in subsection 8, upon the lease of a passenger car by a short-term lessor in this State, the short-term lessor shall charge and collect from the short-term lessee: (a) A governmental services fee of 10 percent of the total amount for which the passenger car was leased, excluding any taxes or other fees imposed by a governmental entity and the items described in subsection 7; and (b) Any fee required pursuant to NRS 244A.810 or 244A.860. The amount of each fee charged pursuant to this subsection must be indicated in the lease agreement. 2. The fees due from a short-term lessor to the Department of Taxation pursuant to subsection 1 are due on the last day of each calendar quarter. On or before the last day of the month following each calendar quarter, the short-term lessor shall: (a) File with the Department of Taxation, on a form prescribed by the Department of Taxation, a report indicating the total amount of each of the fees collected by the short-term lessor pursuant to subsection 1 during the immediately preceding calendar quarter; and (b) Remit to the Department of Taxation the fees collected by the short-term lessor pursuant to subsection 1 during the immediately preceding calendar quarter. 3. Except as otherwise provided in a contract made pursuant to NRS 244A.820 or 244A.870, the Department of Taxation shall deposit all money received from short-term lessors pursuant to the provisions of subsection 1 with the State Treasurer for credit to the State General Fund. 4. To ensure compliance with this section, the Department of Taxation may audit the records of a short-term lessor. 5. The provisions of this section do not limit or affect the payment of any taxes or fees imposed pursuant to the provisions of this chapter. 6. The Department of Motor

Vehicles shall, upon request, provide to the Department of Taxation any information in its records relating to a short-term lessor that the Department of Taxation considers necessary to collect the fees described in subsection 1. 7. For the purposes of charging and collecting the governmental services fee described in paragraph (a) of subsection 1, the following items must not be included in the total amount for which the passenger car was leased: (a) The amount of any fee charged and collected pursuant to paragraph (b) of subsection 1; (b) The amount of any charge for fuel used to operate the passenger car; (c) The amount of any fee or charge for the delivery, transportation or other handling of the passenger car; (d) The amount of any fee or charge for insurance, including, without limitation, personal accident insurance, extended coverage or insurance coverage for personal property; and (e) The amount of any charges assessed against a short-term lessee for damages for which the short-term lessee is held responsible. 8. The fee required pursuant to subsection 1 does not apply with respect to any passenger car leased by or on behalf of this State, its unincorporated agencies and instrumentalities or any county, city, district or other political subdivision of this State. 9. The Executive Director of the Department of Taxation shall: (a) Adopt such regulations as the Executive Director determines are necessary to carry out the provisions of this section; and (b) Upon the request of the Director of the Department of Motor Vehicles, provide to the Director of the Department of Motor Vehicles a copy of any record or report described in this section. (Added to NRS by 1993, 2111; A 1997, 824; 2001, 313, 2547, 3097; 2003, 1684, 2930; 2003, 20th Special Session, 296; 2007, 1594; 2008, 25th Special Session, 20; 2009, 2141; 2011, 2894; 2015, 3356)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.315 - Records of short-term lessor: Maintenance; availability; form; penalty; duties of Executive Director of Department of Taxation.

1. Every person engaged in business as a short-term lessor shall: (a) Maintain a record of the identity of each short-term lessee and the exact time the vehicle is the subject of such lease or in the possession of the short-term lessee; and (b) Make each such record available upon request to: (1) The Department of Taxation; (2) The Department of Motor Vehicles; and (3) A local government employee that requests the record in relation to compliance with local governmental ordinances or rules concerning local business licenses. 2. A person engaged in business as a short-term lessor may maintain the record required in this section electronically. Unless the Executive Director of the Department of Taxation provides by regulation for a different period, any such electronic record must be made available within 3 business days after a request of: (a) The Department of Taxation; (b) The Department of Motor Vehicles; or (c) A local government employee that requests the record in relation to compliance with local governmental ordinances or rules concerning local business licenses. 3. If the Executive Director of the Department of Taxation prescribes a form for the keeping of the record required in this section, the short-term lessor shall use the form. 4. It shall be a misdemeanor for any such short-term lessor to fail to make or possess or to refuse to make available the record required in this section. 5. The Executive Director of the Department of Taxation shall: (a) Adopt such regulations as the Executive Director determines are necessary to carry out the provisions of this section; and (b) Upon the request of the Director of the Department of Motor Vehicles, provide to the Director of the Department of Motor Vehicles a copy of any record described in this section. [21:202:1931; 1931 NCL § 4435.20]—(NRS A 1961, 130; 1967, 706; 2003, 1686; 2021, 377)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3151 - Definitions.

As used in NRS 482.3151 to 482.3159, inclusive, unless the context otherwise requires, the words and terms defined in NRS 482.31515 to 482.3153, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1989, 1618; A 2009, 2143)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31515 - "Authorized driver" defined.

"Authorized driver" means: 1. The short-term lessee of a passenger car. 2. The spouse of the short-term lessee, if that person is a licensed driver and satisfies any minimum age requirement of the short-term lessor. 3. The employer or coworker of the short-term lessee, if the employer or coworker is engaged in business activity with the lessee, is a licensed driver and satisfies any minimum age requirement of the short-term lessor. 4. Any person listed on a lease by the short-term lessor as an authorized driver. (Added to NRS by 1989, 1618)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3152 - "Estimated time for repair" defined.

"Estimated time for repair" means an estimate made in good faith of the reasonable number of hours of labor, or a fraction thereof, needed to repair the damaged parts of a passenger car. (Added to NRS by 1989, 1619)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31525 - "Estimated time for replacement" defined.

"Estimated time for replacement" means the number of hours of labor, or a fraction thereof, needed to replace the damaged parts of a passenger car as set forth in a guide for estimating damage caused by a crash generally used in the business of repair of cars and

commonly known as a "crash book." (Added to NRS by 1989, 1619; A 2015, 1627)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31527 - "Vehicle licensing costs" defined.

"Vehicle licensing costs" means: 1. The fees paid by a short-term lessor for the registration of, and the issuance of certificates of title for, the passenger cars leased by the short-term lessor, including, without limitation, fees for license plates and license plate decals, stickers and tabs, and inspection fees; and 2. The basic and supplemental governmental services taxes paid by the short-term lessor with regard to those passenger cars. (Added to NRS by 2009, 2140)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3153 - "Waiver of damages" defined.

"Waiver of damages" means an agreement by the short-term lessor not to hold a short-term lessee liable for any: 1. Portion of the damage or loss related to a leased passenger car. 2. Loss of use of the passenger car. 3. Charges for storage, impound, towing or administration. (Added to NRS by 1989, 1619)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31535 - Permissible agreements between lessor and lessee as to responsibility for damage to or loss of passenger car leased for short term; determination of fair market value.

1. Except as otherwise provided in NRS 482.3154, a short-term lessor and a short-term lessee of a passenger car may agree that the lessee will be responsible for: (a) Physical damage to the car, up to and including its fair market value, regardless of the cause of the damage. (b) Mechanical damage to the car, up to and including its fair market value, resulting from: (1) A crash; (2) An impact; or (3) Any other type of incident, that is caused by a deliberate or negligent act or omission on the part of the lessee. (c) Loss resulting from theft of the car, up to and including its fair market value, except that the lessee is presumed to have no liability for any loss resulting from theft if an authorized driver: (1) Has possession of the ignition key furnished by the lessor or establishes that the ignition key furnished by the lessor was not in the car at the time of the theft; and (2) Files an official report of the theft with an appropriate law enforcement agency within 24 hours after learning of the theft and cooperates with the lessor and the law enforcement agency in providing information concerning the theft. The lessor may rebut the presumption set forth in this paragraph by establishing that an authorized driver committed or aided and abetted the commission of the theft. (d) Physical damage to the car, up to and including its fair market value, resulting from vandalism occurring after or in connection with the theft of the car, except that the lessee has no liability for any damage resulting from vandalism if the lessee has no liability for theft pursuant to paragraph (c). (e) Physical damage to the car and loss of use of the car, up to \$2,500, resulting from vandalism not related to the theft of the car and not caused by the lessee. (f) Loss of use of the car if the lessee is liable for damage or loss. (g) Actual charges for towing and storage and impound fees paid by the lessor if the lessee is liable for damage or loss. (h) An administrative charge that includes the cost of appraisal and other costs incident to the damage, loss, loss of use, repair or replacement of the car. 2. For the purposes of this section, the fair market value must be determined in the customary market for the sale of the leased passenger car. (Added to NRS by 1989, 1619; A 2003, 980; 2009, 548; 2015, 1627)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3154 - Limitation on liability of short-term lessee concerning damage to or loss of leased passenger car; limitation of short-term lessor's loss under certain circumstances; limitation or exclusion of administrative charge.

1. The total amount of the short-term lessee's liability to the short-term lessor resulting from damage to a leased passenger car must not exceed the sum of the following: (a) The estimated cost for parts that the short-term lessor would have to pay to replace damaged parts. Any discount, price reduction or adjustment received by the lessor must be subtracted from the estimate to the extent not already incorporated in the estimate or promptly credited or refunded to the short-term lessee. (b) The estimated cost of labor to replace damaged parts of the passenger car, which must not exceed the product of: (1) The rate of labor usually paid by the lessor to replace parts of the type that were damaged; and (2) The estimated time for replacement. Any discount, price reduction or adjustment received by the short-term lessor must be subtracted from the estimate to the extent not already incorporated in the estimate or promptly credited or refunded to the lessee. (c) The estimated cost of labor to repair damaged parts of the passenger car, which must not exceed the lesser of: (1) The product of the rate for labor usually paid by the short-term lessor to repair parts of the type that were damaged and the estimated time for repair; or (2) The sum of the costs for estimated labor and parts determined pursuant to paragraphs (a) and (b) to replace the same parts. Any discount, price reduction or adjustment received by the short-term lessor must be subtracted from the estimate to the extent not already incorporated in the estimate or promptly credited or refunded to the lessee. (d) Except as otherwise provided in subsection 2, the loss of use of the leased passenger car, which must not exceed the product of: (1) The rate for the car stated in the short-term lessee's lease, excluding all optional charges; and (2) The total of the estimated time for replacement and the estimated time for repair. For the purpose of converting the estimated time for repair into the same unit of time in which the rate of the lease is expressed, a day shall be deemed to consist of 8 hours. (e) Actual charges for towing and storage and impound fees paid by the short-term lessor. 2. Under any of the circumstances described in NRS 482.3155, the short-term lessor's loss of use of the passenger car must not exceed the product of: (a) The rate for the car stated in the

short-term lessee's lease, excluding all optional charges; and (b) The period from the date of a crash to the date the car is ready to be returned to service if the lessor uses his or her best efforts to repair and return the car to service as soon as practicable. 3. An administrative charge pursuant to paragraph (h) of subsection 1 of NRS 482.31535 must not exceed: (a) Fifty dollars if the total estimated cost for parts and labor is more than \$100 and less than or equal to \$500. (b) One hundred dollars if the total estimated cost for parts and labor is more than \$500 and less than or equal to \$1,500. (c) One hundred and fifty dollars if the total estimated cost for parts and labor is more than \$1,500. No administrative charge may be imposed if the total estimated cost of parts and labor is \$100 or less. (Added to NRS by 1989, 1620; A 2003, 981; 2015, 1628)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31545 - Liability of authorized driver for damage occurring during operation of passenger car: Limitations.

1. The total amount of an authorized driver's liability to the short-term lessor, if any, for damage occurring during the operation of a passenger car by the driver must not exceed the amount of the short-term lessee's liability pursuant to NRS 482.3154. 2. The short-term lessor shall not recover from the short-term lessee and an authorized driver: (a) An amount that exceeds the lessee's liability pursuant to NRS 482.3154. (b) For any item pursuant to NRS 482.31535 to the extent that the lessor obtains recovery from any other person. 3. The provisions of this section apply to the maximum liability of a short-term lessee or an authorized driver to the short-term lessor resulting from damage to a passenger car and not to the liability of any other person. (Added to NRS by 1989, 1621)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3155 - Waiver of damages: Required provisions; limitation is void; exception.

Except as otherwise provided in NRS 482.31555: 1. Every waiver of damages must provide that the short-term lessee of a passenger car has no liability for any damage, loss or loss of use, or any cost incident thereto. 2. Every limitation, exception or exclusion to any waiver of damages is void and unenforceable. (Added to NRS by 1989, 1621)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31555 - Short-term lessor authorized to restrict applicability of waiver of damages under certain circumstances.

A short-term lessor may provide in a lease of a passenger car that a waiver of damages does not apply in the following circumstances: 1. Damage or loss resulting from an authorized driver's: (a) Intentional, willful, wanton or reckless conduct. (b) Operation of the car in violation of NRS 484C.110. (c) Towing or pushing with the car. (d) Operation of the car on an unpaved road if the damage or loss is a direct result of the road or driving conditions. 2. Damage or loss occurring when the passenger car is: (a) Used for hire. (b) Used in connection with conduct that constitutes a felony. (c) Involved in a speed test or contest or in driver training activity. (d) Operated by a person other than an authorized driver. (e) Operated in a foreign country or outside of the States of Nevada, Arizona, California, Idaho, Oregon and Utah, unless the lease expressly provides that the passenger car may be operated in other locations. 3. An authorized driver providing: (a) Fraudulent information to the short-term lessor. (b) False information to the lessor and the lessor would not have leased the passenger car if the lessor had received true information. 4. Damage or loss resulting from the theft of the passenger car if committed by an authorized driver or a person aided or abetted by an authorized driver. A theft is presumed to have been committed by a person other than an authorized driver or a person aided or abetted by an authorized driver if the short-term lessee of the car: (a) Has possession of the ignition key furnished by the lessor or establishes that the ignition key furnished by the lessor was not in the car at the time of the theft; and (b) Files an official report of the theft with an appropriate law enforcement agency within 24 hours after learning of the theft and cooperates with the lessor and the law enforcement agency in providing information concerning the theft. The lessor may rebut the presumption set forth in this subsection by establishing that an authorized driver committed or aided and abetted another person in the commission of the theft. (Added to NRS by 1989, 1621; A 2003, 982; 2009, 549)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3156 - Waiver of damages: Disclosure of certain information required.

A short-term lessor who offers or provides a waiver of damages for any consideration in addition to the rate for lease of a passenger car shall clearly and conspicuously disclose the following information in the lease or a holder in which the lease is placed and on a sign posted at the place where the lessee signs the lease: 1. The nature and extent of the short-term lessee's liability. 2. A statement that the short-term lessee's personal insurance policy may provide coverage for all or a portion of the lessee's potential liability. 3. A statement that the short-term lessee should consult with his or her insurer to determine the scope of insurance coverage. 4. A statement that the short-term lessee may purchase an optional waiver of damages to cover all liability subject to any exception that the short-term lessor includes and that is permitted by NRS 482.31555. 5. The charge for the waiver of damages. 6. A statement that Nevada law requires, with certain exceptions: (a) Any driver of a passenger car and any passenger 6 years of age or older who rides in the front or back seat of a passenger car to wear a safety belt if one is available for that seating position; and (b) Any passenger who is less than 2 years of age to be secured in a rear-facing child restraint system in the back seat of the motor vehicle pursuant to paragraph (b) of subsection 1 of NRS 484B.157. (Added to NRS by 1989, 1621; A 2021, 176)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS

482.31565 - Waiver of damages and optional insurance: Purchase as condition for lease prohibited; maximum charge based on value of vehicle; adjustment to reflect Consumer Price Index; advertisements; other prohibited practices.

1. A short-term lessor shall not require the purchase of a waiver of damages, optional insurance or any other optional good or service as a condition for the lease of a passenger car. 2. Except as otherwise provided in this subsection, a short-term lessor may sell a waiver of damages but shall charge: (a) Except as otherwise provided in paragraph (b), not more than \$22 per full or partial rental day or 24-hour rental period, as appropriate, for the waiver. The amount of the charge set forth in this paragraph must be adjusted for each fiscal year that begins on or after July 1, 2008, by adding to that amount the product of that amount multiplied by the percentage increase in the Consumer Price Index West Urban for All Urban Consumers (All Items) between the calendar year ending on December 31, 2005, and the calendar year immediately preceding the fiscal year for which the adjustment is made. The Department shall, on or before March 1 of each year, publish the adjusted amount for the next fiscal year on its website or otherwise make that information available to short-term lessors. (b) If the vehicle has a manufacturer's suggested retail price of more than \$60,000, not more than \$150 per full or partial rental day or 24-hour rental period, as appropriate, for the waiver. The monetary amounts set forth in this paragraph must be adjusted for each fiscal year that begins on or after July 1, 2021, by adding to each amount the product of that amount multiplied by the percentage increase in the Consumer Price Index West Urban for All Urban Consumers (All Items) between the calendar year ending on December 31, 2017, and the calendar year immediately preceding the fiscal year for which the adjustment is made. The Department shall, on or before March 1 of each year, publish the adjusted amounts for the next fiscal year on its Internet website or otherwise make that information available to short-term lessors. 3. A short-term lessor who disseminates an advertisement in the State of Nevada that contains a rate for the lease of a passenger car shall include in the advertisement a clearly readable statement of the charge for a waiver of damages and a statement that the waiver is optional. 4. A short-term lessor shall not engage in any unfair, deceptive or coercive conduct to induce a short-term lessee to purchase a waiver of damages, optional insurance or any other optional good or service, including, but not limited to, refusing to honor the lessee's reservation, limiting the availability of cars, requiring a deposit or debiting or blocking the lessee's credit card account for a sum equivalent to a deposit if the lessee declines to purchase a waiver, optional insurance or any other optional good or service. (Added to NRS by 1989, 1622; A 2001, 535; 2003, 982; 2007, 1596; 2019, 2222)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3157 - Restrictions on recovery for damages to leased car by placing block or processing charge on lessee's credit card; unfair, deceptive or coercive conduct prohibited.

1. A short-term lessor of a passenger car shall not seek to recover any portion of a claim arising out of damage to or loss of a leased passenger car by causing any block to be placed on the lessee's credit card account. 2. A short-term lessor of a passenger car shall not process a charge on a short-term lessee's credit card to pay for any damages to a passenger car leased by the lessee unless the lessor first: (a) Obtains the written consent of the lessee, on a form that is separate from the form for the lease, to pay for the damages by processing a charge on the lessee's credit card; (b) Inspects the vehicle upon its return to the lessor to verify the extent of the damages; and (c) Provides the lessee with a written estimate of the cost to repair the damages and the lessee provides the lessor with written authorization to pay for the damages by processing a charge on the lessee's credit card in an amount that does not exceed the amount of the written estimate. The lessee may waive the provisions of paragraph (c) if the inspection conducted pursuant to paragraph (b) indicates that the cost to repair the damages will not exceed \$500 and the lessee provides the lessor with written authorization to pay for the damages by processing a charge on the lessee's credit card in an amount that does not exceed \$500. 3. A short-term lessor of a passenger car shall not engage in any unfair, deceptive or coercive tactics in attempting to recover or in recovering on any claim arising out of damage to or loss of a passenger car. (Added to NRS by 1989, 1622; A 1991, 1333)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31575 - Advertisement of lease: Disclosure of certain information required; exception.

1. Except as otherwise provided in subsection 2, a short-term lessor shall advertise, quote and charge a rate for leasing a passenger car which includes the entire amount that a short-term lessee must pay to lease the car for the period to which the rate applies, except taxes, charges for mileage and any fees paid to airports, including, without limitation, any concession fees which the short-term lessor pays to do business at an airport and which the short-term lessor charges to the short-term lessee. 2. The requirements of subsection 1 do not apply to fees charged pursuant to paragraph (a) or (b) of subsection 1 of NRS 482.313 or additional charges imposed pursuant to subsection 1 of NRS 482.3158 which are included in the quotation of an estimated total price for the short-term lease or which are separately identified and clearly disclosed in the lease agreement. 3. If a short-term lessor states a rate for lease of a passenger car in a printed advertisement or in a quotation transmitted by computer or telephone or in person, the lessor shall clearly disclose in the advertisement or quotation the terms of any mileage conditions relating to the advertised or quoted rate, including, but not limited to, the amount of mileage and gas charges, the number of miles for which no charges will be imposed and a description of geographic driving limitations. (Added to NRS by 1989, 1622; A 2009, 2143)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3158 - Certain additional charges permissible under certain circumstances; disclosure of certain additional charges required; certain additional fees prohibited; further prohibitions.

1. The short-term lessor of a passenger car may impose an additional charge: (a) Based on reasonable age criteria established by the lessor. (b) For any item or a service provided if the short-term lessee could have avoided incurring the charge by choosing not to obtain or utilize the optional item or service. (c) For insurance and accessories requested by the lessee. (d) For service incident to the lessee's optional return of the passenger car to a location other than the location where the passenger car was leased. (e) For refueling the passenger car at the conclusion of the lease if the lessee did not return the passenger car with as much fuel as was in the fuel tank at the beginning of the lease. (f) For any authorized driver in addition to the short-term lessee but shall not, except as otherwise provided in this paragraph, charge more than \$10 per full or partial 24-hour period for such an additional authorized driver. The monetary amount set forth in this paragraph must be adjusted for each fiscal year that begins on or after July 1, 2008, by adding to that amount the product of that amount multiplied by the percentage increase in the Consumer Price Index West Urban for All Urban Consumers (All Items) between the calendar year ending on December 31, 2005, and the calendar year immediately preceding the fiscal year for which the adjustment is made. The Department shall, on or before March 1 of each year, publish the adjusted amount for the next fiscal year on its website or otherwise make that information available to short-term lessors. (g) To recover costs incurred by the short-term lessor as a condition of doing business, including, without limitation: (1) The short-term lessor's vehicle licensing costs; and (2) Concession, access and other fees imposed on the short-term lessor by an airport or other facility for the privilege of operating at the facility. (h) To recover any fees paid by the short-term lessor on behalf of the short-term lessee, including, without limitation, a customer facility charge imposed on the short-term lessee by an airport or other facility for the privilege of using the facility. 2. The short-term lessor of a passenger car that wishes to impose an additional charge pursuant to paragraph (g) or (h) of subsection 1: (a) Must, at the time the lease commences, provide the short-term lessee with a lease agreement which clearly discloses all charges for the entire lease, excluding charges that cannot be determined at the time the lease commences; and (b) Must: (1) At the time the short-term lessee makes the reservation for the short-term lease of the passenger car, provide a good faith estimate of the total of all charges for the entire lease, excluding mileage charges and charges for optional items that cannot be determined based upon the information provided by the short-term lessee; or (2) At the time the short-term lessor provides a price quote or estimate for the short-term lease of the passenger car, disclose the existence of any vehicle licensing costs and any other separately stated additional charge. 3. A short-term lessor shall not charge a short-term lessee, as a condition of leasing a passenger car, an additional fee for: (a) Any surcharges required for fuel. (b) Transporting the lessee to the location where the passenger car will be delivered to the lessee. 4. If a short-term lessor: (a) Delivers a passenger car to a short-term lessee at a location other than the location where the lessor normally carries on its business, the lessor shall not charge the lessee any amount for the period before the delivery of the passenger car. (b) Takes possession of a passenger car from a short-term lessee at a location other than the location where the lessor normally carries on its business, the lessor shall not charge the lessee any amount for the period after the lessee notifies the lessor to take possession of the passenger car. (Added to NRS by 1989, 1623; A 2001, 535; 2007, 1597; 2009, 2144)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31583 - Conditions for imposing additional charge; authorized and required actions relating to recovery of vehicle licensing costs; annual report to Department of Taxation.

1. A short-term lessor that wishes to impose an additional charge pursuant to NRS 482.3158 to recover its vehicle licensing costs must, not less than annually, make good faith estimates of: (a) Its vehicle licensing costs for the calendar year; and (b) The charge that must be imposed in each lease to recover those costs. 2. If the amount of money collected by a short-term lessor for the recovery of its vehicle licensing costs during a calendar year is different from the amount of those costs for that year, the short-term lessor shall: (a) Retain the amount collected; and (b) Adjust its estimate of its vehicle licensing costs and the charge that must be imposed on each lease to recover those costs for the immediately following calendar year by the amount of the difference. 3. This section does not prevent a short-term lessor from making adjustments in the amount of its charge to recover its vehicle licensing costs during the calendar year. 4. A short-term lessor shall annually report to the Department of Taxation: (a) The amount of the short-term lessor's vehicle licensing costs for the immediately preceding calendar year; and (b) The amount of money collected by the short-term lessor for the recovery of its vehicle licensing costs for the immediately preceding calendar year. (Added to NRS by 2009, 2141)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31585 - Action for damages and equitable relief; attorney's fees and costs.

A short-term lessee may bring an action against a short-term lessor for the recovery of damages and appropriate equitable relief for any violation of NRS 482.3151 to 482.3159, inclusive. The prevailing party is entitled to recover reasonable attorney's fees and costs. (Added to NRS by 1989, 1623)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3159 - Waiver of provisions is void.

A waiver of any of the provisions of NRS 482.3151 to 482.3159, inclusive, is contrary to public policy and is void and unenforceable. (Added to NRS by 1989, 1623)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS

482.316 - Legislative declaration; license issued to vehicle transporter revocable privilege.

The purpose of licensing vehicle transporters is to protect the public health and safety and the general welfare of the people of this State. Any license issued pursuant to NRS 482.316 to 482.3175, inclusive, is a revocable privilege and a holder of such a license does not acquire thereby any vested right. (Added to NRS by 1987, 2077; A 1997, 2069)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3161 - Licensing required; applicability of NRS 482.316 to 482.3175, inclusive.

1. A person shall not operate as a vehicle transporter in this State without a license issued by the Department. 2. The provisions of NRS 482.316 to 482.3175, inclusive, do not apply to a manufacturer, distributor, dealer, broker or rebuilder licensed pursuant to the provisions of NRS 482.318 to 482.363, inclusive. (Added to NRS by 1987, 2077; A 1989, 1422; 1995, 2365; 1997, 2069)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3163 - License: Application; fees; renewal; reinstatement. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] License: Application; fees; renewal; reinstatement. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An application for a license as a vehicle transporter must be accompanied by a fee of \$100, be submitted on forms supplied by the Department and include the social security number of the applicant. The forms must designate the persons whose names are required to appear on the forms. An additional fee for the processing of fingerprints must be submitted for each applicant for initial licensure. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. 2. The application for a license as a vehicle transporter must contain: (a) The applicant's name and address; and (b) Such other information as the Department requires. 3. Each applicant for initial licensure shall submit with the application: (a) A complete set of his or her fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and (b) If the applicant is a natural person, the statement required pursuant to NRS 482.31632. 4. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license as a vehicle transporter. 5. A license issued pursuant to this section expires on December 31 of each year. Before December 31 of each year, a licensee must submit to the Department, on forms supplied by the Department and in the manner specified by the Department, an application for renewal accompanied by an annual fee for renewal of \$50. If the applicant is a natural person, the application also must be accompanied by the statement required pursuant to NRS 482.31632. 6. A license that expires for failure to renew before December 31 may be reinstated upon submission to the Department of: (a) The application for renewal and the annual fee for renewal as required in subsection 5; (b) If the applicant is a natural person, the statement required pursuant to NRS 482.31632; and (c) A late fee of \$25. (Added to NRS by 1987, 2077; A 1991, 273; 1995, 284; 1997, 2069; 2017, 949) 1. An application for a license as a vehicle transporter must be accompanied by a fee of \$100 and be submitted on forms supplied by the Department. The forms must designate the persons whose names are required to appear thereon. An additional fee for the processing of fingerprints must be submitted for each applicant for initial licensure. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. 2. The application for a license as a vehicle transporter must contain: (a) The applicant's name and address; and (b) Such other information as the Department requires. Each applicant for initial licensure shall submit with the application a complete set of his or her fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. 3. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license as a vehicle transporter. 4. A license issued pursuant to this section expires on December 31 of each year. Before December 31 of each year, a licensee must submit to the Department, on forms supplied by the Department and in the manner specified by the Department, an application for renewal accompanied by an annual fee for renewal of \$50. 5. A license that expires for failure to renew before December 31 may be reinstated upon submission to the Department of: (a) The application for renewal and the annual fee for renewal as required in subsection 4; and (b) A late fee of \$25. (Added to NRS by 1987, 2077; A 1991, 273; 1995, 284; 1997, 2069; 2017, 949, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31632 - Payment of child support: Statement by applicant for license; grounds for denial of license; duty of Department. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for

withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. Except as otherwise provided in subsection 5, an applicant for the issuance or renewal of a license as a vehicle transporter shall submit to the Department the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant. 2. The Department shall include the statement required pursuant to subsection 1 in: (a) The application or any other forms that must be submitted for the issuance or renewal of the license; or (b) A separate form prescribed by the Department. 3. A license as a vehicle transporter may not be issued or renewed by the Department if the applicant: (a) Fails to submit the statement required pursuant to subsection 1; or (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order. 4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Department shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage. 5. If a licensee renews an existing license electronically, the licensee shall keep the original of the statement required pursuant to subsection 1 at his or her place of business for not less than 3 years after submitting the electronic renewal. The statement must be available during business hours for inspection by any authorized agent of the Director or the State of Nevada. (Added to NRS by 1997, 2067; A 2017, 949)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3165 - Fee for issuance of special license plate.

Each person who applies for a special license plate as a vehicle transporter shall pay at the time of application, in addition to any other fees specified in this chapter, a fee of \$25 for each plate. (Added to NRS by 1987, 2079)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3167 - Bond: Filing; form; deposit in lieu of bond.

1. Before any license as a vehicle transporter is issued or special license plate is assigned, the applicant shall procure and file with the Department a good and sufficient bond in the amount of \$100,000 with a corporate surety thereon, licensed to do business within the State of Nevada, approved as to form by the Attorney General, and conditioned that the applicant shall conduct business as a vehicle transporter without fraud or fraudulent representation, and without violation of the provisions of this chapter. 2. The bond must be continuous in form and the total aggregate liability on the bond must be limited to the payment of the total amount of the bond, but in no case may the amount of any judgment in an action on such a bond exceed the retail value of any vehicle in connection with which the action was brought. 3. The undertaking on the bond includes any fraud or fraudulent representation or violation of any of the provisions of this chapter by any employee of the licensee on behalf of the licensee and within the scope of his or her employment. 4. The bond must provide that any person injured by the action of the licensee or an employee of the licensee in violation of any provisions of this chapter may apply to the Director for compensation from the bond. The Director, for good cause shown and after notice and opportunity for hearing, may determine the amount of compensation and the person to whom it is to be paid. The surety shall then make the payment. 5. In lieu of the bond required by this section, an applicant may make a deposit with the Department that satisfies the requirements of NRS 482.346. (Added to NRS by 1987, 2078; A 1993, 2340)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3169 - Issuance of certificates of registration and special license plates to vehicle transporter.

1. Upon issuance of a license as a vehicle transporter pursuant to NRS 482.3163, the Department shall assign to the vehicle transporter one or more registration certificates and special license plates for use on motor vehicles being delivered in this State. Each plate must have displayed upon it suitable characters, as determined by the Department, to identify the vehicle as being operated by a vehicle transporter. The vehicle transporter's plates may be used interchangeably on transported vehicles. 2. The Department may issue to each vehicle transporter a reasonable number of registration certificates and license plates. (Added to NRS by 1987, 2078)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3171 - Movement of vehicle with special license plate authorized.

A vehicle transporter licensed pursuant to NRS 482.3163 may operate on the highways of this State any motor vehicle otherwise required to be registered pursuant to this chapter if there is displayed on the vehicle a special plate assigned to the vehicle transporter pursuant to NRS 482.3169. (Added to NRS by 1987, 2078)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3173 - Movement of vehicle without special license plate prohibited; restrictions on use of plates.

1. A vehicle transporter shall not operate any motor vehicle being transported by the vehicle transporter on the highways of this

State, or permit it to be so operated, unless a license plate assigned to the vehicle transporter is attached thereto in the manner specified in this chapter. 2. A vehicle transporter shall not: (a) Loan the license plates assigned to him or her to any other person; (b) Permit those license plates to be used by any other person or for a purpose other than permitted by NRS 482.316 to 482.3175, inclusive; or (c) Use those license plates on any vehicle in which he or she has any ownership interest. (Added to NRS by 1987, 2078)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3174 - Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license as a vehicle transporter, the Department shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. 2. The Department shall reinstate a license as a vehicle transporter that has been suspended by a district court pursuant to NRS 425.540 if the Department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. (Added to NRS by 1997, 2067)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3175 - Grounds for denial, suspension or revocation of license; hearing.

1. The Department may refuse to issue or suspend or revoke a license as a vehicle transporter upon any of the following grounds: (a) Conviction of a felony in the State of Nevada or any other state, territory or nation. (b) Material misstatement in the application for a license. (c) Evidence of unfitness of the applicant or licensee. (d) Willful failure to comply with the provisions of this chapter or the regulations adopted pursuant thereto, or any law relating to the operation of a motor vehicle. (e) Failure or refusal to furnish and keep in force any bond. (f) Failure of the licensee to maintain any other license required by any political subdivision of this State. (g) Knowingly having possession of a stolen motor vehicle or a motor vehicle with a manufacturer's identification number or other distinguishing number or identification mark which has been falsely attached, removed, defaced, altered or obliterated. (h) Loaning or permitting the improper use of any special license plate assigned to the vehicle transporter. 2. Any person whose application is denied or license is suspended or revoked pursuant to this section is entitled to a hearing as provided in NRS 482.353. (Added to NRS by 1987, 2079; A 2007, 2362)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31771 - Definitions.

As used in NRS 482.31771 to 482.31776, inclusive, unless the context otherwise requires, the words and terms defined in NRS 482.31772, 482.31773 and 482.31774 have the meanings ascribed to them in those sections. (Added to NRS by 1999, 1901)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31772 - "Consignee" defined.

"Consignee" means any person licensed pursuant to this chapter to sell or lease vehicles, or any person who holds himself or herself out as being in the business of selling, leasing or consigning vehicles. (Added to NRS by 1999, 1901)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31773 - "Consignment" defined.

"Consignment" means any transaction whereby the registered owner or lienholder of a vehicle subject to registration pursuant to this chapter agrees, entrusts or in any other manner authorizes a consignee to act as his or her agent to sell, exchange, negotiate or attempt to negotiate a sale or an exchange of the interest of the registered owner or lienholder in the vehicle, whether or not for compensation. (Added to NRS by 1999, 1901)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31774 - "Consignment contract" defined.

"Consignment contract" means a written agreement between a registered owner or lienholder of a vehicle and a consignee to whom the vehicle has been entrusted by consignment for the purpose of sale that specifies the terms and conditions of the consignment and sale. (Added to NRS by 1999, 1901)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31775 - Consignment contract: Required contents.

A consignment contract must include, without limitation: 1. The names of the consignor and consignee; 2. The date on which the consignment contract was entered into; 3. A complete description of the vehicle subject to the consignment contract, including the vehicle identification number, the year, make and model of the vehicle, and the number of miles registered on the odometer of the vehicle at the time that the consignment contract is entered into; 4. The term of the consignment contract; 5. The name of each person or business entity holding any security interest in the vehicle to be consigned; 6. The minimum sales price for the vehicle and the disposition of the proceeds therefrom, as agreed upon by the consignor and consignee; and 7. The signatures of the consignor and consignee acknowledging all the terms and conditions set forth in the consignment contract. (Added to NRS by 1999, 1901)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.31776 - Duties of consignee; trust account; disclosure statement; applicability of section; operation of vehicle subject to consignment contract; written log; prohibited acts; penalties.

1. A consignee of a vehicle shall, upon entering into a consignment contract or other form of agreement to sell a vehicle owned by another person: (a) Open and maintain a separate trust account in a federally insured bank, savings and loan association or savings bank that is located in this State, into which the consignee shall deposit all money received from a prospective buyer as a deposit, or as partial or full payment of the purchase price agreed upon, toward the purchase or transfer of interest in the vehicle. A consignee of a vehicle shall not: (1) Commingle the money in the trust account with any other money that is not on deposit or otherwise maintained toward the purchase of the vehicle subject to the consignment contract or agreement; or (2) Use any money in the trust account to pay his or her operational expenses for any purpose that is not related to the consignment contract or agreement. (b) Obtain from the consignor, before receiving delivery of the vehicle, a signed and dated disclosure statement that is included in the consignment contract and provides in at least 10-point bold type or font: **IMPORTANT NOTICE TO VEHICLE OWNERS** State law (NRS 482.31776) requires that the operator of this business file a Uniform Commercial Code 1 (UCC1) form with the Office of the Secretary of State on your behalf to protect your interest in your vehicle. The form is required to protect your vehicle from forfeiture in the event that the operator of this business fails to meet his or her financial obligations to a third party holding a security interest in his or her inventory. The form must be filed by the operator of this business before the operator may take possession of your vehicle. If the form is not filed as required, **YOU MAY LOSE YOUR VEHICLE THROUGH NO FAULT OF YOUR OWN.** For a copy of the UCC1 form filed on your behalf or for more information, please contact: The Office of the Secretary of State of Nevada Uniform Commercial Code Division (775) 684-7100 I understand and acknowledge the above disclosure.

..... Consignee Signature Date (c) Assist the consignor in completing, with respect to the consignor's purchase-money security interest in the vehicle, a financing statement of the type described in subsection 5 of NRS 104.9317 and shall file the financing statement with the Secretary of State on behalf of the consignor. If a consignee has previously granted to a third party a security interest with an after-acquired property clause in the consignee's inventory, the consignee additionally shall assist the consignor in sending a signed notification, as described in paragraph (b) of subsection 1 of NRS 104.9324, to each holder of a conflicting security interest. The consignee must not receive delivery of the vehicle until the consignee has: (1) Filed the financing statement with the Secretary of State; and (2) If applicable, assisted the consignor in sending an authenticated notification to each holder of a conflicting security interest. 2. Upon the sale or transfer of interest in the vehicle, the consignee shall forthwith: (a) Satisfy or cause to be satisfied all outstanding security interests in the vehicle; and (b) Satisfy the financial obligations due the consignor pursuant to the consignment contract. 3. Upon the receipt of money by delivery of cash, bank check or draft, or any other form of legal monetary exchange, or after any form of transfer of interest in a vehicle, the consignee shall notify the consignor that the money has been received or that a transfer of interest in the vehicle has occurred. Notification by the consignee to the consignor must be given in person or, in the absence of the consignor, by registered or certified mail addressed to the last address or residence of the consignor known to the consignee. The notification must be made within 3 business days after the date on which the money is received or the transfer of interest in the vehicle is made. 4. The provisions of this section do not apply to: (a) An executor; (b) An administrator; (c) A sheriff; (d) A salvage pool subject to the provisions of NRS 487.400 to 487.510, inclusive; or (e) Any other person who sells a vehicle pursuant to the powers or duties granted to or imposed on him or her by specific statute. 5.

Notwithstanding any provision of NRS 482.423 to 482.4245, inclusive, to the contrary, a vehicle subject to a consignment contract may not be operated by the consignee, an employee or agent of the consignee, or a prospective buyer in accordance with NRS 482.423 to 482.4245, inclusive, by displaying a temporary placard to operate the vehicle unless the operation of the vehicle is authorized by the express written consent of the consignor. 6. A vehicle subject to a consignment contract may not be operated by the consignee, an employee or agent of the consignee, or a prospective buyer in accordance with NRS 482.320 by displaying a special plate unless the operation of the vehicle is authorized by the express written consent of the consignor. 7. A consignee shall maintain a written log for each vehicle for which he or she has entered into a consignment contract. The written log must include: (a) The name and address, or place of residence, of the consignor; (b) A description of the vehicle consigned, including the year, make, model and serial or identification number of the vehicle; (c) The date on which the consignment contract is entered into; (d) The period that the vehicle is to be consigned; (e) The minimum agreed upon sales price for the vehicle; (f) The approximate amount of money due any lienholder or other person known to have an interest in the vehicle; (g) If the vehicle is sold, the date on which the vehicle is sold; (h) The date that the money due the consignor and the lienholder was paid; (i) The name and address of

the federally insured bank or savings and loan association in which the consignee opened the trust account required pursuant to subsection 1; and (j) The signature of the consignor acknowledging that the terms of the consignment contract were fulfilled or terminated, as appropriate. 8. A person who: (a) Appropriates, diverts or otherwise converts to his or her own use money in a trust account opened pursuant to paragraph (a) of subsection 1 or otherwise subject to a consignment contract or agreement is guilty of embezzlement and shall be punished in accordance with NRS 205.300. The court shall, in addition to any other penalty, order the person to pay restitution. (b) Violates paragraph (b) or (c) of subsection 1 is guilty of a misdemeanor. The court shall, in addition to any other penalty, order the person to pay restitution. (c) Violates any other provision of this section is guilty of a misdemeanor. (Added to NRS by 1999, 1901; A 2001, 912; 2003, 669; 2009, 1742; 2017, 950; 2023, 3251)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.318 - Legislative declaration.

The Legislature finds and declares that the distribution and sale of motor vehicles in the State of Nevada vitally affects the general economy of the State and the public interest and the public welfare, and in the exercise of its police power, it is necessary to regulate and to license motor vehicle manufacturers, distributors, new and used vehicle dealers, brokers, rebuilders, leasing companies, salespersons, and their representatives doing business in the State of Nevada in order to prevent frauds, impositions and other abuse upon its citizens. (Added to NRS by 1965, 1471; A 1971, 1302; 1995, 2365)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.319 - Statement regarding payment of child support by applicant for license; grounds for denial of license; duty of Department. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. Except as otherwise provided in subsection 5, a natural person who applies for the issuance or renewal of a license issued pursuant to the provisions of NRS 482.318 to 482.363105, inclusive, shall submit to the Department the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant. 2. The Department shall include the statement required pursuant to subsection 1 in: (a) The application or any other forms that must be submitted for the issuance or renewal of the license; or (b) A separate form prescribed by the Department. 3. A license may not be issued or renewed by the Department pursuant to the provisions of NRS 482.318 to 482.363105, inclusive, if the applicant is a natural person who: (a) Fails to submit the statement required pursuant to subsection 1; or (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order. 4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Department shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage. 5. If a licensee renews an existing license electronically, the licensee shall keep the original of the statement required pursuant to subsection 1 at his or her place of business for not less than 3 years after submitting the electronic renewal. The statement must be available during business hours for inspection by any authorized agent of the Director or the State of Nevada. (Added to NRS by 1997, 2068; A 2007, 3203)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3195 - Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license issued pursuant to NRS 482.318 to 482.363105, inclusive, the Department shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. 2. The Department shall reinstate a license issued pursuant to NRS 482.318 to 482.363105, inclusive, that has been suspended by a district court pursuant to NRS 425.540 if the Department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. (Added to NRS by 1997, 2068)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.320 - Manufacturers, distributors, dealers and rebuilders: Special plates required for movement of new and used vehicles; exceptions.

1. Except as otherwise provided in NRS 482.31776, a manufacturer, distributor, dealer or rebuilder who has an established place of business in this State and who owns or controls any new or used vehicle of a type otherwise required to be registered under the provisions of this chapter, may operate that vehicle or allow it to be operated for purposes of display, demonstration, maintenance, sale or exchange if there is displayed thereon a special plate or plates issued to the manufacturer, distributor, dealer or rebuilder as provided in NRS 482.275 and 482.330. Owners or officers of the corporation, managers, heads of departments and salespersons may be temporarily assigned and operate a vehicle displaying such plates. 2. The provisions of this section do not apply to: (a) Work or service vehicles owned or controlled by a manufacturer, distributor, dealer or rebuilder. (b) Vehicles leased by dealers, except vehicles rented or leased to vehicle salespersons in the course of their employment. (c) Vehicles which are privately owned by the owners, officers or employees of the manufacturer, distributor, dealer or rebuilder. (d) Vehicles which are being used for personal reasons by a person who is not licensed by the Department or otherwise exempted in subsection 1. (e) Vehicles which have been given or assigned to persons who work for a manufacturer, distributor, dealer or rebuilder for services performed. (f) Vehicles purchased by a manufacturer, distributor, dealer or rebuilder for personal use which the manufacturer, distributor, dealer or rebuilder is not licensed or authorized to resell. [Part 16:202:1931; A 1937, 330; 1951, 165; 1953, 280; 1955, 468]—(NRS A 1957, 506; 1959, 913; 1960, 128; 1963, 103; 1965, 1473; 1971, 1303; 1981, 190; 1983, 1000; 1993, 2341; 1999, 1903; 2007, 3204)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.322 - Vehicle dealers, manufacturers, distributors and rebuilders: Licenses required; additional restriction upon activities of new vehicle dealer; license does not extend to mobile homes; Department to investigate applicant; penalties for violations.

1. Except as otherwise provided in subsection 2 and NRS 482.3225, a person shall not engage in the activities of a new vehicle dealer, used vehicle dealer, manufacturer, distributor or rebuilder in this State until the person has been issued: (a) A new vehicle dealer's, used vehicle dealer's, manufacturer's, distributor's, rebuilder's or lessor's license certificate or similar license or permit by every city within whose corporate limits the person maintains an established place of business and by every county in which the person maintains an established place of business outside the corporate limits of a city; and (b) A license by the Department. The Department shall not issue a license to the person until he or she has been issued all certificates, licenses and permits required by paragraph (a). 2. Except for a manufacturer described in subsection 2 of NRS 482.078, a person licensed as a dealer pursuant to this chapter shall not engage in the activities of a new vehicle dealer until he or she has provided the Department with satisfactory proof that the person is authorized by a manufacturer to display and offer for sale vehicles produced or distributed by that manufacturer. 3. A vehicle dealer's, manufacturer's or rebuilder's license issued pursuant to this chapter does not permit a person to engage in the business of a new or used mobile home dealer, manufacturer or rebuilder. 4. The Department shall investigate any applicant for a dealer's, manufacturer's, distributor's, rebuilder's or lessor's license certificate or license and complete an investigation report on a form provided by the Department. 5. A person who violates subsection 1 or 2 is guilty of: (a) For a first offense, a misdemeanor. (b) For a second offense, a gross misdemeanor. (c) For a third and any subsequent offense, a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 1957, 509; A 1963, 68; 1965, 1474; 1971, 1303; 1975, 1072, 1534, 1576; 1979, 1024, 1223; 1981, 1045; 1983, 1001; 1991, 755; 1995, 776, 2355; 2007, 3205; 2014, 28th Special Session, 4)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3225 - Conditions under which charitable organization not required to obtain certain licensure.

A charitable organization may sell a vehicle which has been donated to the organization without complying with the provisions of subsection 1 of NRS 482.322 if: 1. No member, director, officer, employee or agent of the charitable organization has a pecuniary interest in the sale of the vehicle; and 2. The charitable organization ensures that the insurance required pursuant to NRS 485.185 is provided for that vehicle until it is purchased. (Added to NRS by 1995, 2354; A 1997, 624)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.323 - Established place of business required for dealers, short-term lessors and brokers; notification of Department of branches by short-term lessors.

1. Except as otherwise provided in subsections 2 and 3, every vehicle dealer shall maintain an established place of business in this State which: (a) Includes a permanent enclosed building, owned in fee or leased, with sufficient space to display one or more vehicles which the dealer is licensed to sell; and (b) Is principally used by the dealer to conduct his or her business. 2. Every used vehicle dealer, trailer dealer or semitrailer dealer shall maintain an established place of business in this State which has: (a) Sufficient space to display one or more vehicles; (b) Boundaries which are clearly marked; and (c) A permanent enclosed building large enough to accommodate his or her office and provide a safe place to keep the books and other records of the business. 3. A short-term lessor shall: (a) Designate his or her principal place of business as the short-term lessors established place of business and each other location where the short-term lessor conducts business as a branch that is operated pursuant to the license for the principal place of business. (b) Notify the Department of each branch at which he or she conducts business by filing, on forms provided by the Department, such information pertaining to each branch as required by the Department. 4. Every broker shall maintain an established place of business in this State which is in a permanent building with sufficient space to accommodate his or her office. (Added to NRS by 1981, 1044; A 1995, 2366; 1997, 2992)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.325 - Manufacturers, distributors, dealers and rebuilders: Application for license; fees; issuance of certificate; renewal or reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]
Manufacturers, distributors, dealers and rebuilders: Application for license; fees; issuance of certificate; renewal or reinstatement of license. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An application for a manufacturer's, distributor's, dealer's or builder's license must be filed upon forms supplied by the Department and include the social security number of the applicant. The forms must designate the persons whose names are required to appear thereon. The applicant shall furnish: (a) Such proof as the Department may deem necessary that the applicant is a manufacturer, distributor, dealer or builder. (b) A fee of \$125. (c) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (d) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (e) If the applicant is a natural person, the statement required pursuant to NRS 482.319. (f) A certificate of insurance for automobile liability. 2. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a dealer's, manufacturer's, distributor's or builder's license containing the name of the licensee and the address of the licensee's established place of business or the address of the main office of a manufacturer without an established place of business in this State. 3. Licenses issued pursuant to this section expire on December 31 of each year. Before December 31 of each year, a licensee must furnish the Department with an application for renewal of the license accompanied by an annual fee of \$50. If the applicant is a natural person, the application for renewal also must be accompanied by the statement required pursuant to NRS 482.319. The additional fee for the processing of fingerprints, established by regulation pursuant to paragraph (c) of subsection 1, must be submitted for each applicant whose name does not appear on the original application for the license. The renewal application must be provided by the Department and contain information required by the Department. 4. A license that expires for failure to renew before December 31 may be reinstated upon submission to the Department of: (a) The application for renewal and the annual fee for renewal required in subsection 3; (b) If the applicant is a natural person, the statement required pursuant to NRS 482.319; (c) The additional fee for processing fingerprints required in subsection 3, if applicable; and (d) A late fee of \$25. [Part 16:202:1931; A 1937, 330; 1951, 165; 1953, 280; 1955, 468]—(NRS A 1957, 507; 1960, 129; 1965, 1474; 1969, 705; 1971, 1303; 1975, 1072; 1981, 190; 1983, 1001; 1991, 273; 1993, 2341; 1995, 285; 1997, 2070; 2017, 952) 1. Applications for a manufacturer's, distributor's, dealer's or builder's license must be filed upon forms supplied by the Department. The forms must designate the persons whose names are required to appear thereon. The applicant shall furnish: (a) Such proof as the Department may deem necessary that the applicant is a manufacturer, distributor, dealer or builder. (b) A fee of \$125. (c) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (d) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (e) A certificate of insurance for automobile liability. 2. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a dealer's, manufacturer's, distributor's or builder's license certificate containing the latter's name and the address of the licensee's established place of business or the address of the main office of a manufacturer without an established place of business in this State. 3. Licenses issued pursuant to this section expire on December 31 of each year. Before December 31 of each year, a licensee must furnish the Department with an application for renewal of the license accompanied by an annual fee of \$50. The additional fee for the processing of fingerprints, established by regulation pursuant to paragraph (c) of subsection 1, must be submitted for each applicant whose name does not appear on the original application for the license. The renewal application must be provided by the Department and contain information required by the Department. 4. A license that expires for failure to renew before December 31 may be reinstated upon submission to the Department of: (a) The application for renewal and the annual fee for renewal required in subsection 3; (b) The additional fee for processing fingerprints required in subsection 3, if applicable; and (c) A late fee of \$25. [Part 16:202:1931; A 1937, 330; 1951, 165; 1953, 280; 1955, 468]—(NRS A 1957, 507; 1960, 129; 1965, 1474; 1969, 705; 1971, 1303; 1975, 1072; 1981, 190; 1983, 1001; 1991, 273; 1993, 2341; 1995, 285; 1997, 2070; 2017, 952, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3253 - Factors Director must consider before renewing license of manufacturer, distributor, builder or dealer; authority of Director to require bond.

The Director shall, before renewing any license issued pursuant to NRS 482.325, consider: 1. The number and types of complaints received against a manufacturer, distributor, rebuilder or dealer by the Department; and 2. Any administrative fines imposed upon the manufacturer, distributor, rebuilder or dealer by the Department pursuant to NRS 482.554 and 482.565, and may require the manufacturer, distributor, rebuilder or dealer to provide a good and sufficient bond in the amount set forth in subsection 1 of NRS 482.345 for each category of vehicle sold at each place of business and in each county in which the manufacturer, distributor, rebuilder or dealer is licensed to do business. (Added to NRS by 2007, 3200)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3255 - Denial or revocation of license: Evidence of unfitness of applicant or licensee.

Evidence of unfitness of an applicant or a licensee for purposes of denial or revocation of a license may consist of, but is not limited to: 1. Failure to discharge a lienholder on a vehicle within 30 days after it is traded to the dealership. 2. Being the former holder of or being a partner, officer, director, owner or manager involved in management decisions of a dealership which held a license issued pursuant to NRS 482.325 which was revoked for cause and never reissued or was suspended upon terms which were never fulfilled. 3. Defrauding or attempting to defraud the State or a political subdivision of any taxes or fees in connection with the sale or transfer of a vehicle. 4. Forging the signature of the registered or legal owner of a vehicle on a certificate of title. 5. Purchasing, selling, otherwise disposing of or possessing any vehicle which the applicant or licensee knows, or a reasonable person should know, is stolen or otherwise illegally appropriated. 6. Willfully failing to deliver to a purchaser or the purchaser's lienholder a certificate of title to a vehicle the applicant or licensee has sold. 7. Refusing to allow an agent of the Department to inspect, during normal business hours, all books, records and files of the dealership which are maintained within the State. 8. Any fraud which includes, but is not limited to: (a) Misrepresentation in any manner, whether intentional or grossly negligent, of a material fact. (b) An intentional failure to disclose a material fact. 9. Willful failure to comply with any regulation adopted by the Department. 10. Knowingly submitting or causing to be submitted any false, forged or otherwise fraudulent document to the Department to obtain a lien, title, salvage title or certificate of ownership or any duplicate thereof for a vehicle. 11. Knowingly causing or allowing a false, forged or otherwise fraudulent document to be maintained as a record of his or her business. 12. Violating the provisions of NRS 482.555 which involved the sale or transfer of interest in a vehicle. (Added to NRS by 1981, 1045; A 2003, 461; 2007, 3205)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3256 - Licensees to post licenses in conspicuous place visible to public.

A dealer, rebuilder, manufacturer, distributor, broker or long-term or short-term lessor licensed under the provisions of this chapter shall post his or her license, and all licenses issued to persons in his or her employ who are licensed as salespersons, in a conspicuous place clearly visible to the general public at the location described in the license. (Added to NRS by 2007, 3199)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3257 - Dealers: Activities constituting prima facie evidence that person is acting as dealer.

Except as otherwise provided in subsection 2 of NRS 482.020, the following activities are prima facie evidence that a person is engaged in the activities of a vehicle dealer: 1. A person displays for sale, sells or offers for sale any vehicle which he or she does not personally own; 2. A person demonstrates, or allows the demonstration or operation of, any vehicle for the purpose of sale or future sale or as an inducement to purchase the vehicle; or 3. A person engages in an activity specified by subsection 1 of NRS 482.020 or any other act regarding a vehicle which would lead a reasonable person to believe that he or she may purchase that vehicle or a similar vehicle. (Added to NRS by 2007, 3200)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.326 - Dealers: Location and name of business; designation of principal place of business and branches; branches may be operated under authority of license for principal place of business under certain conditions; change of name or location.

1. A vehicle dealer shall inform the Department of the location of each place at which the vehicle dealer conducts any business, and the name under which he or she does business at each location. 2. If a vehicle dealer does business at more than one location, the vehicle dealer shall designate one location in each county in which he or she does business as his or her principal place of business for that county and one name as the principal name of the business. The vehicle dealer shall designate all other business locations not otherwise designated as a principal place of business pursuant to this subsection as branches. 3. A vehicle dealer who maintains a principal place of business and one or more businesses designated as branches may operate those branches under the authority of the license issued by the Department to the principal place of business under the following conditions: (a) The principal and branch locations are owned and operated by the same principal or group of principals listed on the records of the Department for the principal place of business; (b) The sales activities conducted at a branch location are the same as those authorized by the Department at the principal place of business; (c) The principal place of business and each branch location are located within the same county; (d) The principal place of business and each branch location maintains the appropriate city or county license; (e) The closest boundary of a branch location is not more than 500 feet from the principal place of business; (f) The business sign displayed at each branch location meets the requirements of NRS 482.332 and is essentially the same in name, style and design as that of the principal place of business; (g) Sales transactions originating at a branch location must be culminated, and the records of the

transaction maintained, at the principal place of business; and (h) The vehicle dealer shall provide all documentation which the Department deems necessary to ensure that each business location is operated in accordance with the provisions of this chapter and all other applicable laws and regulations established for the operation of a vehicle sales business in this State. 4. If a vehicle dealer changes the name or location of any of his or her established places of business, the vehicle dealer shall not conduct business as a vehicle dealer under the new name or at the new location until he or she has been issued a license for the new name or location from the Department. (Added to NRS by 1979, 1023; A 1997, 91; 2007, 3206)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3263 - Books and records of dealers and brokers: Physical location or electronic maintenance; inspection and copying or electronic availability; retention.

1. A dealer shall keep his or her books and records for all locations at which the dealer does business within a county at his or her principal place of business in that county or maintain his or her books and records electronically. A broker shall keep his or her books and records at his or her principal place of business or maintain his or her books and records electronically. 2. Each dealer and broker shall: (a) Permit any authorized agent of the Director or the State of Nevada to inspect and copy the books and records or make such records available electronically during usual business hours; or (b) Not later than 3 business days after receiving a request from such a person for the production of the books and records or any other information or the electronic copies thereof, provide the requested books, records and other information or electronic copies to the person specified in the request. 3. A dealer or broker shall retain the books and records for 3 years after he or she ceases to be licensed as a dealer or broker. (Added to NRS by 1981, 1044; A 1993, 2342; 1995, 2366; 1997, 92; 2021, 378)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.327 - Dealers: License for each branch; exception; contents of license; posting of license; temporary license.

1. If a vehicle dealer, other than a short-term lessor, has one or more branches, the dealer shall procure from the Department a license for each branch in addition to the license issued for his or her principal place of business. 2. The Department shall specify on each license it issues: (a) The name of the licensee; (b) The location for which the license is issued; and (c) The name under which the licensee does business at that location. 3. Each vehicle dealer shall post each license issued to the dealer by the Department in a conspicuous place clearly visible to the general public at the location described in the license. 4. The Department shall, by regulation, provide for the issuance of a temporary license for a licensed dealer to conduct business at a temporary location. Any such regulations must include the imposition of a reasonable fee for the issuance of the temporary license. (Added to NRS by 1979, 1024; A 1993, 2342; 1997, 1515, 2993; 1999, 629)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3275 - Dealers: Signatures not required to be acknowledged on documents required to be filed with Department or other state agencies; exception.

Except as otherwise provided in NRS 482.346, the Department or any other agency of this State shall not require that a dealer have his or her signature acknowledged before a notary public or any other person authorized to take acknowledgments in this State on any document the dealer is required to file with the Department or agency. (Added to NRS by 1995, 2354)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3277 - Dealers: Certain purchasers and prospective purchasers to be allowed to view certain documents in Spanish language.

Each vehicle dealer who advertises that the Spanish language is spoken at his or her place of business or who conducts business by communicating in Spanish with a purchaser or prospective purchaser regarding the potential purchase of a motor vehicle shall, upon the request of a purchaser or prospective purchaser of a motor vehicle with whom the vehicle dealer or the dealer's agent is communicating or has communicated in Spanish as a part of the preliminary discussions and negotiations regarding the purchase or potential purchase of the vehicle, allow the purchaser or prospective purchaser to view the version of the forms for the application for credit and contracts to be used in the sale of vehicles which have been translated into Spanish pursuant to subsection 3 of NRS 97.299. (Added to NRS by 2003, 1905)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.328 - Vehicle taken in trade: Satisfaction of outstanding security interest.

If a licensed dealer takes a vehicle in trade on the purchase of another vehicle and there is an outstanding security interest, the licensed dealer shall satisfy the outstanding security interest within 30 days after the vehicle is taken in trade on the purchase of the other vehicle. (Added to NRS by 1987, 1084)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.330 - Manufacturers, distributors, dealers and rebuilders: Certificates of registration and special plates for vehicles provided by Department upon licensing; special plates for loaned vehicles; limitation.

1. Upon issuance of a dealer's, distributor's, manufacturer's or rebuilder's license certificate pursuant to NRS 482.322, the Department shall furnish to the manufacturer, distributor, dealer or rebuilder one or more registration certificates and special plates for use on the vehicles described in the provisions of NRS 482.320. Each plate must have displayed upon it the identification number which is assigned to the dealer, distributor, manufacturer or rebuilder, and may at the discretion of the Department have a different letter or symbol on each plate or pair of plates. The manufacturer's, distributor's, dealer's or rebuilder's license plates may be used interchangeably on that vehicle. 2. The Department shall issue to each dealer a reasonable number of registration certificates and license plates. 3. The Department shall provide by regulation for the issuance of special license plates to dealers or rebuilders and for the number of those plates for use on vehicles loaned by those dealers or rebuilders to: (a) Customers in the course of business. (b) The State of Nevada. (c) The Nevada System of Higher Education. (d) A school district. (e) A county, city or town. (f) An organization that is exempt from taxation pursuant to the provisions of section 501(c)(3) of the Internal Revenue Code. The regulations must prescribe what use may be made of the plates and the persons who may operate a motor vehicle with those plates. 4. Notwithstanding the provisions of subsection 3, a dealer may use not more than six special plates from the total number of plates issued pursuant to this section for personal use by the dealer or a member of the dealer's immediate family. [Part 16:202:1931; A 1937, 330; 1951, 165; 1953, 280; 1955, 468]—(NRS A 1960, 130; 1965, 1474; 1971, 1304; 1975, 1576; 1979, 1224; 1983, 1002; 1999, 1370; 2007, 3207)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.332 - Dealers, manufacturers, lessors, rebuilders and brokers: Duty to affix legible sign containing name of business; exception.

1. Except as otherwise provided in subsection 2, at each of his or her established places of business, each vehicle dealer, manufacturer, lessor, rebuilder and broker shall permanently affix a sign containing the name of the business in lettering of sufficient size to be clearly legible from the center of the nearest street or roadway, except that the lettering must be at least 8 inches high and formed by lines that are at least 1-inch wide. 2. Upon approval of the Director, and in accordance with all other city and county ordinances, a vehicle dealer or a long-term or short-term lessor may be exempted from the requirements of subsection 1 if: (a) The established place of business or branch location is located within the confines of another business; (b) The other place of business is the primary business at that location; and (c) The primary business is not licensed pursuant to any provision of this chapter. (Added to NRS by 1979, 1023; A 1997, 1515; 2007, 3207)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.333 - Brokers: Licensing; fees; renewal or reinstatement of license; disclosure of financial records; penalty. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] Brokers: Licensing; fees; renewal or reinstatement of license; disclosure of financial records; penalty. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. A person shall not engage in the activity of a broker of vehicles in this State without first having received a license from the Department. Before issuing a license to a broker, the Department shall require: (a) An application, signed and verified by the applicant, stating that the applicant desires to be licensed as a broker, his or her residential address, his or her social security number and the address of his or her principal place of business. (b) A statement as to whether any previous application of the applicant for a license as a vehicle dealer or broker has been denied or whether such a license has been suspended or revoked. (c) Payment of a nonrefundable license fee of \$125. (d) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (e) For initial licensure, the submission of a complete set of the applicant's fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (f) Any other information the Department deems necessary. A license issued pursuant to this section expires on December 31 of the year in which it was issued and may be renewed annually upon the payment of a fee of \$50. If a licensee fails to renew his or her license before it expires on December 31, the license may be reinstated upon the payment to the Department of the annual renewal fee of \$50 and a late fee of \$25. 2. The Department may deny the issuance of, suspend or revoke a license to engage in the activities of a broker of vehicles upon any of the following grounds: (a) Failure of the applicant to have an established place of business in this State. (b) Conviction of a felony in this State or any other state, territory or nation. (c) Material misstatement in the application. (d) Evidence of unfitness of the applicant or licensee. (e) Failure or refusal to provide to the Department an authorization for the disclosure of financial records for the business as required pursuant to subsection 6. (f) Willful failure to comply with a provision of the motor vehicle laws of this State or a directive of the Director. For the purpose of this paragraph, failure to comply with a directive of the Director advising the licensee of noncompliance with a provision of the motor vehicle laws of this State or a regulation of the Department, within 10 days after the receipt of the directive, is prima facie evidence of willful failure to comply with the directive. (g) Failure or refusal to furnish and keep in force any bond. (h) Failure on the part of the licensee to maintain a

fixed place of business in this State. (i) Failure or refusal by the licensee to pay or otherwise discharge a final judgment against the licensee rendered and entered against the licensee, arising out of the misrepresentation of a vehicle, trailer or semitrailer, or out of a fraud committed in connection with the brokering of a vehicle, trailer or semitrailer. (j) Failure of the licensee to maintain any other license or bond required by a political subdivision of this State. (k) Any other reason determined by the Director to be in the best interests of the public. The Director may deny the issuance of a license to an applicant or revoke a license already issued if the Department is satisfied that the applicant or licensee is not entitled thereto. 3. If an application for a broker's license has been denied, the applicant may not reapply sooner than 6 months after the denial. 4. A broker's license must be posted in a conspicuous place on the premises of the broker's principal place of business. 5. If any information submitted in the application for a broker's license changes, the broker shall submit a written notice of the change to the Department within 10 days after the change occurs. 6. Upon the receipt of any report or complaint alleging that an applicant or a licensee has engaged in financial misconduct or has failed to satisfy financial obligations related to the activity of a broker of vehicles, the Department may require the applicant or licensee to submit to the Department an authorization for the disclosure of financial records for the business as provided in NRS 239A.090. The Department may use any information obtained pursuant to such an authorization only to determine the suitability of the applicant or licensee for initial or continued licensure. Information obtained pursuant to such an authorization may be disclosed only to those employees of the Department who are authorized to issue a license to an applicant pursuant to NRS 482.333 to 482.334, inclusive, or to determine the suitability of an applicant or a licensee for such licensure. 7. Except as otherwise provided in NRS 482.555, any person who fails to comply with the provisions of this section is guilty of a misdemeanor. (Added to NRS by 1995, 2362; A 1997, 143, 2070; 1999, 961; 2017, 953) 1. A person shall not engage in the activity of a broker of vehicles in this State without first having received a license from the Department. Before issuing a license to a broker, the Department shall require: (a) An application, signed and verified by the applicant, stating that the applicant desires to be licensed as a broker, his or her residential address and the address of his or her principal place of business. (b) A statement as to whether any previous application of the applicant for a license as a vehicle dealer or broker has been denied or whether such a license has been suspended or revoked. (c) Payment of a nonrefundable license fee of \$125. (d) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (e) For initial licensure, the submission of a complete set of the applicant's fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (f) Any other information the Department deems necessary. A license issued pursuant to this section expires on December 31 of the year in which it was issued and may be renewed annually upon the payment of a fee of \$50. If a licensee fails to renew his or her license before it expires on December 31, the license may be reinstated upon the payment to the Department of the annual renewal fee of \$50 and a late fee of \$25. 2. The Department may deny the issuance of, suspend or revoke a license to engage in the activities of a broker of vehicles upon any of the following grounds: (a) Failure of the applicant to have an established place of business in this State. (b) Conviction of a felony in this State or any other state, territory or nation. (c) Material misstatement in the application. (d) Evidence of unfitness of the applicant or licensee. (e) Failure or refusal to provide to the Department an authorization for the disclosure of financial records for the business as required pursuant to subsection 6. (f) Willful failure to comply with a provision of the motor vehicle laws of this State or a directive of the Director. For the purpose of this paragraph, failure to comply with a directive of the Director advising the licensee of his or her noncompliance with a provision of the motor vehicle laws of this State or a regulation of the Department, within 10 days after the receipt of the directive, is prima facie evidence of willful failure to comply with the directive. (g) Failure or refusal to furnish and keep in force any bond. (h) Failure on the part of the licensee to maintain a fixed place of business in this State. (i) Failure or refusal by the licensee to pay or otherwise discharge a final judgment against the licensee rendered and entered against the licensee, arising out of the misrepresentation of a vehicle, trailer or semitrailer, or out of a fraud committed in connection with the brokering of a vehicle, trailer or semitrailer. (j) Failure of the licensee to maintain any other license or bond required by a political subdivision of this State. (k) Any other reason determined by the Director to be in the best interests of the public. The Director may deny the issuance of a license to an applicant or revoke a license already issued if the Department is satisfied that the applicant or licensee is not entitled thereto. 3. If an application for a broker's license has been denied, the applicant may not reapply sooner than 6 months after the denial. 4. A broker's license must be posted in a conspicuous place on the premises of the broker's principal place of business. 5. If any information submitted in the application for a broker's license changes, the broker shall submit a written notice of the change to the Department within 10 days. 6. Upon the receipt of any report or complaint alleging that an applicant or a licensee has engaged in financial misconduct or has failed to satisfy financial obligations related to the activity of a broker of vehicles, the Department may require the applicant or licensee to submit to the Department an authorization for the disclosure of financial records for the business as provided in NRS 239A.090. The Department may use any information obtained pursuant to such an authorization only to determine the suitability of the applicant or licensee for initial or continued licensure. Information obtained pursuant to such an authorization may be disclosed only to those employees of the Department who are authorized to issue a license to an applicant pursuant to NRS 482.333 to 482.334, inclusive, or to determine the suitability of an applicant or a licensee for such licensure. 7. Except as otherwise provided in NRS 482.555, any person who fails to comply with the provisions of this section is guilty of a misdemeanor. (Added to NRS by 1995, 2362; A 1997, 143, 2070; 1999, 961; 2017, 953, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3331 - Director to consider certain matters before renewing license of broker; authority of Director to require bond.

The Director shall, before renewing any license issued pursuant to NRS 482.333, consider: 1. The number and types of complaints received against a broker by the Department; and 2. Any administrative fines imposed upon the broker by the Department pursuant to NRS 482.554 and 482.565, and may require the broker to provide a good and sufficient bond in the amount set forth in subsection 1 of NRS 482.345 for each category of vehicle for which services are provided at each place of business and in each county in which the broker is licensed to do business. (Added to NRS by 1995, 2363; A 2007, 3208)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3333 - Brokers: Duty to procure and file bond with Department; amount of bond; use of bond to cover multiple categories of vehicles; requirements for bond; recourse for consumers injured by broker or employee.

1. Before a person may be licensed as a broker, the person must procure and file with the Department a good and sufficient bond in the amount of \$100,000 with a corporate surety thereon licensed to do business within the State of Nevada, approved as to form by the Attorney General, and conditioned that the applicant shall conduct business as a broker without breaching a consumer contract or engaging in a deceptive trade practice, fraud or fraudulent representation, and without violation of the provisions of this chapter. 2. The Department may allow a broker who provides services for more than one category of vehicle described in subsection 1 of NRS 482.345 at a principal place of business or at any branch location within the same county as the principal place of business to provide a good and sufficient bond for a single category of vehicle and may consider that single bond sufficient coverage to include all other categories of vehicles. 3. The bond must be continuous in form, and the total aggregate liability on the bond must be limited to the payment of the total amount of the bond. 4. The undertaking on the bond is for the use and benefit of the consumer and includes any breach of a consumer contract, deceptive trade practice, fraud, fraudulent representation, negligent misrepresentation, abuse of process, conversion or violation of any of the provisions of this chapter or chapter 41, 97, 104, 104A, 104B, 104C or 598 of NRS by any employee of the licensed broker who acts on behalf of the broker and within the scope of his or her employment. 5. The bond must provide that it is for the use and benefit of any consumer of the broker or an employee of the broker for any loss or damage established, including, without limitation: (a) Actual damages; (b) Consequential damages; (c) Incidental damages; (d) Statutory damages; (e) Damages for noneconomic loss; and (f) Attorney's fees and costs. The surety issuing the bond shall appoint the Commissioner of Insurance as its agent to accept service of notice or process for the surety in any action upon the bond brought in a court of competent jurisdiction or brought before the Director. 6. If a consumer has a claim for relief against a broker or an employee of the broker, the consumer may: (a) Bring and maintain an action in any court of competent jurisdiction. If the court enters: (1) A judgment on the merits against the broker or employee, the judgment is binding on the surety. (2) A judgment other than on the merits against the broker or employee, including, without limitation, a default judgment, the judgment is binding on the surety only if the surety was given notice and an opportunity to defend at least 20 days before the date on which the judgment was entered against the broker or employee. (b) Apply to the Director, for good cause shown, for compensation from the bond. The Director may determine the amount of compensation and the consumer to whom it is to be paid. The surety shall then make the payment. (c) Settle the matter with the broker or employee. If such a settlement is made, the settlement must be reduced to writing, signed by both parties and acknowledged before any person authorized to take acknowledgments in this State, and submitted to the Director with a request for compensation from the bond. If the Director determines that the settlement was reached in good faith and there is no evidence of collusion or fraud between the parties in reaching the settlement, the surety shall make the payment to the consumer in the amount agreed upon in the settlement. 7. Any judgment entered by a court in favor of a consumer and against a broker or an employee of the broker may be executed through a writ of attachment, garnishment, execution or other legal process, or the consumer in whose favor the judgment was entered may apply to the Director for compensation from the bond of the broker or employee. 8. As used in this section, "consumer" means any person who comes into possession of a vehicle as a final user for any purpose other than offering it for sale. (Added to NRS by 1995, 2363; A 2001, 1889; 2007, 3208; 2013, 480; 2017, 804)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3335 - Brokers: Prohibition against advertising as vehicle dealer without appropriate license; prohibition against displaying or advertising vehicle not licensed to sell.

1. No broker may intentionally cause to be published, displayed or circulated any advertisement, including any listing in a telephone directory, in which the broker is represented to be any type of vehicle dealer, unless the broker has obtained the appropriate license from the Department as provided in this chapter. 2. A broker may not display, or use in conjunction with any form of advertisement, a vehicle the broker is not licensed to sell. (Added to NRS by 1995, 2363; A 2007, 3209)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3337 - Brokers: Insured trust account required.

1. Each broker shall open and maintain a separate trust account in a bank, credit union, savings and loan association or savings bank in this State that is federally insured or insured by a private insurer approved pursuant to NRS 672.755. The broker shall deposit into the trust account any money received from a prospective buyer as a deposit on a vehicle. A broker shall not: (a) Commingle the money in the trust account with any money that is not a deposit on a vehicle. (b) Use any money in the trust account to pay his or her

operational expenses. 2. A broker shall not require the buyer of a vehicle to pay a deposit on a vehicle in an amount that exceeds 10 percent of the purchase price of the vehicle. (Added to NRS by 1995, 2363; A 1999, 1501)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.334 - Brokers: Written brokerage agreement with prospective buyer required; form of agreement; notice to be included within agreement; form and contents of notice; retention of copies of brokerage agreement.

1. Before commencing the provision of services to a prospective buyer, a broker shall execute a written brokerage agreement with the prospective buyer. 2. A brokerage agreement executed pursuant to subsection 1 must be in at least 10-point type and must include: (a) The name, address, license number and telephone number of the broker. (b) A complete description of the vehicle, including, but not limited to, the make, model, year and color of the vehicle. (c) A specific statement of: (1) The amount of the purchase price of the vehicle; and (2) The date on which the brokerage agreement expires, if an agreement with a vehicle dealer to purchase a vehicle has not been signed. (d) One of the following statements, as applicable for the particular transaction, printed in at least 10-point bold type and placed immediately below the statement required by paragraph (c): (1) The broker does not receive a fee from the dealer which is selling this vehicle. (2) The broker does receive a fee from the dealer which is selling this vehicle. (e) A notice on the face of the brokerage agreement with a title in at least 14-point bold type and the text in at least 10-point bold type in substantially the following form: NOTICE This is an agreement to provide services; it is not an agreement for the purchase of a vehicle. The laws of the State of Nevada provide you with the following rights and protection: 1. Once you have signed this agreement, you have the right to cancel it and receive a full refund of any money that you paid under any of the following circumstances: (a) The final price of the vehicle exceeds the purchase price stated in this agreement. (b) The vehicle, upon delivery, does not match the description provided in this agreement. (c) This agreement expired before you were presented with an agreement to purchase the vehicle from a dealer. 2. If you have paid a deposit to purchase the vehicle, you have the right to receive a full refund of that deposit at any time before you sign an agreement to purchase the vehicle with a dealer. The amount of any deposit to purchase a vehicle must not exceed 10 percent of the purchase price of the vehicle and must be deposited by the broker in a federally insured trust account. 3. If you are unable to resolve a dispute with your broker, please contact your local office of the Department of Motor Vehicles. (f) The date of execution of the brokerage agreement. (g) The signatures of the broker and the prospective buyer. 3. A broker shall retain copies of any brokerage agreement executed pursuant to this section for 3 years. (Added to NRS by 1995, 2364; A 2001, 2548)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3345 - Dealers: Prohibited and authorized acts if prospective buyer enters into exclusive written brokerage agreement with broker.

If a prospective buyer enters into an exclusive written brokerage agreement with a broker pursuant to NRS 482.334 and the broker facilitates the sale by a vehicle dealer of a vehicle to the prospective buyer, the vehicle dealer shall not: 1. Deal directly with the prospective buyer regarding the matter of the purchase price until at least 30 days after the expiration of the brokerage agreement; or 2. Otherwise interfere with or obstruct the performance of the brokerage agreement. The vehicle dealer may deal directly with the prospective buyer on other matters relating to the sale of the vehicle, including, but not limited to, the terms of financing, purchase of extended warranties and insurance. (Added to NRS by 1995, 2365)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.335 - Manufacturers, distributors, dealers and rebuilders: Display of license plate or plates.

1. No manufacturer, distributor, dealer or rebuilder may operate any vehicle owned or controlled by him or her upon any public highway, or permit it to be so operated, unless a license plate or license plates assigned to him or her are attached thereto in the manner specified in this chapter. 2. It shall be lawful for a manufacturer, distributor or dealer to operate new vehicles without the plate or plates being attached thereto from the railroad depot, warehouse or other place of storage to the place of business of that manufacturer, distributor or dealer where the depot, warehouse or place of storage is within the same city or town or not more than 5 miles from the place of business. [Part 16:202:1931; A 1937, 330; 1951, 165; 1953, 280; 1955, 468]—(NRS A 1971, 1304; 1983, 1002; 2005, 984)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.345 - Manufacturers, distributors, dealers and rebuilders: Application; proof of place of business; bonding requirements; remedies of consumer; judgment; prohibition upon issuance of license or plate to certain persons not having an established place of business in State.

1. Before any dealer's license, dealer's plate, special dealer's plate, rebuilder's license or rebuilder's plate, distributor's license or distributor's plate or manufacturer's license or manufacturer's plate is furnished to a manufacturer, distributor, dealer or rebuilder as provided in this chapter, the Department shall require that the applicant make an application for such a license and plate upon a form to be furnished by the Department, and the applicant shall furnish such information as the Department requires, including proof that the applicant has an established place of business in this State, procure and file with the Department a good and sufficient bond with a corporate surety thereon, duly licensed to do business within the State of Nevada, approved as to form by the Attorney General,

and conditioned that the applicant or any employee who acts on behalf of the applicant within the scope of his or her employment shall conduct business as a dealer, distributor, manufacturer or rebuilder without breaching a consumer contract or engaging in a deceptive trade practice, fraud or fraudulent representation, and without violation of the provisions of this chapter. The bond must be: (a) For a manufacturer, distributor, rebuilder or dealer who manufactures, distributes or sells motorcycles, \$50,000. (b) For a manufacturer, distributor, rebuilder or dealer who sells vehicles other than motorcycles, trailers or travel trailers, \$100,000. (c) For a manufacturer, distributor, rebuilder or dealer who sells travel trailers or other dual purpose trailers that include living quarters in their design, \$100,000. (d) For a manufacturer, distributor, rebuilder or dealer who sells horse trailers designed without living quarters or special purpose trailers with an unladen weight of 3,501 pounds or more, \$50,000. (e) For a manufacturer, distributor, rebuilder or dealer who sells utility trailers or other special use trailers with an unladen weight of 3,500 pounds or less or trailers designed to carry boats, \$10,000. 2. The Department may, pursuant to a written agreement with any manufacturer, distributor, rebuilder or dealer who has been licensed to do business in this State for at least 5 years, allow a reduction in the amount of the bond of the manufacturer, distributor, rebuilder or dealer, if the business has been conducted in a manner satisfactory to the Department for the preceding 5 years. No bond may be reduced to less than 50 percent of the bond required pursuant to subsection 1. 3. The Department may allow a manufacturer, distributor, rebuilder or dealer who sells more than one category of vehicle as described in subsection 1 at a principal place of business or at any branch location within the same county as the principal place of business to provide a good and sufficient bond for a single category of vehicle and may consider that single bond sufficient coverage to include all other categories of vehicles. 4. The bond must be continuous in form, and the total aggregate liability on the bond must be limited to the payment of the total amount of the bond. 5. The undertaking on the bond is for the use and benefit of the consumer and includes any breach of a consumer contract, deceptive trade practice, fraud, fraudulent representation or violation of any of the provisions of this chapter or chapter 41, 97, 104, 104A, 104B, 104C or 598 of NRS by the representative of any licensed distributor or the salesperson of any licensed dealer, manufacturer or rebuilder who acts for the dealer, distributor, manufacturer or rebuilder on his or her behalf and within the scope of the employment of the representative or salesperson. 6. The bond must provide that it is for the use and benefit of any consumer of the dealer, distributor, rebuilder, manufacturer, representative or salesperson for any loss or damage established, including, without limitation: (a) Actual damages; (b) Consequential damages; (c) Incidental damages; (d) Statutory damages; (e) Damages for noneconomic loss; and (f) Attorney's fees and costs. The surety issuing the bond shall appoint the Commissioner of Insurance as its agent to accept service of notice or process for the surety in any action upon the bond brought in a court of competent jurisdiction or brought before the Director. 7. If a consumer has a claim for relief against a dealer, distributor, rebuilder, manufacturer, representative or salesperson, the consumer may: (a) Bring and maintain an action in any court of competent jurisdiction. If the court enters: (1) A judgment on the merits against the dealer, distributor, rebuilder, manufacturer, representative or salesperson, the judgment is binding on the surety. (2) A judgment other than on the merits against the dealer, distributor, rebuilder, manufacturer, representative or salesperson, including, without limitation, a default judgment, the judgment is binding on the surety only if the surety was given notice and an opportunity to defend at least 20 days before the date on which the judgment was entered against the dealer, distributor, rebuilder, manufacturer, representative or salesperson. (b) Apply to the Director, for good cause shown, for compensation from the bond. The Director may determine the amount of compensation and the consumer to whom it is to be paid. The surety shall then make the payment. (c) Settle the matter with the dealer, distributor, rebuilder, manufacturer, representative or salesperson. If such a settlement is made, the settlement must be reduced to writing, signed by both parties and acknowledged before any person authorized to take acknowledgments in this State, and submitted to the Director with a request for compensation from the bond. If the Director determines that the settlement was reached in good faith and there is no evidence of collusion or fraud between the parties in reaching the settlement, the surety shall make the payment to the consumer in the amount agreed upon in the settlement. 8. Any judgment entered by a court in favor of a consumer and against a dealer, distributor, rebuilder, manufacturer, representative or salesperson may be executed through a writ of attachment, garnishment, execution or other legal process, or the consumer in whose favor the judgment was entered may apply to the Director for compensation from the bond of the dealer, distributor, rebuilder, manufacturer, representative or salesperson. 9. The Department shall not issue a license or plate pursuant to subsection 1 to a manufacturer, distributor, rebuilder or dealer who does not have and maintain an established place of business in this State. 10. As used in this section, "consumer" means any person who comes into possession of a vehicle as a final user for any purpose other than offering it for sale. [Part 16:202:1931; A 1937, 330; 1951, 165; 1953, 280; 1955, 468]—(NRS A 1957, 507; 1960, 345; 1961, 80; 1963, 261; 1965, 1475; 1971, 1304; 1973, 39; 1977, 644; 1981, 190; 1983, 1003; 1987, 1144; 1993, 2342; 2001, 1889; 2005, 1241; 2007, 3209; 2013, 482; 2017, 805)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.346 - Deposit in lieu of bond: Specifications; conditions for release; liability; immediate suspension of license if amount reduced or outstanding judgment; reinstatement of license; refund; deposit in Motor Vehicle Fund.

1. In lieu of a bond, an applicant may deposit with the Department, under terms prescribed by the Department: (a) A like amount of lawful money of the United States; or (b) A savings certificate of a bank, credit union, savings and loan association or savings bank situated in Nevada, which must indicate an account of an amount equal to the amount of the bond which would otherwise be required by NRS 482.345 and that this amount is unavailable for withdrawal except upon order of the Department. Interest earned on the amount accrues to the account of the applicant. 2. Except as otherwise provided in subsection 3, a deposit made pursuant to subsection 1 may be disbursed by the Director, for good cause shown and after notice and opportunity for hearing, in an amount determined by the Director to compensate a person injured by an action of the licensee, or released upon receipt of: (a) A court order

requiring the Director to release all or a specified portion of the deposit; or (b) A statement signed by the person or persons under whose name the deposit is made and acknowledged before any person authorized to take acknowledgments in this State, requesting the Director to release the deposit, or a specified portion thereof, and stating the purpose for which the release is requested. 3. A deposit made pursuant to subsection 1 in lieu of a bond required by NRS 482.345 may only be disbursed to compensate a consumer. As used in this subsection, "consumer" has the meaning ascribed to it in NRS 482.345. 4. When a deposit is made pursuant to subsection 1, liability under the deposit is in the amount prescribed by the Department. If the amount of the deposit is reduced or there is an outstanding court judgment for which the licensee is liable under the deposit, the license is automatically suspended. The license must be reinstated if the licensee: (a) Files an additional bond pursuant to subsection 1 of NRS 482.345; (b) Restores the deposit with the Department to the original amount required under this section; or (c) Satisfies the outstanding judgment for which the licensee is liable under the deposit. 5. A deposit made pursuant to subsection 1 may be refunded: (a) By order of the Director, 3 years after the date the licensee ceases to be licensed by the Department, if the Director is satisfied that there are no outstanding claims against the deposit; or (b) By order of court, at any time within 3 years after the date the licensee ceases to be licensed by the Department, upon evidence satisfactory to the court that there are no outstanding claims against the deposit. 6. Any money received by the Department pursuant to subsection 1 must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1981, 189; A 1983, 142; 1993, 2343; 1999, 1501; 2013, 484; 2019, 61)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.347 - Dealers: Principal and branch places of business to be covered by vehicle dealer's bond; dealer to procure certain other separate bonds.

1. The vehicle dealer's bond required by NRS 482.345 must cover the dealer's principal place of business and all branches operated by the dealer, including, without limitation, any place of business operated in this State by the dealer that is located outside the county of the dealer's principal office or any place of business operated by the dealer under a different name. 2. In addition to the coverage provided by the vehicle dealer's bond pursuant to subsection 1, the dealer shall procure a separate bond for: (a) Each place of business operated in this State by the dealer that is located outside the county of the dealer's principal office; and (b) Each place of business operated by the dealer under a different name. (Added to NRS by 1979, 1024; A 2001, 1890)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.350 - Dealers: New vehicle dealer's license not to be issued unless dealer first furnishes to Department instrument indicating dealer is franchised dealer of manufacturer; additional functions in which used vehicle dealers may engage.

1. Except for a manufacturer described in subsection 2 of NRS 482.078: (a) A new vehicle dealer's license shall not be furnished to any dealer in new vehicles, trailers or semitrailers unless the dealer first furnishes the Department an instrument executed by or on behalf of the manufacturer certifying that the dealer is an authorized franchised dealer for the make or makes of vehicle concerned. (b) New vehicle dealers are authorized to sell at retail only those new vehicles for which they are certified as franchised dealers by the manufacturer. 2. In addition to selling used vehicles, a used vehicle dealer may: (a) Sell at wholesale a new vehicle taken in trade or acquired as a result of a sales contract to a new vehicle dealer who is licensed and authorized to sell that make of vehicle; (b) Sell at wholesale a new vehicle through a wholesale vehicle auction provided that the wholesale vehicle auctioneer: (1) Does not take an ownership interest in the vehicle; and (2) Auctions the vehicle to a vehicle dealer who is licensed and authorized to sell that make of vehicle or to an automobile wrecker who is licensed in this State or any other state; (c) Sell a new vehicle on consignment from a person not licensed as a vehicle dealer, rebuilder or a long-term or short-term lessor; or (d) Sell a new vehicle if it has been substantially modified by the used vehicle dealer or a third party for use by a driver or passenger who is a person with a disability. 3. As used in this section: (a) "Person with a disability" has the meaning ascribed to it in NRS 433.5473. (b) "Substantially modified" means equipped or adapted for the purpose of aiding or allowing a person with a disability to operate, travel in, enter, exit or load a vehicle. The term includes, without limitation: (1) Mechanical or structural changes to a vehicle that allow a person with a disability to safely drive or ride as a passenger; (2) A device or mechanism that is used for loading or unloading a wheelchair or scooter and is mounted on the roof, in the passenger area, in the trunk or other storage area of a vehicle; and (3) Mechanical or electrical adaptive control devices that are installed in a vehicle to enable a person with mobility restrictions to control, without limitation, the accelerator, foot brake, turn signals, dimmer switch, steering wheel or parking brake of a vehicle. [Part 16:202:1931; A 1937, 330; 1951, 165; 1953, 280; 1955, 468]—(NRS A 1957, 508; 1965, 1475; 1995, 776; 2007, 3211; 2014, 28th Special Session, 5; 2015, 850)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.351 - "Bait and switch," misleading or inaccurate advertising by dealer or rebuilder prohibited; regulations.

1. No vehicle dealer or rebuilder may employ "bait and switch" advertising or otherwise intentionally publish, display or circulate any advertising which is misleading or inaccurate in any material particular or which misrepresents any of the products sold, leased, manufactured, handled or furnished to the public. 2. The Director shall adopt such regulations as may be necessary for making the administration of this section effective. 3. As used in this section, "bait and switch" advertising consists of an offer to sell goods or services which the seller in truth may not intend or desire to sell, accompanied by one or more of the following practices: (a) Refusal to show the goods advertised. (b) Disparagement in any material respect of the advertised goods or services or the terms of sale. (c) Requiring other sales or other undisclosed conditions to be met before selling the advertised goods or services. (d) Refusal to take

orders for the goods or services advertised for delivery within a reasonable time. (e) Showing or demonstrating defective goods which are unusable or impractical for the purposes set forth in the advertisement. (f) Accepting a deposit for the goods or services and subsequently switching the purchase order to higher priced goods or services. (Added to NRS by 1965, 1472; A 1971, 1305; 1999, 3284)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3515 - Vehicle dealer required to disclose information concerning emission of carbon dioxide of certain new vehicles; exception.

Every vehicle dealer licensed in this State shall ensure that, beginning with the 2012 model year and continuing with subsequent model years, each new vehicle the vehicle dealer offers for sale is accompanied by a prominent disclosure setting forth the estimated amount of carbon dioxide that the vehicle emits, unless the information concerning the emissions for that vehicle is unavailable. (Added to NRS by 2009, 2756)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.352 - Manufacturers, distributors, dealers and rebuilders: Grounds for denial, suspension or revocation of license; disclosure of financial records; regulations.

1. The Department may deny the issuance of, suspend or revoke a license to engage in the activities of a manufacturer, distributor, rebuilder or dealer in new or used vehicles or to engage in the leasing of vehicles in this State upon any of the following grounds: (a) Failure of the applicant to have an established place of business in this State. (b) Conviction of a felony in the State of Nevada or any other state, territory or nation. (c) Material misstatement in the application. (d) Evidence of unfitness of the applicant or licensee. (e) Willful failure to comply with any of the provisions of the motor vehicle laws of the State of Nevada or the directives of the Director. For the purpose of this paragraph, failure to comply with the directives of the Director advising the licensee of noncompliance with any provision of the motor vehicle laws of this State or regulations of the Department, within 10 days after receipt of the directive, is prima facie evidence of willful failure to comply with the directive. (f) Failure or refusal to furnish and keep in force any bond. (g) Failure on the part of the licensee to maintain a fixed place of business in this State. (h) Failure or refusal by a licensee to pay or otherwise discharge any final judgment against the licensee rendered and entered against the licensee, arising out of the misrepresentation of any vehicle, trailer or semitrailer, or out of any fraud committed in connection with the sale of any vehicle, trailer or semitrailer. (i) Failure of the licensee to maintain any other license or bond required by any political subdivision of this State. (j) Allowing an unlicensed salesperson to sell or lease any vehicle or to act in the capacity of a salesperson as defined in this chapter. (k) Failure or refusal to provide to the Department an authorization for the disclosure of financial records for the business as required pursuant to subsection 3. (l) Engaging in a deceptive trade practice relating to the purchase and sale or lease of a vehicle. 2. The Director may deny the issuance of a license to an applicant or revoke a license already issued if the Department is satisfied that the applicant or licensee is not entitled thereto. 3. Upon the receipt of any report or complaint alleging that an applicant or a licensee has engaged in financial misconduct or has failed to satisfy financial obligations related to the activities of a manufacturer, distributor, dealer or rebuilder, the Department may require the applicant or licensee to submit to the Department an authorization for the disclosure of financial records for the business as provided in NRS 239A.090. The Department may use any information obtained pursuant to the authorization only to determine the suitability of the applicant or licensee for initial or continued licensure. Information obtained pursuant to the authorization may be disclosed only to those employees of the Department who are authorized to issue a license to an applicant pursuant to NRS 482.318 to 482.363105, inclusive, or to determine the suitability of an applicant or a licensee for such licensure. 4. The Department may adopt regulations establishing additional criteria that may be used to deny, suspend, revoke or refuse to renew a license issued pursuant to this chapter. (Added to NRS by 1957, 509; A 1961, 130; 1965, 1476; 1971, 1305; 1973, 628; 1983, 1003; 1985, 680; 1997, 144; 2005, 1243; 2007, 3212)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.353 - Ability of applicant or licensee to petition for hearing after notice of denial, suspension or revocation; duties and powers of Director; exception from applicability of section.

1. Except as otherwise provided in subsection 5, an applicant or licensee may, within 30 days after receipt of the notice of denial, suspension or revocation, petition the Director in writing for a hearing. 2. Subject to the further requirements of subsection 3, the Director shall make written findings of fact and conclusions and grant or finally deny the application or revoke the license within 15 days after the hearing unless by interim order the Director extends the time to 30 days after the hearing. If the license has been temporarily suspended, the suspension expires not later than 15 days after the hearing. 3. If the Director finds that the action is necessary in the public interest, upon notice to the licensee, the Director may temporarily suspend or refuse to renew the license certificate issued to a manufacturer, distributor, dealer, lessor, broker or rebuilder and the special plates issued to a manufacturer, distributor, lessor, rebuilder, broker or dealer for a period not to exceed 30 days. A hearing must be held, and a final decision rendered, within 30 days after notice of the temporary suspension. 4. The Director may issue subpoenas for the attendance of witnesses and the production of evidence. 5. The provisions of this section do not apply to an applicant for a temporary permit to engage in the activity of a salesperson. (Added to NRS by 1957, 509; A 1961, 131; 1965, 1476; 1975, 1577; 1977, 75, 1063; 1981, 83; 1983, 1004; 2007, 3213)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.354 - Trial de novo.

Upon judicial review of the denial or revocation of a license, the court for good cause shown may order a trial de novo. (Added to NRS by 1957, 509; A 1969, 312; 1973, 250; 1977, 1063)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.362 - Salespersons: Licensing; fees; grounds for denial, suspension or revocation of license; reemployment; notice of change of address or termination; penalty. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] Salespersons: Licensing; fees; grounds for denial, suspension or revocation of license; reemployment; notice of change of address or termination; penalty. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. A person shall not engage in the activity of a salesperson of vehicles, trailers or semitrailers, or act in the capacity of a salesperson as defined in this chapter, in the State of Nevada without first having received a license or temporary permit from the Department. Before issuing a license or temporary permit to engage in the activity of a salesperson, the Department shall require: (a) An application, signed and verified by the applicant, stating that the applicant is to engage in the activity of a salesperson, his or her residence address and social security number, and the name and address of the applicant's employer. (b) Proof of the employment of the applicant by a licensed and bonded vehicle dealer, trailer or semitrailer dealer, lessor or rebuilder at the time the application is filed. (c) A statement as to whether any previous application of the applicant has been denied or license revoked. (d) Payment of a nonrefundable license fee of \$75. The license expires on December 31 of each calendar year and may be renewed annually upon the payment of a fee of \$40. (e) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (f) For initial licensure, the applicant to submit a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (g) Any other information the Department deems necessary. 2. The Department may issue a 60-day temporary permit to an applicant who has submitted an application and paid the required fees. 3. A license to act as a salesperson of vehicles, trailers or semitrailers, or to act in the capacity of a salesperson as defined in this chapter, issued pursuant to this chapter does not permit a person to engage in the business of selling mobile homes. 4. An application for a salesperson's license may be denied and a salesperson's license may be suspended or revoked upon the following grounds: (a) Failure of the applicant to establish by proof satisfactory to the Department that the applicant is employed by a licensed and bonded vehicle dealer, trailer dealer or semitrailer dealer, lessor or rebuilder. (b) Conviction of a class A or B felony. (c) Conviction of a class C, D or E felony within the immediately preceding 10 years. (d) Conviction of a gross misdemeanor within the immediately preceding 10 years. (e) Conviction of a misdemeanor within the immediately preceding 20 years for violation of any of the provisions of this chapter. (f) Falsification of the application. (g) Evidence of unfitness as described in NRS 482.3255. (h) Failure of the applicant to provide any information deemed necessary by the Department to process the application. (i) Any reason determined by the Director to be in the best interests of the public. 5. Except where a dealer, lessor or rebuilder has multiple branches licensed under NRS 482.326, a salesperson of vehicles shall not engage in any sales activity, or act in any other capacity as a salesperson as defined in this chapter, other than for the account of or for and in behalf of a single employer, at a specified place of business of that employer, who must be a licensed dealer, lessor or rebuilder. 6. If an application for a salesperson's license has been denied, the applicant may reapply not less than 6 months after the denial. 7. A salesperson's license must be posted in a conspicuous place on the premises of the dealer, lessor or rebuilder for whom the salesperson is licensed to sell vehicles. 8. If a licensed salesperson ceases to be employed by a licensed and bonded dealer, lessor or rebuilder, the license to act as a salesperson is automatically suspended and the right to act as a salesperson thereupon immediately ceases, and the person shall not engage in the activity of a salesperson until he or she has paid the Department a transfer fee of \$20 and submitted a certificate of employment indicating he or she has been reemployed by a licensed and bonded dealer, lessor or rebuilder, and has thereafter presented a current temporary permit or a new salesperson's license to the employer. 9. If a licensed salesperson changes his or her residential address, the salesperson shall submit a written notice of the change to the Department within 10 days after the change occurs. 10. If a person who holds a temporary permit to act as a salesperson ceases to be employed by a licensed and bonded dealer, lessor or rebuilder, the permit to act as a salesperson is automatically suspended, the right to act as a salesperson thereupon immediately ceases and the person shall not engage in the activity of a salesperson until he or she has paid the Department a transfer fee of \$20 and submitted a certificate of employment indicating he or she has been reemployed by a licensed and bonded dealer, lessor or rebuilder, and has thereafter presented a current temporary permit or a new salesperson's license to the employer. 11. A licensed dealer, lessor or rebuilder who employs a licensed salesperson shall notify the Department of the termination of his or her employment within 10 days following the date of termination by forwarding the salesperson's license to the Department. 12. Any person who fails to comply with the provisions of this section is guilty of a

misdeemeanor except as otherwise provided in NRS 482.555. (Added to NRS by 1957, 510; A 1965, 1477; 1971, 1306; 1975, 239, 280, 1534, 1577; 1977, 673; 1979, 1224; 1985, 338, 926; 1991, 274; 1993, 628; 1997, 2072; 2007, 3213; 2013, 1838; 2017, 955) 1. A person shall not engage in the activity of a salesperson of vehicles, trailers or semitrailers, or act in the capacity of a salesperson as defined by this chapter, in the State of Nevada without first having received a license or temporary permit from the Department. Before issuing a license or temporary permit to engage in the activity of a salesperson, the Department shall require: (a) An application, signed and verified by the applicant, stating that the applicant is to engage in the activity of a salesperson, his or her residence address, and the name and address of the applicant's employer. (b) Proof of the employment of the applicant by a licensed and bonded vehicle dealer, trailer or semitrailer dealer, lessor or rebuilder at the time the application is filed. (c) A statement as to whether any previous application of the applicant has been denied or license revoked. (d) Payment of a nonrefundable license fee of \$75. The license expires on December 31 of each calendar year and may be renewed annually upon the payment of a fee of \$40. (e) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (f) For initial licensure, the applicant to submit a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (g) Any other information the Department deems necessary. 2. The Department may issue a 60-day temporary permit to an applicant who has submitted an application and paid the required fees. 3. A license to act as a salesperson of vehicles, trailers or semitrailers, or to act in the capacity of a salesperson as defined in this chapter, issued pursuant to this chapter does not permit a person to engage in the business of selling mobile homes. 4. An application for a salesperson's license may be denied and a salesperson's license may be suspended or revoked upon the following grounds: (a) Failure of the applicant to establish by proof satisfactory to the Department that the applicant is employed by a licensed and bonded vehicle dealer, trailer dealer or semitrailer dealer, lessor or rebuilder. (b) Conviction of a class A or B felony. (c) Conviction of a class C, D or E felony within the immediately preceding 10 years. (d) Conviction of a gross misdemeanor within the immediately preceding 10 years. (e) Conviction of a misdemeanor within the immediately preceding 20 years for violation of any of the provisions of this chapter. (f) Falsification of the application. (g) Evidence of unfitness as described in NRS 482.3255. (h) Failure of the applicant to provide any information deemed necessary by the Department to process the application. (i) Any reason determined by the Director to be in the best interests of the public. 5. Except where a dealer, lessor or rebuilder has multiple branches licensed under NRS 482.326, a salesperson of vehicles shall not engage in any sales activity, or act in any other capacity as a salesperson as defined in this chapter, other than for the account of or for and in behalf of a single employer, at a specified place of business of that employer, who must be a licensed dealer, lessor or rebuilder. 6. If an application for a salesperson's license has been denied, the applicant may reapply not less than 6 months after the denial. 7. A salesperson's license must be posted in a conspicuous place on the premises of the dealer, lessor or rebuilder for whom the salesperson is licensed to sell vehicles. 8. If a licensed salesperson ceases to be employed by a licensed and bonded dealer, lessor or rebuilder, the license to act as a salesperson is automatically suspended and the right to act as a salesperson thereupon immediately ceases, and the person shall not engage in the activity of a salesperson until he or she has paid the Department a transfer fee of \$20 and submitted a certificate of employment indicating he or she has been reemployed by a licensed and bonded dealer, lessor or rebuilder, and has thereafter presented a current temporary permit or a new salesperson's license to the employer. 9. If a licensed salesperson changes his or her residential address, the salesperson shall submit a written notice of the change to the Department within 10 days. 10. If a person who holds a temporary permit to act as a salesperson ceases to be employed by a licensed and bonded dealer, lessor or rebuilder, the permit to act as a salesperson is automatically suspended, the right to act as a salesperson thereupon immediately ceases and the person shall not engage in the activity of a salesperson until he or she has paid the Department a transfer fee of \$20 and submitted a certificate of employment indicating he or she has been reemployed by a licensed and bonded dealer, lessor or rebuilder, and has thereafter presented a current temporary permit or a new salesperson's license to the employer. 11. A licensed dealer, lessor or rebuilder who employs a licensed salesperson shall notify the Department of the termination of his or her employment within 10 days following the date of termination by forwarding the salesperson's license to the Department. 12. Any person who fails to comply with the provisions of this section is guilty of a misdemeanor except as otherwise provided in NRS 482.555. (Added to NRS by 1957, 510; A 1965, 1477; 1971, 1306; 1975, 239, 280, 1534, 1577; 1977, 673; 1979, 1224; 1985, 338, 926; 1991, 274; 1993, 628; 1997, 2072; 2007, 3213, 3215; 2013, 1838; 2017, 955, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.363 - Lessors and certain employees: Licensing; renewal; fees; denial, suspension, revocation or transfer of license; applicability of provisions. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] Lessors and certain employees: Licensing; renewal; fees; denial, suspension, revocation or transfer of license; applicability of provisions. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support

arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. Except as otherwise provided in subsection 7, a person who engages in the leasing of vehicles in this State as a long-term or short-term lessor shall: (a) Secure a license from the Department to conduct the leasing business; (b) Post a bond; (c) Furnish the Department with any other information as may be required; (d) Comply with the terms and conditions of this chapter which apply to vehicle dealers; (e) If the applicant is a natural person, submit the statement required pursuant to NRS 482.319; and (f) Pay a license fee of \$125. 2. Except as otherwise provided in subsection 7, a short-term lessor shall, in addition to the license fee specified in subsection 1, pay a fee of \$125 for each branch to be operated pursuant to the license. 3. Any person employed by a long-term lessor licensed under the provisions of subsection 1 who engages in the practice of arranging or selling such services, and any person employed by a short-term lessor who sells, offers or displays for sale or exchange vehicles which are owned by the short-term lessor shall, before commencing operations, and annually thereafter: (a) Secure from the Department a license to act as a salesperson of such services; and (b) Comply with the terms and conditions which apply to salespersons of vehicles as specified in NRS 482.362. 4. An application for the issuance of a license pursuant to this section must include the social security number of the applicant. 5. Licenses issued pursuant to subsection 1 expire on December 31 of each year. Before December 31 of each year, licensees shall furnish the Department with an application for renewal of the license accompanied by an annual renewal fee of \$50. Except as otherwise provided in subsection 7, a short-term lessor shall, in addition to the annual renewal fee, pay an annual fee of \$50 for each branch to be operated pursuant to the license. If the applicant is a natural person, the application for renewal also must be accompanied by the statement required pursuant to NRS 482.319. The renewal application must be provided by the Department and must contain information required by the Department. 6. The provisions of NRS 482.352, relating to the denial, revocation or suspension of licenses, apply to licenses issued pursuant to the provisions of subsection 1. The provisions of NRS 482.362, relating to the denial, revocation, suspension and transfer of vehicle salespersons' licenses, apply to licenses issued pursuant to the provisions of subsection 3. 7. The provisions of subsections 1, 2 and 5 which relate to the licensing of lessors of vehicles do not apply to: (a) An owner of a vehicle who leases it to a carrier and operates the vehicle pursuant to that lease; or (b) A new or used vehicle dealer licensed pursuant to the provisions of NRS 482.325 who engages in the leasing of vehicles in this State as a long-term lessor. 8. As used in this section, "carrier" has the meaning ascribed to it in NRS 482.3963. (Added to NRS by 1965, 1472; A 1967, 707; 1971, 1307; 1975, 1072, 1578; 1979, 1225; 1983, 1005; 1997, 319, 2073, 2993; 1999, 520) 1. Except as otherwise provided in subsection 6, a person who engages in the leasing of vehicles in this State as a long-term or short-term lessor shall: (a) Secure a license from the Department to conduct the leasing business; (b) Post a bond; (c) Furnish the Department with any other information as may be required; (d) Comply with the terms and conditions of this chapter which apply to vehicle dealers; and (e) Pay a license fee of \$125. 2. Except as otherwise provided in subsection 6, a short-term lessor shall, in addition to the license fee specified in subsection 1, pay a fee of \$125 for each branch to be operated pursuant to the license. 3. Any person employed by a long-term lessor licensed under the provisions of subsection 1 who engages in the practice of arranging or selling such services, and any person employed by a short-term lessor who sells, offers or displays for sale or exchange vehicles which are owned by such short-term lessor shall, before commencing operations, and annually thereafter: (a) Secure from the Department a license to act as a salesperson of such services; and (b) Comply with the terms and conditions which apply to salespersons of vehicles as specified in NRS 482.362. 4. Licenses issued pursuant to subsection 1 expire on December 31 of each year. Before December 31 of each year, licensees shall furnish the Department with an application for renewal of the license accompanied by an annual renewal fee of \$50. Except as otherwise provided in subsection 6, a short-term lessor shall, in addition to the annual renewal fee, pay an annual fee of \$50 for each branch to be operated pursuant to the license. The renewal application must be provided by the Department and must contain information required by the Department. 5. The provisions of NRS 482.352, relating to the denial, revocation or suspension of licenses, apply to licenses issued pursuant to the provisions of subsection 1. The provisions of NRS 482.362, relating to the denial, revocation, suspension and transfer of vehicle salespersons' licenses, apply to licenses issued pursuant to the provisions of subsection 3. 6. The provisions of subsections 1, 2 and 4 which relate to the licensing of lessors of vehicles do not apply to: (a) An owner of a vehicle who leases it to a carrier and operates the vehicle pursuant to that lease; or (b) A new or used vehicle dealer licensed pursuant to the provisions of NRS 482.325 who engages in the leasing of vehicles in this State as a long-term lessor. 7. As used in this section, "carrier" has the meaning ascribed to it in NRS 482.3963. (Added to NRS by 1965, 1472; A 1967, 707; 1971, 1307; 1975, 1072, 1578; 1979, 1225; 1983, 1005; 1997, 319, 2073, 2993; 1999, 520, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.363105 - Long-term lessors also holding licenses as vehicle dealers: Authorized acts.

A licensed long-term lessor who also holds a license as a vehicle dealer on January 1, 1995, may, for the period those licenses remain in effect, sell, exchange, buy, offer or display for sale, negotiate or attempt to negotiate the sale or exchange of, or induce or attempt to induce any person to buy or exchange an interest in, a vehicle that has been registered with the Department, or has been registered with the appropriate agency of authority of any other state, the District of Columbia, any territory or possession of the United States or foreign state, province or country, if the long-term lessor: 1. Maintains an established place of business in this State which: (a) Is in a location that is zoned for such activities; (b) Includes an office and lot facilities with sufficient space to meet the

needs of his or her customers; and (c) Includes a facility for repairing and performing maintenance work on vehicles; 2. Maintains all other state and local licenses, registrations and permits required for such activities; and 3. Forwards to the registered owner of a vehicle sold by the long-term lessor any notice received from the manufacturer of the vehicle regarding a defect in the vehicle. (Added to NRS by 1995, 775)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36311 - Definitions.

As used in NRS 482.36311 to 482.36425, inclusive, unless the context otherwise requires, the words and terms defined in NRS 482.36318 to 482.36348, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1977, 553; A 1981, 192, 702; 1985, 1831; 1987, 2202; 1999, 2507; 2003, 20th Special Session, 300; 2014, 28th Special Session, 5; 2017, 1540)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36318 - Distributor" defined.

"Distributor" means a person, other than a manufacturer, who is engaged in the business of selling new vehicles to dealers. (Added to NRS by 2003, 20th Special Session, 299)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36319 - "Distributor branch" defined.

"Distributor branch" means a branch office maintained by a distributor for the sale of new vehicles to dealers or which is maintained for directing and supervising distributor branch representatives. (Added to NRS by 1977, 553; A 2003, 20th Special Session, 300)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3632 - "Factory branch" defined.

"Factory branch" means a branch office maintained by a manufacturer for the sale of new vehicles to distributors or dealers or which is maintained for directing and supervising manufacturers' representatives. (Added to NRS by 1977, 553; A 2003, 20th Special Session, 300)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3634 - "Relevant market area" defined.

"Relevant market area" means any area within a radius of 10 miles of an existing dealer who sells vehicles of the same line and make. (Added to NRS by 1977, 554; A 1981, 702)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36345 - "Representative" defined.

"Representative" means any person regularly employed by a manufacturer or distributor for the purpose of negotiating or promoting the sale of the manufacturer's or distributor's new vehicles to dealers or for regularly supervising or communicating with dealers or prospective dealers in this State for any purpose. (Added to NRS by 1977, 554; A 2003, 20th Special Session, 300)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36348 - Vehicle" defined.

"Vehicle" means a motor vehicle or a recreational vehicle. The term includes a recreational vehicle designed to be mounted upon or drawn by a motor vehicle. (Added to NRS by 2003, 20th Special Session, 299)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36349 - Certain manufacturers not subject to provisions governing franchises for sales of motor vehicles.

1. Except as otherwise provided in subsection 3, a manufacturer is not subject to the provisions of NRS 482.36311 to 482.36425, inclusive, if the manufacturer: (a) Only manufactures passenger cars powered solely by one or more electric motors; (b) Only sells at retail new or new and used passenger cars that it manufactures; and (c) Was selling such passenger cars at retail in this State on or before January 1, 2016. 2. Except as otherwise provided in subsection 3, a manufacturer is not subject to the provisions of NRS 482.36311 to 482.36425, inclusive, if the manufacturer: (a) Manufactures fully autonomous vehicles in this State that are operated exclusively by an automated driving system; and (b) Is selling such fully autonomous vehicles in this State to another legal entity under common control with the manufacturer. 3. A manufacturer described in subsection 1 or 2 is subject to the provisions of NRS 482.363574. 4. As used in this section: (a) "Automated driving system" has the meaning ascribed to it in NRS 482A.025. (b) "Fully autonomous vehicle" has the meaning ascribed to it in NRS 482A.036. (Added to NRS by 2014, 28th Special Session, 4; A 2017, 1540; 2023, 594)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36352 - Termination or discontinuation of franchise: Notice; grounds; protest by dealer; hearing.

1. Notwithstanding the terms of any franchise, a manufacturer or distributor shall not terminate or refuse to continue any franchise unless it has received the written consent of the dealer or: (a) It has given written notice of its intention to the dealer and the Director; and (b) Either of the following conditions occurs: (1) The dealer does not file a protest with the Director within the time allowed by this section; or (2) After the dealer has filed a protest and the Director has conducted a hearing on the matter, the Director issues an order authorizing the manufacturer or distributor to terminate the franchise or permit it to lapse. 2. The notice required by this section must be given to the dealer and the Director: (a) At least 15 days before the effective date of the intended termination or the date on which the existing franchise is to expire if the grounds for the termination or refusal include any of the following: (1) Except as otherwise provided in NRS 482.36396 to 482.36414, inclusive, transfer of any ownership or interest in the franchised dealership without the consent of the manufacturer or distributor unless that consent has been withheld without good cause; (2) Material misrepresentation by the dealer in applying for the franchise; (3) Insolvency of the dealer or the filing of any petition by or against the dealer under any law governing bankruptcy or receivership; (4) Any unfair business practice by the dealer after the manufacturer or distributor has issued a written warning to the dealer to desist from that practice; (5) Revocation of a dealer's license under this chapter; (6) Conviction of the dealer for a felony; and (7) Closure by the dealer for a period longer than 14 days, unless the closure was caused by a force beyond the control of the dealer. (b) At least 60 days before the effective date of the intended termination or the date on which the existing franchise is to expire if the grounds for the termination or refusal do not include one or more of those set forth in paragraph (a). The notice required by this section must include a statement of the particular grounds for the intended termination or refusal to continue a franchise. 3. A dealer who has received a notice pursuant to this section may file a protest with the Director: (a) Within 10 days after receiving the notice if it states one or more of the grounds specified in paragraph (a) of subsection 2; (b) Within 30 days after receiving the notice if it does not state one of the grounds specified in that paragraph; or (c) In either case, within 30 days after the end of any appellate procedure provided by the manufacturer or distributor. (Added to NRS by 1981, 698; A 1985, 1831; 1999, 2507)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.363521 - Termination or discontinuation of franchise: Compensation of dealer.

1. Upon the termination or refusal to continue a franchise, the manufacturer or distributor shall compensate the dealer for: (a) The dealer's inventory of new vehicles, including new vehicles not of the current model year if delivered to the dealer during the 18-month period immediately preceding the effective date of the termination or refusal to continue the franchise. As used in this paragraph, a "new vehicle" is one which has not been damaged, materially altered or registered with the Department or with the appropriate agency of authority of any other state, the District of Columbia, any territory or possession of the United States or any foreign state, province or country. (b) The dealer's inventory of parts and accessories which: (1) Have been purchased by the dealer from the manufacturer or distributor; and (2) Are listed in a current parts catalog of the manufacturer or distributor. (c) Any special tools purchased by the dealer from the manufacturer or distributor, less a reasonable allowance for depreciation. (d) Any equipment, furnishings or signs purchased by the dealer from the manufacturer or distributor, less a reasonable allowance for depreciation. (e) Except as otherwise provided in subsection 4, the fair rental value for 90 days, and any additional period allowed by the Director after considering the difficulty of finding a new tenant for the dealer's premises affected, after the effective date of the termination or refusal to continue of the portion of the dealer's place of business that was used by the dealer to sell or service vehicles or other products of the manufacturer or distributor. 2. Compensation paid pursuant to paragraphs (a) to (d), inclusive, of subsection 1 must be paid in an amount at least equal to the greater of: (a) The amount actually paid by the dealer for the vehicles, parts, tools and equipment; or (b) The amount currently paid by other dealers in this State for the vehicles, parts, tools and equipment. 3. If compensation is paid pursuant to paragraph (e) of subsection 1, the dealer shall allow the manufacturer or distributor paying the compensation the use and possession of the premises affected. 4. The manufacturer or distributor is not required to pay compensation pursuant to paragraph (e) of subsection 1 if the dealer has been convicted of a crime involving fraud in connection with his or her application for or operation of the franchise. 5. This section does not relieve a dealer of the obligation to mitigate damages resulting from the termination or refusal to continue the franchise. (Added to NRS by 1987, 2200; A 1999, 2508; 2003, 20th Special Session, 300)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.363523 - Termination or discontinuation of franchise: Duties of dealer.

Upon the termination or refusal to continue a franchise, the dealer: 1. May not require reimbursement by the manufacturer or distributor for any parts or services furnished by the dealer, after the effective date of the termination or refusal to continue, to customers pursuant to any warranties of the manufacturer or distributor; 2. Shall deliver to the manufacturer or distributor any invoices and money deposited by customers for vehicles or other products of the manufacturer or distributor that were not delivered to the customers before the effective date of the termination or refusal to continue; and 3. Shall furnish the manufacturer or distributor with copies of all of his or her records concerning the servicing of any vehicle or other product of the manufacturer or distributor. The manufacturer or distributor shall reimburse the dealer for the reasonable cost of compiling and copying the records and delivering the copies. (Added to NRS by 1987, 2201; A 2003, 20th Special Session, 301)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36354 - Modification or replacement of franchise: Notice; protest by dealer; hearing; change of area of primary

responsibility of dealer; requirement for franchise agreement to be offered if manufacturer is purchased by another manufacturer or entity.

1. A manufacturer or distributor shall not modify the franchise of a dealer or replace the franchise with another franchise if the modification or replacement would have a substantially adverse effect upon the dealer's investment or obligations to provide sales and service, unless: (a) The manufacturer or distributor has given written notice of its intention to the Director and the dealer affected by the intended modification or replacement; and (b) Either of the following conditions occurs: (1) The dealer does not file a protest with the Director within 30 days after receiving the notice; or (2) After a protest has been filed with the Director and the Director has conducted a hearing, the Director issues an order authorizing the manufacturer or distributor to modify or replace the franchise. 2. The notice required by subsection 1 must be given to the dealer and to the Director at least 60 days before the date on which the intended action is to take place. 3. If a manufacturer or distributor changes the area of primary responsibility of a dealer, the change constitutes a modification of the franchise of the dealer for the purposes of NRS 482.36311 to 482.36425, inclusive. As used in this subsection, "area of primary responsibility" means the geographic area in which a dealer, pursuant to a franchise agreement, is responsible for selling, servicing and otherwise representing the products of a manufacturer or distributor. 4. Notwithstanding the provisions of this section, if a manufacturer is purchased by another manufacturer or entity, a dealer must be offered a franchise agreement that is substantially similar to the franchise agreement offered to other dealers of the same line and make of vehicles. (Added to NRS by 1981, 699; A 2005, 1147; 2011, 1027)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36355 - Considerations for determining good cause for termination, discontinuation, modification or replacement of franchise.

In determining whether good cause has been established for permitting a manufacturer or distributor to terminate, refuse to continue, modify or replace a franchise, the Director shall consider, without limitation: 1. The amount of business transacted by the dealer, as compared to the business available to the dealer, but only if there was merchandise available to the dealer in sufficient quantities of models to match competitive makes and models available in the relevant marketing area. All transactions and all registrations must be taken into account within the area covered by the franchise. 2. The investment necessarily made and obligations incurred by the dealer to perform its part of the franchise. 3. Whether the proposed action would be injurious or beneficial to the public welfare. 4. Whether the dealer has adequate new facilities for sales and service, equipment, vehicle parts and qualified personnel to provide reasonably for the needs of the customers for the new vehicles handled by the dealer, and whether the dealer has been and is rendering adequate services to the public. 5. Whether the dealer fails to fulfill warranty obligations of the manufacturer or distributor to be performed by the dealer. 6. The extent of the dealer's failure, if any, to comply with the terms of the franchise. 7. Whether the dealer, the successor in interest of the dealer or the manufacturer or distributor has complied with the provisions of NRS 482.36396 to 482.36414, inclusive. (Added to NRS by 1981, 699; A 1985, 1832; 1999, 2509)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36356 - Additional criteria for determining existence of good cause for termination, discontinuation, modification or replacement of franchise or for establishing additional dealership or relocating existing dealership.

1. In addition to other criteria provided for determining whether good cause exists for terminating, refusing to continue, modifying or replacing a franchise, or for establishing an additional dealership or relocating an existing dealership, the Director shall consider the lasting nature of each affected dealer's investment. The investment includes commitments of the owner to the dealership, the value of time and effort devoted to building the business, and any real property of the owner used by the dealership whether or not held in the name of the dealership. 2. The sole fact that a manufacturer or distributor desires further penetration of the market does not constitute good cause to take any of the actions described in subsection 1. (Added to NRS by 1999, 2505)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36357 - Establishment or relocation of dealership in marketing area of dealer in same line and make of vehicles: Notice; protest of dealer; hearing; exemptions.

1. Except as otherwise provided in subsection 2, a manufacturer or distributor shall not enter into a franchise which would establish an additional dealership for new vehicles or relocate an existing dealership within the relevant market area of another dealer in the same line and make of vehicles unless: (a) The manufacturer or distributor has given written notice of its intention to the Director and to each dealer in the same line and make in the relevant market area; and (b) Either of the following conditions occurs: (1) None of the dealers affected files a protest with the Director within 15 days after receiving the notice or within 15 days after the end of any appeal procedure provided in the franchise agreement; or (2) After a protest has been filed with the Director and the Director has conducted a hearing, the Director finds that there is not good cause for preventing the intended establishment or relocation of a dealership and issues an order authorizing the manufacturer or distributor to establish the additional dealership or relocate the existing dealership. 2. The requirements of this section do not apply to: (a) Relocation of a dealership if the new location is within 2 miles of the former location and is within the same city and relevant market area as the former location. (b) The establishment of a branch office of the manufacturer or distributor for the purpose of selling vehicles at a fair, exhibition or similar event if the branch office is not intended to operate for more than 30 days. (c) Reopening of a dealership which has been out of operation for less than 2

years. (Added to NRS by 1981, 700)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.363571 - Manufacturer prohibited from modifying franchise of or taking adverse action against dealer for selling vehicle which is later exported outside of United States; exception.

A manufacturer shall not modify the franchise of a dealer or take any adverse action against a dealer that sells a vehicle which is later exported outside the United States, unless the dealer had actual knowledge of or reasonably should have known of the exportation of the vehicle. (Added to NRS by 2011, 1027)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.363573 - Substantial alteration of existing facility of dealer: Restrictions on manufacturer; criteria that constitute modification of franchise agreement.

1. A manufacturer shall not require a dealer: (a) To alter substantially an existing facility of the dealer; or (b) To construct a new facility, for any new vehicles that are handled by the dealer unless the alteration or new construction constitutes a reasonable facility requirement in accordance with the franchise agreement. 2. If a manufacturer requires a substantial alteration of an existing facility of the dealer or requires the dealer to construct a new facility, that requirement constitutes a modification of the franchise of the dealer for the purposes of this section and NRS 482.36311 to 482.36425, inclusive. (Added to NRS by 2011, 1026)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.363574 - Compensation to dealer for certain used vehicles subject to recall or other orders; requirements for dealer to file claim with manufacturer; calculation of compensation; limits on compensation; duties and requirements of manufacturers upon receiving compensation claims.

1. If a manufacturer issues a recall and either a stop-sale order or a do-not-drive order on a used vehicle and parts or a remedy are not available to perform a recall service or repair on the vehicle within 30 days after issuing the recall, a new vehicle dealer that is franchised to sell and service new vehicles of the manufacturer is entitled to compensation from the manufacturer and may file a claim with the manufacturer for each used vehicle subject to the recall which the dealer: (a) Has in its used vehicle inventory on the date on which the stop-sale order or do-not-drive order is issued; or (b) Takes into its used car inventory as a consumer trade-in related to the sale of a new vehicle after the date on which the stop-sale order or do-not-drive order is issued. 2. A claim for compensation that is filed by a new vehicle dealer pursuant to this section: (a) Must be in a form prescribed by the manufacturer. The manufacturer may prescribe the manner in which a dealer must demonstrate eligibility for such compensation, including, without limitation, the documentation required to show the inventory status of a used vehicle, provided that the demonstration of eligibility or the providing of documentation is not unduly burdensome. (b) Except as otherwise provided in subsection 5, is subject to the provisions of NRS 482.36385. 3. Except as otherwise provided in subsections 4 and 5, compensation for a used vehicle pursuant to this section must be calculated at a rate of not less than 1 percent of the value of the used vehicle per month, beginning 30 days after the date on which the stop-sale order or do-not-drive order is provided to the dealer and continuing until the earlier of the date: (a) The parts or a remedy for the recall service or repair are made available to the dealer; or (b) The dealer sells, trades or otherwise disposes of the used vehicle. 4. Compensation due to a new vehicle dealer pursuant to subsection 1 is limited to an amount equal to the value of the used vehicle for which the compensation is paid. 5. A manufacturer, in lieu of compensating a new vehicle dealer pursuant to subsection 3, may: (a) Compensate the dealer pursuant to a national recall compensation program, if the amount of compensation owed to the dealer under the program is not less than the amount of compensation owed to the dealer pursuant to subsection 3; or (b) Enter into an agreement with the dealer for an alternative form or amount of compensation. 6. A manufacturer may not take any action to offset or reduce the amount of compensation owed to a new vehicle dealer pursuant to this section, including, without limitation, through a chargeback program, any reduction in an amount owed to the new vehicle dealer under an incentive program or the removal of the new vehicle dealer from an incentive program, if such action is taken, in whole or in part, because the new vehicle dealer filed a claim for compensation pursuant to this section. This subsection: (a) Does not apply to any action taken by a manufacturer that is applied uniformly to all new vehicle dealers of the same line and make of vehicles in this State; and (b) Is subject to the audit provisions of subsections 7 and 8 of NRS 482.36385. 7. Except as otherwise provided in subsection 5 and NRS 482.36385, any compensation provided to a new vehicle dealer pursuant to this section is exclusive and may not be combined with any other state or federal recall compensation remedy. 8. As used in this section: (a) "Do-not-drive order" means a notification issued by a manufacturer to its dealers or to the registered owner of a used vehicle or by the National Highway Traffic Safety Administration to the registered owner of a used vehicle stating that the vehicle is subject to a federal safety recall for a defect or noncompliance and including an unconditional instruction to the recipient of the notification to not drive the vehicle until the remedy for the recall is complete. (b) "Recall" means a safety recall of a vehicle in accordance with federal law and any regulations adopted thereunder. (c) "Stop-sale order" means a notification issued by a manufacturer to its dealers stating that a used vehicle in inventory must not be sold or leased, either retail or wholesale, because of a federal safety recall for a defect or noncompliance or because of a federal emissions recall. (d) "Value of the used vehicle" means the average trade-in value of the year, make and model of the subject used vehicle as indicated in an independent third-party guide. (Added to NRS by 2017, 1539)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS

482.363575 - Director to adopt regulations for conduct of discovery preliminary to hearings required for termination, discontinuation, modification or replacement of franchises or for establishment or relocation of dealership in marketing area of another dealer in same line and make of vehicles.

The Director shall adopt regulations for the conduct of discovery preliminary to each hearing required pursuant to NRS 482.36352, 482.36354 or 482.36357. The practice so established must conform insofar as practicable to the practice established for use in the district courts pursuant to N.R.C.P. 26 to 37, inclusive. (Added to NRS by 1999, 2505)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36358 - Considerations for determining good cause for establishing or relocating dealership in marketing area of dealer in same line and make of vehicles.

In determining whether good cause has been established for preventing a manufacturer or distributor from establishing an additional dealership or relocating an existing dealership within the relevant market area of another dealer in the same line and make of vehicles, the Director shall consider, without limitation: 1. The effect of the intended action on the business of selling new vehicles at retail in the relevant market area. 2. Whether the establishment of an additional dealership or the relocation of an existing dealership for vehicles of the particular line and make would be injurious to the welfare of the public. 3. Whether the dealers franchised to sell new vehicles of the particular line and make in the relevant market area are providing adequate competition, convenient customer service and adequate personnel and facilities for sales of the vehicles to persons in the area, as well as adequate equipment, spare parts and qualified mechanics and other service personnel for repair and maintenance of the vehicles. 4. Whether the establishment of an additional dealership or the relocation of an existing dealership would increase constructive competition and therefore be in the public interest. 5. Any other fact which the Director regards as relevant to the decision required of the Director. (Added to NRS by 1981, 701; A 1999, 2509; 2003, 20th Special Session, 301)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36361 - Written protests: Notice; manufacturer or distributor not to take further action pending determination; hearing; consolidation of hearings.

1. If the Director receives a written protest from a dealer pursuant to NRS 482.36352, 482.36354 or 482.36357, the Director shall give notice as follows: (a) To the manufacturer or distributor, that the protest has been filed and that the manufacturer or distributor may not take the intended action which has given rise to the protest until the Director has made his or her findings and issued an order permitting the manufacturer or distributor to do so; and (b) To any other dealer who has requested such a notice or who may be adversely affected by the intended action, that the protest has been filed. 2. A manufacturer or distributor who receives a notice pursuant to this section shall not proceed with the action which has given rise to the protest until the Director notifies the manufacturer or distributor that the Director has made a decision authorizing the manufacturer or distributor to proceed with that action. 3. Upon completion of discovery by the parties, the Director shall schedule a hearing upon the protest, to be held within 60 days thereafter. 4. If two or more protests are filed concerning a particular intended action, the Director may consolidate the hearings on the protests. (Added to NRS by 1981, 701; A 1999, 2510)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36363 - Hearings: Burden of proof; consideration of economic effect.

1. In any hearing on a protest filed pursuant to NRS 482.36352, 482.36354 or 482.36357, the manufacturer or distributor has the burden of proof to establish that there is good cause to terminate, refuse to continue, modify or replace a franchise, or to establish an additional dealership or relocate an existing dealership. 2. In any hearing on a protest filed pursuant to NRS 482.36357, the Director shall consider the economic effect of the proposed action upon the protesting dealer. (Added to NRS by 1981, 701; A 1999, 2510)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36366 - Hearings: Fees for witness; assessment of costs; attorney's fees.

1. Each witness, other than an officer or employee of the State or of a political subdivision of the State or an expert witness, who appears by order of the Director in a hearing pursuant to NRS 482.36311 to 482.36425, inclusive, is entitled to receive for attending the hearing the same fees allowed by law to witnesses in civil cases. Except as otherwise provided in subsection 2, the amount must be paid by the party at whose request the witness is ordered to appear. 2. The Director may assess other costs against the parties as the Director deems appropriate. After any hearing on a protest filed pursuant to NRS 482.36352, 482.36354 or 482.36357, if the Director determines that the manufacturer or distributor has failed to establish that there is good cause to terminate, refuse to continue, modify or replace a franchise, or to establish an additional dealership or relocate an existing dealership, the Director shall award to the dealer attorney's fees and costs. 3. For the purposes of this section, "costs" includes: (a) Except as otherwise provided in paragraph (b), any applicable cost set forth in NRS 18.005; and (b) The actual amount of any fees paid by a dealer to an expert witness in connection with the hearing. (Added to NRS by 1981, 702; A 2003, 20th Special Session, 302)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36368 - Decision of Director: Judicial review; notice.

1. The decision of the Director concerning a protest filed pursuant to NRS 482.36352, 482.36354 or 482.36357, is a final decision in a contested case for the purpose of judicial review. 2. The decision is not subject to rehearing or reconsideration by the Director after it is received by the parties. 3. When the written decision of the Director is delivered to the parties, copies of the decision, including the findings of fact as well as the determination of the issues, must be delivered to all persons who have requested notice of such decisions. (Added to NRS by 1981, 702)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36371 - Unfair practices: Change in capital structure, executive management, ownership or control; compensation for value of dealership; consent not to be unreasonably withheld; time period for complying with request for consent; effect of failure to grant or deny request.

1. It is an unfair act or practice for any manufacturer, distributor or factory branch, directly or through any representative, to: (a) Prevent or require or attempt to prevent or require by contract or otherwise any change in the capital structure of a dealer or the means by which the dealer finances his or her operation if at all times the dealer meets any reasonable standards for capital previously agreed to by the dealer and the manufacturer or distributor. A dealer may not change the capital structure if it causes a change in the ownership or control of the franchised dealership, or has the effect of a sale of the franchised dealership, without the consent of the manufacturer or distributor. The consent must not be unreasonably withheld. (b) Prevent or require or attempt to prevent or require a dealer to change his or her executive management. (c) Prevent or require or attempt to prevent or require by contract or otherwise the sale or transfer of any part of the interest of the principal owner or any officer, partner or stockholder of any dealership to any other person. Except as otherwise provided in NRS 482.36396 to 482.36414, inclusive, a principal owner, officer, partner or stockholder may not cause a change in the control of the dealership or sell, transfer or assign the franchise or any right thereunder without the consent of the manufacturer or distributor. The consent must not be unreasonably withheld. (d) Prevent or attempt to prevent a dealer from receiving fair and reasonable compensation for the value of the franchised dealership as a going concern. 2. If the consent of a manufacturer or distributor to a change of ownership or control is requested pursuant to paragraph (a) or (c) of subsection 1, the manufacturer or distributor shall grant or deny the request, in writing, within 60 days after receipt of the request. If the request is denied, the material reasons for the denial must be stated. Failure to grant or deny the request, in writing, within 60 days has the effect of granting the request. (Added to NRS by 1977, 555; A 1985, 1833; 1999, 2510)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3638 - Unfair practices: Release from liability; limitations on settlement of controversies; unlawful terms or conditions of franchise agreements; price increases; participation in ownership; unlawful acts against franchise; preventing dealer from selling or servicing another line or make of new vehicles.

It is an unfair act or practice for any manufacturer, distributor or factory branch, directly or through any representative, to: 1. Require a dealer to agree to a release, assignment, novation, waiver or estoppel which purports to relieve any person from liability imposed by this chapter, or require any controversy between a dealer and a manufacturer, distributor or representative to be referred to any person or agency except as set forth in this chapter if that referral would be binding on the dealer, except that this section does not prevent the parties from mutually agreeing to arbitration pursuant to law. 2. Require a dealer to agree to the jurisdiction, venue or tribunal in which a controversy arising under the provisions of the franchise agreement may or may not be submitted for resolution, or prohibit a dealer from bringing an action in any forum allowed by Nevada law. 3. Require a dealer to agree to a term or condition of a franchise agreement which violates or waives any provision of NRS 482.36311 to 482.36425, inclusive. A waiver of any provision of NRS 482.36311 to 482.36425, inclusive, is void and unenforceable. 4. Require a dealer to waive a trial by jury in actions involving the manufacturer, distributor or factory branch. 5. Increase prices of new vehicles which the dealer had ordered for private retail consumers before the dealer receives the written official notification of a price increase. A sales contract signed by a retail consumer constitutes evidence of each order. Price changes applicable to new models or series of vehicles at the time of the introduction of the new models or series shall not be deemed a price increase. Price changes caused by: (a) The addition to a vehicle of equipment formerly optional as standard or required equipment pursuant to state or federal law; (b) Revaluation of the United States dollar in the case of foreign-made vehicles; or (c) Transportation cost increases, are not subject to this subsection. 6. Deny the principal owner the opportunity to designate his or her spouse, a member of his or her family, a qualified manager, or a trust or other artificial person controlled by any of them as entitled to participate in the ownership of: (a) The franchised dealership; (b) A successor franchised dealership for 2 years or a longer reasonable time after the incapacity of the principal owner; or (c) A successor franchised dealership after the death of the principal in accordance with NRS 482.36396 to 482.36414, inclusive. 7. Modify unilaterally, replace, enter into, relocate, terminate or refuse to renew a franchise in violation of law. 8. Terminate or refuse to approve a transfer of a franchise for a dealership, or honor the right of succession set forth in a franchise agreement or refuse to approve the transfer of a controlling interest in a dealership because the dealer has, before October 1, 1997, established an additional franchise to sell or service another line or make of new vehicles in the same facility as the existing dealership. 9. Prevent a dealer from establishing, on or after October 1, 1997, an additional franchise to sell or service another line or make of new vehicles in the same facility as the existing dealership if the dealer: (a) Submits a written request for approval of the additional franchise to the manufacturer, distributor or factory branch of the existing dealership; (b) Complies with the reasonable requirements for approval set forth in the franchise of the existing dealership; and (c) Obtains the approval of the manufacturer, distributor or factory branch of the existing dealership. The manufacturer, distributor or factory branch shall notify the dealer in writing of its decision to approve or

deny the request within 90 days after receipt of the request. The manufacturer, distributor or factory branch shall not unreasonably withhold its approval. If the request is denied, the material reasons for the denial must be stated. Failure to approve or deny the request, in writing, within 90 days has the effect of approval. (Added to NRS by 1977, 556; A 1985, 1833; 1987, 254; 1989, 208; 1997, 3214; 1999, 2511; 2003, 20th Special Session, 302; 2005, 1147; 2013, 639)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36385 - Unfair practices: Competition by manufacturer, distributor or branch of factory; discrimination; compensation of dealer; failure to pay, approve or disapprove claim or accept amended claim; sale to unlicensed person; deceptive advertising or acts; audits performed more than 9 months after date of claim; acts relating to appeals of results of audits.

It is an unfair act or practice for any manufacturer, distributor or factory branch, directly or through any representative, to:

1. Compete with a dealer. A manufacturer or distributor shall not be deemed to be competing when operating a previously existing dealership temporarily for a reasonable period, or in a bona fide retail operation which is for sale to any qualified person at a fair and reasonable price, or in a bona fide relationship in which a person has made a significant investment subject to loss in the dealership and can reasonably expect to acquire full ownership of the dealership on reasonable terms and conditions.
2. Discriminate unfairly among its dealers, or fail without good cause to comply with franchise agreements, with respect to warranty reimbursement or authority granted to its dealers to make warranty adjustments with retail customers.
3. Fail to compensate a dealer fairly for the work and services which the dealer is required to perform in connection with the delivery and preparation obligations under any franchise, or fail to compensate a dealer fairly for labor, parts and other expenses incurred by the dealer under the manufacturer's warranty agreements or any recall service or repairs. The manufacturer shall set forth in writing the respective obligations of a dealer and the manufacturer in the preparation of a vehicle for delivery, and as between them a dealer's liability for a defective product is limited to the obligation so set forth. Fair compensation includes diagnosis and reasonable administrative and clerical costs. The dealer's compensation for parts and labor to satisfy a warranty or a recall service or repair must not be less than the amount of money charged to its various retail customers for parts and labor that are not covered by a warranty. If parts are supplied by the manufacturer, including exchanged parts and assembled components, the dealer is entitled with respect to each part to an amount not less than the dealer's normal retail markup for the part. This subsection does not apply to compensation for any part, system, fixture, appliance, furnishing, accessory or feature of a motor home or recreational vehicle that is designed, used and maintained primarily for nonvehicular, residential purposes.
4. Fail to: (a) Pay all claims made by dealers for compensation for delivery and preparation work, transportation claims, special campaigns and work to satisfy warranties and recall service or repairs within 30 days after approval, or fail to approve or disapprove such claims within 30 days after receipt; (b) Disapprove any claim without notice to the dealer in writing of the grounds for disapproval; or (c) Accept an amended claim for labor and parts if the amended claim is submitted not later than 60 days after the date on which the manufacturer or distributor notifies the dealer that the claim has been disapproved and the disapproval was based on the dealer's failure to comply with a specific requirement for processing the claim, including, without limitation, a clerical error or other administrative technicality that does not relate to the legitimacy of the claim. Failure to approve or disapprove or to pay within the specified time limits in an individual case does not constitute a violation of this section if the failure is because of reasons beyond the control of the manufacturer, distributor or factory branch.
5. Sell a new vehicle to a person who is not licensed as a new vehicle dealer under the provisions of this chapter.
6. Use false, deceptive or misleading advertising or engage in deceptive acts in connection with the manufacturer's or distributor's business.
7. Perform an audit to confirm a claim for compensation pursuant to NRS 482.363574, warranty repair, sales incentive or rebate more than 9 months after the date on which the claim was made. An audit of a dealer's records pursuant to this subsection may be conducted by the manufacturer or distributor on a reasonable basis, and a dealer's claim for warranty or sales incentive compensation or compensation pursuant to NRS 482.363574 must not be denied except for good cause, including, without limitation, performance of nonwarranty repairs, lack of material documentation, fraud or misrepresentation. A dealer's failure to comply with the specific requirements of the manufacturer or distributor for processing the claim does not constitute grounds for the denial of the claim or the reduction of the amount of compensation to the dealer if reasonable documentation or other evidence has been presented to substantiate the claim. The manufacturer or distributor shall not deny a claim or reduce the amount of compensation to the dealer for warranty repairs to resolve a condition discovered by the dealer during the course of a separate repair.
8. Prohibit or prevent a dealer from appealing the results of an audit to confirm a warranty repair, sales incentive, claim for compensation made pursuant to NRS 482.363574 or rebate, or to require that such an appeal be conducted at a location other than the dealer's place of business. (Added to NRS by 1977, 556; A 1991, 1583; 1999, 2512; 2003, 20th Special Session, 303; 2005, 1148; 2011, 1027; 2017, 1541)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36386 - Unfair practices: Selling or offering to sell new vehicle, parts or accessories at lower actual price than offered or charged another dealer; exceptions.

It is an unfair act or practice for a manufacturer or distributor to:

1. Sell or offer to sell a new vehicle to a dealer at a lower actual price than the actual price offered to another dealer for the same model similarly equipped or to use a promotion or other device that results in a lower actual price. This subsection does not apply to a sale to a governmental unit or to a dealer for resale to a governmental unit, or to a sale to a dealer of a vehicle ultimately sold, donated or used by the dealer or in a program of drivers' education.
2. Offer, sell or lease a new vehicle to any person, except a distributor, at a lower actual price than the price offered or charged a dealer for the same model similarly equipped, or use any device that results in a lower actual price.
3. Offer or sell parts or

accessories to a dealer for the dealer's own use in repairing or replacing the same or a comparable part or accessory at a lower actual price than the actual price charged to another dealer for a similar use, but a lower price may be charged to a dealer who buys as a distributor for resale to retail outlets than is charged to a dealer who does not buy for that purpose. (Added to NRS by 1999, 2506; A 2003, 20th Special Session, 304)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36387 - Unfair practices: Ownership or operation of facility for repair or maintenance of vehicles by manufacturer or distributor or certain persons or entities under common control therewith; exception.

A manufacturer or distributor, or an agent, officer, parent, subsidiary or enterprise under common control with a manufacturer or distributor shall not own or operate a facility for the repair or maintenance of vehicles except: 1. Vehicles owned or operated by the manufacturer, distributor or a related person; or 2. Service required to comply with a statute or regulation or the order of a court. (Added to NRS by 1999, 2505; A 2003, 20th Special Session, 304)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36388 - Unfair practices: Putting into effect unfair, unreasonable or inequitable method for allocation, scheduling or delivery of new vehicles, parts or accessories; refusal or failure to deliver new vehicles, parts or accessories; exception.

A manufacturer, importer or distributor shall not: 1. Adopt or put into effect a method for the allocation, scheduling or delivery of new vehicles, parts or accessories to its dealers that is not fair, reasonable and equitable or change an existing method so as to be unfair, unreasonable or inequitable. Upon the request of a dealer, a manufacturer, importer or distributor shall disclose in writing to the dealer the method by which new vehicles, parts and accessories are allocated, scheduled or delivered to its dealers handling the same line or make of vehicles. 2. Refuse or fail to deliver, in reasonable quantities and within a reasonable time after receipt of an order, to a dealer holding a franchise for a line or make of vehicle sold or distributed by the manufacturer, importer or distributor any new vehicle sold under the same name, trademark, service mark or brand, or parts or accessories for the new vehicle, if the vehicle, parts or accessories are being delivered to others or advertised as available for delivery, or require a dealer to purchase unreasonable advertising displays or other materials, or require a dealer to remodel or renovate existing facilities as a prerequisite to receiving a model or series of vehicles. Compliance with this subsection is excused if prevented by an act of God, strike or labor dispute, embargo or other cause beyond the control of the manufacturer, importer or distributor. (Added to NRS by 1999, 2506; A 2003, 20th Special Session, 305)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36389 - Unfair practices: Requiring dealer to disclose information concerning customer to manufacturer or third party; prohibiting or preventing dealer from disclosing information concerning service, repair or recall notice, or notifying customer of warranty information.

A manufacturer shall not: 1. Require a dealer to disclose information concerning a customer to the manufacturer or a third party if the customer objects or the disclosure is otherwise unlawful; or 2. Prohibit or prevent a dealer from disclosing a service, repair guidance or recall notice that is documented by the manufacturer or notifying customers of available warranty coverage and expiration dates of existing warranty coverage. (Added to NRS by 1999, 2507; A 2011, 1029)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36391 - Unfair practices: Inducing dealer by coercion to order or accept vehicle, parts, accessories or other commodities.

No manufacturer, distributor, factory branch or representative thereof may induce by means of coercion, intimidation or discrimination any dealer to: 1. Order or accept delivery of any vehicle, parts or accessories therefor, or any other commodity which was not voluntarily ordered by the dealer. 2. Order or accept delivery of any vehicle with special features, appliances, accessories or equipment not included in the list price of the vehicle as publicly advertised by the manufacturer thereof. 3. Order from any person any parts, accessories, equipment, machinery, tools, appliances or other commodity. (Added to NRS by 1969, 674; A 1977, 558; 2003, 20th Special Session, 305)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36395 - Unfair practices: Encouraging dealer to sell or lease vehicles through deceptive practices; refusal to deliver order; requiring payment of costs for promotion or advertising; requiring compliance with standards exceeding commonly accepted business practices; taking certain actions against dealer based solely on survey of dealer's customers.

No manufacturer, distributor, factory branch or representative thereof may: 1. Encourage, aid or abet a dealer to sell or lease vehicles through any false, deceptive or misleading sales or financing practice. 2. Refuse to deliver an order of a dealer within 60 days after the order is received in writing unless the inability to deliver the order is caused by shortage or curtailment of material, labor, production capacity, transportation or utility services, or to any labor or production difficulty, or to any cause beyond the reasonable control of the manufacturer or distributor. 3. Coerce, compel or otherwise require any dealer to pay over or to repay any amount of money or other consideration which is in substantiation of or repayment for any advertising, promotional activity or scheme, or method of implementing the sale or lease of vehicles. 4. Demand or require, directly or indirectly, a dealer to pay any

amount of money which is projected or proposed for the advertisement, display or promotion of any vehicle which is being sold or leased pursuant to a franchise, unless the dealer has agreed thereto in writing. 5. Demand or require, directly or indirectly, a dealer to comply with standards which exceed commonly accepted business practices within the vehicle industry relating to sales, leases or service of vehicles. 6. Based solely upon the results of a survey of a dealer's customers conducted by or on behalf of a manufacturer which is intended or otherwise purports to measure the performance of a dealer: (a) Discriminate, directly or indirectly, against a dealer; (b) Take any action to terminate a dealer's franchise; or (c) Refuse to consent to the designation of a successor, refuse to honor a right of succession set forth in a franchise or refuse to approve the transfer of a controlling interest in a dealership. This subsection does not prohibit a manufacturer, distributor, factory branch or representative thereof from conducting a contest or other award program to recognize the performance of a dealer based on reasonable criteria relating to sales, leases or service of vehicles. (Added to NRS by 1969, 674; A 1977, 558; 1995, 2822; 1999, 2513, 3284; 2001, 237; 2003, 20th Special Session, 305)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36396 - Death of dealer: Termination of franchise prohibited if dealer designates successor in interest; primary and alternate successors in interest.

1. On or after January 1, 1986, no manufacturer or distributor may include in any franchise agreement whose duration exceeds 1 year any provision which calls for the termination of the franchise by the manufacturer or distributor upon the death of the dealer if the dealer, in a form prescribed by and delivered to the manufacturer or distributor, designates as successor in interest his or her spouse or an adult child, who meets the current requirements for a franchise. 2. A dealer may designate a primary and one alternate successor in interest. An alternate successor in interest has no rights under NRS 482.36396 to 482.36412, inclusive, in the event of any exercise of rights by the primary successor in interest. (Added to NRS by 1985, 1829)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36397 - Death of dealer: Notice of assumption and commencement of operation of franchise by designated successor; deposit by dealer; arrangements for discharge of terms of franchise agreement for period after death.

1. Within 21 days after the death of a dealer, a designated successor in interest must notify the manufacturer or distributor in writing of his or her decision to assume and operate the franchise, and commence operation under the franchise within 10 days after it has been assumed. The notification must contain all information reasonably requested by the manufacturer or distributor regarding the successor's business experience and financial condition. If an alternate successor in interest desires to assume the franchise upon the decision of the primary successor in interest not to do so, the alternate successor must comply with all requirements of this subsection, giving notice within 21 days after the primary successor's decision. 2. A manufacturer or distributor may require a dealer who designates a successor in interest to deposit with the manufacturer or distributor at the time of the designation a sum reasonably determined to compensate the manufacturer or distributor under the terms of the franchise agreement if a designated successor in interest fails to assume the franchise within 21 days after the death of the dealer. If the franchise is assumed within 21 days or the franchise is temporarily operated by the manufacturer or distributor within that period, any unearned portion of the deposit must be refunded to the estate or legal representative of the deceased dealer. 3. In addition, the manufacturer or distributor may require a dealer who designates a successor in interest to arrange for the discharge of certain terms of the franchise agreement for a period of not more than 21 days after the dealer's death, but the manufacturer or distributor may not require the business under the franchise to remain open to the public during that period. (Added to NRS by 1985, 1830)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36398 - Death of dealer: Operation of business and accounting to heirs or estate by manufacturer or distributor pending assumption by designated successor; accounting to heirs or estate by successor.

1. After the death of a dealer and before the operation of the business under the franchise by a designated successor in interest, the manufacturer or distributor may operate the business by contract or otherwise for his or her own account without obligation or duty to the heirs or estate of the deceased dealer or to the successor in interest except for the obligation to account to the heirs or estate of the deceased dealer for unused portions of prepaid rent or other sums prepaid by the dealer and for any physical inventory used or sold by the manufacturer or distributor. 2. If the successor in interest assumes the franchise and there has been no intervening operation by the manufacturer or distributor, the successor in interest shall account to the heirs or estate of the deceased dealer for the value or other disposition of personal property of the deceased dealer located at the business or related to the business or franchise. (Added to NRS by 1985, 1830)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36399 - Assumption of provisions of franchise agreement by successor required.

Unless the manufacturer or distributor otherwise agrees in writing, a successor in interest may not operate under the franchise agreement until all provisions of the agreement have been expressly assumed by the successor, including, but not limited to: 1. Leases; 2. Agreements relating to products; 3. Agreements relating to loaned equipment; 4. Agreements to comply with federal and state environmental law; 5. Licenses; and 6. Permits relating to taxes. (Added to NRS by 1985, 1830)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS

482.36412 - Franchise assumable by successor same as existed at death of dealer.

The franchise assumable by a successor in interest is the same as it existed in the name of the deceased dealer at the time of the dealer's death. (Added to NRS by 1985, 1831)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36413 - Termination of franchise upon divorce prohibited; award of franchise to either party in divorce action.

On or after January 1, 1986, no manufacturer or distributor may include in any franchise agreement whose duration exceeds 1 year any provision which calls for the termination of the franchise by the manufacturer or distributor upon the divorce of the dealer. The franchise may be awarded by the court to either party in a divorce action as part of the property settlement, and the party to whom it is awarded may continue to operate the business under the terms of the franchise agreement. (Added to NRS by 1985, 1831)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36414 - License as dealer required for assumption of operation of franchise.

A person who assumes operation of a franchise pursuant to NRS 482.36396 to 482.36414, inclusive, must be licensed as a dealer pursuant to the provisions of NRS 482.318 to 482.363, inclusive. (Added to NRS by 1985, 1831; A 1987, 1084; 2003, 1906; 2009, 2757)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36419 - Exercise of right of first refusal by manufacturer or distributor if transfer of all or substantially all assets of dealership is proposed: Requirements; prohibited acts.

1. Except as otherwise provided in NRS 482.36396 to 482.36414, inclusive, if a transfer of the entire, or substantially the entire, ownership or of all, or substantially all, the assets of a dealership is proposed, a manufacturer or distributor may exercise a contractual right of first refusal only if all the following requirements are met: (a) The transfer is not to the dealer's spouse, a member of the dealer's family, a qualified manager, or a trust or artificial person controlled by any of them. (b) The manufacturer or distributor notifies the dealer in writing, within 60 days after receipt of the completed form and information customarily used to review such transfers and a copy of all relevant agreements, of its intent to exercise the right of first refusal or its rejection of the proposed transfer. If the manufacturer or distributor fails to notify the dealer within the 60-day period, the effect is to approve the proposed transfer. (c) The exercise of the right of first refusal provides to the dealer the same compensation as or greater compensation than the dealer had negotiated to receive from the proposed transferee. (d) The manufacturer or distributor agrees to pay the reasonable expenses, including attorney's fees that do not exceed the usual and reasonable fees charged to other clients for similar work, incurred by the proposed transferee before the exercise of the right of first refusal in negotiating and putting into effect the proposed transfer. 2. A manufacturer or distributor shall not utilize a right of first refusal to influence terms offered by a third person, or to influence a third person to refrain from negotiating, for the acquisition of a dealership. (Added to NRS by 1999, 2506)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36423 - Action for injunctive relief or civil damages; service of process; time to answer or plead.

1. Whenever it appears that a person has violated, is violating or is threatening to violate any provision of NRS 482.36311 to 482.36425, inclusive, any person aggrieved thereby may apply to the district court in the county where the defendant resides, or in the county where the violation or threat of violation occurs, for injunctive relief to restrain the person from continuing the violation or threat of violation. 2. In addition to any other judicial relief, any dealer or person who assumes the operation of a franchise pursuant to NRS 482.36396 to 482.36414, inclusive, who is injured in his or her business or property by reason of a violation of NRS 482.36311 to 482.36425, inclusive, may bring an action in the district court in which the dealership is located, and may recover three times the pecuniary loss sustained by the dealer or person, and the cost of suit, including a reasonable attorney's fee. The amount of pecuniary loss sustained by a dealer, pursuant to subsection 7 of NRS 482.3638, is the fair market value of the franchised dealership at the time of notification of termination, refusal to continue or unilateral modification of a franchise. 3. Any artificial person created and existing under the laws of any other state, territory, foreign government or the government of the United States, or any person residing outside the State, who grants a franchise to any dealer in this State may be served with any legal process in any action for injunctive relief or civil damages in the following manner: (a) By delivering a copy of the process to the Director; and (b) By mailing to the last known address of the manufacturer or distributor, by certified mail, return receipt requested, a copy of the summons and a copy of the complaint, together with copies of any petition or order for injunctive relief. 4. The defendant has 30 days, exclusive of the day of service, within which to answer or plead. 5. The method of service provided in this section is cumulative and may be utilized with, after or independently of all other methods of service. (Added to NRS by 1977, 557; A 1985, 1834; 1989, 209; 1999, 2514; 2003, 20th Special Session, 306; 2005, 1149; 2014, 28th Special Session, 5; 2017, 1542)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36425 - Civil penalty; civil suit by Attorney General.

1. Any manufacturer or distributor who willfully violates any provision of NRS 482.36311 to 482.36425, inclusive, is subject to a civil penalty of not less than \$50 nor more than \$1,000 for each day of violation and for each act of violation. All civil penalties

recovered must be paid to the State of Nevada. 2. Whenever it appears that a manufacturer or distributor has violated, is violating or is threatening to violate any provision of NRS 482.36311 to 482.36425, inclusive, the Attorney General may institute a civil suit in any district court of this State for injunctive relief to restrain the violation or threat of violation or, if the violation or threat is willful, for the assessment and recovery of the civil penalty, or both. (Added to NRS by 1977, 558; A 1981, 703; 2003, 20th Special Session, 307; 2014, 28th Special Session, 6; 2017, 1543)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3643 - "Sell," "sold," "buy" and "purchase" defined.

As used in NRS 482.3643 to 482.3665, inclusive, unless the context otherwise requires, "sell," "sold," "buy" and "purchase" include exchange, barter, gift and offer or contract to buy or sell. (Added to NRS by 1969, 583; A 1985, 519)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3645 - Agreement to finance through designated source which lessens competition or creates monopoly unlawful; agreement declared void.

1. It is unlawful for any person who is engaged, either directly or indirectly, in the manufacture or distribution of motor vehicles, to sell or enter into a contract to sell motor vehicles, whether patented or unpatented, to any person who is engaged or intends to engage in the business of selling such motor vehicles at retail in this State, on the condition or with an agreement or understanding, either express or implied, that such person so engaged in selling motor vehicles at retail shall in any manner finance the purchase or sale of any one or number of motor vehicles only with or through a designated person or class of persons or shall sell and assign the security agreements or leases arising from the sale of motor vehicles or any one or number thereof only to a designated person or class of persons, when the effect of the condition, agreement or understanding so entered into may be to lessen or eliminate competition, or create or tend to create a monopoly in the person or class of persons who are designated, by virtue of such condition, agreement or understanding to finance the purchase or sale of motor vehicles or to purchase such security agreements or leases. 2. Any such condition, agreement or understanding is hereby declared to be void and against the public policy of this State. (Added to NRS by 1969, 583)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3647 - Threat by manufacturer or distributor to discontinue sales to retail seller prima facie evidence of violation.

Any threat, expressed or implied, made directly or indirectly to any person engaged in the business of selling motor vehicles at retail in this State by any person engaged, either directly or indirectly, in the manufacture or distribution of motor vehicles, that such person will discontinue or cease to sell, or refuse to enter into a contract to sell, or will terminate a contract to sell motor vehicles, whether patented or unpatented, to such person who is so engaged in the business of selling motor vehicles at retail, unless such person finances the purchase or sale of any one or number of motor vehicles only with or through a designated person or class of persons or sells and assigns the security agreements or leases arising from the retail sales of motor vehicles or any one or number thereof only to a designated person or class of persons is prima facie evidence of the fact that such person so engaged in the manufacture or distribution of motor vehicles has sold or intends to sell motor vehicles on the condition or with the agreement or understanding prohibited in NRS 482.3645. (Added to NRS by 1969, 583)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3649 - Threat by person engaged in business of financing who is affiliated with manufacturer or distributor to discontinue sales prima facie evidence of violation.

Any threat, expressed or implied, made directly or indirectly, to any person engaged in the business of selling motor vehicles at retail in this State by any person, or any agent of any such person, who is engaged in the business of financing the purchase or sale of motor vehicles or of buying security agreements or leases on motor vehicles in this State and is affiliated with or controlled by any person engaged, directly or indirectly, in the manufacture or distribution of motor vehicles, that such person so engaged in such manufacture or distribution will terminate the contract with or cease to sell motor vehicles to such person engaged in the sale of motor vehicles at retail in this State unless such person finances the purchase or sale of any one or number of motor vehicles only or through a designated person or class of persons or sells and assigns the security agreements or leases arising from the retail sale of motor vehicles or any one or any number thereof only to such person so engaged in financing the purchase or sale of motor vehicles or in buying security agreements or leases on motor vehicles, is presumed to be made at the direction of and with the authority of such person so engaged in such manufacture or distribution of motor vehicles, and is prima facie evidence of the fact that such person so engaged in the manufacture or distribution of motor vehicles has sold or intends to sell motor vehicles on the condition or with the agreement or understanding prohibited in NRS 482.3645. (Added to NRS by 1969, 584)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3651 - Giving of gratuity by manufacturer or wholesaler to person financing sales which lessens competition or creates monopoly unlawful.

It is unlawful for any person who is engaged, directly or indirectly, in the manufacture or wholesale distribution only of motor

vehicles, whether patented or unpatented, to pay or give, or contract to pay or give, any thing or service of value to any person who is engaged in the business of financing the purchase or sale of motor vehicles or of buying security agreements or leases on motor vehicles sold at retail within this State if the effect of any such payment or the giving of any such thing or service of value may be to lessen or eliminate competition, or tend to create or create a monopoly in the person or class of persons who receive or accept such thing or service of value. (Added to NRS by 1969, 584)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3653 - Acceptance of gratuity by person financing sales unlawful.

It is unlawful for any person who is engaged in the business of financing the purchase or sale of motor vehicles or of buying security agreements or leases on motor vehicles sold at retail within this State to accept or receive, or contract or agree to accept or receive, either directly or indirectly, any payment, thing or service of value from any person who is engaged, either directly or indirectly, in the manufacture or wholesale distribution only of motor vehicles, whether patented or unpatented, if the effect of the acceptance or receipt of any such payment, thing or service of value may be to lessen or eliminate competition, or to create or tend to create a monopoly in the person who accepts or receives, or contracts or agrees to accept or receive, such payment, thing or service of value. (Added to NRS by 1969, 584)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3655 - Acceptance of gratuity: Unlawful financing of sales thereafter.

It is unlawful for any person who accepts or receives, either directly or indirectly, any payment, thing or service of value, as provided in NRS 482.3653, or contracts, either directly or indirectly, to receive any such payment or thing or service of value, to finance or attempt to finance the purchase or sale of any motor vehicle or buy or attempt to buy any security agreements or leases on motor vehicles sold at retail in this State. (Added to NRS by 1969, 585)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3657 - Violation by corporation; penalty.

When there is a violation of any of the provisions of NRS 482.3643 to 482.3665, inclusive, by any corporation mentioned in such sections, the Attorney General or the district attorney of the proper county shall institute proper suits or quo warranto proceedings in the district court of the county where the violation occurred for the forfeiture of its charter rights, franchises or privileges and powers exercised by such corporation. (Added to NRS by 1969, 584)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3659 - Violation by foreign corporation; penalty.

1. Every foreign corporation exercising any of the powers, franchises or functions of a corporation in this State, violating any of the provisions of NRS 482.3643 to 482.3665, inclusive, is prohibited from doing any business in this State, and the Attorney General shall enforce this provision by bringing proper proceedings by injunction or otherwise. 2. The Secretary of State is authorized to revoke the license of any such corporation previously authorized by the Secretary of State to do business in this State. (Added to NRS by 1969, 585)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.366 - Agreements in violation of law void.

Any contract or agreement in violation of NRS 482.3643 to 482.3665, inclusive, is void and unenforceable either in law or equity. (Added to NRS by 1969, 585)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3661 - Provisions cumulative.

The provisions of NRS 482.3643 to 482.3665, inclusive, are in addition to and do not supersede any other prohibition or remedy provided by the laws of this State. (Added to NRS by 1969, 585)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3663 - Action for damages; additional parties defendant.

1. In addition to the criminal and civil penalties provided in NRS 482.3643 to 482.3665, inclusive, any person who is injured in his or her business or property by any other person or corporation or association or partnership, by reason of anything forbidden or declared to be unlawful by NRS 482.3643 to 482.3665, inclusive, may commence a civil action in any court having jurisdiction in the county where the defendant resides or is found, or any agent resides or is found, or where service may be obtained, and recover twice the damages by the person sustained, and the costs of suit. 2. Whenever it appears to the court before which any proceedings under NRS 482.3643 to 482.3665, inclusive, is pending that the ends of justice require that other parties be brought before the court, the court may cause them to be made parties defendant and summoned, whether they reside in the county where such action is pending or not. (Added to NRS by 1969, 585)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3665 - Penalty.

1. Any person who: (a) Violates any of the provisions of NRS 482.3643 to 482.3665, inclusive; (b) Is a party to any agreement, understanding or contract prescribing any condition prohibited by NRS 482.3643 to 482.3665, inclusive, and any employee, agent or officer of any such person who participates in any manner in making, executing, enforcing or performing or in urging, aiding or abetting in the performance of any such contract, condition, agreement or understanding; (c) Pays or gives or contracts to pay or give any thing or service of value prohibited by NRS 482.3643 to 482.3665, inclusive; or (d) Receives or accepts or contracts to receive or accept any thing or service of value prohibited by NRS 482.3643 to 482.3665, inclusive, is guilty of a gross misdemeanor. 2. Each day's violation of any provision of NRS 482.3643 to 482.3665, inclusive, constitutes a separate offense. (Added to NRS by 1969, 585)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36655 - Definitions.

As used in NRS 482.36655 to 482.36667, inclusive, unless the context otherwise requires, the words and terms defined in NRS 482.3666 and 482.366605 have the meanings ascribed to them in those sections. (Added to NRS by 1999, 1163)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3666 - "Drivetrain" defined.

"Drivetrain" means those components and systems within a motor vehicle that transfer power from the engine of the vehicle to the wheels of the vehicle, including, without limitation, a transmission, driveshaft, torque converter, differential, universal joint and constant velocity joint. (Added to NRS by 1997, 2214; A 1999, 1164)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.366605 - "Used vehicle" defined.

"Used vehicle" means a vehicle that: 1. When manufactured, was equipped with an odometer; and 2. Has a manufacturer's gross vehicle weight rating of 14,000 pounds or less. (Added to NRS by 1999, 1163)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36661 - Inspection of engine and drivetrain of vehicle; written disclosure of defects.

Before a used vehicle dealer may sell to a retail customer a used vehicle the odometer of which registers 75,000 miles or more, the used vehicle dealer must conduct a reasonably thorough inspection of the soundness and safety of the vehicle's engine and drivetrain and disclose in writing any defects in the engine or drivetrain known to the dealer or which the dealer reasonably should have known after conducting the inspection. (Added to NRS by 1997, 2214)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36662 - Written warranty required under certain circumstances; contents of warranty.

1. A used vehicle dealer who sells to a retail customer a used vehicle the odometer of which registers 75,000 miles or more shall provide to that retail customer an express written warranty which complies with the requirements set forth in subsection 2 and is valid for the period set forth in the schedule of warranties created pursuant to NRS 482.36663, if the used vehicle dealer is the subject of more than three substantiated complaints filed against the dealer with the Department of Motor Vehicles during a 12-month period. 2. An express written warranty required pursuant to subsection 1 must contain a statement that, in the event the operation of the used vehicle becomes impaired as a result of a defect in a component or system of the vehicle's engine or drivetrain, the used vehicle dealer shall, with reasonable promptness, correct the defect or cause the defect to be corrected. (Added to NRS by 1997, 2214; A 2001, 2549)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36663 - Duration of warranty.

If an express written warranty is provided to a retail customer for a used vehicle pursuant to NRS 482.36662, the duration of the warranty must be determined pursuant to this section. If, on the date the vehicle was purchased from the used vehicle dealer, the odometer in the used vehicle registered: 1. At least 75,000 but less than 80,001 miles, the warranty is valid for a period of 30 days therefrom or until the odometer in the vehicle registers 1,000 miles more than on the date the vehicle was purchased from the used vehicle dealer, whichever occurs earlier. 2. At least 80,001 but less than 85,001 miles, the warranty is valid for a period of 20 days therefrom or until the odometer in the vehicle registers 600 miles more than on the date the vehicle was purchased from the used vehicle dealer, whichever occurs earlier. 3. At least 85,001 but less than 90,001 miles, the warranty is valid for a period of 10 days therefrom or until the odometer in the vehicle registers 300 miles more than on the date the vehicle was purchased from the used vehicle dealer, whichever occurs earlier. 4. At least 90,001 but less than 100,001 miles, the warranty is valid for a period of 5 days therefrom or until the odometer in the vehicle registers 150 miles more than on the date the vehicle was purchased from the used vehicle dealer, whichever occurs earlier. 5. At least 100,001 miles, the warranty is valid for a period of 2 days therefrom or until the

odometer in the vehicle registers 100 miles more than on the date the vehicle was purchased from the used vehicle dealer, whichever occurs earlier. The period for which a warranty is valid pursuant to this section must be tolled during any period in which the dealer has possession of the vehicle or the operation of the vehicle is impaired and the vehicle is inoperable due to a defect in the vehicle's engine or drivetrain. (Added to NRS by 1997, 2215; A 1999, 546)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36664 - Complaint regarding dealer: Submission; contents; investigation; resolution; appeal.

1. A retail customer who purchases a used vehicle the odometer of which registers 75,000 miles or more may submit to the Department a written complaint regarding the used vehicle dealer. The Department shall, within 10 days after it receives a complaint pursuant to this section, provide a copy of the complaint to the used vehicle dealer who is the subject of the complaint. 2. A complaint submitted pursuant to subsection 1 must include: (a) A clear and concise statement of the complaint and the facts relating to the complaint; (b) Copies of any documents relating to the complaint; and (c) A statement of the manner in which the retail customer wishes to have the complaint resolved. 3. Upon receipt of a complaint pursuant to this section, the Department shall investigate the complaint and determine whether the used vehicle dealer who is the subject of the complaint has violated the provisions of NRS 482.36655 to 482.36667, inclusive, or the regulations adopted by the Department pursuant thereto. 4. If the Department determines that a used vehicle dealer has violated the provisions of NRS 482.36655 to 482.36667, inclusive, or the regulations adopted by the Department pursuant thereto, the Department shall notify the used vehicle dealer of that determination and recommend to the dealer the actions that the dealer may take to resolve the complaint. 5. A retail customer or used vehicle dealer who is aggrieved by the decision of the Department may appeal the decision to the Director. (Added to NRS by 1997, 2215)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36665 - Record of complaints: Maintenance; contents.

The Department shall maintain a record of the complaints submitted to the Department pursuant to NRS 482.36664. The record must include a statement of whether the dealer was found to have violated the provisions of NRS 482.36655 to 482.36667, inclusive, or the regulations adopted pursuant thereto, and if so, whether the used vehicle dealer resolved the complaint in the manner recommended by the Department or in any other manner acceptable to the Department and the retail customer who filed the complaint. (Added to NRS by 1997, 2216)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36666 - Administrative fines; opportunity for hearing; deposit of fines; injunctions and other remedies.

1. If the Department determines from the record maintained pursuant to NRS 482.36665 that on more than three occasions a used vehicle dealer has: (a) Been found to have violated the provisions of NRS 482.36655 to 482.36667, inclusive, or the regulations adopted pursuant thereto; and (b) Failed to resolve those complaints in the manner recommended by the Department pursuant to NRS 482.36664 or in any other manner acceptable to the Department and the retail customer who filed the complaint, the Department may impose an administrative fine, not to exceed \$2,500, for each additional violation of the provisions of NRS 482.36655 to 482.36667, inclusive. The Department shall afford to any person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121. 2. All administrative fines collected by the Department pursuant to subsection 1 must be deposited with the State Treasurer to the credit of the Account for Regulation of Used Vehicle Dealers, which is hereby created in the State Highway Fund. Money in the Account may be used only for the administration of NRS 481.048 and NRS 482.36655 to 482.36667, inclusive. 3. In addition to any other remedy provided by law, the Department may compel compliance with NRS 482.36655 to 482.36667, inclusive, and any regulation adopted pursuant thereto, by injunction or other appropriate remedy, and the Department may institute and maintain in the name of the State of Nevada any such enforcement proceedings. (Added to NRS by 1997, 2216)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36667 - Regulations.

The Department may adopt regulations to carry out the provisions of NRS 482.36655 to 482.36667, inclusive. (Added to NRS by 1997, 2216)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3667 - Preparation for issuance; procedures for application and issuance; persons qualified for issuance; period of validity; renewal; priority; powers and duties of Department.

1. The Department shall establish, design and otherwise prepare for issue personalized prestige license plates and shall establish all necessary procedures not inconsistent with this section for the application and issuance of such license plates. 2. The Department shall issue personalized prestige license plates, upon payment of the prescribed fee, to any person who otherwise complies with the laws relating to the registration and licensing of motor vehicles or trailers for use on private passenger cars, motorcycles, trucks or trailers, except that such plates may not be issued for a full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483 or a moped registered pursuant to NRS 482.2155. 3. Except as otherwise provided in NRS 482.2065, personalized prestige license plates are valid for 12 months and are renewable upon expiration. 4. Except as otherwise provided in subsection 6,

personalized prestige license plates may be transferred from one vehicle or trailer to another if the transfer and registration fees are paid as set out in this chapter. 5. In case of any conflict, the person who first made application for personalized prestige license plates and has continuously renewed them by payment of the required fee has priority. 6. The Department may limit by regulation the number of letters and numbers used, prohibit the use of inappropriate letters or combinations of letters and numbers and prohibit the transfer of personalized prestige license plates from one vehicle or trailer to another if such a transfer would result in an inappropriate use of letters or combination of letters and numbers. 7. The Department shall not assign to any person not holding the relevant office any letters and numbers denoting that the holder holds a public office. (Added to NRS by 1969, 100; A 1969, 404; 1973, 450, 1701; 1975, 63; 1979, 214; 1985, 681; 1987, 1145; 2003, 3376; 2013, 2833; 2015, 1756, 2819)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3669 - Regulations.

The Department may make such regulations as are necessary to insure compliance with all applicable laws pertaining to the licensing and registration of vehicles before issuing personalized prestige license plates in lieu of the regular Nevada license plate or plates, and all applications for personalized prestige license plates must be made to the Department. (Added to NRS by 1969, 100; A 1973, 450; 1985, 682)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.367 - Fees; deposit of fees to credit of Motor Vehicle Fund.

1. The Department shall charge and collect the following fees for the issuance of personalized prestige license plates, which fees are in addition to all other license fees and applicable taxes: (a) For the first issuance..... \$35 (b) For a renewal sticker..... 20 (c) For changing to another personalized prestige license plate..... 35 2. The additional fees collected by the Department for the issuing of personalized prestige license plates must be deposited with the State Treasurer to the credit of the Motor Vehicle Fund. (Added to NRS by 1969, 100; A 1969, 404; 1973, 451; 1975, 211; 1991, 2313; 2001, 314)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.367001 - Application; limitation on number of sets; interchangeable use; identification number; fee; expiration; renewal.

1. Upon application, the Department shall issue not more than 12 sets of special license plates to any organization which operates a museum for the exhibition or display of motor vehicles and which is a nonprofit organization that is recognized as exempt from taxation pursuant to 26 U.S.C. § 501(c)(3). 2. Each set of special license plates issued pursuant to this section may be used interchangeably on any of the motor vehicles exhibited or displayed in the museum when such a motor vehicle is operated during a test drive, parade or special event or driven within 70 miles from the museum. 3. Each set of special license plates issued pursuant to this section must have displayed upon them the identification number which is assigned to the nonprofit organization. The Department may assign a different letter or symbol to each set of plates. 4. The Department shall not charge or collect any registration fees or governmental services tax for the issuance of the special license plates pursuant to this section, except that a fee of \$12 for each set of plates must be paid at the time of application. 5. The special license plates issued pursuant to this section expire 1 year after the date of issuance and may be renewed upon application and payment of a fee of \$12. (Added to NRS by 2007, 23rd Special Session, 2)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.367002 - Submission and contents of application; qualifications of certain organizations that are intended to receive financial support from issuance of special license plate; authority and duties of Department; public meeting; design and preparation of approved plate; use of design and colors; surety bond and release thereof; retention or return of plates upon disposal of vehicle; annual report.

1. A person may request that the Department design, prepare and issue a special license plate by submitting an application to the Department. A person may submit an application for a special license plate that is intended to generate financial support for an organization only if: (a) For an organization which is not a governmental entity, the organization is established as a nonprofit charitable organization which provides services to the community relating to public health, education or general welfare; (b) For an organization which is a governmental entity, the organization only uses the financial support generated by the special license plate for charitable purposes relating to public health, education or general welfare; (c) The organization is registered with the Secretary of State, if registration is required by law, and has filed any documents required to remain registered with the Secretary of State; (d) The name and purpose of the organization do not promote, advertise or endorse any specific product, brand name or service that is offered for profit; (e) The organization is nondiscriminatory; and (f) The license plate will not promote a specific religion, faith or antireligious belief. 2. An application submitted to the Department pursuant to subsection 1: (a) Must be on a form prescribed and furnished by the Department; (b) Must specify whether the special license plate being requested is intended to generate financial support for a particular cause or charitable organization and, if so: (1) The name of the cause or charitable organization; and (2) Whether the financial support intended to be generated for the particular cause or charitable organization will be for: (I) General use

by the particular cause or charitable organization; or (II) Use by the particular cause or charitable organization in a more limited or specific manner; (c) Must include the name and signature of a person who represents: (1) The organization which is requesting that the Department design, prepare and issue the special license plate; and (2) If different from the organization described in subparagraph (1), the cause or charitable organization for which the special license plate being requested is intended to generate financial support; (d) Must include proof that the organization satisfies the requirements set forth in subsection 1; (e) Must be accompanied by a surety bond posted with the Department in the amount of \$5,000, except that if the special license plate being requested is one of the type described in subsection 3 of NRS 482.367008, the application must be accompanied by a surety bond posted with the Department in the amount of \$20,000; (f) Must, if the organization is a charitable organization, not including a governmental entity whose budget is included in the executive budget, include a budget prepared by or for the charitable organization which includes, without limitation, the proposed operating and administrative expenses of the charitable organization; and (g) Must be accompanied by suggestions for the design of and colors to be used in the special license plate. The suggestion must be made in consultation with the charitable organization for which the special license plate is intended to generate financial support, if any. 3. If an application for a special license plate has been submitted pursuant to this section but the Department has not yet designed, prepared or issued the plate, the applicant shall amend the application with updated information when any of the following events take place: (a) The name of the organization that submitted the application has changed since the initial application was submitted. (b) The cause or charitable organization for which the special license plate being requested is intended to generate financial support has a different name than that set forth on the initial application. (c) The cause or charitable organization for which the special license plate being requested is intended to generate financial support is different from that set forth on the initial application. (d) A charitable organization which submitted a budget pursuant to paragraph (f) of subsection 2 prepares or has prepared a new or subsequent budget. The updated information described in this subsection must be submitted to the Department within 90 days after the relevant change takes place, unless the applicant has received notice that the special license plate is on an agenda to be heard at a public meeting of the Department held pursuant to subsection 4, in which case the updated information must be submitted to the Department within 48 hours after the applicant receives such notice. The updating of information pursuant to this subsection does not alter, change or otherwise affect the issuance of special license plates by the Department in accordance with the chronological order of their authorization or approval, as described in subsection 2 of NRS 482.367008. 4. The Department shall hold a public meeting before determining whether to approve or disapprove: (a) An application for the design, preparation and issuance of a special license plate that is submitted to the Department pursuant to subsection 1; and (b) Except as otherwise provided in subsection 6, an application for the design, preparation and issuance of a special license plate that has been authorized by an act of the Legislature after January 1, 2007. In determining whether to approve such an application, the Department shall consider, without limitation, whether it would be appropriate and feasible for the Department to design, prepare and issue the particular special license plate. The Department shall consider each application in the chronological order in which the application was received by the Department. 5. Before holding a public meeting pursuant to subsection 4, the Department shall: (a) At least 30 days before the public meeting is held, notify: (1) The person who requested the special license plate pursuant to subsection 1; and (2) The charitable organization for which the special license plate is intended to generate financial support, if any; and (b) Post a notice of the public meeting that complies with chapter 241 of NRS. 6. The provisions of paragraph (b) of subsection 4 do not apply with regard to special license plates that are issued pursuant to NRS 482.3746, 482.3751, 482.3752, 482.3757, 482.3783, 482.3785, 482.3787, 482.37901, 482.37902, 482.37906, 482.37907, 482.3791, 482.3794 or 482.3817. 7. The Department may design and prepare a special license plate requested pursuant to subsection 1 if the Department: (a) Determines that the application for that plate complies with subsection 2; and (b) Approves the application for that plate after holding the public meeting required pursuant to subsection 4. 8. Except as otherwise provided in NRS 482.367008, the Department may issue a special license plate that: (a) The Department has designed and prepared pursuant to subsection 7; and (b) Complies with the requirements of NRS 482.367003, for any motorcycle, passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with a special license plate issued pursuant to this section if that person pays the fees for personalized prestige license plates in addition to the fees for the special license plate. 9. Upon making a determination to issue a special license plate pursuant to subsection 8, the Department shall notify: (a) The person who requested the special license plate pursuant to subsection 1; and (b) The charitable organization for which the special license plate is intended to generate financial support, if any. 10. After making a determination to issue a special license plate pursuant to this section, if the Department determines not to use the design or colors suggested pursuant to paragraph (g) of subsection 2, the Department shall notify the person who requested the special license plate pursuant to subsection 1. The notice must include, without limitation, the reasons the Department did not use the design or colors suggested pursuant to paragraph (g) of subsection 2. 11. Within 180 days after receiving the notice pursuant to subsection 10, the person who requested the special license plate pursuant to subsection 1 shall, in consultation with the charitable organization for which the special license plate is intended to generate financial support, if any, submit a revised suggestion for the design of and colors to be used in the special license plate. If the person does not submit a revised suggestion within 180 days after receiving the notice pursuant to subsection 10, the Department must: (a) Not issue the special license plate; and (b) Notify: (1) The person who requested the special license plate pursuant to subsection 1; and (2) The charitable organization for which the special license plate is intended to generate financial support, if any. 12. After receiving the suggested design of and colors to be used in the special license plate pursuant to paragraph (g) of subsection 2 or subsection 11 and upon determining the design of and the colors to be used in the special license plate, the

Department shall submit the design of and the colors to be used in the special license plate to the person who requested the special license plate pursuant to subsection 1 and to the charitable organization for which the special license plate is intended to generate financial support, if any. The person and the charitable organization, if any, shall respond to the Department within 30 days after receiving the design of and the colors to be used in the special license plate and shall: (a) Approve the design of and the colors to be used in the special license plate; or (b) Submit suggestions to revise the design of or colors to be used in the special license plate. If the person who requested the special license plate pursuant to subsection 1 and the charitable organization for which the special license plate is intended to generate financial support, if any, fail to respond within 30 days after receiving the design of and the colors to be used in the special license plate, the person and charitable organization shall be deemed to approve the design of and the colors to be used in the special license plate. The Department may adopt regulations to carry out this subsection. 13. The Department must promptly release the surety bond posted pursuant to subsection 2: (a) If the Department determines not to issue the special license plate; (b) If the Department distributes the additional fees collected on behalf of a charitable organization to another charitable organization pursuant to subparagraph (2) of paragraph (c) of subsection 5 of NRS 482.38279 and the surety bond has not been released to the initial charitable organization; or (c) If it is determined that at least 1,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to NRS 482.367008, except that if the special license plate is one of the type described in subsection 3 of NRS 482.367008, the Department must promptly release the surety bond posted pursuant to subsection 2 if it is determined that at least 3,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to NRS 482.367008. 14. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 15. On or before September 1 of each fiscal year, the Department shall compile a list of each special license plate the Department, during the immediately preceding fiscal year, designed and prepared pursuant to subsection 7 or issued pursuant to subsection 8. The list must set forth, for each such plate, the cause or charitable organization for which the special license plate generates or would generate financial support, and the intended use to which the financial support is being put or would be put. The Department shall make that information available on its Internet website. 16. On or before January 31 of each year, the Department shall: (a) Compile a report that contains information detailing: (1) The requests submitted pursuant to subsection 1; (2) The list compiled pursuant to subsection 15 for the immediately preceding fiscal year; (3) Any special license plates that the Department will no longer issue pursuant to NRS 482.367008; (4) The results of any activities conducted pursuant to NRS 482.38272 to 482.38279, inclusive; and (5) Any actions taken by the Department pursuant to subsections 4 and 5 of NRS 482.38279; and (b) Submit the report to the Director of the Legislative Counsel Bureau for transmittal to the Legislature, if the Legislature is in session, or to the Legislative Commission, if the Legislature is not in session. (Added to NRS by 2003, 3064; A 2007, 323, 798, 1037; 2013, 1400, 1474, 2549, 2833; 2015, 996; 2019, 200; 2021, 44, 346, 684; 2023, 2695)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.367003 - Requirements for design.

Except as otherwise provided in NRS 482.3667, 482.369, 482.375 and 482.379, the Director shall design and prepare each special license plate that is designed, prepared and issued pursuant to NRS 482.367002 in such a manner that: 1. The left-hand one-third of the plate is the only part of the plate on which is displayed any design or other insignia that is approved pursuant to NRS 482.367002. 2. For any passenger car or light commercial vehicle, the special license plate holds five positions to include: (a) A stacked character set assigned by the Department; and (b) A combination of letters and numbers selected by the Director that are: (1) Similar to the combinations prescribed by NRS 482.270 and 482.2705; and (2) The same size as are used on license plates issued pursuant to NRS 482.270 and 482.2705. 3. For any motorcycle, the special license plate holds four positions to include: (a) A stacked character set assigned by the Department; and (b) A combination of letters and numbers selected by the Director that are: (1) Similar to the combinations prescribed by NRS 482.270; and (2) The same size as are used on the license plates issued pursuant to NRS 482.270. (Added to NRS by 2021, 681)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.367006 - Fees: Imposition; deposit, administration and distribution.

1. The fee for special license plates designed, prepared and issued pursuant to NRS 482.367002 is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 2. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 1, if a special license plate is designed, prepared and issued pursuant to NRS 482.367002 to generate financial support for a particular cause or charitable organization, a person who requests a set of such license plates must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed in the manner described in subsection 3. 3. The Department shall deposit the additional fees collected pursuant to subsection 2 with the State Treasurer for credit to an account created in the State General Fund for the benefit of the particular cause or charitable organization for whose financial benefit the special license plate was created. The Department shall designate an appropriate state agency to administer the account. Except as otherwise provided in subsections 4 and 5 of NRS 482.38279, the state agency designated by the

Department to administer the account shall, at least once each quarter, distribute the fees deposited pursuant to this subsection to the particular cause or charitable organization for whose benefit the special license plate was created or to another charitable organization to which the fees are distributed pursuant to subparagraph (2) of paragraph (c) of subsection 5 of NRS 482.38279. 4. Money in an account created pursuant to subsection 3 does not lapse to the State General Fund at the end of a fiscal year. The interest and income earned on money in such an account, after deducting any applicable charges, must be credited to the account. (Added to NRS by 2003, 3066; A 2019, 204; 2021, 48)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.367008 - Limitation on number of separate designs of special license plates that may be in issuance at any one time; issuance of additional designs of special license plates; annual assessment of viability of current designs; notice of declining circulation; cessation of issuance of plates whose circulation falls below certain levels. [Effective until the date 2 years after the date on which the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources establishes Tule Springs State Park.] Limitation on number of separate designs of special license plates that may be in issuance at any one time; issuance of additional designs of special license plates; annual assessment of viability of current designs; notice of declining circulation; cessation of issuance of plates whose circulation falls below certain levels. [Effective on the date 2 years after the date on which the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources establishes Tule Springs State Park.]

1. As used in this section, "special license plate" means: (a) A license plate that the Department has designed and prepared pursuant to NRS 482.367002 in accordance with the system of application described in that section; (b) A license plate approved by the Legislature that the Department has designed and prepared pursuant to NRS 482.3747, 482.37903, 482.37917, 482.379175, 482.37918, 482.37919, 482.3792, 482.3793, 482.37933, 482.37934, 482.37935, 482.379355, 482.379365, 482.37937, 482.379375, 482.37938, 482.37939, 482.37945 or 482.37947; and (c) Except for a license plate that is issued pursuant to NRS 482.3746, 482.3751, 482.3752, 482.3757, 482.3783, 482.3785, 482.3787, 482.37901, 482.37902, 482.37906, 482.37907, 482.3791, 482.3794, 482.37941 or 482.3817, a license plate that is approved by the Legislature after July 1, 2005. 2. Notwithstanding any other provision of law to the contrary, and except as otherwise provided in subsection 3, the Department shall not, at any one time, issue more than 30 separate designs of special license plates. Whenever the total number of separate designs of special license plates issued by the Department at any one time is less than 30, the Department shall issue a number of additional designs of special license plates that have been authorized by an act of the Legislature or the application for which has been approved by the Department pursuant to NRS 482.367002, not to exceed a total of 30 designs issued by the Department at any one time. Such additional designs must be issued by the Department in accordance with the chronological order of their authorization or approval by the Department. 3. In addition to the special license plates described in subsection 2, the Department may issue not more than five separate designs of special license plates in excess of the limit set forth in that subsection. To qualify for issuance pursuant to this subsection: (a) The Department must approve the design, preparation and issuance of the special plates as described in NRS 482.367002; and (b) The special license plates must have been applied for, designed, prepared and issued pursuant to NRS 482.367002, except that: (1) The application for the special license plates must be accompanied by a surety bond posted with the Department in the amount of \$20,000; and (2) Pursuant to the assessment of the viability of the design of the special license plates that is conducted pursuant to this section, it is determined that at least 3,000 special license plates have been issued. 4. Except as otherwise provided in this subsection, on October 1 of each year the Department shall assess the viability of each separate design of special license plate that the Department is currently issuing by determining the total number of validly registered motor vehicles to which that design of special license plate is affixed. The Department shall not determine the total number of validly registered motor vehicles to which a particular design of special license plate is affixed if: (a) The particular design of special license plate was designed and prepared by the Department pursuant to NRS 482.367002; and (b) On October 1, that particular design of special license plate has been available to be issued for less than 12 months. 5. If, on October 1, the total number of validly registered motor vehicles to which a particular design of special license plate is affixed is: (a) In the case of special license plates not described in subsection 3, less than 1,000; or (b) In the case of special license plates described in subsection 3, less than 3,000, the Director shall provide notice of that fact in the manner described in subsection 6. 6. The notice required pursuant to subsection 5 must be provided: (a) If the special license plate generates financial support for a cause or charitable organization, to that cause or charitable organization. (b) If the special license plate does not generate financial support for a cause or charitable organization, to an entity which is involved in promoting the activity, place or other matter that is depicted on the plate. 7. If, on December 31 of the same year in which notice was provided pursuant to subsections 5 and 6, the total number of validly registered motor vehicles to which a particular design of special license plate is affixed is: (a) In the case of special license plates not described in subsection 3, less than 1,000; or (b) In the case of special license plates described in subsection 3, less than 3,000, the Director shall, notwithstanding any other provision of law to the contrary, issue an order providing that the Department will no longer issue that particular design of special license plate. Such an order does not require existing holders of that particular design of special license plate to surrender their plates to the Department and does not prohibit those holders from renewing those plates. (Added to NRS by 2003, 3066; A 2005, 2848; 2007, 575; 2009, 494; 2011, 303, 1793; 2013, 472, 557, 1401, 1478, 2552; 2015, 257, 661, 1943, 2820; 2017, 3574; 2019, 563, 899, 1326, 1484, 3089; 2021, 350, 3739; 2023, 1881, 2699, 2913) 1. As used in this section, "special license plate" means: (a) A license plate that the Department has designed and prepared pursuant to NRS 482.367002 in accordance with the system of application described in that section; (b) A license plate approved by the Legislature that the Department has designed and prepared pursuant to NRS 482.3747,

482.37903, 482.37904, 482.37917, 482.379175, 482.37918, 482.37919, 482.3792, 482.3793, 482.37933, 482.37934, 482.37935, 482.379355, 482.379365, 482.37937, 482.379375, 482.37938, 482.37939, 482.37945 or 482.37947; and (c) Except for a license plate that is issued pursuant to NRS 482.3746, 482.3751, 482.3752, 482.3757, 482.3783, 482.3785, 482.3787, 482.37901, 482.37902, 482.37906, 482.37907, 482.3791, 482.3794, 482.37941 or 482.3817, a license plate that is approved by the Legislature after July 1, 2005. 2. Notwithstanding any other provision of law to the contrary, and except as otherwise provided in subsection 3, the Department shall not, at any one time, issue more than 30 separate designs of special license plates. Whenever the total number of separate designs of special license plates issued by the Department at any one time is less than 30, the Department shall issue a number of additional designs of special license plates that have been authorized by an act of the Legislature or the application for which has been approved by the Department pursuant to NRS 482.367002, not to exceed a total of 30 designs issued by the Department at any one time. Such additional designs must be issued by the Department in accordance with the chronological order of their authorization or approval by the Department. 3. In addition to the special license plates described in subsection 2, the Department may issue not more than five separate designs of special license plates in excess of the limit set forth in that subsection. To qualify for issuance pursuant to this subsection: (a) The Department must approve the design, preparation and issuance of the special plates as described in NRS 482.367002; and (b) The special license plates must have been applied for, designed, prepared and issued pursuant to NRS 482.367002, except that: (1) The application for the special license plates must be accompanied by a surety bond posted with the Department in the amount of \$20,000; and (2) Pursuant to the assessment of the viability of the design of the special license plates that is conducted pursuant to this section, it is determined that at least 3,000 special license plates have been issued. 4. Except as otherwise provided in this subsection, on October 1 of each year the Department shall assess the viability of each separate design of special license plate that the Department is currently issuing by determining the total number of validly registered motor vehicles to which that design of special license plate is affixed. The Department shall not determine the total number of validly registered motor vehicles to which a particular design of special license plate is affixed if: (a) The particular design of special license plate was designed and prepared by the Department pursuant to NRS 482.367002; and (b) On October 1, that particular design of special license plate has been available to be issued for less than 12 months. 5. If, on October 1, the total number of validly registered motor vehicles to which a particular design of special license plate is affixed is: (a) In the case of special license plates not described in subsection 3, less than 1,000; or (b) In the case of special license plates described in subsection 3, less than 3,000, the Director shall provide notice of that fact in the manner described in subsection 6. 6. The notice required pursuant to subsection 5 must be provided: (a) If the special license plate generates financial support for a cause or charitable organization, to that cause or charitable organization. (b) If the special license plate does not generate financial support for a cause or charitable organization, to an entity which is involved in promoting the activity, place or other matter that is depicted on the plate. 7. If, on December 31 of the same year in which notice was provided pursuant to subsections 5 and 6, the total number of validly registered motor vehicles to which a particular design of special license plate is affixed is: (a) In the case of special license plates not described in subsection 3, less than 1,000; or (b) In the case of special license plates described in subsection 3, less than 3,000, the Director shall, notwithstanding any other provision of law to the contrary, issue an order providing that the Department will no longer issue that particular design of special license plate. Such an order does not require existing holders of that particular design of special license plate to surrender their plates to the Department and does not prohibit those holders from renewing those plates. (Added to NRS by 2003, 3066; A 2005, 2848; 2007, 575; 2009, 494; 2011, 303, 1793; 2013, 472, 557, 1401, 1478, 2552; 2015, 257, 661, 1943, 2820; 2017, 3564, 3574; 2019, 563, 899, 1326, 1484, 3089; 2021, 350, 3739; 2023, 1881, 2699, 2913, effective on the date 2 years after the date on which the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources establishes Tule Springs State Park)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.36705 - Special license plates authorized by act of Legislature: Minimum number of applications; compliance with limitation on issuance of more than certain number of separate designs of special license plates; submission of suggestions for design and colors by organization.

1. Except as otherwise provided in subsection 2: (a) If a new special license plate is authorized by an act of the Legislature after January 1, 2003, other than a special license plate that is authorized pursuant to NRS 482.379375, the Legislature will direct that the license plate not be designed, prepared or issued by the Department unless the Department receives at least 1,000 applications for the issuance of that plate within 2 years after the effective date of the act of the Legislature that authorized the plate. (b) In addition to the requirements set forth in paragraph (a), if a new special license plate is authorized by an act of the Legislature after July 1, 2005, the Legislature will direct that the license plate not be issued by the Department unless its issuance complies with subsection 2 of NRS 482.367008. (c) In addition to the requirements set forth in paragraphs (a) and (b), if a new special license plate is authorized by an act of the Legislature after January 1, 2007, the Legislature will direct that the license plate not be designed, prepared or issued by the Department unless the Department approves the application for the authorized plate pursuant to NRS 482.367002. (d) In addition to the requirements set forth in paragraphs (a), (b) and (c), if a new special license plate is authorized by an act of the Legislature after July 1, 2021, the Legislature will direct that the license plate not be designed, prepared or issued by the Department unless the organization meeting the requirements described in subsection 1 of NRS 482.367002 submits suggestions for the design of and colors to be used in the special license plate within 180 days after the authorization of the special license plate. The provisions of subsections 10, 11 and 12 of NRS 482.367002 apply to suggestions submitted pursuant to this paragraph. 2. The provisions of subsection 1 do not apply with regard to special license plates that are issued pursuant to NRS 482.3746, 482.3751,

482.3752, 482.3757, 482.3783, 482.3785, 482.3787, 482.37901, 482.37902, 482.37906, 482.37907, 482.3791, 482.3794, 482.37941 or 482.3817. (Added to NRS by 2001, 1837; A 2005, 2850; 2007, 577, 805; 2009, 495, 957; 2011, 1795; 2013, 559, 1479, 2553; 2015, 259, 663; 2017, 3576; 2019, 564, 901, 1327, 1486, 3091; 2021, 352, 687, 3740; 2023, 2700)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3672 - Member of the press.

1. An owner of a motor vehicle who is a resident of this State and who is regularly employed or engaged as an editor, reporter or photographer by a newspaper or television or radio station may, upon signed application on a form prescribed and provided by the Department, accompanied by: (a) The fee charged for personalized prestige license plates in NRS 482.367 in addition to all other required registration fees and taxes; and (b) A letter from the news director, editor or publisher of the periodical or station by whom the person is employed, be issued license plates upon which is inscribed PRESS with a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. 2. Each person who is eligible for special license plates under this section may apply for one set of plates. The plates may be used only on a private passenger vehicle or a noncommercial truck. 3. When a person to whom special license plates have been issued pursuant to this section leaves the service of the newspaper or station which has provided the letter required by subsection 1, the person shall surrender any special plates he or she possesses to the Department and is entitled to receive regular Nevada license plates. Surrendered plates may be reissued or disposed of in a manner authorized by the regulations of the Department. 4. The Department may adopt regulations governing the issuance of special license plates to members of the press. 5. Special license plates issued pursuant to this section are renewable upon the payment of \$10. (Added to NRS by 1981, 1550; A 1987, 1146; 1997, 2997; 2013, 2553; 2021, 688)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.368 - Distinguishing plates for exempt vehicles: Issuance and renewal; fees; confidentiality; unlawful use of vehicle; interstate agreements; application; regulations.

1. Except as otherwise provided in subsection 2, the Department shall provide suitable distinguishing license plates for exempt vehicles. These plates must be displayed on the vehicles in the same manner as provided for privately owned vehicles. The fee for the issuance of the plates is \$5. 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 governmental services tax. 2. License plates furnished for: (a) Those vehicles 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 Division of the Department of Public Safety and any authorized federal law enforcement agency or law enforcement agency from another state; (b) One vehicle used by the Department of Corrections, three vehicles used by the Department of Wildlife, two vehicles used by the Caliente Youth Center and four vehicles used by the Nevada Youth Training Center; (c) Vehicles of a city, county or the State, if authorized by the Department for the purposes of law enforcement or work related thereto; (d) Two vehicles used by the office of the county coroner of any county which has created that office pursuant to NRS 244.163; and (e) Vehicles maintained for and used for investigations and undercover investigations by investigators of the following: (1) The Nevada Gaming Control Board; (2) The State Department of Agriculture; (3) The Attorney General; (4) City or county juvenile officers; (5) District attorneys' offices; (6) Public administrators' offices; (7) Public guardians' offices; (8) Sheriffs' offices; (9) Police departments in the State; (10) The Securities Division of the Office of the Secretary of State; (11) The Investigation Division of the Department of Public Safety; and (12) Any authorized federal law enforcement agency or law enforcement agency from another state, must not bear any distinguishing mark which would serve to identify the vehicles as owned by the United States, the State of Nevada, any other state or any county or city. The fee to be received by the Department for the initial issuance of these license plates is \$12 per plate or, if issued in sets, per set. Such license plates are renewable annually upon the payment of \$12. 3. Except as otherwise provided in NRS 239.0115, information pertaining to the issuance or renewal of a license plate pursuant to paragraph (e) of subsection 2 is confidential and must be securely maintained by the Department. 4. It is unlawful for a person to use a vehicle furnished with a license plate pursuant to paragraph (e) of subsection 2 for any purpose other than the investigation or undercover investigation for which it was issued. Any license plate issued pursuant to paragraph (e) of subsection 2 must be returned immediately to the Department when the vehicle for which the license plate was issued ceases to be used for the investigation or undercover investigation for which it was issued. 5. The Director may enter into agreements with departments of motor vehicles of other states providing for exchanges of license plates of regular series for vehicles maintained for and used by investigators of the law enforcement agencies enumerated in paragraph (e) of subsection 2, subject to all of the requirements imposed by that paragraph, except that the fee required by that paragraph must not be charged. 6. Applications for the license plates must be made through the head of the agency, division, department, board, bureau, commission, school district or irrigation district, or through the chair of the board of county commissioners of the county or town or through the mayor of the city, owning or controlling the vehicles. No plate or plates may be issued until: (a) A certificate has been filed with the Department showing that the name of the agency, division, department, board, bureau, commission, county, city, town, school district or irrigation district, as the case may be; and (b) The words "For Official Use Only" have been permanently and legibly affixed to each side of the vehicle, except those vehicles enumerated in subsection 2. 7. 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. 8. As used in this section: (a) "Exempt vehicle" means a

vehicle exempt from the governmental services tax. (b) "Undercover investigation" means an investigation that requires the use of a fictitious vehicle registration and license plate. [Part 6:202:1931; A 1941, 51; 1949, 511; 1953, 52]—(NRS A 1957, 61, 744; 1961, 386, 630; 1963, 693; 1967, 166; 1969, 130; 1973, 85, 290, 1123; 1977, 290; 1979, 254, 931; 1981, 1529, 2006; 1983, 728; 1985, 927, 1354, 1936; 1989, 557, 1961; 1991, 2313; 1993, 31, 779, 1641; 1995, 579; 1999, 3625; 2001, 314, 2549; 2001 Special Session, 244; 2003, 289, 1565; 2009, 958; 2021, 689; 2023, 1883)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.369 - Distinguishing plates for exempt vehicles: Specifications.

In providing the distinguishing plates to be issued pursuant to subsection 1 of NRS 482.368, the Director shall: 1. Select combinations of letters and numbers which are not confusingly similar to the combinations prescribed by NRS 482.270, 482.2705 and 482.274. 2. Employ letters and numbers of the same size as are used on license plates issued pursuant to NRS 482.270 and 482.2705. (Added to NRS by 1969, 1051; A 1981, 1552; 1983, 812; 2021, 691)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.370 - United States Senators and Representatives.

1. The Department shall furnish to each United States Senator a special license plate or plates showing on the face thereof, "U.S.S. 1," in the case of the senior Senator and "U.S.S. 2," in the case of the junior Senator. 2. The Department shall furnish to United States Representatives suitably distinctive plates. 3. The Department shall issue plates pursuant to this section upon payment of the license fees set forth in NRS 482.3745. [Part 12:202:1931; A 1949, 45; 1953, 106; 1955, 582]—(NRS A 1959, 914; 1981, 656; 1991, 2314)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.372 - Secretary of State, State Treasurer, State Controller and Attorney General.

Upon payment of the license fees set forth in NRS 482.3745, the Department shall furnish to the Secretary of State, the State Treasurer, the State Controller and the Attorney General special license plates showing, respectively, on the face thereof, "Secretary of State 3," "State Treasurer 4," "State Controller 5" and "Attorney General 6." The Department shall issue such number of license plates as may be necessary for all private cars owned by these public officers. (Added to NRS by 1985, 933; A 1991, 2314)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.373 - Governor and Lieutenant Governor.

1. The Department shall furnish to the Governor a special license plate or plates showing on the face thereof "1" without county designation. The Department shall issue such number of license plates as may be necessary for all private cars owned by the Governor upon payment of the license fees set forth in NRS 482.3745. 2. The Department shall furnish to the Lieutenant Governor a special license plate or plates showing on the face thereof "2" without county designation. The Department shall issue such number of license plates as may be necessary for all private cars owned by the Lieutenant Governor upon payment of the license fees set forth in NRS 482.3745. (Added to NRS by 1967, 107; A 1991, 2314)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.374 - Legislators, Supreme Court justices and Court of Appeals judges.

1. Except as otherwise provided in a special act, the Department shall furnish to each State Senator, State Assemblyman and State Assemblywoman a special license plate or plates showing on the face thereof, in the case of the Senators, "State Senator," together with the designated number showing the seniority of the Senator in the Senate, and, in the case of the members of the Assembly, "State Assemblyman" or "State Assemblywoman," as appropriate, together with the designated number showing the seniority of that member in the Assembly. If two or more Legislators have the same seniority, the designated number given to them must be determined according to the alphabetical order of their last names, except that numbers drawn by lot by Legislators having the same seniority before January 1, 1971, must be maintained in the same sequence. 2. The Department shall furnish to each justice of the Supreme Court a special license plate or plates showing on the face thereof "Supreme Court Justice," together with the designated number showing the seniority of the justice. If two or more justices have the same seniority, the designated number given to them must be determined according to the alphabetical order of their last names. 3. The Department shall furnish to each judge of the Court of Appeals a special license plate or plates showing on thereof "Court of Appeals Judge," together with the designated number showing the seniority of the judge. If two or more judges have the same seniority, the designated number given to them must be determined according to the alphabetical order of their last names. 4. The Department shall issue the license plates described in this section and a duplicate set of those plates to the State Legislators, judges of the Court of Appeals and justices of the Supreme Court upon payment of the license fees set forth in NRS 482.3745. (Added to NRS by 1971, 923; A 1989, 1856; 1991, 2315; 1997, 1531; 1999, 459, 2647; 2013, 1786)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3745 - Fees for license plates for congressional delegates and public officers.

The fee for a license plate or set of plates issued pursuant to NRS 482.370 to 482.374, inclusive, is \$5, in addition to all other applicable registration and license fees and governmental services taxes. (Added to NRS by 1991, 2312; A 2001, 315)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3746 - Vegas Golden Knights.

1. The Department, in cooperation with the Vegas Golden Knights, shall design, prepare and issue license plates that indicate support for the Vegas Golden Knights using any colors and designs which the Department deems appropriate. 2. The Department shall issue license plates that indicate support for the Vegas Golden Knights for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate support for the Vegas Golden Knights if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that indicate support for the Vegas Golden Knights pursuant to subsections 3 and 4. 3. The fee for license plates that indicate support for the Vegas Golden Knights is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates that indicate support for the Vegas Golden Knights must pay for the initial issuance of the plates an additional fee of \$10 and for each renewal of the plates an additional fee of \$10, to be deposited in accordance with subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Vegas Golden Knights Foundation or its successor organization to assist the Foundation or its successor with the support it provides to nonprofit charitable organizations. 6. The provisions of NRS 482.36705 do not apply to license plates described in this section. 7. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental service taxes due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 8. The Department may accept any gifts, grants and donations or other sources of money for the production and issuance of the special license plates pursuant to this section. All money received pursuant to this subsection must be deposited in the Revolving Account for the Issuance of Special License Plates created by NRS 482.1805. (Added to NRS by 2017, 3570; A 2021, 442)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3747 - Collegiate license plates.

1. The Department, in cooperation with the Board of Regents and the athletic departments of the University of Nevada, Reno, and the University of Nevada, Las Vegas, shall design, prepare and issue collegiate license plates, using any appropriate colors and designs to represent each university. 2. The Department may issue collegiate license plates for any passenger car or light commercial vehicle upon application by any person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with collegiate license plates if that person pays the fees for the personalized prestige license plates in addition to the fees for the collegiate license plates pursuant to subsections 3 and 4. 3. The fee for the collegiate license plates is \$35, in addition to all other applicable registration and license fees and governmental services taxes. Collegiate license plates are renewable upon the payment of \$10. 4. In addition to all fees for the license, registration and governmental services taxes, a person who requests a collegiate license plate shall pay for the initial issuance of a plate an additional fee of \$25 and for each renewal of the plate an additional fee of \$20 for academic and athletic scholarships to students of the University of Nevada, Reno, and the University of Nevada, Las Vegas. 5. The Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the Collegiate License Plate Account in the State General Fund created pursuant to NRS 396.384. 6. If, during a registration period, the holder of collegiate plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder may retain the plates and: (a) Affix them to another vehicle which meets the requirements of this section if the transfer and registration fees are paid as set out in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 1993, 1344; A 2001, 315; 2013, 2834)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3748 - Grand Lodge of Free and Accepted Masons.

1. Except as otherwise provided in this section, the Department, in cooperation with the Grand Lodge of Free and Accepted Masons of the State of Nevada, shall design, prepare and issue license plates that indicate affiliation with the Grand Lodge of Free and Accepted Masons using any colors and designs which the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. The Department shall issue license plates that indicate affiliation with the Grand Lodge of Free and Accepted Masons for a passenger car or a light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates

issued pursuant to NRS 482.3667 be combined with license plates that indicate affiliation with the Grand Lodge of Free and Accepted Masons if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that indicate affiliation with the Grand Lodge of Free and Accepted Masons. 3. An application for the issuance or renewal of license plates that indicate affiliation with the Grand Lodge of Free and Accepted Masons is void unless it has been stamped or otherwise validated by the Grand Lodge of Free and Accepted Masons. The Grand Lodge of Free and Accepted Masons may charge a fee for validating an application. 4. The fee payable to the Department for license plates that indicate affiliation with the Grand Lodge of Free and Accepted Masons is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment to the Department of \$10 in addition to all other applicable registration and license fees and governmental services taxes. 5. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder may retain the plates and: (a) Affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set out in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 6. For the purposes of this section, "Grand Lodge of Free and Accepted Masons" means the Grand Lodge of Free and Accepted Masons of the State of Nevada, or its successor, and any recognized sister jurisdiction or organization of the Grand Lodge of Free and Accepted Masons. (Added to NRS by 1997, 172; A 1997, 3004; 2001, 316; 2013, 2835)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3749 - Hall of fame athletes.

1. The Department shall, using any colors and designs that the Department deems appropriate, design, prepare and issue license plates which indicate status as a hall of fame athlete. The design of the license plates must include the words "hall of fame." 2. The Department shall issue license plates that indicate status as a hall of fame athlete for a passenger car or a light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate status as a hall of fame athlete if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that indicate status as a hall of fame athlete. 3. An application for the issuance or renewal of license plates that indicate status as a hall of fame athlete is void unless it is accompanied by documentation which, in the determination of the Department, provides reasonable proof of identity and status as a hall of fame athlete. 4. In addition to all other applicable registration and license fees and governmental services taxes: (a) A person who requests license plates that indicate status as a hall of fame athlete shall pay a fee to the Department of \$35. (b) License plates that indicate status as a hall of fame athlete are renewable upon the payment to the Department of \$10. 5. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder may retain the plates and: (a) Affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set forth in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 6. As used in this section, "hall of fame athlete" means a current or former athlete who has been inducted into a hall of fame pertaining to the sport in which the athlete participates or participated, including, but not limited to: (a) The National Baseball Hall of Fame, located in Cooperstown, New York. (b) The Basketball Hall of Fame, located in Springfield, Massachusetts. (c) The Pro Football Hall of Fame, located in Canton, Ohio. (d) The Hockey Hall of Fame, located in Toronto, Ontario, Canada. (e) The National Soccer Hall of Fame, located in Oneonta, New York. (f) The International Tennis Hall of Fame, located in Newport, Rhode Island. (g) The Pro Rodeo Hall of Fame, located in Colorado Springs, Colorado. (h) Any hall of fame which has been established at a university, state college or community college within the Nevada System of Higher Education. (Added to NRS by 1997, 1547; A 1997, 3006; 1999, 463; 2001, 317; 2005, 371; 2013, 211, 2836)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.375 - Holder of license for amateur radio station.

1. An owner of a motor vehicle who is a resident of the State of Nevada and who holds an unrevoked and unexpired official amateur radio station license issued by the Federal Communications Commission, upon application accompanied by proof of ownership of that license, complying with the state motor vehicle laws relating to registration and licensing of motor vehicles, and upon the payment of the regular license fee for plates as prescribed by law, and the payment of an additional fee of \$35, must be issued a license plate or plates, upon which in lieu of the numbers as prescribed by law must be inscribed the words "RADIO AMATEUR" and the official amateur radio call letters of the applicant as assigned by the Federal Communications Commission. The annual fee for a renewal sticker is \$10 unless waived by the Department pursuant to subsection 2. The plate or plates may be used only on a private passenger car, trailer or travel trailer or on a noncommercial truck, except that such plates may not be used on a full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483. 2. The Department may waive the annual fee for a renewal sticker if the applicant for renewal: (a) Has submitted to the Department a statement under penalty of perjury that the applicant is the holder of an unrevoked and unexpired official amateur radio station license as required pursuant to subsection 1 and will assist in communications during local, state and federal emergencies; and (b) Satisfies any other requirements established by the Department by regulation for such a waiver. 3. The cost of the die and modifications necessary for the issuance of a license plate pursuant to this section must be paid from private sources without any expense to the State of Nevada. 4. The Department may adopt regulations: (a) To ensure compliance with all state license laws relating to the use and operation of a motor vehicle before issuance of the plates in

lieu of the regular Nevada license plate or plates. (b) Setting forth the requirements and procedure for obtaining a waiver of the annual fee for a renewal sticker except that an applicant for the waiver must not be required to submit to the Department the statement required pursuant to paragraph (a) of subsection 2 more than once. 5. All applications for the plates authorized by this section must be made to the Department. 6. If, during a registration period, the holder of license plates issued pursuant to this section is no longer eligible to hold the license plates pursuant to subsection 1, he or she shall surrender any of those license plates in his or her possession to the Department and is entitled to receive regular Nevada license plates. [1:253:1951] + [2:253:1951] + [3:253:1951]—(NRS A 1959, 914; 1965, 318; 1975, 63; 1979, 309; 1983, 1229; 1985, 682; 1987, 1147; 1989, 1615; 1991, 2315; 1993, 2166; 1997, 2998; 2013, 2837; 2019, 1389)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3751 - Person who has achieved rank of Eagle Scout in Boy Scouts of America.

1. The Department, in cooperation with the Boy Scouts of America, shall design, prepare and issue license plates recognizing that a person has achieved the rank of Eagle Scout in the Boy Scouts of America using any colors the Department deems appropriate. 2. The Department shall issue license plates recognizing that a person has achieved the rank of Eagle Scout in the Boy Scouts of America for a passenger car or light commercial vehicle upon application by a person who: (a) Is entitled to license plates pursuant to NRS 482.265; (b) As proof that the person has been awarded the rank of Eagle Scout in the Boy Scouts of America, submits a card or certificate issued by the Boy Scouts of America or a letter issued by a local area council of the Boy Scouts of America stating that the person has been awarded that rank; and (c) Otherwise complies with the requirements for registration and licensing pursuant to this chapter. 3. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates recognizing that a person has achieved the rank of Eagle Scout in the Boy Scouts of America if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates recognizing that a person has achieved the rank of Eagle Scout in the Boy Scouts of America pursuant to subsections 4 and 5. 4. The fee payable to the Department for license plates recognizing that a person has achieved the rank of Eagle Scout in the Boy Scouts of America is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment to the Department of \$10. 5. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed pursuant to subsection 4, a person who requests a set of license plates recognizing that a person has achieved the rank of Eagle Scout in the Boy Scouts of America must pay for the issuance of the plates an additional fee of \$35 and for each renewal of the plates an additional fee of \$25, to be deposited in accordance with subsection 6. 6. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 5 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Las Vegas Area Council of the Boy Scouts of America. The Las Vegas Area Council shall allocate the fees to itself and the Nevada Area Council of the Boy Scouts of America in proportion to the number of license plates issued pursuant to this section in the area represented by each area council. The fees must be used to assist boys with the costs of participating in local area camps sponsored by the Boy Scouts of America. 7. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2015, 654)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3752 - Person who has been awarded Girl Scout Gold Award by Girl Scouts of America.

1. The Department, in cooperation with the Girl Scouts of America, shall design, prepare and issue license plates recognizing that a person has been awarded the Girl Scout Gold Award by the Girl Scouts of America using any colors the Department deems appropriate. 2. The Department shall issue license plates recognizing that a person has been awarded the Girl Scout Gold Award by the Girl Scouts of America for a passenger car or light commercial vehicle upon application by a person who: (a) Is entitled to license plates pursuant to NRS 482.265; (b) As proof that the person has been awarded the Girl Scout Gold Award by the Girl Scouts of America, submits a certificate issued by the Girl Scouts of America or a letter issued by a local area council of the Girl Scouts of America stating that the person has been awarded the Girl Scout Gold Award; and (c) Otherwise complies with the requirements for registration and licensing pursuant to this chapter. 3. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates recognizing that a person has been awarded the Girl Scout Gold Award by the Girl Scouts of America if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates recognizing that a person has been awarded the Girl Scout Gold Award by the Girl Scouts of America pursuant to subsections 4 and 5. 4. The fee payable to the Department for license plates recognizing that a person has been awarded the Girl Scout Gold Award by the Girl Scouts of America is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment to the Department of \$10. 5. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed pursuant to subsection 4, a person who requests a set of license plates recognizing that a person has been awarded the Girl Scout Gold Award by the Girl Scouts of America must pay for the issuance of the plates an additional fee of \$35 and for each renewal of the plates an additional fee of \$25, to be deposited in accordance with subsection 6. 6. Except as otherwise provided in NRS 482.38279, the Department shall deposit

the fees collected pursuant to subsection 5 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Girl Scouts of Southern Nevada of the Girl Scouts of America. The Girl Scouts of Southern Nevada shall allocate the fees to itself and the Girl Scouts of the Sierra Nevada and the Girl Scouts of Silver Sage Council of the Girl Scouts of America in proportion to the number of license plates issued pursuant to this section in the area represented by each area council. The fees must be used to assist girls from low-income families with the costs of participating in the Girl Scouts of America and to promote the Girl Scouts of America in schools. 7. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2015, 656)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3753 - Professional full-time salaried firefighters.

1. Except as otherwise provided in this section, the Department, in cooperation with professional full-time salaried firefighters in the State of Nevada, shall design, prepare and issue license plates that recognize current or former employment as a professional full-time salaried firefighter using any colors and designs which the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. The Department shall issue license plates that recognize current or former employment as a professional full-time salaried firefighter for a passenger car or a light commercial vehicle upon application by a qualified person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that recognize current or former employment as a professional full-time salaried firefighter if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that recognize current or former employment as a professional full-time salaried firefighter. 3. An application for the issuance of license plates that recognize current or former employment as a professional full-time salaried firefighter is void unless it is accompanied by documentation which, in the determination of the Department, provides reasonable proof of the identity of the applicant and proof of the applicant's: (a) Current employment as a professional full-time salaried firefighter; or (b) Status as a former professional full-time salaried firefighter who retired from employment after completing at least 10 years of creditable service as a firefighter within this State or any other jurisdiction with: (1) A fire department; or (2) A federal or state agency, the duties of which involve the prevention and suppression of fires, including, without limitation, the Bureau of Land Management and the Division of Forestry of the State Department of Conservation and Natural Resources. 4. Proof of an applicant's current or former employment as a professional full-time salaried firefighter must consist of: (a) An identification card issued by the Professional Fire Fighters of Nevada or its successor; (b) An identification card issued by the Nevada Fire Chiefs Association or its successor; (c) An identification card issued by a professional firefighters' or chiefs' organization or association from any other jurisdiction that is acceptable to the Department; or (d) A letter certifying the applicant's current or former employment as a professional full-time salaried firefighter, which letter must be from: (1) The Professional Fire Fighters of Nevada or its successor; (2) The Nevada Fire Chiefs Association or its successor; (3) A professional firefighters' or chiefs' organization or association from any other jurisdiction that is acceptable to the Department; or (4) The chief officer of a federal or state agency or any other jurisdiction, the duties of which involve the prevention and suppression of fires, including, without limitation, the Bureau of Land Management and the Division of Forestry of the State Department of Conservation and Natural Resources. 5. An application for the renewal of license plates issued pursuant to this section is not required to be accompanied by proof of the applicant's current or former employment as a professional full-time salaried firefighter. 6. The fee payable to the Department for license plates that recognize current or former employment as a professional full-time salaried firefighter is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment to the Department of \$10 in addition to all other applicable registration and license fees and governmental services taxes. 7. In addition to all other applicable registration and license fees and governmental services taxes and the fees prescribed in subsection 6, a person who requests a set of license plates that recognize current or former employment as a professional full-time salaried firefighter must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20 to support the Professional Fire Fighters of Nevada Benevolent Association. 8. The Department shall deposit the fees collected pursuant to subsection 7 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Professional Fire Fighters of Nevada Benevolent Association. 9. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set out in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 10. As used in this section: (a) "Any other jurisdiction" means any governmental or quasi-governmental entity within the United States which employs professional full-time salaried firefighters and includes, without limitation, any city, county, state, territory, Indian tribe or branch of the Armed Forces of the United States. (b) "Professional full-time salaried firefighter" means a person employed in this State or any other jurisdiction in a full-time salaried occupation of fire fighting for the benefit or safety of the public. (Added to NRS by 1997, 1358; A 2001, 318, 1510; 2007, 78; 2013, 2838; 2015, 62; 2023, 2915)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3754 - Volunteer firefighters.

1. Except as otherwise provided in this section, the Department, in cooperation with the Nevada State Firefighters' Association or its successor, shall design, prepare and issue license plates that recognize current or former service as a volunteer firefighter using any colors and designs which the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. The Department shall issue license plates that recognize current or former service as a volunteer firefighter for a passenger car or a light commercial vehicle upon application by a qualified person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that recognize current or former service as a volunteer firefighter if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that recognize current or former service as a volunteer firefighter. 3. An application for the issuance of license plates that recognize current or former service as a volunteer firefighter is void unless it is accompanied by documentation which, in the determination of the Department, provides reasonable proof of the identity of the applicant and proof of the applicant's current service as a volunteer firefighter or status as a former volunteer firefighter who retired from service as a volunteer firefighter within this State after completing at least 10 years of active service. Proof of an applicant's current or former service as a volunteer firefighter must consist of: (a) An identification card which indicates that the applicant currently serves as a volunteer firefighter; or (b) A letter from the chief officer of a volunteer or combination fire department certifying the applicant's current or former service as a volunteer firefighter. 4. An application for the renewal of license plates issued pursuant to this section is not required to be accompanied by proof of the applicant's current or former service as a volunteer firefighter. 5. The fee payable to the Department for license plates that recognize current or former service as a volunteer firefighter is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment to the Department of \$10 in addition to all other applicable registration and license fees and governmental services taxes. 6. In addition to all other applicable registration and license fees and governmental services taxes and the fees prescribed in subsection 5, a person who requests a set of license plates that recognize current or former service as a volunteer firefighter must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20 to support the training of volunteer firefighters. 7. The Department shall deposit the fees collected pursuant to subsection 6 with the State Treasurer for credit to the State General Fund. The State Treasurer shall account separately for the money deposited pursuant to this subsection and reserve such money for expenditure by the State Fire Marshal in accordance with this subsection. The State Fire Marshal may expend the money reserved pursuant to this subsection solely for the support of, and to pay expenses related to, training for volunteer firefighters provided by or as directed by the Board of Directors of the Nevada State Firefighters' Association or its successor. 8. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set out in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 9. As used in this section: (a) "Combination fire department" means a fire department that is: (1) Served by both volunteer and full-time salaried firefighters; and (2) Recognized as such by the State Fire Marshal. (b) "Volunteer fire department" means a fire department recognized as a bona fide volunteer fire department by the State Fire Marshal. (c) "Volunteer firefighter" means a person who serves actively in an unpaid capacity in a volunteer or combination fire department within this State as a firefighter for the benefit or safety of the public. (Added to NRS by 2001, 1508; A 2013, 2839; 2023, 2917)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3755 - Member of Nevada Wing of Civil Air Patrol.

1. An owner of a motor vehicle who is a resident of this State and is a member of the Nevada Wing of the Civil Air Patrol may, upon application on a form prescribed and furnished by the Department, signed by the member and his or her commanding officer and accompanied by proof of membership, be issued license plates upon which is inscribed "CIVIL AIR PATROL" with a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. The fee for the special license plates is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The annual fee for a renewal sticker is \$10. 2. Each member may request two sets of license plates as described in subsection 1. The second set of license plates for an additional vehicle must have a different number than the first set of license plates issued to the same member. The license plates may only be used on private passenger vehicles or noncommercial trucks. 3. Any member of the Nevada Wing of the Civil Air Patrol who retires or is honorably discharged may retain any license plates issued to the member pursuant to subsection 1. If a member is dishonorably discharged, he or she shall surrender any of these special plates in his or her possession to the Department at least 10 days before the member's discharge and, in lieu of those plates, is entitled to receive regular Nevada license plates. (Added to NRS by 1991, 193; A 1991, 2322; 1997, 2999; 2001, 318; 2013, 2554; 2021, 691)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3757 - Peace officer who is recipient of medal. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.] Peace officer who is recipient of

medal. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.]

1. Except as otherwise provided in this section, the Department shall design, prepare and issue license plates honoring peace officers who have received a medal specified in subsection 3, or the equivalent thereof. 2. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the person. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 3. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence satisfactory to the Department that the person is: (a) A current or former peace officer who has received one or more of the following medals, or the equivalent thereof, for his or her service as a peace officer: (1) The Medal of Honor; (2) The Purple Heart; (3) The Medal of Valor; (4) The Lifesaving Medal; (5) The Meritorious Service Medal; or (6) The Distinguished Service Medal; or (b) A family member of a person who was: (1) Killed in the line of duty while serving as a peace officer; and (2) Awarded posthumously the Medal of Honor, or the equivalent thereof, for his or her actions as a peace officer. 4. A qualifying event described in subsection 3 that entitles a person to special license plates issued pursuant to the provisions of this section is a qualifying event regardless of whether the event occurs or occurred before, on or after July 1, 2013. 5. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 6. Except as otherwise provided in this subsection, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of duplicate number plates from the Department for the fees required pursuant to NRS 482.268. 7. As used in this section: (a) "Family member" means a widow, widower, parent, stepparent, grandparent, child, stepchild, dependent, sibling, half sibling or stepsibling. (b) "Killed in the line of duty while serving as a peace officer" includes peace officers who: (1) Are killed directly in the line of duty; and (2) Die as a result of injuries sustained in the line of duty. (c) "Peace officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive. (Added to NRS by 2013, 554; A 2015, 2822; 2017, 420) 1. Except as otherwise provided in this section, the Department shall design, prepare and issue license plates honoring peace officers who have received a medal specified in subsection 3, or the equivalent thereof. 2. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the person. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 3. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence satisfactory to the Department that the person is: (a) A current or former peace officer who has received one or more of the following medals, or the equivalent thereof, for his or her service as a peace officer: (1) The Medal of Honor; (2) The Purple Heart; (3) The Medal of Valor; (4) The Lifesaving Medal; (5) The Meritorious Service Medal; or (6) The Distinguished Service Medal; or (b) A family member of a person who was: (1) Killed in the line of duty while serving as a peace officer; and (2) Awarded posthumously the Medal of Honor, or the equivalent thereof, for his or her actions as a peace officer. 4. A qualifying event described in subsection 3 that entitles a person to special license plates issued pursuant to the provisions of this section is a qualifying event regardless of whether the event occurs or occurred before, on or after July 1, 2013. 5. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 6. Except as otherwise provided in this section, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of duplicate number plates from the Department for the fees required pursuant to NRS 482.268. 7. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates issued pursuant to this section if the person pays the fees prescribed by NRS 482.367 for the personalized prestige license plates. 8. Any person who knowingly: (a) Makes a false statement that he or she is a family member of a person who was killed in the line of duty while serving as a peace officer and awarded posthumously the Medal of Honor, or the equivalent thereof, for his or her actions as a peace officer on an application for special license plates pursuant to this section; or (b) Submits any evidence pursuant to paragraph (b) of subsection 3 that is false, fraudulent or misleading, is guilty of a misdemeanor and shall be punished by a fine not to exceed \$1,000. In addition, he or she shall surrender to the Department any license plates issued pursuant to this section. 9. As used in this section: (a) "Family member" means a widow, widower, parent, stepparent, grandparent, child, stepchild, dependent, sibling, half sibling or stepsibling. (b) "Killed in the line of duty while serving as a peace officer" includes peace officers who: (1) Are killed directly in the line of duty; and (2) Die as a result of injuries sustained in the line of duty. (c) "Peace officer" means any person upon whom some or all of the powers of a peace

officer are conferred pursuant to NRS 289.150 to 289.360, inclusive. (Added to NRS by 2013, 554; A 2015, 2822; 2017, 420; 2023, 3286, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.376 - Member of Nevada National Guard. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.] Member of Nevada National Guard. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.]

1. An owner of a motor vehicle who is a resident of this State and is an enlisted or commissioned member of the Nevada National Guard may, upon application on a form prescribed and furnished by the Department, signed by the member and his or her commanding officer and accompanied by proof of enlistment, be issued license plates upon which is inscribed NAT'L GUARD with a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. The applicant shall comply with the laws of this State concerning motor vehicles, including the payment of the regular registration fees, as prescribed by this chapter. There is an additional fee of \$5 for the issuance of those plates. 2. Each member may request two sets of license plates as described in subsection 1. The second set of license plates for an additional vehicle must have a different number than the first set of license plates issued to the same member. The license plates may only be used on private passenger vehicles or noncommercial trucks. 3. Any member of the Nevada National Guard other than the Adjutant General, who retires or is honorably discharged may retain any license plates issued to the member pursuant to subsection 1. The Adjutant General shall surrender any license plates issued to him or her as Adjutant General to the Department when he or she leaves office, and may then be issued special license plates as described in subsection 1. If a member is dishonorably discharged, the member shall surrender any of these special plates in his or her possession to the Department at least 10 days before the member's discharge and, in lieu of those plates, is entitled to receive regular Nevada license plates. (Added to NRS by 1973, 154; A 1975, 64; 1985, 682, 759; 1987, 1147; 1991, 2315; 2013, 2555; 2021, 691) 1. An owner of a motor vehicle who is a resident of this State and is an enlisted or commissioned member of the Nevada National Guard may, upon application on a form prescribed and furnished by the Department, signed by the member and his or her commanding officer and accompanied by proof of enlistment, be issued license plates upon which is inscribed NAT'L GUARD with a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. The applicant shall comply with the laws of this State concerning motor vehicles, including the payment of the regular registration fees, as prescribed by this chapter. There is an additional fee of \$5 for the issuance of those plates. 2. Each member may request two sets of license plates as described in subsection 1. The second set of license plates for an additional vehicle must have a different number than the first set of license plates issued to the same member. The license plates may only be used on private passenger vehicles or noncommercial trucks. 3. Any member of the Nevada National Guard other than the Adjutant General, who retires or is honorably discharged may retain any license plates issued to the member pursuant to subsection 1. The Adjutant General shall surrender any license plates issued to him or her as Adjutant General to the Department when he or she leaves office, and may then be issued special license plates as described in subsection 1. If a member is dishonorably discharged, the member shall surrender any of these special plates in his or her possession to the Department at least 10 days before the member's discharge and, in lieu of those plates, is entitled to receive regular Nevada license plates. 4. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates issued pursuant to this section if the person pays the fees prescribed by NRS 482.367, for the personalized prestige license plates in addition to the fees prescribed by this section for the license plates issued pursuant to this section. (Added to NRS by 1973, 154; A 1975, 64; 1985, 682, 759; 1987, 1147; 1991, 2315; 2013, 2555; 2021, 691; 2023, 3287, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3763 - Support of outreach programs and services for veterans and their families: Preparation; issuance; required inscriptions; retention or return of plates upon disposal of vehicle; fees; duplicate number plates.

1. The Director shall order the preparation of special license plates for the support of outreach programs and services for veterans and their families and establish procedures for the application for and issuance of the plates. 2. The Department shall, upon application therefor and payment of the prescribed fees, issue special license plates for the support of outreach programs and services for veterans and their families to: (a) A veteran of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United States, a reserve component thereof or the National Guard; (b) A female veteran; or (c) The spouse, parent or child of a person described in paragraph (a) or (b). The plates must be inscribed with the word "VETERAN" and with the seal of the branch of the Armed Forces of the United States, the seal of the National Guard or an image representative of the female veterans, as applicable, requested by the applicant. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with special license plates for the support of outreach programs and services for veterans and their families if that person

pays the fees for the personalized prestige license plates in addition to the fees for the special license plates for the support of outreach programs and services for veterans and their families pursuant to subsection 4. 3. If, during a registration period, the holder of special plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 4. In addition to all other applicable registration and license fees and governmental services taxes, and to the special fee imposed pursuant to NRS 482.3764 for the support of outreach programs and services for veterans and their families, the fee for: (a) The initial issuance of the special license plates is \$35. (b) The annual renewal sticker is \$10. 5. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of duplicate number plates from the Department for a fee of \$10. (Added to NRS by 1993, 2599; A 1999, 1959; 2001, 319; 2005, 2850; 2007, 670; 2011, 1990; 2013, 2840; 2017, 421)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37635 - Support of veterans' homes: Decals indicating service in specific military unit; design; application; compliance with federal law; regulations.

1. The Director shall approve the design and order the preparation of decals that may be affixed by the Department, upon request, to special license plates issued pursuant to NRS 482.3763. The decals must: (a) Display the emblem or other insignie of specific military units within particular branches of the Armed Forces of the United States; (b) Be no more than 1 3/4 inches in height by 1 3/4 inches in width; and (c) Be affixed to the right side of the license plates. 2. An applicant for the issuance or renewal of the special license plates described in NRS 482.3763 may obtain decals for those plates if: (a) The military unit the applicant requests to be displayed on the decals is a recognized unit within a particular branch of the Armed Forces of the United States; (b) The applicant meets the requirements set forth in NRS 482.3763; and (c) The applicant provides documentation which, in the determination of the Department, provides reasonable proof of the identity of the applicant and proof of his or her status as a member of the specific military unit to be displayed on the decals. 3. The Director may use or imitate a seal, emblem or other insignie of a unit within a branch of the Armed Forces of the United States only if that use or imitation complies with the provisions of 10 U.S.C. § 1057. 4. The Department may adopt regulations governing the issuance of a decal described in subsection 1. (Added to NRS by 1999, 1172)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3764 - Support of outreach programs and services for veterans and their families: Collection of special fee for such support; affixment of certain decals upon request of eligible applicant; disposition of money collected.

1. Before the Department issues to any person, pursuant to NRS 482.3763: (a) An initial set of special license plates, it shall: (1) Collect a special fee for the support of outreach programs and services for veterans and their families in the amount of \$25; and (2) Affix a decal to each plate if requested by an applicant who meets the requirements set forth in NRS 482.37635. (b) An annual renewal sticker, it shall: (1) Collect a special fee for the support of outreach programs and services for veterans and their families in the amount of \$20; and (2) Affix a decal to each plate if requested by an applicant who meets the requirements set forth in NRS 482.37635. 2. The Department shall deposit all money collected pursuant to this section with the State Treasurer for credit to the Gift Account for Veterans created by NRS 417.115. (Added to NRS by 1993, 2599; A 1999, 1173, 1960, 1961; 2003, 3211; 2007, 670; 2013, 2519)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3765 - Veteran of Armed Forces of United States who survived attack on Pearl Harbor. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.] Veteran of Armed Forces of United States who survived attack on Pearl Harbor. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.]

1. A veteran of the Armed Forces of the United States who survived the attack on Pearl Harbor on December 7, 1941, is entitled to specially designed license plates inscribed with the words "PEARL HARBOR VETERAN" or "PEARL HARBOR SURVIVOR," at the option of the veteran, and a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. 2. A person who qualifies for special license plates pursuant to this section, has suffered a qualifying service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background. 3. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 4. The Department shall issue specially designed license plates for persons qualified pursuant to this section who submit an application on a form prescribed by the Department and evidence of

their status as a survivor and, if applicable and subject to the provisions of NRS 417.0187, evidence of disability required by the Department. 5. A vehicle on which license plates issued by the Department pursuant to subsection 2 are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States. 6. If, during a registration year, the holder of a set of special license plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 7. The fee for a set of special license plates issued pursuant to this section is \$25, in addition to all other applicable registration and license fees and governmental services taxes. The annual fee for a renewal sticker for a set of special license plates issued pursuant to this section is \$5. (Added to NRS by 1987, 411; A 1991, 2316; 1993, 1238; 2001, 319; 2007, 314; 2013, 2555; 2015, 263; 2017, 1126, 1133; 2021, 692) 1. A veteran of the Armed Forces of the United States who survived the attack on Pearl Harbor on December 7, 1941, is entitled to specially designed license plates inscribed with the words "PEARL HARBOR VETERAN" or "PEARL HARBOR SURVIVOR," at the option of the veteran, and a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. 2. A person who qualifies for special license plates pursuant to this section, has suffered a qualifying service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background. 3. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 4. The Department shall issue specially designed license plates for persons qualified pursuant to this section who submit an application on a form prescribed by the Department and evidence of their status as a survivor and, if applicable and subject to the provisions of NRS 417.0187, evidence of disability required by the Department. 5. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States. 6. If, during a registration year, the holder of a set of special license plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 7. The fee for a set of special license plates issued pursuant to this section is \$25, in addition to all other applicable registration and license fees and governmental services taxes. The annual fee for a renewal sticker for a set of special license plates issued pursuant to this section is \$5. 8. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate the person's status as a veteran of the Armed Forces of the United States who survived the attack on Pearl Harbor on December 7, 1941, if the person pays the fees prescribed by NRS 482.367, for the personalized prestige license plates in addition to the fees prescribed by this section for the license plates that indicate the person's status as a veteran of the Armed Forces of the United States who survived the attack on Pearl Harbor on December 7, 1941. (Added to NRS by 1987, 411; A 1991, 2316; 1993, 1238; 2001, 319; 2007, 314; 2013, 2555; 2015, 263; 2017, 1126, 1133; 2021, 692; 2023, 3288, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.377 - "Disabled Veteran," "Disabled Female Veteran" or "Veteran Who Is Disabled" and "Ex-Prisoner of War." [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.] "Disabled Veteran," "Disabled Female Veteran" or "Veteran Who Is Disabled" and "Ex-Prisoner of War." [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.]

1. A veteran of the Armed Forces of the United States who, as a result of his or her service: (a) Has suffered a qualifying service-connected disability and who receives compensation from the United States for the disability is entitled to specially designed license plates that must be inscribed with: (1) The words "DISABLED VETERAN," "DISABLED FEMALE VETERAN" or "VETERAN WHO IS DISABLED," at the option of the veteran; (2) The international symbol of access, which must comply with any applicable federal standards and must be white on a blue background; and (3) A number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. (b) Has been captured and held prisoner by a military force of a foreign nation is entitled to specially designed license plates inscribed with the words "EX PRISONER OF WAR" and a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. 2. A person who qualifies for special license plates pursuant to paragraph (b) of subsection 1, has suffered a qualifying service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States

for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background. 3. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 4. The Department shall issue specially designed license plates for persons qualified pursuant to this section who submit an application on a form prescribed by the Department and, subject to the provisions of NRS 417.0187, evidence of disability, former imprisonment or both, as applicable, required by the Department. 5. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States. 6. If, during a registration year, the holder of a set of special license plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 1977, 1376; A 1979, 1303; 1981, 338; 1991, 2316; 2007, 315; 2011, 1990; 2013, 66, 2556; 2015, 263; 2017, 1127, 1133; 2021, 692) 1. A veteran of the Armed Forces of the United States who, as a result of his or her service: (a) Has suffered a qualifying service-connected disability and who receives compensation from the United States for the disability is entitled to specially designed license plates that must be inscribed with: (1) The words "DISABLED VETERAN," "DISABLED FEMALE VETERAN" or "VETERAN WHO IS DISABLED," at the option of the veteran; (2) The international symbol of access, which must comply with any applicable federal standards and must be white on a blue background; and (3) A number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. (b) Has been captured and held prisoner by a military force of a foreign nation is entitled to specially designed license plates inscribed with the words "EX PRISONER OF WAR" and a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. 2. A person who qualifies for special license plates pursuant to paragraph (b) of subsection 1, has suffered a qualifying service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background. 3. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 4. The Department shall issue specially designed license plates for persons qualified pursuant to this section who submit an application on a form prescribed by the Department and, subject to the provisions of NRS 417.0187, evidence of disability, former imprisonment or both, as applicable, required by the Department. 5. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States. 6. If, during a registration year, the holder of a set of special license plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 7. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates issued pursuant to this section if the person pays the fees prescribed by NRS 482.367 for the personalized prestige license plates. (Added to NRS by 1977, 1376; A 1979, 1303; 1981, 338; 1991, 2316; 2007, 315; 2011, 1990; 2013, 66, 2556; 2015, 263; 2017, 1127, 1133; 2021, 692; 2023, 3289, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3775 - Veteran of Armed Forces of United States awarded Purple Heart. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.]
Veteran of Armed Forces of United States awarded Purple Heart. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.]

1. A veteran of the Armed Forces of the United States who was awarded the Purple Heart is entitled to specially designed license plates which indicate that the veteran is a recipient of the Purple Heart. 2. A person who qualifies for special license plates pursuant to this section, has suffered a qualifying service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background. 3. Each person who qualifies for special license plates pursuant to this section

may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 4. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence of his or her status as a recipient of the Purple Heart and, if applicable and subject to the provisions of NRS 417.0187, evidence of disability as required by the Department. The Department may designate any appropriate colors for the special plates. 5. A vehicle on which license plates issued by the Department pursuant to subsection 2 are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States. 6. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 7. Except as otherwise provided in this subsection, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of duplicate number plates from the Department for the fees required pursuant to NRS 482.268. (Added to NRS by 1991, 133; A 1991, 2322; 1997, 3000; 2001, 320; 2007, 315; 2015, 264, 2823; 2017, 422, 1129, 1134) 1. A veteran of the Armed Forces of the United States who was awarded the Purple Heart is entitled to specially designed license plates which indicate that the veteran is a recipient of the Purple Heart. 2. A person who qualifies for special license plates pursuant to this section, has suffered a qualifying service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background. 3. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 4. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence of his or her status as a recipient of the Purple Heart and, if applicable and subject to the provisions of NRS 417.0187, evidence of disability as required by the Department. The Department may designate any appropriate colors for the special plates. 5. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States. 6. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 7. Except as otherwise provided in this section, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of duplicate number plates from the Department for the fees required pursuant to NRS 482.268. 8. A person may request that personalized prestige license plates issued pursuant to NRS 482.367 be combined with license plates that indicate the person's status as a veteran of the Armed Forces of the United States who was awarded the Purple Heart if the person pays the fees prescribed by NRS 482.367 for the personalized prestige license plates. (Added to NRS by 1991, 133; A 1991, 2322; 1997, 3000; 2001, 320; 2007, 315; 2015, 264, 2823; 2017, 422, 1129, 1134; 2023, 3290, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.378 - Recipient of Congressional Medal of Honor. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.] Recipient of Congressional Medal of Honor. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.]

1. An owner of a motor vehicle who is a resident of this State and has been awarded the Congressional Medal of Honor may, upon signed application on a form prescribed and furnished by the Department, be issued license plates which indicate that he or she is a recipient of the Congressional Medal of Honor. The applicant shall comply with the motor vehicle laws of this State, including the provisions of chapter 371 of NRS and the payment of the registration fees required by this chapter, but no fee may be charged under NRS 482.367. 2. A person who qualifies for special license plates pursuant to this section, has suffered a qualifying

service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background. 3. Each person who is eligible for special license plates under this section may apply for two sets of plates. The second set of plates for an additional vehicle must have a different number than the first set of plates issued to the same applicant. The plates may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 4. A vehicle on which license plates issued by the Department pursuant to subsection 2 are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States. 5. The Department may adopt regulations governing the issuance of special license plates to recipients of the Congressional Medal of Honor. (Added to NRS by 1985, 29; A 2015, 265; 2017, 1129) 1. An owner of a motor vehicle who is a resident of this State and has been awarded the Congressional Medal of Honor may, upon signed application on a form prescribed and furnished by the Department, be issued license plates which indicate that he or she is a recipient of the Congressional Medal of Honor. The applicant shall comply with the motor vehicle laws of this State, including the provisions of chapter 371 of NRS and the payment of the registration fees required by this chapter, but except as otherwise provided in subsection 6, no fee may be charged under NRS 482.367. 2. A person who qualifies for special license plates pursuant to this section, has suffered a qualifying service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with any applicable federal standards and must be white on a blue background. 3. Each person who is eligible for special license plates under this section may apply for two sets of plates. The second set of plates for an additional vehicle must have a different number than the first set of plates issued to the same applicant. The plates may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 4. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including those collected through parking meters, charged by the State or any political subdivision or other public body within the State, other than the United States. 5. The Department may adopt regulations governing the issuance of special license plates to recipients of the Congressional Medal of Honor. 6. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate the person's status as a recipient of the Congressional Medal of Honor if that person pays the fees prescribed by NRS 482.367 for the personalized prestige license plates. (Added to NRS by 1985, 29; A 2015, 265; 2017, 1129; 2023, 3291, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3783 - Veteran of Armed Forces of United States awarded Silver Star or Bronze Star Medal with "V" device, Combat V or Combat Distinguishing Device. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.] Veteran of Armed Forces of United States awarded Silver Star or Bronze Star Medal with "V" device, Combat V or Combat Distinguishing Device. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.]

1. The Department shall design, prepare and issue license plates honoring veterans of the Armed Forces of the United States who have been awarded, as applicable, the: (a) Silver Star; or (b) Bronze Star Medal with "V" device, Combat V or Combat Distinguishing Device. 2. A person who qualifies for special license plates pursuant to this section, has suffered a qualifying service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with the applicable federal standards and must be white on a blue background. 3. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may only be used on a private passenger vehicle, a noncommercial truck or a motor home. 4. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence of his or her status as a recipient of the Silver Star or the Bronze Star Medal with "V" device, Combat V or Combat Distinguishing Device, as applicable, and, subject to the provisions of NRS 417.0187, evidence of his or her service-connected disability, if applicable, as required by the Department. The Department may designate any appropriate colors for the special plates. 5. Except as otherwise provided in this subsection, a vehicle on which license plates issued by the Department pursuant to subsection 2 are displayed is exempt from the payment of any parking fees, including, without limitation, those collected through parking meters, charged by the State or any political subdivision or other public body within this State, other than the United States. 6. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements

of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 7. Except as otherwise provided in this subsection, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special license plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of duplicate number plates from the Department for the fees required pursuant to NRS 482.268. (Added to NRS by 2015, 253; A 2017, 422, 1130, 1135) 1. The Department shall design, prepare and issue license plates honoring veterans of the Armed Forces of the United States who have been awarded, as applicable, the: (a) Silver Star; or (b) Bronze Star Medal with "V" device, Combat V or Combat Distinguishing Device. 2. A person who qualifies for special license plates pursuant to this section, has suffered a qualifying service-connected disability as a result of his or her service in the Armed Forces of the United States and receives compensation from the United States for the disability is entitled to have his or her special license plates issued pursuant to this section inscribed with the international symbol of access, which must comply with the applicable federal standards and must be white on a blue background. 3. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may only be used on a private passenger vehicle, a noncommercial truck or a motor home. 4. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence of his or her status as a recipient of the Silver Star or the Bronze Star Medal with "V" device, Combat V or Combat Distinguishing Device, as applicable, and, subject to the provisions of NRS 417.0187, evidence of his or her service-connected disability, if applicable, as required by the Department. The Department may designate any appropriate colors for the special plates. 5. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including, without limitation, those collected through parking meters, charged by the State or any political subdivision or other public body within this State, other than the United States. 6. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 7. Except as otherwise provided in this section, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special license plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of duplicate number plates from the Department for the fees required pursuant to NRS 482.268. 8. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate the person's status as a veteran of the Armed Forces of the United States who has been awarded the Silver Star or the Bronze Star Medal with "V" device, Combat V or Combat Distinguishing Device if the person pays the fees prescribed by NRS 482.367 for the personalized prestige license plates. (Added to NRS by 2015, 253; A 2017, 422, 1130, 1135; 2023, 3291, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3785 - Family member of person killed in line of duty while on active duty in Armed Forces of United States. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.] Family member of person killed in line of duty while on active duty in Armed Forces of United States; prohibited acts; penalty. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.]

1. Each family member of a person killed in the line of duty while on active duty in the Armed Forces of the United States is entitled to specially designed license plates which indicate that the person is a family member of a person killed in the line of duty while on active duty in the Armed Forces of the United States. 2. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 3. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence satisfactory to the Department that the person is a family member of a person killed in the line of duty while on active duty in the Armed Forces of the United States. The Department may designate any appropriate colors for the special plates, but must ensure that the design of the plates includes a gold star. 4. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including, without limitation, those collected through parking meters, charged by the State or any political subdivision or other public body within this State, other than the United States. 5. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a)

Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 6. Except as otherwise provided in this section, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of duplicate number plates from the Department for the fees required pursuant to NRS 482.268. 7. As used in this section: (a) "Family member" means a widow, widower, parent, stepparent, grandparent, child, stepchild, dependent, sibling, half sibling or stepsibling. (b) "Killed in the line of duty while on active duty in the Armed Forces of the United States" includes persons killed directly in the line of duty and persons who die as a result of injuries sustained in the line of duty. (Added to NRS by 2009, 491; A 2015, 2823; 2017, 423; 2023, 3292) 1. Each family member of a person killed in the line of duty while on active duty in the Armed Forces of the United States is entitled to specially designed license plates which indicate that the person is a family member of a person killed in the line of duty while on active duty in the Armed Forces of the United States. 2. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 3. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence satisfactory to the Department that the person is a family member of a person killed in the line of duty while on active duty in the Armed Forces of the United States. The Department may designate any appropriate colors for the special plates, but must ensure that the design of the plates includes a gold star. 4. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including, without limitation, those collected through parking meters, charged by the State or any political subdivision or other public body within this State, other than the United States. 5. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 6. Except as otherwise provided in this section, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of duplicate number plates from the Department for the fees required pursuant to NRS 482.268. 7. Any person who knowingly: (a) Makes a false statement that he or she is a family member of a person killed in the line of duty while on active duty in the Armed Forces of the United States on an application for special license plates pursuant to this section; or (b) Submits any evidence pursuant to subsection 3 that is false, fraudulent or misleading, is guilty of a misdemeanor and shall be punished by a fine not to exceed \$1,000. In addition, he or she shall surrender to the Department any license plates issued pursuant to this section. 8. As used in this section: (a) "Family member" means a widow, widower, parent, stepparent, grandparent, child, stepchild, dependent, sibling, half sibling or stepsibling. (b) "Killed in the line of duty while on active duty in the Armed Forces of the United States" includes persons killed directly in the line of duty and persons who die as a result of injuries sustained in the line of duty. (Added to NRS by 2009, 491; A 2015, 2823; 2017, 423; 2023, 3292, 3293, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3787 - Family member of person who died as result of injuries sustained while on active duty in Armed Forces of United States. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.] Family member of person who died as result of injuries sustained while on active duty in Armed Forces of United States; prohibited acts; penalty. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285.]

1. Each family member of a person who died as a result of injuries sustained while on active duty in the Armed Forces of the United States is entitled to specially designed license plates which indicate that the person is a family member of a person who died as a result of injuries sustained while on active duty in the Armed Forces of the United States. 2. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 3. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence satisfactory to the Department that the person is a family member of a person who died as a result of injuries sustained while on active duty in the Armed Forces of the United States. The Department may designate any appropriate colors for the special plates. 4. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including, without

limitation, those collected through parking meters, charged by the State or any political subdivision or other public body within this State, other than the United States. 5. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 6. Except as otherwise provided in this section, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of duplicate number plates from the Department for the fees required pursuant to NRS 482.268. 7. As used in this section: (a) "Died as a result of injuries sustained while on active duty in the Armed Forces of the United States" includes persons who die as a result of an injury sustained while on active duty whether or not the person had been discharged from military service at the time of his or her death. (b) "Family member" means a widow, widower, parent, stepparent, grandparent, child, stepchild, dependent, sibling, half sibling or stepsibling. (Added to NRS by 2011, 1790; A 2015, 2824; 2017, 424; 2023, 3294) 1. Each family member of a person who died as a result of injuries sustained while on active duty in the Armed Forces of the United States is entitled to specially designed license plates which indicate that the person is a family member of a person who died as a result of injuries sustained while on active duty in the Armed Forces of the United States. 2. Each person who qualifies for special license plates pursuant to this section may apply for not more than two sets of plates. If the person applies for a second set of plates for an additional vehicle, the second set of plates must have a different number than the first set of plates issued to the same applicant. Special license plates issued pursuant to this section may be used only on a private passenger vehicle, a noncommercial truck or a motor home. 3. The Department shall issue specially designed license plates for any person qualified pursuant to this section who submits an application on a form prescribed by the Department and evidence satisfactory to the Department that the person is a family member of a person who died as a result of injuries sustained while on active duty in the Armed Forces of the United States. The Department may designate any appropriate colors for the special plates. 4. A vehicle on which license plates issued by the Department pursuant to this section are displayed is exempt from the payment of any parking fees, including, without limitation, those collected through parking meters, charged by the State or any political subdivision or other public body within this State, other than the United States. 5. If, during a registration year, the holder of a set of special license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 6. Except as otherwise provided in this section, no fee in addition to the applicable registration and license fees and governmental services taxes may be charged for the issuance or renewal of a set of special license plates pursuant to this section. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of duplicate number plates from the Department for the fees required pursuant to NRS 482.268. 7. Any person who knowingly: (a) Makes a false statement that he or she is a family member of a person who died as a result of injuries sustained while on active duty in the Armed Forces of the United States on an application for special license plates pursuant to this section; or (b) Submits any evidence pursuant to subsection 3 that is false, fraudulent or misleading, is guilty of a misdemeanor and shall be punished by a fine not to exceed \$1,000. In addition, he or she shall surrender to the Department any license plates issued pursuant to this section. 8. As used in this section: (a) "Died as a result of injuries sustained while on active duty in the Armed Forces of the United States" includes persons who die as a result of an injury sustained while on active duty whether or not the person had been discharged from military service at the time of his or her death. (b) "Family member" means a widow, widower, parent, stepparent, grandparent, child, stepchild, dependent, sibling, half sibling or stepsibling. (Added to NRS by 2011, 1790; A 2015, 2824; 2017, 424; 2023, 3294, 3295, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of chapter 509, Statutes of Nevada 2023, at page 3285)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.379 - Commemorating 125th anniversary of Nevada's admission into Union.

1. The Director may order the design and preparation of license plates which commemorate the 125th anniversary of Nevada's admission into the Union and establish the procedures for the application and issuance of the plates. 2. The Department may designate any colors, numbers and letters for the commemorative plates. 3. A person who is entitled to license plates pursuant to NRS 482.265 may apply for commemorative license plates. 4. The fee for the commemorative license plates is \$10, in addition to all other applicable registration and license fees and governmental services taxes. If a person is eligible for and applies for any special license plates issued pursuant to NRS 482.3667, 482.3672, 482.368 or 482.370 to 482.3825, inclusive, and applies to have those special license plates combined with commemorative plates, the person must pay the fees for the special license plates in addition to the fee for the commemorative plates. 5. In addition to all fees for the license, registration and governmental services taxes, a person who is eligible for and applies for commemorative plates must pay \$25 for the celebration of the 125th anniversary of Nevada's admission into the Union. The fees for the license, registration, and governmental services taxes and the charge for the celebration may be paid with a single check. 6. Commemorative plates are renewable upon the payment of \$10. 7. If during a registration period, the holder of commemorative plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder may retain the plates and: (a) Within 30 days after removing the plates from the vehicle, return them to

the Department; or (b) Affix them to another vehicle which meets the requirements of this section if the transfer and registration fees are paid as is provided for in this chapter. 8. Except as otherwise provided by subsection 10, if a commemorative license plate or set of license plates issued pursuant to the provisions of this section is lost, stolen or mutilated, the owner of the vehicle may secure a duplicate number plate or set of duplicate number plates, as the case may be, from the Department upon payment of the fees set forth in subsection 2 of NRS 482.500. 9. The Department shall, for each set of commemorative license plates that it issues: (a) Deposit the \$25 collected for the celebration of the 125th anniversary of Nevada's admission into the Union with the State Treasurer for credit to the Account for Nevada's 125th Anniversary in the State General Fund; (b) Deposit \$7.50 with the State Treasurer for credit to the Motor Vehicle Fund pursuant to the provisions of NRS 482.180; and (c) Deposit \$2.50 with the State Treasurer for credit to the Department to reimburse the Department for the cost of manufacturing the license plates. 10. The Department shall not: (a) Issue the commemorative license plates after October 31, 1990. (b) Issue duplicate or replacement commemorative license plates after June 30, 1995. (Added to NRS by 1989, 1148; A 1991, 2317; 1999, 3576; 2001, 320; 2003, 3377; 2013, 2841; 2017, 424; 2023, 1068, 1884)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37901 - Commemorating 150th anniversary of Nevada's admission into Union.

1. Except as otherwise provided in subsection 6, a person who, on or before October 31, 2016, was issued by the Department license plates which commemorate the 150th anniversary of Nevada's admission into the Union for a passenger car or light commercial vehicle, who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter may renew the commemorative license plates upon payment of all applicable registration and license fees and governmental services taxes, payment of the fee for the renewal of the commemorative license plates pursuant to subsection 2 and, if applicable, for a: (a) Special legislative license plate issued pursuant to NRS 482.374, the fees for the special legislative license plates; or (b) Personalized prestige license plate issued pursuant to NRS 482.3667, the fees for the personalized prestige license plates. 2. In addition to all other applicable fees prescribed in subsection 1, a person who wishes to renew a set of the commemorative license plates must pay a fee of \$20, to be distributed pursuant to subsection 3. 3. The Department shall deposit the fees collected pursuant to subsection 2 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute one-half of the fees to the Division of Museums and History of the Department of Tourism and Cultural Affairs and one-half of the fees to the Division of State Parks of the State Department of Conservation and Natural Resources. The money must be used for: (a) Educational projects and initiatives relating to the history of the State of Nevada, including, without limitation, historical markers, tours of historic sites and improvements to or restoration of historic buildings and structures; and (b) Other projects relating to preserving, promoting and protecting the heritage of the State of Nevada, including, without limitation, projects relating to: (1) The establishment of a new state park, state monument or recreational area pursuant to NRS 407.065; or (2) Enhancements or modifications to a state park, state monument or recreational area designated pursuant to NRS 407.120. 4. On or before January 1 of each calendar year, the Division of Museums and History of the Department of Tourism and Cultural Affairs and the Division of State Parks of the State Department of Conservation and Natural Resources shall produce a report of: (a) Revenues received from the renewal of the commemorative license plates issued pursuant to the provisions of this section; and (b) Associated expenditures, and shall submit the report to the Director of the Legislative Counsel Bureau for transmission to the Legislature or the Legislative Commission, as appropriate. 5. If, during a registration year, the holder of the commemorative license plates issued by the Department disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the commemorative license plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the commemorative license plates from the vehicle, return them to the Department. 6. The Director shall not issue: (a) The commemorative license plates after October 31, 2016. (b) Replacement number plates or duplicate number plates for those commemorative license plates after October 31, 2021. (Added to NRS by 2013, 2545; A 2017, 425, 1108; 2023, 1885)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37902 - Commemorating 100th anniversary of women's suffrage.

1. Except as otherwise provided in paragraph (b) of subsection 8, the Department, in cooperation with the Nevada Commission for Women created by NRS 233I.020, shall design, prepare and issue license plates which commemorate the 100th anniversary of women's suffrage in the United States, using any colors that the Department deems appropriate. 2. Except as otherwise provided in paragraph (a) of subsection 8, the Department shall issue license plates that commemorate the 100th anniversary of women's suffrage in the United States for a passenger car or light commercial vehicle upon application by a person who is otherwise entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that commemorate the 100th anniversary of women's suffrage in the United States if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that commemorate the 100th anniversary of women's suffrage in the United States pursuant to subsection 3. 3. The fee for license plates that commemorate the 100th anniversary of women's suffrage in the United States is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment to the Department of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes prescribed pursuant to subsection 3, a person who requests a set of

license plates that commemorate the 100th anniversary of women's suffrage in the United States must pay for the issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Nevada Commission for Women for their use in carrying out their duties pursuant to NRS 233I.060, including, without limitation: (a) Collecting and disseminating information on activities, programs and essential services available to women in Nevada; (b) Promoting and facilitating collaboration among commissions and organizations for women at the local, state and national levels; and (c) Recognizing and promoting the contributions that women in this State make at the local, state and national levels. 6. The provisions of NRS 482.36705 do not apply to license plates described in this section. 7. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 8. The Director shall: (a) Accept, through the Internet website of the Department, applications for the issuance of the license plates issued pursuant to this section beginning on July 1, 2019. A person who applies for the license plates pursuant to this paragraph must not be charged for any fees imposed by this section or any other registration and license fees and governmental services taxes due for the license plates until the license plates are available for issuance by the Department. (b) Determine, and by public proclamation, announce the last date on which the Department will issue the license plates that commemorate the 100th anniversary of women's suffrage in the United States. The Department shall publish the announcement on its Internet website. In no case may the date that is determined and announced to be the last day on which the Department will issue the license plates be more than 1 year after the date the license plates are available for issuance by the Department. The Department shall not issue: (1) The license plates that commemorate the 100th anniversary of women's suffrage in the United States after the date announced by the Department pursuant to this paragraph. (2) A duplicate number plate or a replacement number plate for those license plates more than 5 years after the date announced by the Department pursuant to this paragraph. (Added to NRS by 2019, 894)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37903 - Commemorating 100th anniversary of founding of City of Las Vegas.

1. Except as otherwise provided in this subsection, the Department, in cooperation with the Board of Museums and History of the Department of Tourism and Cultural Affairs, shall design, prepare and issue license plates which commemorate the 100th anniversary of the founding of the City of Las Vegas, using any colors and designs that the Department deems appropriate. The Department shall not design, prepare or issue the commemorative license plates unless it receives at least 250 applications for the issuance of those plates. 2. If the Department receives at least 250 applications for the issuance of the commemorative license plates, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with the commemorative license plates if that person pays the fees for the personalized prestige license plates in addition to the fees for the commemorative license plates pursuant to subsections 3 and 4. 3. The fee for the commemorative license plates is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of the commemorative license plates must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed pursuant to subsection 5. 5. The Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees to the City Treasurer of the City of Las Vegas to be used to pay for projects relating to the commemoration of the history of the City of Las Vegas, including, without limitation, historical markers, tours of historic sites and improvements to or restoration of historic buildings or structures. 6. If, during a registration period, the holder of the commemorative license plates disposes of the vehicle to which the commemorative license plates are affixed, the holder shall: (a) Retain the commemorative license plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the commemorative license plates from the vehicle, return them to the Department. (Added to NRS by 2001, 577; A 2005, 2851, 2852; 2011, 2986; 2013, 2842)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37904 - Support for Tule Springs State Park. [Effective on the date 2 years after the date on which the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources establishes Tule Springs State Park.]

1. Except as otherwise provided in subsection 2, the Department, in conjunction with the Ice Age Park Foundation or its successor, shall design, prepare and issue license plates which indicate support for Tule Springs State Park, using any colors that the Department deems appropriate. 2. The Department shall not design, prepare or issue the license plates described in subsection 1 unless: (a) The Department approves the design, preparation and issuance of those plates as described in NRS 482.367002; and (b)

A surety bond in the amount of \$5,000 is posted with the Department. 3. If the conditions set forth in subsection 2 are met, the Department shall issue license plates which indicate support for Tule Springs State Park for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates which indicate support for Tule Springs State Park if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates which indicate support for Tule Springs State Park pursuant to subsections 4 and 5. 4. The fee for license plates which indicate support for Tule Springs State Park is \$35, in addition to all other applicable registration and license fees and governmental services tax. The license plates are renewable upon the payment of \$10. 5. In addition to all other applicable registration and license fees and governmental services tax and the fee prescribed pursuant to subsection 4, a person who requests a set of license plates which indicate support for Tule Springs State Park must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 6. 6. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 5 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Ice Age Park Foundation or its successor for use in programs, projects and activities in support of Tule Springs State Park. 7. The Department shall promptly release the surety bond that is required to be posted pursuant to paragraph (b) of subsection 2 if: (a) The Department determines not to issue the special license plate; or (b) It is determined that at least 1,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to NRS 482.367008. 8. The provisions of paragraph (a) of subsection 1 of NRS 482.36705 do not apply to license plates described in this section. 9. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2017, 3560; A 2021, 352, effective on the date 2 years after the date on which the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources establishes Tule Springs State Park)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37905 - Encouraging donation of human organs.

1. Except as otherwise provided in this subsection, the Department, in cooperation with the organizations in this State which assist in the donation and procurement of human organs, shall design, prepare and issue license plates that encourage the donation of human organs using any colors and designs that the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. If the Department receives at least 250 applications for the issuance of license plates that encourage the donation of human organs, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that encourage the donation of human organs if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates which encourage the donation of human organs pursuant to subsections 3 and 4. 3. The fee for license plates to encourage the donation of human organs is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who, on or after July 1, 2003: (a) Requests a set of license plates to encourage the donation of human organs must pay for the initial issuance of the plates an additional fee of \$25, to be deposited pursuant to subsection 5; and (b) Renews a set of license plates to encourage the donation of human organs must pay for each renewal of the plates an additional fee of \$20, to be deposited pursuant to subsection 5. 5. The Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the Anatomical Gift Account created in the State General Fund by NRS 460.150. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 1997, 2976; A 1997, 3005; 2001, 321; 2003, 495; 2013, 2843)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37906 - Increasing awareness of childhood cancer.

1. The Department, in cooperation with organizations selected by the Department whose work relates to childhood cancer, shall design, prepare and issue license plates to increase awareness of childhood cancer using any colors and designs which the Department deems appropriate. The design of the license plates must include the phrase "Cure Childhood Cancer." 2. The Department shall issue license plates to increase awareness of childhood cancer for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements

for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates to increase awareness of childhood cancer if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates to increase awareness of childhood cancer pursuant to subsections 3 and 4. 3. The fee for license plates to increase awareness of childhood cancer is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed pursuant to subsection 3, a person who requests a set of license plates to increase awareness of childhood cancer must pay for the issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 8. 5. The provisions of NRS 482.36705 do not apply to license plates described in this section. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services taxes due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 7. The Department may accept any gifts, grants and donations or other sources of money for the production and issuance of the special license plates pursuant to this section. 8. The Department shall deposit the additional fees collected pursuant to subsection 4 with the State Treasurer for credit to the Department of Health and Human Services. The money may be used by the Department of Health and Human Services only: (a) To pay any expenses of the Rare Disease Advisory Council created by NRS 439.5075; and (b) For other programs and services related to childhood cancer. (Added to NRS by 2019, 1479)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37907 - Commemorating 150th anniversary of founding of University of Nevada, Reno.

1. Except as otherwise provided in paragraph (b) of subsection 9, the Department, in cooperation with the University of Nevada, Reno, shall design, prepare and issue license plates that commemorate the 150th anniversary of the founding of the University, using any colors and designs which the Department deems appropriate. 2. Except as otherwise provided in paragraph (a) of subsection 9, the Department shall issue license plates that commemorate the 150th anniversary of the founding of the University of Nevada, Reno, for a passenger car or light commercial vehicle upon application by a person who is otherwise entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that commemorate the 150th anniversary of the founding of the University of Nevada, Reno, if the person pays the fees for the personalized prestige plates in addition to the fees for the license plates that commemorate the 150th anniversary of the founding of the University pursuant to subsections 3 and 4. 3. The fee for the license plates that commemorate the 150th anniversary of the founding of the University of Nevada, Reno, is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes prescribed pursuant to subsection 3, a person who requests a set of license plates that commemorate the 150th anniversary of the founding of the University of Nevada, Reno, must pay for the issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the University of Nevada, Reno Foundation for its use in operating a program to provide to students, faculty and staff of the University of Nevada, Reno, necessary items, including, without limitation: (a) Perishable and nonperishable food items; (b) School supplies; (c) Clothing; and (d) Personal hygiene products. 6. The provisions of NRS 482.36705 do not apply to license plates described in this section. 7. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services taxes due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 8. The Department may accept any gifts, grants and donations or other sources of money for the production and issuance of the special license plates pursuant to this section. All money received pursuant to this subsection must be deposited in the Revolving Account for the Issuance of Special License Plates created by NRS 482.1805. 9. The Director shall: (a) Accept applications for the issuance of the license plates issued pursuant to this section beginning on July 1, 2023. A person who applies for the license plates pursuant to this paragraph must not be charged for any fees imposed by this section or any other registration and license fees and governmental services taxes due for the license plates until the license plates are available for issuance by the Department. (b) Determine and, by public proclamation, announce the last date on which the Department will issue the license plates that commemorate the 150th anniversary of the founding of the University of Nevada, Reno. The Department shall publish the announcement on its Internet website. In no case may the date that is determined and announced to be the last day on which the Department will issue the license plates be more than 1 year after the date the license plates are available for issuance by the Department. The Department shall not issue: (1) The license plates that commemorate the 150th anniversary of the founding of the University of Nevada, Reno, after the date announced by the Department pursuant to this paragraph. (2) A duplicate number plate or a replacement number plate for those license plates more than 5 years after the date announced by the Department pursuant to this paragraph. (Added to NRS by 2023, 2691)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3791 - Commemorating strength, solidarity and resilience after the shooting in Las Vegas, Nevada, on October 1, 2017.

1. The Department, in cooperation with the Las Vegas Victims' Fund Committee or its successor organization, shall design, prepare and issue license plates which commemorate the strength, solidarity and resilience of the community of Las Vegas following the shooting which occurred on October 1, 2017, in Las Vegas, Nevada, using any colors that the Department deems appropriate. 2. The Department shall issue license plates that commemorate the strength, solidarity and resilience of the community of Las Vegas for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that commemorate the strength, solidarity and resilience of the community of Las Vegas if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that commemorate the strength, solidarity and resilience of the community of Las Vegas pursuant to subsection 3. 3. The fee for license plates that commemorate the strength, solidarity and resilience of the community of Las Vegas is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment to the Department of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed pursuant to subsection 3, a person who requests a set of license plates that commemorate the strength, solidarity and resilience of the community of Las Vegas must pay for the issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Vegas Strong Resiliency Center or its successor organization for use in providing resources and referrals for residents, visitors and responders affected by the shooting in Las Vegas which occurred on October 1, 2017. 6. The provisions of NRS 482.36705 do not apply to license plates described in this section. 7. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 8. The Department may accept any gifts, grants and donations or other sources of money for the production and issuance of the special license plates pursuant to this section. All money received pursuant to this subsection must be deposited in the Revolving Account for the Issuance of Special License Plates created by NRS 482.1805. (Added to NRS by 2019, 558)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37917 - Support of agriculture.

1. Except as otherwise provided in this subsection and NRS 482.38279, the Department, in cooperation with the State Department of Agriculture and the Nevada Future Farmers of America Foundation or its successor, shall design, prepare and issue license plates which indicate support for the promotion of agriculture within this State, including, without limitation, support for the programs and activities of the Future Farmers of America or its successor within this State, using any colors that the Department deems appropriate. The design of the license plates must include the phrase "People Grow Things Here!" and an identifying symbol furnished by the Nevada Future Farmers of America Foundation or its successor. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. If the Department receives at least 250 applications for the issuance of license plates which indicate support for the promotion of agriculture within this State, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates which indicate support for the promotion of agriculture within this State if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates which indicate support for the promotion of agriculture within this State pursuant to subsections 3 and 4. 3. The fee for license plates which indicate support for the promotion of agriculture within this State is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates which indicate support for the promotion of agriculture within this State must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed in accordance with subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this section in the following manner: (a) Remit one-half of the fees to the Nevada Future Farmers of America Foundation or its successor for the support of programs and activities of the Future Farmers of America or its successor within this State. (b) Deposit one-half of the fees for credit to the Account for License Plates for the Promotion of Agriculture Within this State created pursuant to NRS 561.411. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of

this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 1999, 1164; A 2001, 323; 2003, 496; 2007, 819; 2013, 2844)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.379175 - Appreciation of animals.

1. Except as otherwise provided in this subsection and NRS 482.38279, the Department shall design, prepare and issue license plates for the appreciation of animals, using any colors and designs that the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. If the Department receives at least 250 applications for the issuance of license plates for the appreciation of animals, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the appreciation of animals if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the appreciation of animals pursuant to subsections 3 and 4. 3. The fee for license plates for the appreciation of animals is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates for the appreciation of animals must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed in the manner prescribed in subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute to each county the fees collected for the preceding quarter for license plates for vehicles registered in that county. The money may be used by the county only: (a) For programs that are approved by the board of county commissioners for the adoption of animals and for the spaying and neutering of animals. (b) To make grants to nonprofit organizations to carry out the programs described in paragraph (a). 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set forth in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2001, 1466; A 2007, 821; 2013, 2845)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37918 - Support of preservation of history of atomic testing in Nevada.

1. Except as otherwise provided in this subsection and NRS 482.38279, the Department, in cooperation with the Nevada Test Site Historical Foundation or its successor, shall design, prepare and issue license plates for the support of the preservation of the history of atomic testing in Nevada, using any colors and designs that the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. If the Department receives at least 250 applications for the issuance of license plates for the support of the preservation of the history of atomic testing in Nevada, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support of the preservation of the history of atomic testing in Nevada if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support of the preservation of the history of atomic testing in Nevada pursuant to subsections 3 and 4. 3. The fee for license plates for the support of the preservation of the history of atomic testing in Nevada is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates for the support of the preservation of the history of atomic testing in Nevada must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed pursuant to subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Nevada Test Site Historical Foundation or its successor for its programs and activities in support of the preservation of the history of atomic testing in Nevada. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set forth in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2001, 1857; A 2007, 821; 2013, 2846)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.379185 - Support of conservation of wetlands.

1. Except as otherwise provided in this subsection and NRS 482.38279, the Department, in cooperation with Nevada Ducks Unlimited or its successor, shall design, prepare and issue license plates for the support of the conservation of wetlands, using any colors and designs that the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless it receives at least 1,000 applications for the issuance of those plates. 2. If the Department receives at least 1,000 applications for the issuance of license plates for the support of the conservation of wetlands, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support of the conservation of wetlands if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support of the conservation of wetlands pursuant to subsections 3 and 4. 3. The fee for license plates for the support of the conservation of wetlands is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates for the support of the conservation of wetlands must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed pursuant to subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Treasurer of Nevada Ducks Unlimited or its successor for use by Nevada Ducks Unlimited or its successor in carrying out: (a) Projects for the conservation of wetlands that are: (1) Conducted within Nevada; and (2) Sponsored or participated in by Nevada Ducks Unlimited or its successor; and (b) Fundraising activities for the conservation of wetlands that are: (1) Conducted within Nevada; and (2) Sponsored or participated in by Nevada Ducks Unlimited or its successor. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 7. As used in this section, "wetland" means land that: (a) Has a predominance of hydric soil; (b) Is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and (c) Under normal circumstances supports a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions. (Added to NRS by 2003, 3063; A 2007, 822; 2013, 2847; 2023, 579)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37919 - Support of desert preserve established by Las Vegas Valley Water District.

1. Except as otherwise provided in this subsection, the Department shall, in cooperation with the Board of Directors of the Las Vegas Valley Water District, design, prepare and issue license plates to support the desert preserve established by the Board of Directors of the Las Vegas Valley Water District. The license plates may include any colors and designs that the Department deems appropriate. 2. The Department may issue license plates specified in subsection 1 for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to the provisions of NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to the provisions of this chapter. A person may request that personalized prestige license plates issued pursuant to the provisions of NRS 482.3667 be combined with license plates specified in subsection 1 if that person pays, in addition to the fees specified in subsections 3 and 4, the fees for the personalized prestige license plates. 3. The fee for license plates specified in subsection 1 is \$35. The fee is in addition to any other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to the fees for the license, registration and governmental services taxes, a person who requests the issuance of license plates specified in subsection 1 must pay: (a) For the initial issuance of the plates, an additional fee of \$25; and (b) For each renewal of the plates, an additional \$20 to support the desert preserve specified in subsection 1. 5. The Department shall deposit the fees collected pursuant to the provisions of subsection 4 with the State Treasurer for credit to an Account for the Support of the Desert Preserve established by the Board of Directors of the Las Vegas Valley Water District. On or before January 1, April 1, July 1 and October 1 of each year, the State Controller shall distribute the money deposited in the Account for the preceding quarter to the Board of Directors of the Las Vegas Valley Water District. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder may retain the plates and: (a) Affix the license plates to another vehicle that meets the requirements of this section if the transfer and registration fees are paid pursuant to the provisions of this chapter; or (b) Within 30 days after removing the plates from the vehicle, return the plates to the Department. (Added to NRS by 1999, 156; A 2001, 324; 2013, 2848)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3792 - Support of education of children in arts.

1. Except as otherwise provided in this subsection, the Department of Motor Vehicles shall, in cooperation with the Nevada Arts Council of the Department of Tourism and Cultural Affairs, design, prepare and issue license plates for the support of the education of children in the arts, using any colors and designs which the Department of Motor Vehicles deems appropriate. The Department of

Motor Vehicles shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. The Department of Motor Vehicles may issue license plates for the support of the education of children in the arts for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support of the education of children in the arts if that person pays the fee for the personalized prestige license plates in addition to the fees for the license plates for the support of the education of children in the arts pursuant to subsections 3 and 4. 3. The fee for license plates for the support of the education of children in the arts is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all fees for the license, registration and governmental services taxes, a person who requests a set of license plates for the support of the education of children in the arts must pay for the initial issuance of the plates an additional fee of \$15 and for each renewal of the plates an additional fee of \$10 to finance programs which promote the education of children in the arts. 5. The Department of Motor Vehicles shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the Account for License Plates for the Support of the Education of Children in the Arts created pursuant to NRS 233C.094. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle which meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department of Motor Vehicles. (Added to NRS by 1995, 1658; A 1997, 3003, 3157; 2001, 325; 2003, 641; 2011, 2987; 2013, 2849)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3793 - Support of missing or exploited children.

1. Except as otherwise provided in this subsection, the Department, in cooperation with the Director of the Clearinghouse established pursuant to NRS 432.170, shall design, prepare and issue license plates for the support of missing or exploited children. The license plates must be inscribed with a hand. The Department may designate any appropriate colors for the license plates. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. The Department may issue license plates for the support of missing or exploited children for any passenger car or light commercial vehicle upon application by any person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support of missing or exploited children if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support of missing or exploited children pursuant to subsections 3 and 4. 3. The fee for license plates for the support of missing or exploited children is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all fees for the license, registration and governmental services taxes, a person who requests a set of license plates for the support of missing or exploited children must pay for the initial issuance of the plates an additional fee of \$15 and for each renewal of the plates an additional fee of \$10 to carry out the provisions of NRS 432.150 to 432.220, inclusive. 5. The Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the Account for License Plates for the Support of Missing or Exploited Children created pursuant to NRS 432.154. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder may retain the plates and: (a) Affix them to another vehicle which meets the requirements of this section if the transfer and registration fees are paid as set out in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 1995, 1664; A 1997, 3004; 2001, 325; 2013, 2850)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37933 - Support of preservation and restoration of Lake Tahoe Basin.

1. Except as otherwise provided in this subsection, the Department, in cooperation with the Division of State Lands of the State Department of Conservation and Natural Resources, shall design, prepare and issue license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin using any colors that the Department deems appropriate. The design of the license plates must include a depiction of Lake Tahoe and its surrounding area. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. The Department may issue license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin pursuant to subsections 3 and 4. 3. The fee for license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin is \$35, in addition to all other applicable

registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all fees for the license, registration and governmental services taxes, a person who requests a set of license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20 to finance projects for the preservation and restoration of the natural environment of the Lake Tahoe Basin. 5. The Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the Account for License Plates for the Support of the Preservation and Restoration of the Natural Environment of the Lake Tahoe Basin created pursuant to NRS 321.5951. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder may retain the plates and: (a) Affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set out in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 1997, 136; A 2001, 326; 2013, 2850)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37934 - Support of preservation of federal lands surrounding Las Vegas.

1. Except as otherwise provided in this subsection and NRS 482.38279, the Department, in cooperation with the Outside Las Vegas Foundation or its successor, shall design, prepare and issue license plates to support preserving the federal lands surrounding Las Vegas, promoting community stewardship of those valuable resources, enriching visitors' experience and enhancing the quality of life of local residents, using any colors and designs that the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. If the Department receives at least 250 applications for the issuance of license plates pursuant to this section, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates issued pursuant to this section if that person pays the fees for the personalized prestige license plates in addition to the fees prescribed pursuant to subsections 3 and 4 for the license plates issued pursuant to this section. 3. The fee for license plates issued pursuant to this section is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates pursuant to this section must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20 to be distributed pursuant to subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this section to the Outside Las Vegas Foundation or its successor for its programs and activities in support of preserving the federal lands surrounding Las Vegas, promoting community stewardship of those valuable resources, enriching visitors' experience and enhancing the quality of life of local residents. 6. If, during a registration period, the holder of license plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set forth in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2001, 1858; A 2007, 823; 2013, 2851)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37935 - Support of natural environment of Mount Charleston area.

1. Except as otherwise provided in this subsection, the Department, in cooperation with the Division of State Lands of the State Department of Conservation and Natural Resources, shall design, prepare and issue license plates for the support of the natural environment of the Mount Charleston area using any colors that the Department deems appropriate. The design of the license plates must include a depiction of Mount Charleston and its surrounding area. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. If the Department receives at least 250 applications for the issuance of license plates for the support of the natural environment of the Mount Charleston area, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support of the natural environment of the Mount Charleston area if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support of the natural environment of the Mount Charleston area pursuant to subsections 3 and 4. 3. The fee for license plates for the support of the natural environment of the Mount Charleston area is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates for the support of the natural environment of the Mount Charleston area must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed pursuant to subsection 5. 5. The Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a

quarterly basis, distribute the fees deposited pursuant to this subsection to the Board of County Commissioners of Clark County. The fees distributed pursuant to this subsection: (a) May be used by the Board of County Commissioners, with the advice of the Mount Charleston Town Advisory Board or its successor, only: (1) For the support of programs for the natural environment of the Mount Charleston area, including, without limitation, programs to improve the wildlife habitat, the ecosystem, the forest, public access to the area and its recreational use. (2) To make grants to governmental entities and nonprofit organizations to carry out the programs described in subparagraph (1). (b) Must not be used to replace or supplant money available from other sources. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 1999, 1165; A 2001, 327; 2011, 473; 2013, 2852)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.379355 - Support of naturalized citizenship.

1. Except as otherwise provided in this subsection and NRS 482.38279, the Department, in cooperation with the Immigrant Workers Citizenship Project or its successor, shall design, prepare and issue license plates for the support of naturalized citizenship, using any colors and designs that the Department deems appropriate. The design of the license plates must include a depiction of the Aztec Calendar. The Department shall not design, prepare or issue the license plates unless it receives at least 1,000 applications for the issuance of those plates. 2. If the Department receives at least 1,000 applications for the issuance of license plates for the support of naturalized citizenship, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support of naturalized citizenship if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support of naturalized citizenship pursuant to subsections 3 and 4. 3. The fee for license plates for the support of naturalized citizenship is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates for the support of naturalized citizenship must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed pursuant to subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Immigrant Workers Citizenship Project or its successor for its programs and charitable activities in support of naturalized citizenship. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2003, 3062; A 2007, 824; 2013, 2853)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.379365 - Reflect public solidarity after acts of terrorism committed on September 11, 2001.

1. Except as otherwise provided in this subsection, the Department, in cooperation with the State Emergency Response Commission, shall design, prepare and issue "United We Stand" license plates to reflect public solidarity after the acts of terrorism committed on September 11, 2001. The design of the license plates must include the phrase "United We Stand" and incorporate an image of the flag of the United States. The colors red, white and blue must be displayed on the license plates. The Department shall not design, prepare or issue the license plates unless it receives at least 1,000 applications for the issuance of those plates. 2. If the Department receives at least 1,000 applications for the issuance of "United We Stand" license plates, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with "United We Stand" license plates if that person pays the fees for the personalized prestige license plates in addition to the fees for the "United We Stand" license plates pursuant to subsections 3 and 4. 3. The fee for "United We Stand" license plates is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of "United We Stand" license plates must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed pursuant to subsection 5. 5. The Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the Contingency Account for Hazardous Materials created by NRS 459.735 in the State General Fund. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the

registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2003, 360; A 2013, 2854)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37937 - Support of preservation and restoration of natural environment of Lower Truckee River and Pyramid Lake.

1. Except as otherwise provided in this subsection, the Department, in cooperation with the Pyramid Lake Paiute Tribe, shall design, prepare and issue license plates for the support of the preservation and restoration of the natural environment of the Lower Truckee River and Pyramid Lake using any colors that the Department deems appropriate. The design of the license plates must include a depiction of Pyramid Lake and its surrounding area. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. If the Department receives at least 250 applications for the issuance of license plates for the support of the preservation and restoration of the natural environment of the Lower Truckee River and Pyramid Lake, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support of the preservation and restoration of the natural environment of the Lower Truckee River and Pyramid Lake if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support of the preservation and restoration of the natural environment of the Lower Truckee River and Pyramid Lake pursuant to subsections 3 and 4. 3. The fee for license plates for the support of the preservation and restoration of the natural environment of the Lower Truckee River and Pyramid Lake is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates for the support of the preservation and restoration of the natural environment of the Lower Truckee River and Pyramid Lake must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed pursuant to subsection 5. 5. The Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Pyramid Lake Paiute Tribe. The fees deposited pursuant to this subsection may only be used to: (a) Protect, restore and enhance the water quality and natural resources of or relating to the Lower Truckee River and Pyramid Lake, including, without limitation: (1) Providing matching money for grants that are available from federal or state agencies for such purposes; and (2) Paying the costs of the Tribe's portion of joint projects with local, state or federal agencies for such purposes. (b) Pay for, or match grants for, projects for the enhancement of the economic development of the area surrounding the Lower Truckee River and Pyramid Lake. (c) Pay for the development and construction of an arena on the Pyramid Lake Indian Reservation for activities pertaining to fairgrounds or rodeos, or both, and to provide financial support for the establishment of a rodeo team or other designated activities at Pyramid Lake High School. Until October 1, 2006, 25 percent of the fees deposited pursuant to this subsection must be used for the purposes described in this paragraph. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2001, 1672; A 2003, 497; 2013, 2855)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.379375 - Support and enhancement of parks, recreation facilities and programs in City of Reno.

1. Except as otherwise provided in this subsection, the Department, in cooperation with the Reno Recreation and Parks Commission or its successor, shall design, prepare and issue license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno, using any colors and designs that the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless: (a) The Department approves the design, preparation and issuance of those plates as described in NRS 482.367002; and (b) The Department receives at least 1,000 applications for the issuance of those plates. 2. If the Department approves the design, preparation and issuance of license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno pursuant to subsection 1, and the Department receives at least 1,000 applications for the issuance of the license plates, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno pursuant to subsections 3 and 4. 3. The fee for license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno must pay for the initial issuance of the plates an additional fee of \$25 and for each

renewal of the plates an additional fee of \$20 to be distributed pursuant to subsection 5. 5. The Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this section to the City Treasurer of the City of Reno to be used to pay for the support and enhancement of parks, recreation facilities and programs in the City of Reno. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2007, 572; A 2009, 959; 2013, 1480, 2856; 2021, 353)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37938 - Support of rodeos.

1. Except as otherwise provided in this subsection and NRS 482.38279, the Department, in cooperation with the Reno Rodeo Foundation and the Nevada High School Rodeo Association or their successors, shall design, prepare and issue license plates for the support of rodeos, including support for the programs and charitable activities of the Reno Rodeo Foundation and the Nevada High School Rodeo Association, or their successors, using any colors and designs that the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. If the Department receives at least 250 applications for the issuance of license plates for the support of rodeos, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support of rodeos if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support of rodeos pursuant to subsections 3 and 4. 3. The fee for license plates for the support of rodeos is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates for the support of rodeos must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed pursuant to subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection in the following manner: (a) Remit one-half of the fees to the Reno Rodeo Foundation or its successor for the support of programs and charitable activities of the Reno Rodeo Foundation or its successor. (b) Remit one-half of the fees to the Nevada High School Rodeo Association or its successor for the support of programs and charitable activities of the Nevada High School Rodeo Association or its successor. The Nevada High School Rodeo Association or its successor may grant a portion of the proceeds it receives pursuant to this subsection to one or more high school rodeo associations established in this State for the support of those associations. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set forth in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2001, 1674; A 2007, 825; 2013, 2857)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37939 - Support for rights guaranteed by Second Amendment to United States Constitution.

1. Except as otherwise provided in subsection 2, the Department, in cooperation with the Nevada Firearms Coalition or its successor, shall design, prepare and issue license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution, using any colors that the Department deems appropriate. 2. The Department shall not design, prepare or issue the license plates described in subsection 1 unless: (a) The Department approves the design, preparation and issuance of those plates as described in NRS 482.367002; and (b) A surety bond in the amount of \$5,000 is posted with the Department. 3. If the conditions set forth in subsection 2 are met, the Department shall issue license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution pursuant to subsections 4 and 5. 4. The fee for license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 5. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed pursuant to subsection 4, a person who requests a set of license plates which indicate support for the rights guaranteed by the Second Amendment to the United States Constitution must pay for the initial

issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 6. 6. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 5 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Nevada Firearms Coalition or its successor for use only to provide or pay for firearm training or firearm safety education. 7. The Department must promptly release the surety bond that is required to be posted pursuant to paragraph (b) of subsection 2: (a) If the Department determines not to issue the special license plate; or (b) If it is determined that at least 1,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to NRS 482.367008. 8. The provisions of paragraph (a) of subsection 1 of NRS 482.36705 do not apply to license plates described in this section. 9. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2015, 1939; A 2021, 354)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3794 - Support for educational programs in science, technology, engineering and mathematics.

1. The Department, in cooperation with the Office of Science, Innovation and Technology in the Office of Governor, shall design, prepare and issue license plates that indicate support for educational programs in the areas of science, technology, engineering and mathematics, using any colors that the Department deems appropriate. 2. The Department shall issue license plates that indicate support for educational programs in the areas of science, technology, engineering and mathematics for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate support for educational programs in the areas of science, technology, engineering and mathematics if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that indicate support for educational programs in the areas of science, technology, engineering and mathematics pursuant to subsection 3. 3. The fee for license plates that indicate support for educational programs in the areas of science, technology, engineering and mathematics is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment to the Department of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed pursuant to subsection 3, a person who requests a set of license plates that indicate support for educational programs in the areas of science, technology, engineering and mathematics must pay for the issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Director of the Office of Science, Innovation and Technology in the Office of the Governor. The Director of the Office shall identify nonprofit corporations in this State to assist in the distribution of the funds from this section in a manner designed to encourage the study of science, technology, engineering and mathematics by pupils in this State. 6. The provisions of NRS 482.36705 do not apply to license plates described in this section. 7. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 8. The Department may accept any gifts, grants and donations or other sources of money for the production and issuance of the special license plates pursuant to this section. All money received pursuant to this subsection must be deposited in the Revolving Account for the Issuance of Special License Plates created by NRS 482.1805. (Added to NRS by 2019, 3084; A 2023, 295)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37941 - Support for the Divine Nine fraternities and sororities.

1. The Department, in cooperation with the Las Vegas Chapter of the National Pan-Hellenic Council, shall design, prepare and issue a license plate that indicates support for the Divine Nine, using any colors that the Department deems appropriate. 2. The Department shall issue license plates that indicate support for the Divine Nine for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate support for the Divine Nine if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates that indicate support for the Divine Nine pursuant to subsections 3 and 4. 3. The fee for license plates that indicate support for the Divine Nine is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment to the Department of \$10. 4. In addition to all other applicable registration and license fees, governmental services taxes and the fee prescribed pursuant to subsection 3, a person who requests a set of license plates that indicate support for the Divine Nine must pay a fee of \$25

for the issuance of the plates and a fee of \$20 for each renewal of the plates, to be deposited in accordance with subsection 5. 5. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Las Vegas Metropolitan Inter-Alumni Council of the United Negro College Fund, or its successor organization, for college scholarships for Nevada residents attending a college in this State. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 7. The Department may accept any gifts, grants and donations or other sources of money for the production and issuance of license plates pursuant to this section. All money received pursuant to this subsection must be deposited in the Revolving Account for the Issuance of Special License Plates created by NRS 482.1805. 8. As used in this section, "Divine Nine" means the following nine member organizations that compose the National Pan-Hellenic Council: (a) Alpha Kappa Alpha Sorority, Inc.; (b) Alpha Phi Alpha Fraternity, Inc.; (c) Delta Sigma Theta Sorority, Inc.; (d) Iota Phi Theta Fraternity, Inc.; (e) Kappa Alpha Psi Fraternity, Inc.; (f) Omega Psi Phi Fraternity, Inc.; (g) Phi Beta Sigma Fraternity, Inc.; (h) Sigma Gamma Rho Sorority, Inc.; and (i) Zeta Phi Beta Sorority, Inc. (Added to NRS by 2021, 3733; A 2023, 586)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37945 - Support of reconstruction, maintenance, improvement and promotion of Virginia & Truckee Railroad.

1. Except as otherwise provided in this subsection, the Department, in cooperation with the Northern Nevada Railway Foundation or its successor, shall design, prepare and issue license plates for the support of the reconstruction, maintenance, improvement and promotion of the Virginia & Truckee Railroad using any colors that the Department deems appropriate. The design of the license plates must include a depiction of a locomotive of the Virginia & Truckee Railroad and the phrase "The Virginia & Truckee Lives." The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. 2. If the Department receives at least 250 applications for the issuance of license plates for the support of the reconstruction, maintenance, improvement and promotion of the Virginia & Truckee Railroad, the Department shall issue those plates for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support of the reconstruction, maintenance, improvement and promotion of the Virginia & Truckee Railroad if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support of the reconstruction, maintenance, improvement and promotion of the Virginia & Truckee Railroad pursuant to subsections 3 and 4. 3. The fee for license plates for the support of the reconstruction, maintenance, improvement and promotion of the Virginia & Truckee Railroad is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10. 4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates for the support of the reconstruction, maintenance, improvement and promotion of the Virginia & Truckee Railroad must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be distributed pursuant to subsection 5. 5. The Department shall transmit the fees collected pursuant to subsection 4 to the treasurer with whom the Nevada Commission for the Reconstruction of the V & T Railway of Carson City and Storey County has entered into an agreement as required by subsection 2 of section 8 of chapter 566, Statutes of Nevada 1993, for deposit in the fund created pursuant to that section. The fees transmitted pursuant to this subsection must be used only for the reconstruction, maintenance, improvement and promotion of the Virginia & Truckee Railroad. 6. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2001, 583; A 2003, 6, 499; 2013, 2858; 2017, 243)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.37947 - Support of Boy Scouts of America.

1. Except as otherwise provided in subsection 2, the Department, in cooperation with the Boy Scouts of America, shall design, prepare and issue license plates that indicate support for the Boy Scouts of America using any colors the Department deems appropriate. 2. The Department shall not design, prepare or issue the license plates described in subsection 1 unless: (a) The Department approves the design, preparation and issuance of those plates as described in NRS 482.367002; and (b) A surety bond in the amount of \$5,000 is posted with the Department. 3. If the conditions set forth in subsection 2 are met, the Department shall issue license plates that indicate support for the Boy Scouts of America for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates that indicate support for the Boy Scouts of America if that person pays the fees for

the personalized prestige license plates in addition to the fees for the license plates that indicate support for the Boy Scouts of America pursuant to subsections 4 and 5. 4. The fee payable to the Department for license plates that indicate support for the Boy Scouts of America is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment to the Department of \$10. 5. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed pursuant to subsection 4, a person who requests a set of license plates that indicate support for the Boy Scouts of America must pay for the issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20, to be deposited in accordance with subsection 6. 6. Except as otherwise provided in NRS 482.38279, the Department shall deposit the fees collected pursuant to subsection 5 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection to the Las Vegas Area Council of the Boy Scouts of America. The Las Vegas Area Council shall allocate the fees to itself and the Nevada Area Council of the Boy Scouts of America in proportion to the number of license plates issued pursuant to this section in the area represented by each area council. The fees must be used to assist boys from low-income families with the costs of participating in the Boy Scouts of America and to promote the Boy Scouts of America in schools. 7. The Department must promptly release the surety bond that is required to be posted pursuant to paragraph (b) of subsection 2 if: (a) The Department determines not to issue the special license plate; or (b) If it is determined that at least 1,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to NRS 482.367008. 8. The provisions of paragraph (a) of subsection 1 of NRS 482.36705 do not apply to license plates described in this section. 9. If, during a registration period, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2015, 654; A 2021, 355)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3795 - Fire trucks.

1. The Department may issue special license plates and registration certificates to residents of Nevada for a fire truck pursuant to this section. Except as otherwise provided in subsection 3, the fire truck must not be used for general transportation, but may be used for musters, exhibitions, parades or similar activities. 2. In lieu of the annual registration and fees required by this chapter, and of the governmental services tax imposed by chapter 371 of NRS, the owner of a fire truck may submit: (a) An affidavit to the Department indicating that the fire truck: (1) Will only be used for the permitted purposes enumerated in subsection 1; (2) Has been inspected and found safe to be operated on the highways of this State; and (3) Qualifies as a fire truck pursuant to regulations adopted by the Department for this purpose. (b) The following fees for the issuance of these license plates: (1) For the first issuance..... \$15 (2) For a renewal sticker..... 5 3. If the owner elects to use the fire truck as general transportation, the owner shall pay the regular annual registration and fees prescribed by law and the governmental services tax imposed by chapter 371 of NRS. 4. License plates issued pursuant to this section must bear the inscription "Fire Truck" and the plates must be numbered consecutively. 5. The cost of the die and the modifications necessary for the issuance of a license plate pursuant to this section must be paid from private sources without any expense to the State of Nevada. (Added to NRS by 1993, 513; A 2001, 329)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3797 - Electric powered vehicles. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles.] Electric powered vehicles. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles.]

1. The Department shall: (a) Design, prepare and issue special license plates for passenger cars and light commercial vehicles that are wholly powered by an electric motor, using any colors and designs that the Department deems appropriate; and (b) Issue the plates only to residents of Nevada for a passenger car or light commercial vehicle which is wholly powered by an electric motor. 2. The Department may issue special license plates pursuant to subsection 1 upon application by any person who: (a) Is entitled to license plates pursuant to NRS 482.265; (b) Submits proof satisfactory to the Department that the vehicle for which the special license plates are intended meets the requirements of subsection 1; and (c) Otherwise complies with the requirements for registration and licensing pursuant to this chapter. 3. The fee for the special license plates is \$125, in addition to applicable governmental services taxes. The special license plates are renewable upon the payment of \$80. 4. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with special license plates issued pursuant to this section if that person pays the fees for the personalized prestige license plates in addition to the fees for the special license plates pursuant to subsection 3. 5. The Department, after deducting the costs of all applicable registration, license and license plate fees, shall deposit the fees collected pursuant to subsection 3 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection in the State Highway Fund. 6. If, during a registration

period, the holder of special plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall retain the plates and: (a) Affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedures set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2019, 2519) 1. The Department shall: (a) Design, prepare and issue special license plates for vehicles that are wholly powered by an electric motor, using any colors and designs that the Department deems appropriate; and (b) Issue the plates only to residents of Nevada for a vehicle which is wholly powered by an electric motor. 2. The Department may issue special license plates pursuant to subsection 1 upon application by any person who: (a) Is entitled to license plates pursuant to NRS 482.265; (b) Submits proof satisfactory to the Department that the vehicle for which the special license plates are intended meets the requirements of subsection 1; and (c) Otherwise complies with the requirements for registration and licensing pursuant to this chapter. 3. The fee for the issuance of special license plates is \$90, in addition to the registration fees set forth in NRS 482.480 and 482.482, as applicable, and governmental services taxes. The special license plates are renewable upon the payment of \$46. 4. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with special license plates issued pursuant to this section if that person pays the fees for the personalized prestige license plates in addition to the fees for the special license plates pursuant to subsection 3. 5. The Department, after deducting the costs of all applicable registration, license and license plate fees, shall deposit the fees collected pursuant to subsection 3 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection in the State Highway Fund. 6. If, during a registration period, the holder of special plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall retain the plates and: (a) Affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedures set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2019, 2519; A 2023, 1473, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.380 - Antique vehicle: "Horseless Carriage."

1. The Department may issue special motor vehicle license plates from year to year to a person who has resided in the State of Nevada for a period of 6 months preceding the date of application for the license plates and who owns a motor vehicle which is a model manufactured during or before 1915. 2. To administer the provisions of this section, the Department may recognize the Horseless Carriage Club of Nevada as presently constituted as the official Horseless Carriage Club of Nevada and to designate and appoint one member of the Board of Directors of the Horseless Carriage Club of Nevada to act as and be an ex officio deputy of the Department and to perform the duties and functions prescribed by this section without compensation, per diem allowance or travel expenses. 3. An applicant for license plates pursuant to the provisions of this section must: (a) Fill out and sign an application for license plates on a form prescribed and furnished by the ex officio deputy for licensing antique motor vehicles. (b) Present evidence of the applicant's eligibility for license plates by showing, to the satisfaction of the ex officio deputy, residence in this State for 6 months preceding the date of application and ownership of an antique motor vehicle which is a model manufactured during or before 1915. (c) Present a certificate of inspection issued by a committee, or member thereof, appointed by the Board of Directors of the Horseless Carriage Club of Nevada verifying that the antique motor vehicle is in safe and satisfactory mechanical condition, is in good condition and state of repair, is well equipped and is covered by a policy of insurance covering public liability and property damage written by an insurance company qualified to do business in this State with limits of not less than \$10,000 for each person nor less than \$20,000 for each crash, and not less than \$5,000 for property damage and which otherwise meets the requirements of chapter 485 of NRS. (d) Exhibit a valid driver's license authorizing the applicant to drive a motor vehicle on the highways of this State. (e) Pay the fee prescribed by the laws of this State for the operation of a passenger car, without regard to the weight or the capacity for passengers. (f) Pay such other fee as prescribed by the Board of Directors of the Horseless Carriage Club of Nevada necessary to defray all cost of manufacture, transportation and issuance of the special license plates. 4. The ex officio deputy for licensing antique motor vehicles shall each calendar year issue license plates, approved by the Department, for each motor vehicle owned by an applicant who meets the requirements of subsection 3, subject to the following conditions: (a) The license plates must be numbered and issued consecutively each year beginning with "Horseless Carriage 1." (b) The license plates must conform, as nearly as possible, to the color and type of license plate issued in this State for regular passenger cars. (c) The special license plates issued pursuant to this section must be specified, procured, transported and issued solely at the expense and cost of the Horseless Carriage Club of Nevada and without any expense to the State of Nevada. 5. The ex officio deputy for licensing antique motor vehicles shall pay quarterly to the Department the prescribed fee as provided in paragraph (e) of subsection 3. The fees so received must be used, disbursed or deposited by the Department in the same manner as provided by law for other fees for registration and licensing. All other fees collected to defray expenses must be retained by the Board of Directors of the Horseless Carriage Club of Nevada. 6. The license plates obtained pursuant to this section are in lieu of the license plates otherwise provided for in this chapter and are valid for the calendar year in which they are issued. 7. The Department shall charge and collect the following fees for the issuance of these license plates, which fees are in addition to all other license fees and applicable taxes: (a) For the first issuance..... \$35 (b) For a renewal sticker..... 10 [1:224:1955] + [2:224:1955] + [3:224:1955] + [4:224:1955] +

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.381 - Antique vehicle: "Old Timer."

1. Except as otherwise provided in subsection 4, the Department may issue special license plates and registration certificates to residents of Nevada for any motor vehicle which: (a) Is a model manufactured more than 40 years before the date of application for registration pursuant to this section; and (b) Has proof satisfactory to the Department that the vehicle is covered by insurance that meets the requirements of NRS 485.185 and that: (1) Is designed or designated specifically for a classic or antique vehicle; or (2) Includes an endorsement designed or designated specifically for classic or antique vehicles. 2. Except as otherwise provided in subsection 4, any vehicle issued special license plates and a registration certificate pursuant to subsection 1 shall not be used for general transportation but may be used for: (a) Club activities, exhibitions, tours, parades or similar activities; and (b) Such other uses as are necessary for the operation and maintenance of the vehicle. 3. A vehicle that complies with subsection 2 is exempt from the provisions of NRS 445B.770 to 445B.815, inclusive. 4. If the owner of the vehicle elects to use the vehicle for general transportation, he or she: (a) Except as otherwise provided in NRS 482.2655, shall not be issued special license plates and a registration certificate pursuant to subsection 1; and (b) Shall comply with the provisions of NRS 445B.770 to 445B.815, inclusive. 5. License plates issued pursuant to this section must bear the inscription "Old Timer," and the plates must be numbered consecutively. 6. The Nevada Old Timer Club members shall bear the cost of the dies for carrying out the provisions of this section. 7. The Department shall charge and collect the following fees for the issuance of these license plates, which fees are in addition to all other license fees and applicable taxes: (a) For the first issuance..... \$35 (b) For a renewal sticker..... 10 8. In addition to the fees required pursuant to subsection 7, the Department shall charge and collect a fee for the first issuance of the license plates for those motor vehicles exempted pursuant to subsection 3 from the provisions of NRS 445B.770 to 445B.815, inclusive. The amount of the fee must be equal to the amount of the fee for a form certifying emission control compliance set forth in paragraph (c) of subsection 1 of NRS 445B.830. 9. Fees paid to the Department pursuant to subsection 8 must be accounted for in the Pollution Control Account created by NRS 445B.830. 10. As used in this section, "general transportation" means a vehicle that is: (a) Driven more than 5,000 miles during the immediately preceding year; or (b) Used in any capacity for commercial purposes. (Added to NRS by 1973, 1156; A 1991, 2320; 1997, 3001; 2001, 331; 2011, 1527; 2015, 1757; 2019, 76; 2021, 693, 2170)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3811 - Antique vehicle: Trucks and truck-tractors.

1. Except as otherwise provided in this subsection, the Department may design, prepare and issue special license plates and registration certificates to residents of Nevada for an antique truck or truck-tractor pursuant to this section. The Department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates. Except as otherwise provided in subsection 3, the antique truck or truck-tractor must not be used for general transportation, but may be used for antique truck shows, exhibitions, parades or similar activities. 2. In lieu of the annual registration and fees required by this chapter, and of the governmental services tax imposed by chapter 371 of NRS, the owner of an antique truck or truck-tractor may submit: (a) An affidavit to the Department indicating that the antique truck or truck-tractor: (1) Will be used only for the purposes enumerated in subsection 1; (2) Has been inspected and found safe to be operated on the highways of this State; (3) Will be at least 25 years old on the date on which the owner of the antique truck or truck-tractor applies for license plates pursuant to this section; and (4) Has a manufacturer's rated carrying capacity of more than 1 ton. (b) The following fees for the issuance of license plates pursuant to this section: (1) For the first issuance..... \$15 (2) For a renewal sticker..... 5 3. If the owner elects to use the antique truck or truck-tractor as general transportation, the owner shall pay the regular annual registration and fees prescribed by law and the governmental services tax imposed by chapter 371 of NRS. 4. License plates issued pursuant to this section must bear the inscription "Antique Truck," and the plates must be numbered consecutively. 5. The cost of the die and the modifications necessary for the issuance of a license plate pursuant to this section must be paid from private sources without any expense to the State of Nevada. 6. If, during a registration year, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set out in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2001, 1859)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3812 - Street Rods.

1. Except as otherwise provided in NRS 482.2655, the Department may issue special license plates and registration certificates to residents of Nevada for any passenger car or light commercial vehicle: (a) Having a manufacturer's rated carrying capacity of 1 ton or less; and (b) Manufactured not later than 1948. 2. License plates issued pursuant to this section must be inscribed with the words "STREET ROD" and a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. 3. If, during a registration period, the holder of special plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, the holder shall retain the plates and: (a) Affix them to another vehicle which meets the

requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 4. The fee for the special license plates is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The fee for an annual renewal sticker is \$10. 5. In addition to the fees required pursuant to subsection 4, the Department shall charge and collect a fee for the first issuance of the special license plates for those motor vehicles exempted pursuant to paragraph (b) of subsection 1 of NRS 445B.760 from the provisions of NRS 445B.770 to 445B.815, inclusive. The amount of the fee must be equal to the amount of the fee for a form certifying emission control compliance set forth in paragraph (c) of subsection 1 of NRS 445B.830. 6. Fees paid to the Department pursuant to subsection 5 must be accounted for in the Pollution Control Account created by NRS 445B.830. (Added to NRS by 1989, 1731; A 1991, 2320; 1997, 3002; 2001, 331; 2011, 1527; 2013, 2557, 2859; 2015, 1757; 2019, 76; 2021, 694)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3814 - Classic Rods.

1. Except as otherwise provided in subsection 4, the Department may issue special license plates and registration certificates to residents of Nevada for any passenger car or light commercial vehicle: (a) Having a manufacturer's rated carrying capacity of 1 ton or less; (b) Manufactured not earlier than 1949, but at least 20 years before the application is submitted to the Department; and (c) Having proof satisfactory to the Department that the vehicle is covered by insurance that meets the requirements of NRS 485.185 and that: (1) Is designed or designated specifically for a classic or antique vehicle; or (2) Includes an endorsement designed or designated specifically for classic or antique vehicles. 2. Except as otherwise provided in subsection 4, any vehicle issued special license plates and a registration certificate pursuant to subsection 1 shall not be used for general transportation but may be used for: (a) Club activities, exhibitions, tours, parades or similar activities; and (b) Such other uses as are necessary for the operation and maintenance of the vehicle. 3. A vehicle that complies with subsection 2 is exempt from the provisions of NRS 445B.770 to 445B.815, inclusive. 4. If the owner of the vehicle elects to use the vehicle for general transportation, he or she: (a) Except as otherwise provided in NRS 482.2655, shall not be issued special license plates and a registration certificate pursuant to subsection 1; and (b) Shall comply with the provisions of NRS 445B.770 to 445B.815, inclusive. 5. Except as otherwise provided in subsection 6, license plates issued pursuant to this section must be inscribed with the words "CLASSIC ROD" and a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. 6. A person may request personalized prestige license plates issued pursuant to NRS 482.3667 instead of a special license plate issued pursuant to subsection 5 if that person pays the fees for the personalized prestige license plates in addition to the fees required pursuant to this section. 7. If, during a registration year, the holder of special plates issued pursuant to subsection 5 or 6 disposes of the vehicle to which the plates are affixed, the holder shall retain the plates and: (a) Affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 8. The fee for the special license plates is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The fee for an annual renewal sticker is \$10. 9. In addition to the fees required pursuant to subsection 8, the Department shall charge and collect a fee for the first issuance of the special license plates for those motor vehicles exempted pursuant to subsection 3 from the provisions of NRS 445B.770 to 445B.815, inclusive. The amount of the fee must be equal to the amount of the fee for a form certifying emission control compliance set forth in paragraph (c) of subsection 1 of NRS 445B.830. 10. Fees paid to the Department pursuant to subsection 9 must be accounted for in the Pollution Control Account created by NRS 445B.830. 11. As used in this section, "general transportation" means a vehicle that is: (a) Driven more than 5,000 miles during the immediately preceding year; or (b) Used in any capacity for commercial purposes. (Added to NRS by 1989, 1732; A 1991, 2321; 1997, 3002; 2001, 331; 2011, 1528; 2013, 2557; 2015, 324, 1758; 2019, 77; 2021, 695, 2171)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3816 - Classic Vehicles.

1. Except as otherwise provided in subsection 4, the Department may issue special license plates and registration certificates to residents of Nevada for any passenger car or light commercial vehicle: (a) Having a manufacturer's rated carrying capacity of 1 ton or less; (b) Manufactured at least 25 years before the application is submitted to the Department; (c) Containing only the original parts which were used to manufacture the vehicle or replacement parts that duplicate those original parts; and (d) Having proof satisfactory to the Department that the vehicle is covered by insurance that meets the requirements of NRS 485.185 and that: (1) Is designed or designated specifically for a classic or antique vehicle; or (2) Includes an endorsement designed or designated specifically for classic or antique vehicles. 2. Except as otherwise provided in subsection 4, any vehicle issued special license plates and a registration certificate pursuant to subsection 1 shall not be used for general transportation but may be used for: (a) Club activities, exhibitions, tours, parades or similar activities; and (b) Such other uses as are necessary for the operation and maintenance of the vehicle. 3. A vehicle that complies with subsection 2 is exempt from the provisions of NRS 445B.770 to 445B.815, inclusive. 4. If the owner of the vehicle elects to use the vehicle for general transportation, he or she: (a) Except as otherwise provided in NRS 482.2655, shall not be issued special license plates and a registration certificate pursuant to subsection 1; and (b) Shall comply with the provisions of NRS 445B.770 to 445B.815, inclusive. 5. Except as otherwise provided in subsection 6, license plates issued pursuant to this section must be inscribed with the words "CLASSIC VEHICLE" and a number of characters, including numbers and letters, as determined necessary by the Director pursuant to NRS 482.367003. 6. A person may request personalized prestige license

plates issued pursuant to NRS 482.3667 instead of a special license plate issued pursuant to subsection 5 if that person pays the fees for the personalized prestige license plates in addition to the fees required pursuant to this section. 7. If, during a registration period, the holder of special plates issued pursuant to subsection 5 or 6 disposes of the vehicle to which the plates are affixed, the holder shall retain the plates and: (a) Affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedure set forth for other transfers; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 8. The fee for the special license plates is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The fee for an annual renewal sticker is \$10. 9. In addition to the fees required pursuant to subsection 8, the Department shall charge and collect a fee for the first issuance of the special license plates for those motor vehicles exempted pursuant to subsection 3 from the provisions of NRS 445B.770 to 445B.815, inclusive. The amount of the fee must be equal to the amount of the fee for a form certifying emission control compliance set forth in paragraph (c) of subsection 1 of NRS 445B.830. 10. Fees paid to the Department pursuant to subsection 9 must be accounted for in the Pollution Control Account created by NRS 445B.830. 11. As used in this section, "general transportation" means a vehicle that is: (a) Driven more than 5,000 miles during the immediately preceding year; or (b) Used for any capacity for commercial purposes. (Added to NRS by 1995, 788; A 2001, 332; 2011, 1529; 2013, 2558, 2860; 2015, 325, 1758; 2019, 78; 2021, 695, 2172)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3817 - Retired military vehicles.

1. The Department may issue special license plates and registration certificates to residents of Nevada for a retired military vehicle pursuant to this section. The Department shall not design, prepare or issue the license plates unless it receives at least 25 applications for the issuance of those plates. The retired military vehicle must not be used for general transportation but may be used for exhibitions, parades, charitable events, fundraisers or similar activities. 2. In lieu of the annual registration fees required by this chapter, and of the governmental services tax imposed by chapter 371 of NRS, the owner of a retired military vehicle seeking registration pursuant to this section may submit: (a) An affidavit to the Department indicating that the retired military vehicle: (1) Will only be used for the purposes enumerated in subsection 1; (2) Is safe to be operated on the highways of this State; and (3) Will be at least 20 years old on the date on which the owner of the retired military vehicle applies for license plates pursuant to this section. (b) The following fees for the issuance of license plates pursuant to this section: (1) For the first issuance..... \$25 (2) For a renewal sticker..... \$10 3. A retired military vehicle registered pursuant to this section must not be operated on the highways of this State unless the vehicle complies with the provisions of NRS 484D.600 to 484D.740, inclusive, and, if the vehicle is a retired military vehicle with: (a) Tires, is equipped with rubber tires that will not damage the roadway surface and have a maximum vehicle tire pressure of not more than 125 pounds per square inch. (b) Tracks, has a circular metal band of a width of not less than 3 inches placed entirely around the periphery of such tracks, such band to serve as a protection against the tearing up or marring of the surface of the highway. 4. The Department shall use to register a retired military vehicle pursuant to this section any vehicle identification number that is clearly visible and is securely affixed to or stamped on an integral part of the vehicle. If no such number is available, the Department may assign a distinguishing number pursuant to NRS 482.290. 5. License plates issued pursuant to this section must bear the inscription "Retired Military Vehicle" and the plates must be numbered consecutively. 6. The cost of the die and the modifications necessary for the issuance of a license plate pursuant to this section must be paid from private sources without any expense to the State of Nevada. 7. If, during a registration year, the holder of license plates issued pursuant to the provisions of this section disposes of the retired military vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set out in this chapter; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. 8. As used in this section, "retired military vehicle" means any vehicle or trailer, regardless of size, weight or year of manufacture, that was manufactured for use in the military forces of any country and is maintained to depict or represent military design or markings. The term includes, without limitation, armored vehicles, passenger cars, half-track vehicles, motorcycles, pick-up trucks, sport utility vehicles, tracked vehicles, trailers, trucks and truck-tractors. (Added to NRS by 2019, 1323)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3818 - Vintage license plates: Production; issuance; fee; retention or return upon disposal of vehicle.

1. The Department may produce and issue vintage license plates to residents of Nevada for any motor vehicle manufactured not later than 1961. 2. Vintage license plates issued pursuant to this section must be produced by the Department: (a) Using only digital technology for the production of the plates; and (b) To appear, insofar as is practicable, the same as the license plates that were issued in Nevada during the year of manufacture of the particular motor vehicle to which the vintage license plates will be affixed. 3. The fee for vintage license plates issued pursuant to this section is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The vintage license plates are renewable upon the payment of \$10. 4. If, during a registration year, the holder of vintage license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, the holder shall: (a) Retain the plates and affix them to another vehicle that meets the requirements of this section if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or (b) Within 30 days after removing the plates from the vehicle, return them to the Department. (Added to NRS by 2003, 3346; A 2017, 1299)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3823 - Vehicle used for course of instruction in automobile repair.

1. An educational institution may operate on the highways of this State an unregistered motor vehicle otherwise required to be registered pursuant to this chapter if there is displayed on the vehicle a special license plate assigned to the educational institution pursuant to subsection 2. Such operation is strictly limited to movement of the vehicle: (a) From one educational institution to another educational institution; (b) From the educational institution to an established place of business which specializes in particular automotive repairs; and (c) Which is necessary to test the vehicle under practical operating conditions on the road. 2. Upon application by an educational institution, submission of such evidence of qualification as is determined necessary by the Director and payment of the applicable fee, the Department shall assign to the educational institution one or more sets of special license plates for use on educational vehicles. The Department shall charge and collect a fee of \$5 for each set of special license plates issued pursuant to this section. The plates are valid for 1 year. The fee for renewal is \$5. 3. Any unauthorized use of special license plates issued pursuant to this section is cause for the Department to revoke all sets of those plates issued to the educational institution. Unauthorized use of the plates includes: (a) Display on a vehicle which is not an educational vehicle; and (b) Movement of an educational vehicle in any manner not authorized in subsection 1. 4. Each special plate issued pursuant to this section must have displayed upon it suitable characters, as determined by the Department, to identify the vehicle as an educational vehicle. The special plates may be used interchangeably on educational vehicles by the educational institution to which the plates were issued. 5. As used in this section: (a) "Educational institution" means: (1) A public school as that term is defined in NRS 385.007; or (2) One of the branches or facilities within the Nevada System of Higher Education, which offers a course of instruction in automotive repair and owns or controls an educational vehicle. (b) "Educational vehicle" means any motor vehicle which is owned or controlled by an educational institution and used exclusively for the purposes of a course of instruction in automotive repair. The term does not include any motor vehicle: (1) Used by the educational institution for any purpose not directly related to a course of instruction in automotive repair. (2) Owned by a pupil, student or employee of the educational institution. (Added to NRS by 1991, 316; A 1993, 410)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3824 - Special license plates to generate financial support for charitable organization: Director required to issue souvenir license plate at request of charitable organization; resale by charitable organization; issuance of special license plate for trailers, motorcycles and certain other vehicles.

1. Except as otherwise provided in NRS 482.38279, with respect to any special license plate that is issued pursuant to NRS 482.3667 to 482.3823, inclusive, and for which additional fees are imposed for the issuance of the special license plate to generate financial support for a charitable organization: (a) The Director shall, at the request of the charitable organization that is benefited by the particular special license plate: (1) Order the design and preparation of souvenir license plates, the design of which must be substantially similar to the particular special license plate; and (2) Issue such souvenir license plates, for a fee established pursuant to NRS 482.3825, only to the charitable organization that is benefited by the particular special license plate. The charitable organization may resell such souvenir license plates at a price determined by the charitable organization. (b) The Department may, except as otherwise provided in this paragraph and after the particular special license plate is approved for issuance, issue the special license plate for a trailer, motorcycle or other type of vehicle that is not a passenger car or light commercial vehicle, excluding vehicles required to be registered with the Department pursuant to NRS 706.801 to 706.861, inclusive, full trailers or semitrailers registered pursuant to subsection 3 of NRS 482.483 and mopeds registered pursuant to NRS 482.2155, upon application by a person who is entitled to license plates pursuant to NRS 482.265 or 482.272 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter or chapter 486 of NRS. The Department may not issue a special license plate for such other types of vehicles if the Department determines that the design or manufacture of the plate for those other types of vehicles would not be feasible. In addition, if the Department incurs additional costs to manufacture a special license plate for such other types of vehicles, including, without limitation, costs associated with the purchase, manufacture or modification of dies or other equipment necessary to manufacture the special license plate for such other types of vehicles, those additional costs must be paid from private sources without any expense to the State of Nevada. 2. If, as authorized pursuant to paragraph (b) of subsection 1, the Department issues a special license plate for a trailer, motorcycle or other type of vehicle that is not a passenger car or light commercial vehicle, the Department shall charge and collect for the issuance and renewal of such a plate the same fees that the Department would charge and collect if the other type of vehicle was a passenger car or light commercial vehicle. As used in this subsection, "fees" does not include any applicable registration or license fees or governmental services taxes. 3. As used in this section: (a) "Additional fees" has the meaning ascribed to it in NRS 482.38273. (b) "Charitable organization" means a particular cause, charity or other entity that receives money from the imposition of additional fees in connection with the issuance of a special license plate pursuant to NRS 482.3667 to 482.3823, inclusive. The term includes: (1) The successor, if any, of a charitable organization; and (2) A charitable organization to which additional fees for special license plates are distributed pursuant to subparagraph (2) of paragraph (c) of subsection 5 of NRS 482.38279. (Added to NRS by 2003, 494; A 2003, 20th Special Session, 256; 2007, 577, 826; 2009, 496, 960; 2011, 1795; 2013, 2558, 2860; 2015, 663, 1759, 1945; 2017, 3565; 2019, 204, 565, 3091; 2021, 48, 3741)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS

482.3825 - Director authorized to issue souvenir license plates; "issuance" does not include resale of plates by charitable organization.

1. The Director may order the design and preparation of souvenir license plates which are easily distinguishable in design or color from regular license plates. The Director may establish a fee for the issuance of such plates of not more than \$15 per plate. The Department may issue more than one plate of any particular design. 2. All money collected from the issuance of souvenir license plates must be deposited in the State Treasury for credit to the License Plate Production Account created by NRS 482.268. 3. As used in this section, "issuance" does not include the resale of a souvenir license plate as authorized pursuant to paragraph (a) of subsection 1 of NRS 482.3824. (Added to NRS by 1987, 1475; A 2001, 586, 1676; 2003, 500; 2015, 2825)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.38272 - Definitions.

As used in NRS 482.38272 to 482.38279, inclusive, unless the context otherwise requires, the words and terms defined in NRS 482.38273 to 482.38276, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2007, 817; A 2015, 999)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.38273 - "Additional fees" defined.

"Additional fees" means the fees that are charged in connection with the issuance or renewal of a special license plate for the benefit of a particular cause, fund or charitable organization. The term does not include registration and license fees or governmental services taxes. (Added to NRS by 2007, 817)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.38274 - "Charitable organization" defined.

"Charitable organization" has the meaning ascribed to it in NRS 482.3824. (Added to NRS by 2007, 817; A 2009, 961)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.38275 - "Intended recipient" defined.

"Intended recipient" means the particular cause, fund or charitable organization for the benefit of which additional fees are imposed. In the case of special license plates: 1. Authorized by enactment of the Legislature, the term means the particular cause, fund or charitable organization identified in statute as the required recipient of additional fees. 2. Authorized pursuant to the system of application and petition described in NRS 482.367002, the term means the particular cause, fund or charitable organization: (a) Identified as the intended recipient of additional fees, as described in the application that was submitted for those special license plates pursuant to paragraph (b) of subsection 2 of that section; or (b) To which the additional fees for special license plates are distributed pursuant to subparagraph (2) of paragraph (c) of subsection 5 of NRS 482.38279. (Added to NRS by 2007, 817; A 2019, 205; 2021, 49)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.38276 - "Special license plate" defined.

"Special license plate" means: 1. A license plate that the Department has designed and prepared pursuant to NRS 482.367002 in accordance with the system of application and petition described in that section; 2. A license plate approved by the Legislature that the Department has designed and prepared pursuant to NRS 482.3747, 482.37903, 482.37904, 482.37905, 482.37907, 482.37917, 482.379175, 482.37918, 482.37919, 482.3792, 482.3793, 482.37933, 482.37934, 482.37935, 482.379355, 482.379365, 482.37937, 482.379375, 482.37938, 482.37939, 482.37945 or 482.37947; and 3. Except for a license plate that is issued pursuant to NRS 482.3746, 482.3757, 482.3785, 482.3787, 482.37901, 482.37902, 482.37906, 482.3791, 482.3794 or 482.37941, a license plate that is approved by the Legislature after July 1, 2005. (Added to NRS by 2007, 817; A 2015, 664; 2017, 3566, 3576; 2019, 566, 901, 1486, 3092; 2021, 3742; 2023, 2701)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.382765 - Certain charitable organizations to submit to Department methods and procedures for awarding grants; such organizations not to award grants until methods and procedures deemed adequate by Department.

1. Upon receiving notification by the Department pursuant to subsection 9 of NRS 482.367002 that a special license plate that is intended to generate financial support for an organization will be issued by the Department, or upon a determination pursuant to subparagraph (2) of paragraph (c) of subsection 5 of NRS 482.38279 to distribute additional fees from a special license plate to the charitable organization, a charitable organization, not including a governmental entity whose budget is in the executive budget, that is to receive additional fees shall, if the charitable organization wishes to award grants with any of the money received in the form of additional fees, submit to the Department in writing the methods and procedures to be used by the charitable organization in awarding such grants, including, without limitation: (a) A copy of the application form to be used by any person or entity seeking a grant from the charitable organization; (b) The guidelines established by the charitable organization for the submission and review

of applications to receive a grant from the charitable organization; and (c) The criteria to be used by the charitable organization in awarding such a grant. 2. Upon receipt of the information required, the Department shall review the procedures to determine if the methods and procedures are adequate to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient. If the Department determines that the methods and procedures are: (a) Adequate to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient, the Department shall notify the charitable organization of that determination. (b) Inadequate to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient, the Department shall notify the charitable organization and request that the charitable organization submit a revised version of the methods and procedures to be used by the charitable organization in awarding grants. 3. A charitable organization may not award any grants of money received in the form of additional fees until the procedures and methods have been determined adequate by the Department pursuant to subsection 2. (Added to NRS by 2015, 995; A 2019, 206; 2021, 50, 356)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.38277 - Certain charitable organizations to prepare and file balance sheet and bank statement with Legislative Auditor; certain information concerning persons responsible for such organizations, the budget of such organizations and description of how certain money is spent by such organizations to be provided to Legislative Auditor and Department; certain information to be made public annually by such organizations; exceptions; duties of Legislative Auditor with respect to forms and information.

1. Except as otherwise provided in subsection 4, on or before September 1 of each fiscal year, each charitable organization, not including a governmental entity whose budget is included in the executive budget, that receives additional fees shall prepare a balance sheet for the immediately preceding fiscal year on a form provided by the Legislative Auditor and file the balance sheet, accompanied by a recent bank statement, with the Legislative Auditor. The Legislative Auditor shall prepare and make available, or cause to be prepared and made available, a form that must be used by a charitable organization to prepare such a balance sheet. 2. Except as otherwise provided in subsection 4, on or before July 1 of each fiscal year, each charitable organization, not including a governmental entity whose budget is included in the executive budget, that receives additional fees shall provide to the Legislative Auditor and the Department: (a) A list of the names of the persons, whether or not designated officers, who are responsible for overseeing the operation of the charitable organization; (b) The current mailing address of the charitable organization; (c) The current telephone number of the charitable organization; (d) A report on the budget of the charitable organization, including, without limitation: (1) A copy of the most recent annual budget of the charitable organization; and (2) A description of how all money received by the charitable organization in the form of additional fees was expended, including, without limitation, how that money was expended by the charitable organization, or any recipient or awardee of that money from the charitable organization; and (e) A copy of the most recent federal tax return of the charitable organization, if any, including all schedules related thereto. 3. On or before July 1 of each fiscal year, each charitable organization, not including a governmental entity whose budget is included in the executive budget, that receives additional fees shall post on the Internet website of the charitable organization or, if no such Internet website exists, publish in a newspaper of general circulation in the county where the charitable organization is based, the most recent federal tax return of the charitable organization, if any, including all schedules related thereto. 4. A charitable organization, not including a governmental entity whose budget is included in the executive budget, is not required to comply with the provisions of subsection 1 or 2, unless requested by the Legislative Auditor or the Department if it receives additional fees: (a) In an amount less than \$10,000 in a fiscal year; or (b) From special license plates which are no longer in production. 5. The Legislative Auditor shall prescribe: (a) The form and content of the balance sheets required to be filed pursuant to subsection 1; and (b) Any additional information that must accompany the balance sheets and bank statements required to be filed pursuant to subsection 1, including, without limitation, the methods and procedures used to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient. (Added to NRS by 2007, 817; A 2009, 19; 2013, 1481; 2015, 999; 2019, 196; 2021, 357)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.38278 - Legislative Auditor to submit annual final written report; contents of report.

1. On or before September 30 following the end of each fiscal year, the Legislative Auditor shall submit a final written report with respect to the charitable organizations that have filed with the Legislative Auditor a balance sheet pursuant to subsection 1 of NRS 482.38277 to: (a) The Department; and (b) The Director of the Legislative Counsel Bureau for transmittal to the Legislature, if the Legislature is in session, or to the Legislative Commission, if the Legislature is not in session. 2. Along with any statement of explanation or rebuttal from the charitable organization, the final written report may include, without limitation: (a) Evidence regarding the inadequacy or inaccuracy of any forms or records filed by the charitable organization with the Department; (b) Evidence regarding any improper practices of financial administration on the part of the charitable organization; (c) Evidence regarding the methods and procedures, or lack thereof, used to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient; and (d) Any other evidence or information that the Legislative Auditor determines to be relevant to the propriety of the financial administration and recordkeeping of the charitable organization, including, without limitation, the disposition of any additional fees received by the charitable organization. (Added to NRS by 2007, 817; A 2009, 19; 2013, 1481; 2015, 1000; 2019, 197; 2021, 358)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.382785 - Department may request audit of certain charitable organizations; Legislative Commission may direct Legislative Auditor to perform audit; Legislative Auditor to prepare and distribute written report of audit.

1. The Department may request the Legislative Commission to direct the Legislative Auditor to perform an audit of any charitable organization if the Department: (a) Has reasonable cause to believe or has received a credible complaint that the charitable organization has filed with the Department forms or records that are inadequate or inaccurate, has committed improper practices of financial administration, or has failed to use adequate methods and procedures to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient; or (b) Determines that an audit is reasonably necessary to assist the Department in administering NRS 482.3667 to 482.38279, inclusive. 2. If the Legislative Commission directs the Legislative Auditor to perform an audit of a charitable organization, the Legislative Auditor shall: (a) Conduct the audit and prepare a final written report of the audit; and (b) Distribute a copy of the final written report to the Director. 3. Along with any statement of explanation or rebuttal from the audited charitable organization, the final written report of the audit may include, without limitation: (a) Evidence regarding the inadequacy or inaccuracy of any forms or records filed by the charitable organization with the Department; (b) Evidence regarding any improper practices of financial administration on the part of the charitable organization; (c) Evidence regarding the methods and procedures, or lack thereof, used to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient; and (d) Any other evidence or information that the Legislative Auditor determines to be relevant to the propriety of the financial administration and recordkeeping of the charitable organization, including, without limitation, the disposition of any additional fees received by the charitable organization. (Added to NRS by 2015, 994; A 2021, 359)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.382787 - Certain documents and information submitted to Department are public records.

All documents and information submitted to the Department pursuant to NRS 482.382765 to 482.382785, inclusive, by a charitable organization that is to receive additional fees, not including a governmental entity whose budget is in the executive budget, are public records and are available for public inspection as provided in chapter 239 of NRS. (Added to NRS by 2015, 996; A 2021, 360)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.38279 - Determination that charitable organization failed to comply with certain provisions or standards; organization may request hearing; Department to issue decision; authority of Department to take certain actions regarding collection of additional fees or production of design of special license plate; notice of corrective actions; submission of information by aggrieved organization; final decision by Department.

1. If the Department determines that a charitable organization has failed to comply with one or more of the provisions of NRS 482.38277 or if, in a report provided to the Department by the Legislative Auditor pursuant to NRS 482.38278 or 482.382785, the Legislative Auditor determines that a charitable organization has committed improper practices of financial administration, has filed with the Department forms or records that are inadequate or inaccurate, or has failed to use adequate methods and procedures to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient, the Department shall notify the charitable organization of that determination. 2. A charitable organization may request in writing a hearing, within 20 days after receiving notification pursuant to subsection 1, to respond to the determinations of the Department or Legislative Auditor. The hearing must be held not later than 30 days after the receipt of the request for a hearing unless the parties, by written stipulation, agree to extend the time. 3. The Department shall issue a decision on whether to uphold the original determination of the Department or the Legislative Auditor or to overturn that determination. The decision required pursuant to this subsection must be issued: (a) Immediately after the hearing, if a hearing was requested; or (b) Within 30 days after the expiration of the 20-day period within which a hearing may be requested, if a hearing was not requested. 4. If the Department decides to uphold its own determination that a charitable organization has failed to comply with one or more of the provisions of NRS 482.38277 or decides to uphold the determination of the Legislative Auditor that the organization has committed improper practices of financial administration, has filed with the Department forms or records that are inadequate or inaccurate, or has failed to use adequate methods and procedures to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient, the Department shall issue its decision in writing and may: (a) Terminate production and distribution of the particular design of the special license plate and collection of all additional fees collected on behalf of the charitable organization, and allow any holder of the special license plate to continue to renew the plate without paying the additional fee; (b) Suspend the production and distribution of the particular design of special license plates and collection of all additional fees collected on behalf of the charitable organization, if the Department is still producing that design and allow any holder of the special license plate to renew the plate without paying the additional fee; or (c) Suspend the distribution of all additional fees collected on behalf of the charitable organization for a specified period and allow the production and distribution of the special license plate and the collection of additional fees to continue if the Department is still producing that design, and allow holders of the special license plates to renew the plate with the payment of the additional fees. 5. If the Department takes the action described in paragraph (b) or (c) of subsection 4, the Department shall inform the charitable organization in writing of the corrective actions that must be taken and upon

conclusion of the suspension determine whether the charitable organization completed the corrective actions. If the Department determines that the charitable organization: (a) Completed the corrective actions, the Department may: (1) Terminate the suspension and forward to the charitable organization any additional fees collected on behalf of the charitable organization during the suspension; or (2) Take any action described in paragraph (c). (b) Has not completed the corrective actions, the Department may extend the period of the suspension, but not more than one time. (c) Has not completed the corrective actions or the Department does not terminate the suspension pursuant to paragraph (a), the Department may: (1) Terminate production and distribution of the special license plate and collection of all additional fees on behalf of the charitable organization, allow any holders of the special license plate to renew the plate without paying the additional fee and distribute all fees collected during the suspension in a manner determined by the Department; or (2) Continue production and distribution of the special license plate and distribute all additional fees collected, including any fees held during the suspension, to another charitable organization that: (I) Submits an application to the Department on a form prescribed and furnished by the Department; (II) Meets all applicable requirements of subsection 1 of NRS 482.367002 for a charitable organization seeking to receive financial support from a special license plate; and (III) Provides evidence satisfactory to the Department that the additional fees collected on behalf of the charitable organization will be used for a purpose similar to the purpose for which the additional fees were intended to be used by the initial charitable organization. 6. If, in accordance with subsection 4 or paragraph (c) of subsection 5, the Department determines to take adverse action against a charitable organization, the Department shall notify the charitable organization, in writing, of that fact within 30 days after making the determination and include a description of any necessary corrective action that must be taken by the charitable organization, if applicable. A charitable organization aggrieved by a determination of the Department may, within 30 days after the date on which it received notice of the determination, submit to the Department any facts, evidence or other information that it believes is relevant to the propriety of the Department's determination. Within 30 days after receiving all facts, evidence and other relevant information submitted to the Department by the aggrieved charitable organization, the Department shall render a decision, in writing, as to whether the Department decides to uphold or not uphold its determination to take adverse action against the charitable organization. The decision of the Department is a final decision for the purpose of judicial review. (Added to NRS by 2007, 818; A 2009, 20; 2013, 1482; 2015, 1000; 2019, 206; 2021, 50, 360, 696)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.383 - Conditions for issuance; fee.

1. The Department may issue a special use permit for the operation of any unregistered and unlicensed vehicle upon any highway in this State to enable such a vehicle to operate in connection with special events, such as parades. 2. A permit issued pursuant to subsection 1 must be in a form prescribed by the Department and must limit the use of the vehicle for which it is issued to movement for the purpose set forth in the application for the permit. Such a permit must be affixed to the vehicle in a manner and position determined by the Department and must be cancelled, destroyed or surrendered under such rules as the Department may prescribe. 3. The Department shall charge a fee of \$2 for each permit issued pursuant to subsection 1. (Added to NRS by 1963, 1276; A 1973, 91; 1993, 1387; 1999, 3577)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3831 - Definitions.

As used in NRS 482.3831 to 482.384, inclusive, unless the context otherwise requires, the words and terms defined in NRS 482.3833 to 482.3839, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2003, 373)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3833 - "Person with a disability of moderate duration" defined.

"Person with a disability of moderate duration" means a person: 1. With a disability which limits or impairs the ability to walk; and 2. Whose disability has been certified by a licensed physician, physician assistant or advanced practice registered nurse as being reversible, but estimated to last longer than 6 months. (Added to NRS by 2003, 373; A 2017, 1775; 2019, 143)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3835 - "Person with a disability which limits or impairs the ability to walk" defined.

"Person with a disability which limits or impairs the ability to walk" means a person who: 1. Cannot walk 200 feet without stopping to rest; 2. Cannot walk without the use of a brace, cane, crutch, wheelchair or prosthetic or other assistive device, or another person; 3. Is restricted by a lung disease to such an extent that the person's forced expiratory volume for 1 second, when measured by a spirometer, is less than 1 liter, or the arterial oxygen tension is less than 60 millimeters of mercury on room air while the person is at rest; 4. Uses portable oxygen; 5. Has a cardiac condition to the extent that the person's functional limitations are classified in severity as a Class III or Class IV according to standards adopted by the American Heart Association; 6. Has a visual disability; or 7. Is severely limited in his or her ability to walk because of an arthritic, neurological or orthopedic condition. (Added to NRS by 1993, 1386; A 2003, 376)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3837 - "Person with a permanent disability" defined.

1. "Person with a permanent disability" means a person: (a) With a disability which limits or impairs the ability to walk; and (b) Whose disability has been certified by a licensed physician, physician assistant or advanced practice registered nurse as irreversible.
2. The term includes a person with a qualifying service-connected disability, as that term is defined in subsection 1 or 2 of NRS 482.0962. (Added to NRS by 2003, 373; A 2017, 1775; 2019, 78, 143)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3839 - "Person with a temporary disability" defined.

"Person with a temporary disability" means a person: 1. With a disability which limits or impairs the ability to walk; and 2. Whose disability has been certified by a licensed physician, physician assistant or advanced practice registered nurse as estimated to last not longer than 6 months. (Added to NRS by 2003, 373; A 2017, 1775; 2019, 143)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.384 - Special license plates and special and temporary parking placards and stickers: Application; issuance; renewal; fees; design; display; letter of verification; prohibited acts; regulations. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 129, Statutes of Nevada 2015, at page 476.] Special license plates and special and temporary parking placards and stickers: Application; issuance; renewal; fees; design; display; letter of verification; prohibited acts; regulations. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 129, Statutes of Nevada 2015, at page 476.]

1. Upon the application of a person with a permanent disability, the Department may issue special license plates for a vehicle, including a motorcycle or moped, registered by the applicant pursuant to this chapter. The application must include a statement from a licensed physician, physician assistant or advanced practice registered nurse certifying that the applicant is a person with a permanent disability or a certificate from the United States Department of Veterans Affairs or the United States Department of Defense which indicates the applicant has incurred a qualifying service-connected disability, as that term is defined in subsection 1 or 2 of NRS 482.0962, as applicable. The issuance of a special license plate to a person with a permanent disability pursuant to this subsection does not preclude the issuance to such a person of a special parking placard for a vehicle other than a motorcycle or moped or a special parking sticker for a motorcycle or moped pursuant to subsection 6. 2. Every year after the initial issuance of special license plates to a person with a permanent disability, the Department shall require the person to renew the special license plates in accordance with the procedures for renewal of registration pursuant to this chapter. The Department shall not require a person with a permanent disability to include with the application for renewal a statement from a licensed physician, physician assistant or advanced practice registered nurse certifying that the person is a person with a permanent disability or a certificate from the United States Department of Veterans Affairs or the United States Department of Defense which indicates the applicant has incurred a qualifying service-connected disability, as that term is defined in subsection 1 or 2 of NRS 482.0962, as applicable. 3. Upon the application of an organization which provides transportation for a person with a permanent disability, disability of moderate duration or temporary disability, the Department may issue special license plates for a vehicle registered by the organization pursuant to this chapter, or the Department may issue special parking placards to the organization pursuant to this section to be used on vehicles providing transportation to such persons. The application must include a statement from the organization certifying that: (a) The vehicle for which the special license plates are issued is used primarily to transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities; or (b) The organization which is issued the special parking placards will only use such placards on vehicles that actually transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities. 4. The Department may charge a fee for special license plates issued pursuant to this section not to exceed the fee charged for the issuance of license plates for the same class of vehicle. 5. Special license plates issued pursuant to this section must display the international symbol of access in a color which contrasts with the background and is the same size as the numerals and letters on the plate. 6. Upon the application of a person with a permanent disability or disability of moderate duration, the Department may issue: (a) A special parking placard for a vehicle other than a motorcycle or moped. Upon request, the Department may issue one additional placard to an applicant to whom special license plates have not been issued pursuant to this section. (b) A special parking sticker for a motorcycle or moped. The application must include a statement from a licensed physician, physician assistant or advanced practice registered nurse certifying that the applicant is a person with a permanent disability or disability of moderate duration or a certificate from the United States Department of Veterans Affairs or the United States Department of Defense which indicates the applicant has incurred a qualifying service-connected disability, as that term is defined in subsection 1 or 2 of NRS 482.0962, as applicable. 7. A special parking placard issued pursuant to subsection 6 must: (a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a blue background; (b) Have an identification number and date of expiration of: (1) If the special parking placard is issued to a person with a permanent disability, 10 years after the initial date of issuance; or (2) If the special parking placard is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance; (c) Have placed or inscribed on it the seal or other identification of the Department; and (d) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle. 8. A special parking sticker issued pursuant to subsection 6 must: (a) Have inscribed

on it the international symbol of access which complies with any applicable federal standards, is centered on the sticker and is white on a blue background; (b) Have an identification number and a date of expiration of: (1) If the special parking sticker is issued to a person with a permanent disability, 10 years after the initial date of issuance; or (2) If the special parking sticker is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance; and (c) Have placed or inscribed on it the seal or other identification of the Department. 9. Before the date of expiration of a special parking placard or special parking sticker issued to a person with a permanent disability or disability of moderate duration, the person shall renew the special parking placard or special parking sticker. If the applicant for renewal is a person with a disability of moderate duration, the applicant must include with the application for renewal a statement from a licensed physician, physician assistant or advanced practice registered nurse certifying that the applicant is a person with a disability which limits or impairs the ability to walk, and that such disability, although not irreversible, is estimated to last longer than 6 months. A person with a permanent disability is not required to submit evidence of a continuing disability with the application for renewal. 10. The Department, or a city or county, may issue, and charge a reasonable fee for, a temporary parking placard for a vehicle other than a motorcycle or moped or a temporary parking sticker for a motorcycle or moped upon the application of a person with a temporary disability. Upon request, the Department, city or county may issue one additional temporary parking placard to an applicant. The application must include a certificate from a licensed physician, physician assistant or advanced practice registered nurse indicating: (a) That the applicant has a temporary disability; and (b) The estimated period of the disability. 11. A temporary parking placard issued pursuant to subsection 10 must: (a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a red background; (b) Have an identification number and a date of expiration; and (c) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle. 12. A temporary parking sticker issued pursuant to subsection 10 must: (a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the sticker and is white on a red background; and (b) Have an identification number and a date of expiration. 13. A temporary parking placard or temporary parking sticker is valid only for the period for which a physician, physician assistant or advanced practice registered nurse has certified the disability, but in no case longer than 6 months. If the temporary disability continues after the period for which the physician, physician assistant or advanced practice registered nurse has certified the disability, the person with the temporary disability must renew the temporary parking placard or temporary parking sticker before the temporary parking placard or temporary parking sticker expires. The person with the temporary disability shall include with the application for renewal a statement from a licensed physician, physician assistant or advanced practice registered nurse certifying that the applicant continues to be a person with a temporary disability and the estimated period of the disability. 14. A special or temporary parking placard must be displayed in the vehicle when the vehicle is parked by hanging or attaching the placard to the rearview mirror of the vehicle. If the vehicle has no rearview mirror, the placard must be placed on the dashboard of the vehicle in such a manner that the placard can easily be seen from outside the vehicle when the vehicle is parked. 15. Upon issuing a special license plate pursuant to subsection 1, a special or temporary parking placard, or a special or temporary parking sticker, the Department, or the city or county, if applicable, shall issue a letter to the applicant that sets forth the name and address of the person with a permanent disability, disability of moderate duration or temporary disability to whom the special license plate, special or temporary parking placard or special or temporary parking sticker has been issued and: (a) If the person receives special license plates, the license plate number designated for the plates; and (b) If the person receives a special or temporary parking placard or a special or temporary parking sticker, the identification number and date of expiration indicated on the placard or sticker. The letter, or a legible copy thereof, must be kept with the vehicle for which the special license plate has been issued or in which the person to whom the special or temporary parking placard or special or temporary parking sticker has been issued is driving or is a passenger. 16. A special or temporary parking sticker must be affixed to the windscreen of the motorcycle or moped. If the motorcycle or moped has no windscreen, the sticker must be affixed to any other part of the motorcycle or moped which may be easily seen when the motorcycle or moped is parked. 17. Special or temporary parking placards, special or temporary parking stickers, or special license plates issued pursuant to this section do not authorize parking in any area on a highway where parking is prohibited by law. 18. No person, other than the person certified as being a person with a permanent disability, disability of moderate duration or temporary disability, or a person actually transporting such a person, may use the special license plate or plates or a special or temporary parking placard, or a special or temporary parking sticker issued pursuant to this section to obtain any special parking privileges available pursuant to this section. 19. Any person who violates the provisions of subsection 18 is guilty of a misdemeanor. 20. The Department may review the eligibility of each holder of a special parking placard, a special parking sticker or special license plates, or any combination thereof. Upon a determination of ineligibility by the Department, the holder shall surrender the special parking placard, special parking sticker or special license plates, or any combination thereof, to the Department. 21. The Department may adopt such regulations as are necessary to carry out the provisions of this section. (Added to NRS by 1967, 983; A 1971, 1554; 1973, 81; 1975, 820; 1983, 823; 1985, 908; 1989, 1315; 1991, 359; 1993, 1387; 1995, 2760; 1999, 2568; 2003, 376; 2005, 984, 1367; 2015, 1760; 2017, 1775; 2019, 78, 144) 1. Upon the application of a person with a permanent disability, the Department may issue special license plates for a vehicle, including a motorcycle or moped, registered by the applicant pursuant to this chapter. The application must include a statement from a licensed physician, physician assistant or advanced practice registered nurse certifying that the applicant is a person with a permanent disability or a certificate from the United States Department of Veterans Affairs or the United States Department of Defense which indicates the applicant has incurred a qualifying service-connected disability, as that term is defined in subsection 1 or 2 of NRS 482.0962, as applicable. The issuance of a special license plate to a person with a permanent disability pursuant to this subsection does not preclude the issuance to such a person of a special parking placard for a vehicle other than a motorcycle or moped or a

special parking sticker for a motorcycle or moped pursuant to subsection 6. 2. Every year after the initial issuance of special license plates to a person with a permanent disability, the Department shall require the person to renew the special license plates in accordance with the procedures for renewal of registration pursuant to this chapter. The Department shall not require a person with a permanent disability to include with the application for renewal a statement from a licensed physician, physician assistant or advanced practice registered nurse certifying that the person is a person with a permanent disability or a certificate from the United States Department of Veterans Affairs or the United States Department of Defense which indicates the applicant has incurred a qualifying service-connected disability, as that term is defined in subsection 1 or 2 of NRS 482.0962, as applicable. 3. Upon the application of an organization which provides transportation for a person with a permanent disability, disability of moderate duration or temporary disability, the Department may issue special license plates for a vehicle registered by the organization pursuant to this chapter, or the Department may issue special parking placards to the organization pursuant to this section to be used on vehicles providing transportation to such persons. The application must include a statement from the organization certifying that: (a) The vehicle for which the special license plates are issued is used primarily to transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities; or (b) The organization which is issued the special parking placards will only use such placards on vehicles that actually transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities. 4. The Department may charge a fee for special license plates issued pursuant to this section not to exceed the fee charged for the issuance of license plates for the same class of vehicle. 5. Special license plates issued pursuant to this section must display the international symbol of access in a color which contrasts with the background and is the same size as the numerals and letters on the plate. 6. Upon the application of a person with a permanent disability or disability of moderate duration, the Department may issue: (a) A special parking placard for a vehicle other than a motorcycle or moped. Upon request, the Department may issue one additional placard to an applicant to whom special license plates have not been issued pursuant to this section. (b) A special parking sticker for a motorcycle or moped. The application must include a statement from a licensed physician, physician assistant or advanced practice registered nurse certifying that the applicant is a person with a permanent disability or disability of moderate duration or a certificate from the United States Department of Veterans Affairs or the United States Department of Defense which indicates the applicant has incurred a qualifying service-connected disability, as that term is defined in subsection 1 or 2 of NRS 482.0962, as applicable. 7. A special parking placard issued pursuant to subsection 6 must: (a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a blue background; (b) Have an identification number and date of expiration of: (1) If the special parking placard is issued to a person with a permanent disability, 10 years after the initial date of issuance; or (2) If the special parking placard is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance; (c) Have placed or inscribed on it the seal or other identification of the Department; and (d) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle. 8. A special parking sticker issued pursuant to subsection 6 must: (a) Have inscribed on it the international symbol of access which complies with any applicable federal standards, is centered on the sticker and is white on a blue background; (b) Have an identification number and a date of expiration of: (1) If the special parking sticker is issued to a person with a permanent disability, 10 years after the initial date of issuance; or (2) If the special parking sticker is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance; and (c) Have placed or inscribed on it the seal or other identification of the Department. 9. Before the date of expiration of a special parking placard or special parking sticker issued to a person with a permanent disability or disability of moderate duration, the person shall renew the special parking placard or special parking sticker. If the applicant for renewal is a person with a disability of moderate duration, the applicant must include with the application for renewal a statement from a licensed physician, physician assistant or advanced practice registered nurse certifying that the applicant is a person with a disability which limits or impairs the ability to walk, and that such disability, although not irreversible, is estimated to last longer than 6 months. A person with a permanent disability is not required to submit evidence of a continuing disability with the application for renewal. 10. The Department, or a city or county, may issue, and charge a reasonable fee for, a temporary parking placard for a vehicle other than a motorcycle or moped or a temporary parking sticker for a motorcycle or moped upon the application of a person with a temporary disability. Upon request, the Department, city or county may issue one additional temporary parking placard to an applicant. The application must include a certificate from a licensed physician, physician assistant or advanced practice registered nurse indicating: (a) That the applicant has a temporary disability; and (b) The estimated period of the disability. 11. A temporary parking placard issued pursuant to subsection 10 must: (a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a red background; (b) Have an identification number and a date of expiration; and (c) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle. 12. A temporary parking sticker issued pursuant to subsection 10 must: (a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the sticker and is white on a red background; and (b) Have an identification number and a date of expiration. 13. A temporary parking placard or temporary parking sticker is valid only for the period for which a physician, physician assistant or advanced practice registered nurse has certified the disability, but in no case longer than 6 months. If the temporary disability continues after the period for which the physician, physician assistant or advanced practice registered nurse has certified the disability, the person with the temporary disability must renew the temporary parking placard or temporary parking sticker before the temporary parking placard or temporary parking sticker expires. The person with the temporary disability shall include with the application for renewal a statement from a licensed physician, physician assistant or advanced practice registered nurse certifying that the applicant continues to be a person with a temporary disability and the estimated period of the disability. 14. A special or temporary parking placard must be displayed

in the vehicle when the vehicle is parked by hanging or attaching the placard to the rearview mirror of the vehicle. If the vehicle has no rearview mirror, the placard must be placed on the dashboard of the vehicle in such a manner that the placard can easily be seen from outside the vehicle when the vehicle is parked. 15. Upon issuing a special license plate pursuant to subsection 1, a special or temporary parking placard, or a special or temporary parking sticker, the Department, or the city or county, if applicable, shall issue an authorization letter to the applicant that includes the photograph of the applicant which appears on the driver's license or identification card, if any, of the applicant who is the person with a disability, and sets forth the name and address of the person with a permanent disability, disability of moderate duration or temporary disability to whom the special license plate, special or temporary parking placard or special or temporary parking sticker has been issued and: (a) If the person receives special license plates, the license plate number designated for the plates; and (b) If the person receives a special or temporary parking placard or a special or temporary parking sticker, the identification number and date of expiration indicated on the placard or sticker. The authorization letter, or a legible copy thereof, must be kept with the vehicle for which the special license plate has been issued or in which the person to whom the special or temporary parking placard or special or temporary parking sticker has been issued is driving or is a passenger. 16. A special or temporary parking sticker must be affixed to the windscreen of the motorcycle or moped. If the motorcycle or moped has no windscreen, the sticker must be affixed to any other part of the motorcycle or moped which may be easily seen when the motorcycle or moped is parked. 17. Special or temporary parking placards, special or temporary parking stickers, or special license plates issued pursuant to this section do not authorize parking in any area on a highway where parking is prohibited by law. 18. No person, other than the person certified as being a person with a permanent disability, disability of moderate duration or temporary disability, or a person actually transporting such a person, may use the special license plate or plates or a special or temporary parking placard, or a special or temporary parking sticker issued pursuant to this section to obtain any special parking privileges available pursuant to this section. 19. Any person who violates the provisions of subsection 18 is guilty of a misdemeanor. 20. The Department may review the eligibility of each holder of a special parking placard, a special parking sticker or special license plates, or any combination thereof. Upon a determination of ineligibility by the Department, the holder shall surrender the special parking placard, special parking sticker or special license plates, or any combination thereof, to the Department. 21. The Department may adopt such regulations as are necessary to carry out the provisions of this section. (Added to NRS by 1967, 983; A 1971, 1554; 1973, 81; 1975, 820; 1983, 823; 1985, 908; 1989, 1315; 1991, 359; 1993, 1387; 1995, 2760; 1999, 2568; 2003, 376; 2005, 984, 1367; 2015, 476, 1760; 2017, 1775; 2019, 78, 144, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 129, Statutes of Nevada 2015, at page 476)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3843 - Application; issuance; use; surrender; no fee to be charged by Department.

1. The chief of a volunteer fire department may apply to the Department of Motor Vehicles for the issuance of a placard for a member of the volunteer fire department, a volunteer emergency medical technician, advanced emergency medical technician or paramedic associated with the department. The application must: (a) Be submitted on a form approved by the Department of Motor Vehicles; and (b) Include: (1) The name of the volunteer fire department; (2) The county in which the volunteer fire department is located; and (3) The number of placards requested. 2. Upon receipt of an application pursuant to the provisions of subsection 1, the Department of Motor Vehicles shall prepare and issue the number of placards requested in the application. The placards must be yellow in color and must have appropriate mounting holes. The volunteer fire department is responsible for determining the design, lettering and numbering of the placards. 3. The chief of the volunteer fire department shall establish rules: (a) Regarding the issuance and use of the placards; and (b) Establishing a method of establishing and maintaining records of placards that have been issued. 4. When a member to whom a placard has been issued ceases to be a member of the volunteer fire department, or when a volunteer emergency medical technician, advanced emergency medical technician or paramedic to whom a placard has been issued ceases to be associated with the department, the person shall surrender the placard to the chief of the volunteer fire department from which the person received the placard. 5. A placard issued pursuant to the provisions of this section may not be used in lieu of a license plate otherwise required by this chapter. 6. The Department of Motor Vehicles shall not charge a fee for the issuance of the placards pursuant to this section. (Added to NRS by 1999, 253; A 2001, 2551; 2013, 959)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.385 - Registration of vehicle of nonresident owner not required; exceptions; registration of vehicle by person upon becoming resident of this State or accepting gainful employment or enrolling child in public school in this State; penalty; taxes and fees; surrender of nonresident license plates and registration certificate; citation for violation.

1. Except as otherwise provided in subsections 5 and 7 and NRS 482.390 and 482.3961, a nonresident owner of a vehicle of a type subject to registration pursuant to the provisions of this chapter, owning any vehicle which has been registered for the current year in the state, country or other place of which the owner is a resident and which at all times when operated in this State has displayed upon it the registration license plate issued for the vehicle in the place of residence of the owner, may operate or permit the operation of the vehicle within this State without its registration in this State pursuant to the provisions of this chapter and without the payment of any registration fees to this State: (a) For a period of not more than 30 days in the aggregate in any 1 calendar year; and (b) Notwithstanding the provisions of paragraph (a), during any period in which the owner is: (1) On active duty in the military service of the United States; (2) An out-of-state student; (3) Registered as a student at a college or university located outside this

State and who is in the State for a period of not more than 6 months to participate in a work-study program for which the student earns academic credits from the college or university; or (4) A migrant or seasonal farm worker. 2. This section does not: (a) Prohibit the use of manufacturers', distributors' or dealers' license plates issued by any state or country by any nonresident in the operation of any vehicle on the public highways of this State. (b) Require registration of vehicles of a type subject to registration pursuant to the provisions of this chapter operated by nonresident common motor carriers of persons or property, contract motor carriers of persons or property, or private motor carriers of property as stated in NRS 482.390. (c) Require registration of a vehicle operated by a border state employee. 3. Except as otherwise provided in subsection 5, when a person, formerly a nonresident, becomes a resident of this State, the person shall: (a) Within 30 days after becoming a resident; or (b) At the time he or she obtains a driver's license, whichever occurs earlier, apply for the registration of each vehicle the person owns which is operated in this State. When a person, formerly a nonresident, applies for a driver's license in this State, the Department shall inform the person of the requirements imposed by this subsection and of the penalties that may be imposed for failure to comply with the provisions of this subsection. 4. A citation may be issued pursuant to subsection 1, 3 or 5 only if the violation is discovered when the vehicle is halted or its driver arrested for another alleged violation or offense. The Department shall maintain or cause to be maintained a list or other record of persons who fail to comply with the provisions of subsection 3 and shall, at least once each month, provide a copy of that list or record to the Department of Public Safety. 5. Except as otherwise provided in this subsection and NRS 482.3961, a resident or nonresident owner of a vehicle of a type subject to registration pursuant to the provisions of this chapter who engages in a trade, profession or occupation or accepts gainful employment in this State or who enrolls his or her children in a public school in this State shall, within 30 days after the commencement of such employment or enrollment, apply for the registration of each vehicle the person owns which is operated in this State. The provisions of this subsection do not apply to a nonresident who is: (a) On active duty in the military service of the United States; (b) An out-of-state student; (c) Registered as a student at a college or university located outside this State and who is in the State for a period of not more than 6 months to participate in a work-study program for which the student earns academic credits from the college or university; or (d) A migrant or seasonal farm worker. 6. A person who violates the provisions of subsection 1, 3 or 5 is guilty of a misdemeanor and, except as otherwise provided in this subsection, shall be punished by a fine of \$1,000. The fine imposed pursuant to this subsection is in addition to any fine or penalty imposed for the other alleged violation or offense for which the vehicle was halted or its driver arrested pursuant to subsection 4. The fine imposed pursuant to this subsection may be reduced to not less than \$200 if the person presents evidence at the time of the hearing that the person has registered the vehicle pursuant to this chapter. 7. Any resident operating upon a highway of this State a motor vehicle which is owned by a nonresident and which is furnished to the resident operator for his or her continuous use within this State, shall cause that vehicle to be registered within 30 days after beginning its operation within this State. 8. A person registering a vehicle pursuant to the provisions of subsection 1, 3, 5, 7 or 9 or pursuant to NRS 482.390: (a) Must be assessed the registration fees and governmental services tax, as required by the provisions of this chapter and chapter 371 of NRS; and (b) Must not be allowed credit on those taxes and fees for the unused months of the previous registration. 9. If a vehicle is used in this State for a gainful purpose, the owner shall immediately apply to the Department for registration, except as otherwise provided in NRS 482.390, 482.395, 482.3961 and 706.801 to 706.861, inclusive. 10. An owner registering a vehicle pursuant to the provisions of this section shall surrender the existing nonresident license plates and registration certificates to the Department for cancellation. 11. A vehicle may be cited for a violation of this section regardless of whether it is in operation or is parked on a highway, in a public parking lot or on private property which is open to the public if, after communicating with the owner or operator of the vehicle, the peace officer issuing the citation determines that: (a) The owner of the vehicle is a resident of this State; (b) The vehicle is used in this State for a gainful purpose; (c) Except as otherwise provided in paragraph (b) of subsection 1, the owner of the vehicle is a nonresident and has operated the vehicle in this State for more than 30 days in the aggregate in any 1 calendar year; or (d) The owner of the vehicle is a nonresident required to register the vehicle pursuant to subsection 5. 12. A constable may issue a citation for a violation of this section only if the vehicle is located in his or her township at the time the citation is issued. 13. As used in this section, "peace officer" includes a constable. [Part 17:202:1931; A 1933, 249; 1937, 330; 1941, 279; 1943, 266; 1951, 156; 1955, 350]—(NRS A 1960, 130; 1961, 131, 350; 1963, 215; 1973, 1568; 1975, 334; 1981, 474; 1983, 1005; 1985, 1836; 1989, 705, 1169, 1422; 1991, 1990; 1995, 2727; 2001, 332; 2003, 3378; 2005, 2062; 2009, 3015; 2011, 1588; 2013, 2950, 3193)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.390 - Commercial vehicle of nonresident owner: Applicability of provisions; conditions for exemption from registration.

1. All nonresident owners or operators of vehicles of a type subject to registration under this chapter operating those vehicles on the public highways of this State as common motor carriers of persons or property, contract motor carriers of persons or property, or private motor carriers of property, as such carriers are now or may hereafter be defined in the laws of this State relating thereto are governed by and must pay the fees required by the provisions of those laws with respect to the operation of those vehicles in any of such carrier services. 2. All such nonresident owners or operators of such vehicles may operate the vehicles upon the public highways of this State without any registration thereof in this State under the provisions of this chapter and without the payment of any registration fees to the State upon the following conditions: (a) That each vehicle must be operated pursuant to § 530 of article V of the International Registration Plan, as adopted by the Department pursuant to NRS 706.826, or be registered or licensed and have attached thereto the registration or license plates for the then current year, pursuant to the motor vehicle registration laws of the state or country wherein the owner of the motor vehicle resides or maintains his or her principal place of business and wherein the vehicle is registered for that year, which registration or license plates must be displayed on the vehicle during all of the time operated in this

State. (b) That the laws of the state or country of the residence or principal place of business of the owner of the vehicle do not require the registration of the vehicles and payment of fees therefor from residents of this State engaging in similar carrier services in the state or country of the residence or principal place of business of the nonresident owner wherein the motor vehicle is registered. [Part 17:202:1931; A 1933, 249; 1937, 330; 1941, 279; 1943, 266; 1951, 156; 1955, 350]—(NRS A 1997, 320; 2017, 427)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.395 - Reciprocal agreements and arrangements.

The Director is authorized, empowered and directed to enter into agreements and formal compacts with appropriate officials of other states for the purpose of establishing rules and regulations governing registration, conduct and operation of motor vehicles coming within the provisions of NRS 482.385 and 482.390, including mutual agreements leading to the revocation of reciprocity for persistent violators of laws concerning motor vehicle operation and licensing. [Part 17:202:1931; A 1933, 249; 1937, 330; 1941, 279; 1943, 266; 1951, 156; 1955, 350]—(NRS A 1961, 132; 1973, 1569)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3955 - Special permits for movement of vehicles by dealers, distributors, rebuilders or other persons; permits for operation of vehicle by charitable organizations.

1. The Department shall issue to any dealer, distributor, rebuilder or other person, upon request, and upon payment of a fee of \$8.25, a special permit, in a form to be determined by the Department, for the movement of any vehicle to sell outside the State of Nevada, or for the movement outside the State of any vehicle purchased by a nonresident. The permit must be affixed to the vehicle to be so moved in a manner and position to be determined by the Department, and expires 30 days after its issuance. 2. The Department may issue a permit to a resident of this State who desires to move an unregistered vehicle within the State upon the payment of a fee of \$8.25. The permit is valid for 24 hours. 3. The Department shall, upon the request of a charitable organization which intends to sell a vehicle which has been donated to the organization, issue to the organization a permit for the operation of the vehicle until the vehicle is sold by the organization. The Department shall not charge a fee for the issuance of the permit. (Added to NRS by 1960, 134; A 1963, 105; 1965, 1474; 1971, 1554; 1973, 171; 1983, 1001; 1995, 2355; 2021, 698)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.396 - Permit to operate certain unregistered vehicles; operation by purchaser without permit.

1. A person who is not a dealer, manufacturer or rebuilder may apply to the Department for a permit to operate a vehicle which: (a) Is not subject to the provisions of NRS 482.390, 482.395 and 706.801 to 706.861, inclusive; and (b) Is not currently registered in this State, another state or a foreign country, or has been purchased by the applicant from a person who is not a dealer. 2. The Department shall adopt regulations imposing a fee for the issuance of the permit. 3. Each permit must: (a) Bear the date of expiration in numerals of sufficient size to be plainly readable from a reasonable distance during daylight; (b) Expire at 5 p.m. not more than 60 days after its date of issuance; (c) Be affixed to the vehicle in the manner prescribed by the Department; and (d) Be removed and destroyed upon its expiration or the issuance of a new permit or a certificate of registration for the vehicle, whichever occurs first. 4. The Department may authorize the issuance of more than one permit for the vehicle to be operated by the applicant. 5. A person who is not a dealer, manufacturer or rebuilder who purchased a vehicle described in subsection 1 may move the vehicle without being issued a permit pursuant to this section for 3 days after the date of purchase if the person carries in the vehicle: (a) Proof of ownership or proof of purchase; and (b) Proof of liability insurance. (Added to NRS by 1975, 238; A 1981, 868; 1985, 683; 2001, 913; 2010, 26th Special Session, 47; 2021, 698)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3961 - Nonresident business permit required for vehicle owned by nonresident who allows vehicle to be operated in this State for business purpose; conditions; application; fees; penalties; regulations.

1. Except as otherwise provided in this section and NRS 482.390 and 706.801 to 706.861, inclusive, a nonresident who: (a) Is not a natural person; (b) Is the owner of a vehicle of a type subject to registration pursuant to the provisions of this chapter; and (c) Allows that vehicle to be operated in this State by an employee, independent contractor or any other person for the purpose of engaging in the business of the nonresident within this State, shall, within 10 days after the commencement of such operation, apply for a nonresident business permit for the vehicle. 2. The Department shall grant an application for the permitting of a vehicle pursuant to subsection 1 if the nonresident owner of the vehicle: (a) Submits proof that the vehicle has been registered for the current year in the state, country or other place of which the owner is a resident; (b) Submits proof that the vehicle is currently insured in compliance with the laws of the state, country or other place of which the owner is a resident; (c) Submits proof that the vehicle has been tested for emissions in compliance with the laws of the state, country or other place of which the owner is a resident or, if the place where the owner is a resident does not require the testing of the emissions of motor vehicles, complies with the provisions of NRS 445B.700 to 445B.815, inclusive, and the regulations adopted pursuant thereto for the vehicle as if the vehicle were required to comply with those provisions; and (d) Pays a fee of: (1) Two hundred dollars for the first vehicle for which the owner obtains a permit pursuant to this section. (2) One hundred and fifty dollars for each additional vehicle for which the owner

obtains a permit pursuant to this section. 3. The Department shall issue to a nonresident owner who obtains a permit for a vehicle pursuant to this section an indicator for the permitted vehicle that must be displayed on the permitted vehicle when the permitted vehicle is operated in this State. The indicator issued pursuant to this subsection is nontransferable and expires 1 year after the date of issuance. 4. All fees paid pursuant to subsection 2 must be deposited with the State Treasurer for credit to the State Highway Fund and expended pursuant to subsection 2 of NRS 408.235. 5. A person who violates the provisions of this section is guilty of a misdemeanor and shall be punished: (a) For the first offense, by a fine of not more than \$500. (b) For the second and each subsequent offense, by a fine of not more than \$750. The failure of a person to comply with the provisions of this section for each vehicle to which this section applies constitutes a separate offense. 6. A vehicle may be cited for a violation of this section regardless of whether it is in operation or is parked on a highway, in a public parking lot or on private property which is open to the public if, after communicating with the owner or operator of the vehicle, the peace officer issuing the citation determines that the vehicle is required to be permitted pursuant to subsection 1. As used in this subsection, "peace officer" includes a constable. 7. The Department may adopt such regulations as are necessary to carry out the provisions of this section. 8. The provisions of this section do not apply with respect to a vehicle that is leased or rented to a lessee by a short-term lessor, as that term is defined in subsection 5 of NRS 482.053. (Added to NRS by 2013, 3191)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3963 - Temporary permit for owner-lessor to operate certain unregistered vehicles.

1. An owner of a vehicle who leases it to a carrier and operates the vehicle pursuant to that lease may apply to the Department for a temporary permit to operate the vehicle if the vehicle: (a) Is not subject to the provisions of NRS 482.390 and 482.395; (b) Is not currently registered in this State, another state or a foreign country; and (c) Is operated at the vehicle's unladen weight. 2. The Department shall charge \$10 for such a temporary permit, in addition to all other applicable fees and taxes. 3. Such a temporary permit must: (a) Bear the date of its expiration; (b) Expire at 5 p.m. on the 15th day after its date of issuance; (c) Be affixed to the vehicle in a manner prescribed by the Department; and (d) Be removed and destroyed upon its expiration or upon the issuance of a certificate of registration for the vehicle, whichever occurs first. 4. As used in this section, "carrier" means a common motor carrier of passengers as defined in NRS 706.041, a common motor carrier of property as defined in NRS 706.046, a contract motor carrier as defined in NRS 706.051, or a private motor carrier of property as defined in NRS 706.111. (Added to NRS by 1997, 318)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.3965 - Temporary permit for short-term lessor to operate certain unregistered vehicles.

1. A short-term lessor may apply to the Department for a temporary permit to operate a vehicle which: (a) Is not subject to the provisions of NRS 482.390, 482.395 and 706.801 to 706.861, inclusive; and (b) Is not currently registered in this State, another state or a foreign country. 2. The Department may, by regulation, establish a reasonable fee for such a permit. When a short-term lessor who has received a temporary permit issued pursuant to this section applies to register the vehicle, the Department shall credit against the amount otherwise due the amount paid by the short-term lessor for the temporary permit. 3. A permit must: (a) Bear the date of its expiration in numerals of sufficient size to be plainly readable from a reasonable distance during daylight; (b) Expire at 5 p.m. on the 30th day after its date of issuance; (c) Be affixed to the vehicle in the manner prescribed by the Department; and (d) Be removed and destroyed upon its expiration or the issuance of a certificate of registration for the vehicle, whichever occurs first. (Added to NRS by 1993, 156; A 2005, 4)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.398 - Issuance in county whose population is 700,000 or more; conditions under which permit not necessary.

1. In a county whose population is 700,000 or more, a permit for the operation of a golf cart may be issued by the Department if the golf cart is equipped as required by subsection 2 and evidence of insurance as required for the registration of a motor vehicle is submitted when application for the permit is made. 2. A golf cart must have the following equipment: (a) Headlamps; (b) Tail lamps, reflectors, stop lamps and an emblem or placard for slow moving vehicles; (c) A mirror; and (d) Brakes. Each of these items of equipment must meet the standards prescribed for motor vehicles generally. 3. A permit is not required for the operation of a golf cart during daylight, by a person holding a current driver's license, if the golf cart is: (a) Equipped with an emblem or placard for slow moving vehicles; and (b) Operated solely upon that portion of a highway designated by the appropriate city or county as a: (1) Crossing for golf carts; or (2) Route of access between a golf course and the residence or temporary abode of the owner or operator of the golf cart. (Added to NRS by 1991, 2329; A 1993, 2481; 1995, 2731; 2011, 1288)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.399 - Expiration of registration on transfer of ownership or destruction of vehicle; transfer of registration to another vehicle; reuse of license plates; refund.

1. Upon the transfer of the ownership of or interest in any vehicle by any holder of a valid registration, or upon destruction of the vehicle, the registration expires. 2. Except as otherwise provided in NRS 482.2155 and subsection 3 of NRS 482.483, the holder of the original registration may transfer the registration to another vehicle to be registered by the holder and use the same regular license plate or plates or special license plate or plates issued pursuant to NRS 482.3667 to 482.3823, inclusive, or 482.384, on the

vehicle from which the registration is being transferred, if the license plate or plates are appropriate for the second vehicle, upon filing an application for transfer of registration and upon paying the transfer registration fee and the excess, if any, of the registration fee and governmental services tax on the vehicle to which the registration is transferred over the total registration fee and governmental services tax paid on all vehicles from which he or she is transferring ownership or interest. Except as otherwise provided in NRS 482.294, an application for transfer of registration must be made in person, if practicable, to any office or agent of the Department or to a registered dealer, and the license plate or plates may not be used upon a second vehicle until registration of that vehicle is complete. 3. In computing the governmental services tax, the Department, its agent or the registered dealer shall credit the portion of the tax paid on the first vehicle attributable to the remainder of the current registration period or calendar year on a pro rata monthly basis against the tax due on the second vehicle or on any other vehicle of which the person is the registered owner. If any person transfers ownership or interest in two or more vehicles, the Department or the registered dealer shall credit the portion of the tax paid on all of the vehicles attributable to the remainder of the current registration period or calendar year on a pro rata monthly basis against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner. The certificates of registration and unused license plates of the vehicles from which a person transfers ownership or interest must be submitted before credit is given against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner. 4. In computing the registration fee, the Department or its agent or the registered dealer shall credit the portion of the registration fee paid on each vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis against the registration fee due on the vehicle to which registration is transferred. 5. If the amount owed on the registration fee or governmental services tax on the vehicle to which registration is transferred is less than the credit on the total registration fee or governmental services tax paid on all vehicles from which a person transfers ownership or interest, the person may apply the unused portion of the credit to the registration of any other vehicle owned by the person. Any unused portion of such a credit expires on the date the registration of the vehicle from which the person transferred the registration was due to expire. 6. If the license plate or plates are not appropriate for the second vehicle, the plate or plates must be surrendered to the Department or registered dealer and an appropriate plate or plates must be issued by the Department. The Department shall not reissue the surrendered plate or plates until the next succeeding licensing period. 7. If application for transfer of registration is not made within 60 days after the destruction or transfer of ownership of or interest in any vehicle, the license plate or plates must be surrendered to the Department on or before the 60th day for cancellation of the registration. 8. Except as otherwise provided in subsection 2 of NRS 371.040, NRS 482.2155, subsections 8 and 9 of NRS 482.260 and subsection 3 of NRS 482.483, if a person cancels his or her registration and surrenders to the Department the license plates for a vehicle, the Department shall: (a) In accordance with the provisions of subsection 9, issue to the person a refund of the portion of the registration fee and governmental services tax paid on the vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis; or (b) If the person does not qualify for a refund in accordance with the provisions of subsection 9, issue to the person a credit in the amount of the portion of the registration fee and governmental services tax paid on the vehicle attributable to the remainder of the current calendar year or registration period on a pro rata basis. Such a credit may be applied by the person to the registration of any other vehicle owned by the person. Any unused portion of the credit expires on the date the registration of the vehicle from which the person obtained a refund was due to expire. 9. The Department shall issue a refund pursuant to subsection 8 only if the request for a refund is made at the time the registration is cancelled and the license plates are surrendered, the person requesting the refund is a resident of Nevada, the amount eligible for refund exceeds \$100, and evidence satisfactory to the Department is submitted that reasonably proves the existence of extenuating circumstances. For the purposes of this subsection, the term "extenuating circumstances" means circumstances wherein: (a) The person has recently relinquished his or her driver's license and has sold or otherwise disposed of his or her vehicle. (b) The vehicle has been determined to be inoperable and the person does not transfer the registration to a different vehicle. (c) The owner of the vehicle is seriously ill or has died and the guardians or survivors have sold or otherwise disposed of the vehicle. (d) Any other event occurs which the Department, by regulation, has defined to constitute an "extenuating circumstance" for the purposes of this subsection. (Added to NRS by 1959, 916; A 1960, 131; 1963, 1130; 1969, 687; 1977, 268; 1983, 1620; 1995, 1865; 1997, 320, 2645; 2001, 333, 2782; 2003, 3379; 2007, 578; 2013, 2861; 2015, 665, 1112, 1763, 1946; 2017, 3567, 3577; 2019, 566, 902, 1328, 1486, 2522, 3093; 2021, 3742; 2023, 595, 2701)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.400 - Endorsement of certificate of title upon transfer; electronic submission of notice of transfer; form for transfer of ownership for use by dealer; registration by transferee; exceptions.

1. Except as otherwise provided in this subsection and subsections 3, 6 and 7, and NRS 482.2607 and 482.247, upon a transfer of the title to, or the interest of an owner in, a vehicle registered or issued a certificate of title under the provisions of this chapter, the person or persons whose title or interest is to be transferred and the transferee shall sign in writing or electronically the certificate of title issued for the vehicle, together with the residence address of the transferee, in the appropriate spaces provided upon the certificate. The Department may, by regulation, prescribe alternative methods by which a signature may be affixed upon a manufacturer's certificate of origin or a manufacturer's statement of origin issued for a vehicle. The alternative methods must ensure the authenticity of the signatures. 2. Within 5 days after the transfer of the title to, or the interest of an owner in, a vehicle registered or issued a certificate of title under the provisions of this chapter, the person or persons whose title or interest is to be transferred may submit electronically to the Department a notice of the transfer. The Department may provide, by request and at the discretion of the Department, information submitted to the Department pursuant to this section to a tow car operator or other interested party.

The Department shall adopt regulations establishing: (a) Procedures for electronic submissions pursuant to this section; and (b) Standards for determining who may receive information from the Department pursuant to this section. 3. The Department shall provide a form for use by a dealer for the transfer of ownership of a vehicle. The form must be produced in a manner which ensures that the form may not be easily counterfeited. Upon the attachment of the form to a certificate of title issued for a vehicle, the form becomes a part of that certificate of title. The Department may charge a fee not to exceed the cost to provide the form. 4. Except as otherwise provided in subsections 5, 6 and 7, the transferee shall immediately apply for registration as provided in NRS 482.215 and shall pay the governmental services taxes due. 5. If the transferee is a dealer who intends to resell the vehicle, the transferee is not required to register, pay a transfer or registration fee for, or pay a governmental services tax on the vehicle. When the vehicle is resold, the purchaser shall apply for registration as provided in NRS 482.215 and shall pay the governmental services taxes due. 6. If the transferee consigns the vehicle to a wholesale vehicle auctioneer: (a) The transferee shall, within 30 days after that consignment, provide the wholesale vehicle auctioneer with the certificate of title for the vehicle, executed as required by subsection 1, and any other documents necessary to obtain another certificate of title for the vehicle. (b) The wholesale vehicle auctioneer shall be deemed a transferee of the vehicle for the purposes of subsection 5. The wholesale vehicle auctioneer is not required to comply with subsection 1 if the wholesale vehicle auctioneer: (1) Does not take an ownership interest in the vehicle; (2) Auctions the vehicle to a vehicle dealer or automobile wrecker who is licensed as such in this or any other state; and (3) Stamps his or her name, his or her identification number as a vehicle dealer and the date of the auction on the certificate of title and the bill of sale and any other documents of transfer for the vehicle. The wholesale vehicle auctioneer may stamp electronically the information which is required to be stamped on any document pursuant to this subparagraph. 7. A charitable organization which intends to sell a vehicle which has been donated to the organization must deliver immediately to the Department or its agent the certificate of registration and the license plate or plates for the vehicle, if the license plate or plates have not been removed from the vehicle. The charitable organization must not be required to register, pay a transfer or registration fee for, or pay a governmental services tax on the vehicle. When the vehicle is sold by the charitable organization, the purchaser shall apply for registration as provided in NRS 482.215 and pay the governmental services taxes due. 8. As used in this section, "wholesale vehicle auctioneer" means a dealer who: (a) Is engaged in the business of auctioning consigned motor vehicles to vehicle dealers or automobile wreckers, or both, who are licensed as such in this or any other state; and (b) Does not in the ordinary course of business buy, sell or own the vehicles he or she auctions. [Part 15:202:1931; 1931 NCL § 4435.14]—(NRS A 1959, 914; 1960, 131; 1963, 1131; 1969, 688; 1975, 1088; 1995, 1043, 2355; 1999, 2567; 2001, 334, 914, 923; 2003, 462; 2007, 988; 2009, 1307; 2023, 1473, 2925)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.410 - Transferee to apply for certificate of registration and pay governmental services tax.

The transferee of a vehicle shall apply for a certificate of registration and pay the governmental services tax to the deputy registrar of motor vehicles in any county of this State, in the manner provided in this chapter for an original registration. [Part 15:202:1931; 1931 NCL § 4435.14]—(NRS A 1959, 915; 1960, 132; 1967, 132; 2001, 335)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.415 - Registration if transferee unable to produce certificate of registration or title.

1. Whenever application is made to the Department for registration of a vehicle previously registered pursuant to this chapter and the applicant is unable to present the certificate of registration or certificate of title previously issued for the vehicle because the certificate of registration or certificate of title is lost, unlawfully detained by one in possession or otherwise not available, the Department may receive the application, investigate the circumstances of the case and require the filing of affidavits or other information. When the Department is satisfied that the applicant is entitled to a new certificate of registration and certificate of title, it may register the applicant's vehicle and issue new certificates and a new license plate or plates to the person or persons entitled thereto. An applicant who is unable to satisfy the Department that the applicant is entitled to a new certificate of title pursuant to this subsection may obtain a new certificate of title pursuant to the provisions of NRS 482.2605. 2. Whenever application is made to the Department for the registration of a motor vehicle of which the: (a) Ownership has been transferred; (b) Certificate of title is lost, unlawfully detained by one in possession or otherwise not available; and (c) Model year is 2011 or newer and the motor vehicle is less than 20 years old, the transferor of the motor vehicle may, to furnish any information required by the Department to carry out the provisions of NRS 484D.330, designate the transferee of the motor vehicle as attorney-in-fact on a form for a power of attorney provided by the Department. 3. The Department shall provide the form described in subsection 2. The form must be: (a) Produced in a manner that ensures that the form may not be easily counterfeited; and (b) Substantially similar to the form set forth in Appendix E of Part 580 of Title 49 of the Code of Federal Regulations. 4. The Department may charge a fee not to exceed 50 cents for each form it provides. [Part 7:202:1931; 1931 NCL § 4435.06]—(NRS A 1959, 915; 1995, 1044; 2003, 463; 2017, 2751; 2023, 2927)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.420 - Transfer other than voluntary transfer: Expiration of registration; operation of vehicle.

1. Except as otherwise provided in subsection 2, in the event of the transfer by operation of law of the title or interest of an owner in and to a vehicle as upon inheritance, devise or bequest, order in bankruptcy or insolvency, execution sale, repossession upon default in performing the terms of a lease or executory sales contract, transfer on death pursuant to NRS 482.247, or otherwise, the registration thereof expires and the vehicle must not be operated upon the highways until and unless the person entitled thereto shall

apply for and obtain the registration thereof. 2. An administrator, executor, trustee or other representative of the owner, or a sheriff or other officer, or any person repossessing the vehicle under the terms of a conditional sales contract, lease or other security agreement, or the assignee or legal representative of any such person, may operate or cause to be operated any vehicle upon the highways for a distance not to exceed 75 miles from the place of repossession or place where formerly kept by the owner to a garage, warehouse or other place of keeping or storage, either upon displaying upon such vehicle the number plate issued to the former owner or without a number plate attached thereto but under written permission first obtained from the Department or the local police authorities having jurisdiction over such highways, and upon displaying in plain sight a placard bearing the name and address of the person authorizing and directing such movement and plainly readable from a distance of 100 feet during daylight. [Part 15:202:1931; 1931 NCL § 4435.14]—(NRS A 1965, 942; 2007, 990)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.4215 - Circumstances in which lease does not constitute sale or create security interest.

Notwithstanding any specific statute to the contrary, the lease of a motor vehicle or trailer for use primarily in a trade or business of the lessee does not constitute a sale or create a security interest merely because the lease permits or requires that the rental price be adjusted upward or downward by reference to the amount realized by the lessor upon the sale or other disposition of the motor vehicle or trailer upon the termination of the lease. (Added to NRS by 2003, 1425)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.423 - Sale of new vehicle: Duties of seller; information concerning secured party or assignee; temporary placards; dealer to complete dealer's report of sale and furnish copy of information included therein; applicability of section.

1. When a new vehicle is sold in this State for the first time, the seller shall complete and submit to the Department a manufacturer's certificate of origin or a manufacturer's statement of origin and, unless the vehicle is sold to a dealer who is licensed to sell the vehicle, transmit electronically to the Department a dealer's report of sale. The dealer's report of sale must be transmitted electronically to the Department in the manner required by the Department and must include: (a) A description of the vehicle; (b) The name and address of the seller; and (c) The name and address of the buyer. 2. If, in connection with the sale, a security interest is taken or retained by the seller to secure all or part of the purchase price, or a security interest is taken by a person who gives value to enable the buyer to acquire rights in the vehicle, the name and address of the secured party or his or her assignee must be included in the dealer's report of sale and on the manufacturer's certificate or statement of origin. 3. Unless an extension of time is granted by the Department, the seller shall: (a) Collect the fees set forth in NRS 482.429 for: (1) A certificate of title for a vehicle registered in this State; and (2) The processing of the dealer's report of sale; and (b) Within 20 days after the electronic transmission to the Department of the dealer's report of sale: (1) Submit to the Department the manufacturer's certificate or statement of origin; and (2) Remit to the Department the fees collected pursuant to paragraph (a). 4. Upon entering into a contract or other written agreement for the sale of a new vehicle, the seller shall affix a temporary placard to the rear of the vehicle. Only one temporary placard may be issued for the vehicle. The temporary placard must: (a) Be in a form prescribed by the Department; (b) Be made of a material appropriate for use on the exterior of a vehicle; (c) Be free from foreign materials and clearly visible from the rear of the vehicle; and (d) Include the date of its expiration. 5. Compliance with the requirements of subsection 4 permits the vehicle to be operated for a period not to exceed 30 days after the execution of a written agreement to purchase or the contract of sale, whichever occurs first. Upon the issuance of the certificate of registration and license plates for the vehicle or the expiration of the temporary placard, whichever occurs first, the buyer shall remove the temporary placard from the rear of the vehicle. 6. For the purposes of establishing compliance with the period required by paragraph (b) of subsection 3, the Department shall use the date on which the dealer's report of sale was transmitted electronically to the Department as the beginning date of the 20-day period. 7. Upon execution of all the documents necessary to complete the sale of a vehicle, including, without limitation, the financial documents, the dealer shall complete the dealer's report of sale and furnish a copy of the information included therein to the buyer not less than 10 days before the expiration of the temporary placard. 8. The provisions of this section do not apply to kit trailers. (Added to NRS by 1967, 129; A 1973, 1163; 1975, 1073; 1977, 998; 1979, 1024, 1226; 1993, 1390; 1995, 777, 1865; 1997, 196; 1999, 255; 2001, 915; 2003, 2641; 2007, 3216; 2013, 2522)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.4235 - Lease of new vehicle pursuant to long-term lease: Duties of long-term lessor; temporary placards; completion of long-term lessor's report of lease and furnishing of copy of information included therein.

1. If a new vehicle is leased in this State by a long-term lessor, the long-term lessor shall complete and submit to the Department a manufacturer's certificate of origin or a manufacturer's statement of origin, and transmit electronically to the Department a long-term lessor's report of lease. Such a report must be transmitted electronically to the Department in the manner required by the Department and must include: (a) A description of the vehicle; and (b) The names and addresses of the long-term lessor, long-term lessee and any person having a security interest in the vehicle. 2. Unless an extension of time is granted by the Department, the long-term lessor shall, within 20 days after the electronic transmission to the Department of the long-term lessor's report of lease: (a) Submit to the Department the manufacturer's certificate of origin or manufacturer's statement of origin; and (b) Collect and remit to the Department the fee set forth in NRS 482.429 for the processing of the long-term lessor's report of lease. 3. Upon entering into a lease or written agreement to lease for a new vehicle, the long-term lessor shall affix a temporary placard to the rear

of the vehicle. Only one temporary placard may be issued for the vehicle. The temporary placard must: (a) Be in a form prescribed by the Department; (b) Be made of a material appropriate for use on the exterior of a vehicle; (c) Be free from foreign materials and clearly visible from the rear of the vehicle; and (d) Include the date of its expiration. 4. Compliance with the requirements of subsection 3 permits the vehicle to be operated for a period not to exceed 30 days after the execution of a written agreement to lease or the lease, whichever occurs first. Upon issuance of the certificate of registration and license plates for the vehicle or the expiration of the temporary placard, whichever occurs first, the long-term lessee shall remove the temporary placard from the rear of the vehicle. 5. For the purposes of establishing compliance with the period required by subsection 2, the Department shall use the date on which the long-term lessor's report of lease was transmitted electronically to the Department as the beginning date of the 20-day period. 6. Upon executing all the documents necessary to complete the lease of the vehicle, including, without limitation, the financial documents, the long-term lessor shall complete the long-term lessor's report of lease and furnish a copy of the information included therein to the long-term lessee not less than 10 days before the expiration of the temporary placard. (Added to NRS by 1993, 1385; A 1997, 197; 1999, 257; 2001, 916; 2003, 2642; 2007, 3217; 2013, 2523)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.424 - Sale of used or rebuilt vehicle: Duties of seller; exception; information concerning secured party; temporary placards; completion of dealer's or rebuilder's report of sale and furnishing of copy of information included therein.

1. When a used or rebuilt vehicle is sold in this State to any person, except a licensed dealer, by a dealer, rebuilder, long-term lessor or short-term lessor, the seller shall complete and submit to the Department a dealer's or rebuilder's report of sale. The dealer's or rebuilder's report of sale must be transmitted electronically to the Department in the manner required by the Department and must include: (a) A description of the vehicle, including whether it is a rebuilt vehicle; (b) The name and address of the seller; and (c) The name and address of the buyer. 2. If a security interest exists at the time of the sale, or if in connection with the sale a security interest is taken or retained by the seller to secure all or part of the purchase price, or a security interest is taken by a person who gives value to enable the buyer to acquire rights in the vehicle, the name and address of the secured party must be included in the dealer's or rebuilder's report of sale. 3. Unless an extension of time is granted by the Department, the seller shall: (a) Collect the fees set forth in NRS 482.429 for: (1) A certificate of title for a vehicle registered in this State; and (2) The processing of the dealer's or rebuilder's report of sale; and (b) Within 30 days after the electronic transmission to the Department of the dealer's or rebuilder's report of sale: (1) Submit to the Department the properly endorsed certificate of title previously issued for the vehicle; and (2) Remit to the Department the fees collected pursuant to paragraph (a). 4. Upon entering into a contract or other written agreement for the sale of a used or rebuilt vehicle, the seller shall affix a temporary placard to the rear of the vehicle. Only one temporary placard may be issued for the vehicle. The temporary placard must: (a) Be in a form prescribed by the Department; (b) Be made of a material appropriate for use on the exterior of a vehicle; (c) Be free from foreign materials and clearly visible from the rear of the vehicle; and (d) Include the date of its expiration. 5. Compliance with the requirements of subsection 4 permits the vehicle to be operated for not more than 30 days after the execution of a written agreement to purchase or the contract of sale, whichever occurs first. Upon the issuance of the certificate of registration and license plates for the vehicle or the expiration of the temporary placard, whichever occurs first, the buyer shall remove the temporary placard from the rear of the vehicle. 6. To establish compliance with the period required by paragraph (b) of subsection 3, the Department shall use the date on which the dealer's or rebuilder's report of sale was transmitted electronically to the Department as the beginning date of the 30-day period. 7. Upon executing all the documents necessary to complete the sale of the vehicle, including, without limitation, the financial documents, the seller shall complete the dealer's or rebuilder's report of sale and furnish a copy of the information included therein to the buyer not less than 10 days before the expiration of the temporary placard. (Added to NRS by 1967, 130; A 1971, 1307; 1973, 1163; 1975, 1074; 1977, 999; 1979, 1025, 1227; 1987, 1592; 1993, 1391; 1997, 197; 1999, 257; 2001, 917; 2003, 463, 2643; 2007, 3218; 2013, 2524)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.4245 - Lease of used or rebuilt vehicle pursuant to long-term lease: Duties of long-term lessor; temporary placards; completion of long-term lessor's report of lease and furnishing of copy of information included therein.

1. If a used or rebuilt vehicle is leased in this State by a long-term lessor, the long-term lessor shall complete and submit to the Department a long-term lessor's report of lease. Such a report must be transmitted electronically to the Department in the manner required by the Department and must include: (a) A description of the vehicle; (b) An indication as to whether the vehicle is a rebuilt vehicle; and (c) The names and addresses of the long-term lessor, long-term lessee and any person having a security interest in the vehicle. 2. Unless an extension of time is granted by the Department, the long-term lessor shall, within 30 days after the electronic transmission to the Department of the long-term lessor's report of lease: (a) Submit to the Department the properly endorsed certificate of title previously issued for the vehicle; and (b) Collect and remit to the Department the fee set forth in NRS 482.429 for the processing of the long-term lessor's report of lease. 3. Upon entering into a lease or written agreement to lease for a used or rebuilt vehicle, the long-term lessor shall affix a temporary placard to the rear of the vehicle. Only one temporary placard may be issued for the vehicle. The temporary placard must: (a) Be in a form prescribed by the Department; (b) Be made of a material appropriate for use on the exterior of a vehicle; (c) Be free from foreign materials and clearly visible from the rear of the vehicle; and (d) Include the date of its expiration. 4. Compliance with the requirements of subsection 3 permits the vehicle to be operated for a period not to exceed 30 days after the execution of a written agreement to lease or the lease, whichever comes first. Upon issuance

of the certificate of registration and license plates for the vehicle or the expiration of the temporary placard, whichever occurs first, the long-term lessee shall remove the temporary placard from the rear of the vehicle. 5. To establish compliance with the period required by subsection 2, the Department shall use the date on which the long-term lessor's report of lease was transmitted electronically to the Department as the beginning date of the 30-day period. 6. Upon executing all the documents necessary to complete the lease of the vehicle, including, without limitation, the financial documents, the long-term lessor shall complete the long-term lessor's report of lease and furnish a copy of the information included therein to the long-term lessee not less than 10 days before the expiration of the temporary placard. (Added to NRS by 1993, 1385; A 1997, 198; 1999, 259; 2001, 918; 2003, 464, 2644; 2007, 3219; 2013, 2525)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.426 - Sale of used or rebuilt vehicle by person not dealer or rebuilder: Duties; documents and statement to be submitted to Department; remittance of fee.

When a used or rebuilt vehicle is sold in this State by a person who is not a dealer or rebuilder, the seller or buyer or both of them shall, within 10 days after the sale: 1. Submit to the Department: (a) If a certificate of title has been issued in this State, the certificate properly endorsed. (b) If a certificate of title or other document of title has been issued by a public authority of another state, territory or country: (1) The certificate or document properly endorsed; and (2) A statement containing, if not included in the endorsed certificate or document, the description of the vehicle, including whether it is a rebuilt vehicle, the names and addresses of the buyer and seller, and the name and address of any person who takes or retains a purchase money security interest. Any such statement must be signed and acknowledged by the seller and the buyer. (c) If no document of title has been issued by any public authority, a statement containing all the information and signed and acknowledged in the manner required by subparagraph (2) of paragraph (b). 2. Remit to the Department the fee set forth in NRS 482.429 for the processing of an endorsed certificate of title or statement submitted to the Department pursuant to this section. (Added to NRS by 1967, 130; A 1971, 1308; 1987, 1593; 2003, 465, 2645)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.427 - Issuance of certificate of title to buyer, secured party or assignee.

1. Upon receipt of the documents required respectively by NRS 482.423, 482.424 and 482.426 to be submitted to it, and the payment of all required fees, the Department shall issue a certificate of title. 2. If no security interest is created or exists in connection with the sale, the certificate of title must be issued to the buyer. 3. If a security interest is created by the sale, the certificate of title must be issued to the secured party or to his or her assignee. (Added to NRS by 1967, 130; A 1977, 999; 1979, 1228; 1997, 199; 2003, 465)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.428 - Issuance of certificates of title to certain secured parties.

1. Whenever a security interest is created in a motor vehicle, other than a security interest required to be entered pursuant to NRS 482.423, 482.424 or 482.426, the certificate of title of the vehicle must be delivered to the Department with a statement signed by the debtor showing the date of the security agreement, the name and address of the debtor and the name and address of the secured party. 2. The Department shall issue and deliver to the secured party a certificate of title with the name and address of the secured party noted thereon. (Added to NRS by 1967, 130; A 2003, 466)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.4285 - Electronic lien system for notification and release of security interests: Duties of Department; qualifications and requirements of contractor; participation of lienholders; electronic lien admissible as evidence of existence of lien; regulations.

1. The Department shall enter into one or more contracts pursuant to this section to establish, implement and operate, in lieu of the issuance and maintenance of paper documents otherwise required by this chapter, an electronic lien system to process the notification and release of security interests through electronic batch file transfers. 2. Any contract entered into pursuant to this section must not require the Department to pay any amount to a contractor unless otherwise provided in this section. A contractor must be required to reimburse the Department for any reasonable implementation costs directly incurred by the Department during the establishment and ongoing administration of the electronic lien system. A contract entered into pursuant to this section must include provisions specifically prohibiting a contractor from using information concerning vehicle titles for marketing or solicitation purposes. 3. The electronic lien system must allow qualified service providers to participate in the system. A lienholder may participate in the system through any qualified service provider approved by the Department for participation in the system. 4. Service providers may be required to collect fees from lienholders and their agents for the implementation and administration of the electronic lien system. The amount of the fee collected by a service provider and paid to a contractor for the establishment and maintenance of the electronic lien system must not exceed \$4 per transaction. 5. A contractor may also serve as a service provider under such terms and conditions as are established by the Department pursuant to the terms of a contract entered into pursuant to this section and the regulations adopted by the Department. If a contractor will also serve as a service provider: (a) The Department

may perform audits of the contractor at intervals determined by the Department to ensure the contractor is not engaged in predatory pricing. The contractor shall reimburse the Department for the cost of all audits. (b) The contract between the Department and the contractor entered into pursuant to this section must include an acknowledgment by the contractor that the contractor is required to enter into agreements to exchange electronic lien data with all service providers who offer electronic lien and title services to lienholders doing business in the State of Nevada, have been approved by the Department for participation in the electronic lien system pursuant to this section and elect to use the contractor for access to the electronic lien system. A service provider must not be required to provide confidential or proprietary information to any other service provider. 6. Except for persons who are not normally engaged in the business or practice of financing vehicles, all lienholders shall use the electronic lien system to process all notifications and releases of security interests through electronic batch file transfers. 7. For the purposes of this chapter, any requirement that a lien or other information appear on a certificate of title is satisfied by the inclusion of that information in an electronic file maintained in an electronic lien system. The satisfaction of a lien may be electronically transmitted to the Department. A certificate of title is not required to be issued until the lien is satisfied or the certificate of title is otherwise required to meet the requirements of any legal proceeding or other provision of law. If a vehicle is subject to an electronic lien, the certificate of title shall be deemed to be physically held by the lienholder for the purposes of state or federal law concerning odometer readings and disclosures. 8. A certified copy of the Department's electronic record of a lien is admissible in any civil, criminal or administrative proceeding in this State as evidence of the existence of the lien. If a certificate of title is maintained electronically in the electronic lien system, a certified copy of the Department's electronic record of the certificate of title is admissible in any civil, criminal or administrative proceeding in this State as evidence of the existence and contents of the certificate of title. 9. The Director may adopt such regulations as are necessary to carry out the provisions of this section, including, without limitation: (a) The amount of the fee a service provider is required to charge pursuant to subsection 4 and pay to a contractor for the establishment and maintenance of the electronic lien system. (b) The qualifications of service providers for participation in the electronic lien system. (c) The qualifications for a contractor to enter into a contract with the Department to establish, implement and operate the electronic lien system. (d) Program specifications that a contractor must adhere to in establishing, implementing and operating the electronic lien system. (e) Additional requirements for and restrictions upon a contractor who will also serve as a service provider. 10. As used in this section: (a) "Contractor" means a person who, pursuant to this section, enters into a contract with the Department to establish, implement and operate the electronic lien system. (b) "Electronic lien system" means a system to process the notification and release of security interests through electronic batch file transfers that is established and implemented pursuant to this section. (c) "Service provider" means a person who, pursuant to this section, provides lienholders with software to manage electronic lien and title data. (Added to NRS by 2013, 2825; A 2017, 2752)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.429 - Fees.

1. For its services under this chapter, the Department shall adopt regulations specifying the amount of the fees which the Department will charge and collect: (a) For each certificate of title issued for a vehicle present or registered in this State. (b) For each duplicate certificate of title issued. (c) For each certificate of title issued for a vehicle not present in or registered in this State. (d) For expedited processing of a certificate of title issued pursuant to paragraph (a), (b) or (c). (e) For expedited mailing of a certificate of title issued pursuant to paragraph (a), (b) or (c), that does not include prepaid postage. (f) For the processing of each dealer's or rebuilder's report of sale submitted to the Department. (g) For the processing of each long-term lessor's report of lease submitted to the Department. (h) For the processing of each endorsed certificate of title or statement submitted to the Department upon the sale of a used or rebuilt vehicle in this State by a person who is not a dealer or rebuilder. 2. Any fee paid pursuant to paragraphs (d) and (e) of subsection 1 must be deposited with the State Treasurer for credit to the Motor Vehicle Fund and allocated to the Department to defray the costs of processing and mailing certificates of title. (Added to NRS by 1967, 131; A 1979, 89; 1981, 664; 1985, 929; 1991, 1905; 2003, 2645; 2010, 26th Special Session, 47; 2013, 2827)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.431 - Delivery of certificate of title following performance of terms of contract or security agreement; complaint; investigation; administrative fine; opportunity for hearing; deposit of fines.

1. Within 15 days after the terms of the contract or security agreement have been fully performed, the seller or other secured party who holds a certificate of title shall deliver the certificate of title to the person or persons legally entitled thereto, with proper evidence of the termination or release of the security interest. 2. Upon receipt of a written complaint alleging a violation of subsection 1, the Department shall conduct an investigation of the alleged violation. 3. If the Department determines that the seller or other secured party has violated the provisions of subsection 1, the Department shall impose an administrative fine of \$25 for each day that the seller or other secured party is in violation of the provisions of subsection 1. The Department shall afford to any person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121. 4. All administrative fines collected by the Department pursuant to subsection 3 must be deposited with the State Treasurer for credit to the State Highway Fund. (Added to NRS by 1967, 131; A 1997, 199; 2003, 466; 2005, 701)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.432 - Applicable statutory provisions for perfection and release of security interest.

Compliance with the applicable provisions of NRS 482.423 to 482.431, inclusive, is sufficient for the perfection and release of a security interest in a vehicle and for exemption from the requirement of filing of a financing statement under the provisions of NRS 104.9311. In all other respects the rights and duties of the debtor and secured party are governed by the Uniform Commercial Code—Secured Transactions and chapter 97 of NRS to the extent applicable. (Added to NRS by 1967, 131; A 1973, 965; 1999, 392)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.433 - Inapplicability of certain provisions to security interests in certain vehicles.

NRS 482.423 to 482.432, inclusive, do not apply to a security interest in: 1. Any vehicle which constitutes inventory held for sale; or 2. Any vehicle not required to be registered under this chapter. Security interests in all such vehicles are governed by NRS 104.9101 to 104.9708, inclusive. (Added to NRS by 1967, 131; A 1979, 1228; 1999, 393)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.434 - Effect of action or failure to act by Department or its officers or employees.

No right of action exists in favor of any person by reason of any action or failure to act on the part of the Department or any officer or employee thereof in carrying out the provisions of NRS 482.423 to 482.429, inclusive, or in giving or failing to give any information concerning the legal ownership of a motor vehicle or the existence of a security interest therein. (Added to NRS by 1967, 131)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.436 - Unlawful acts; penalty.

Any person is guilty of a gross misdemeanor who knowingly: 1. Makes or causes to be made any false entry on any certificate of origin or certificate of title; 2. Furnishes or causes to be furnished false information to the Department concerning any security interest; or 3. Fails to submit or causes to not be submitted the certificate of title or certificate of ownership issued for a used vehicle to the Department within the time prescribed in subsection 3 of NRS 482.424 or, if a leased vehicle, subsection 2 of NRS 482.4235. (Added to NRS by 1967, 131; A 1979, 1026; 1999, 259; 2003, 466; 2007, 3220; 2013, 2526)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.438 - Obtaining duplicate certificate of title to use as security with intent to defraud prohibited; penalties.

1. It is unlawful for a dealer or any other person, with the intent to defraud, to obtain a duplicate certificate of title for any vehicle in which the dealer or other person grants a security interest to secure a present or future debt, obligation or liability of any nature arising from a loan or other extension of credit made in connection with the financing of the inventory of the vehicles of the dealer, or to engage in any other similar practice commonly known as "flooring." 2. A person who violates the provisions of subsection 1 shall be punished in accordance with the provisions of NRS 205.380. 3. In addition to any penalty imposed pursuant to subsection 2, the court shall order the person to pay restitution. (Added to NRS by 1997, 1366; A 2003, 466)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.441 - Certificates of title and registration.

The Department may identify trimobiles as such on certificates of title and registration. (Added to NRS by 1979, 854; A 2003, 466)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.451 - Suspension upon court order; return of license plates and registration to Department; reinstatement; sale or transfer of motor vehicle.

1. The Department shall, upon receiving an order from a court to suspend the registration of each motor vehicle that is registered to or owned by a person pursuant to NRS 484C.520, suspend the registration of each such motor vehicle for 5 days and require the return to the Department of the license plates of each such motor vehicle. 2. If the registration of a motor vehicle of a person is suspended pursuant to this section, the person shall immediately return the certificate of registration and the license plates to the Department. 3. The period of suspension of the registration of a motor vehicle that is suspended pursuant to this section begins on the effective date of the suspension as set forth in the notice thereof. 4. The Department shall reinstate the registration of a motor vehicle that was suspended pursuant to this section and reissue the license plates of the motor vehicle only upon the payment of the fee for reinstatement of registration prescribed in subsection 11 of NRS 482.480. 5. The suspension of the registration of a motor vehicle pursuant to this section does not prevent the owner of the motor vehicle from selling or otherwise transferring an interest in the motor vehicle. (Added to NRS by 1999, 2133; A 2015, 1764)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.456 - Penalties related to operation of motor vehicle for which registration is suspended or failure to return certificate of registration or license plates; service of term of imprisonment; consecutive sentences.

1. A person who has had the registration of a motor vehicle suspended pursuant to NRS 482.451 and who drives the motor vehicle

for which the registration has been suspended on a highway is guilty of a misdemeanor and shall be: (a) Punished by imprisonment in the county jail for not less than 30 days nor more than 6 months; or (b) Sentenced to a term of not less than 60 days nor more than 6 months in residential confinement, and by a fine of not less than \$500 and not more than \$1,000. The provisions of this subsection do not apply if the period of suspension has expired but the person has not reinstated the registration. 2. A person who has had the registration of a motor vehicle suspended pursuant to NRS 482.451 and who knowingly allows the motor vehicle for which the registration has been suspended to be operated by another person upon a highway is guilty of a misdemeanor. 3. A person who willfully fails to return a certificate of registration or the license plates as required pursuant to NRS 482.451 is guilty of a misdemeanor. 4. A term of imprisonment imposed pursuant to the provisions of this section may be served intermittently at the discretion of the judge or justice of the peace, except that the full term of imprisonment must be served within 6 months after the date of conviction, and any segment of time the person is imprisoned must not consist of less than 24 hours. This discretion must be exercised after considering all the circumstances surrounding the offense, and the family and employment of the person convicted. 5. Jail sentences simultaneously imposed pursuant to this section and NRS 484C.320, 484C.330, 484C.400, 484C.410 or 484C.420 must run consecutively. (Added to NRS by 1999, 2133)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.458 - Suspension upon dishonored payment for registration; return of certificate of registration and license plates to Department; notice; reinstatement.

1. The Department may suspend the registration of a motor vehicle and require the return to the Department of the certificate of registration and the license plates of the motor vehicle if a check, draft, electronic transfer of money or other method of payment provided to the Department to register the motor vehicle is returned to the Department or otherwise dishonored by the financial institution on which the check, draft or electronic transfer of money is drawn. 2. If the registration of a motor vehicle of a person is suspended pursuant to this section, the person shall immediately return the certificate of registration and license plates to the Department. 3. The period of suspension of the registration of a motor vehicle that is suspended pursuant to this section begins on the effective date of the suspension as set forth in the notice thereof. 4. The Department shall mail to the registered owner of the motor vehicle a notice of the suspension. The notice must include: (a) The effective date of the suspension; (b) The reason for the suspension; (c) The requirement for the return of the certificate of registration and the license plates of the motor vehicle; (d) The method by which the registration may be reinstated; and (e) Any other information the Department deems necessary. 5. Except as otherwise provided in NRS 353C.125, the Department shall reinstate the registration of a motor vehicle and issue license plates to the registered owner of the motor vehicle only upon the payment of: (a) Any registration and other fees or penalties required pursuant to this chapter; (b) Any governmental services tax required pursuant to chapter 371 of NRS; and (c) Any fees and penalties required pursuant to NRS 41.620, 371.140 or 481.079. (Added to NRS by 2013, 88)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.460 - Unsafe or improperly equipped vehicle.

1. The Department shall rescind and cancel the registration of any vehicle which the Department determines is unsafe, unfit to be operated or not equipped as required by law. 2. The Department shall rescind and cancel the registration of any vehicle if the registered owner of the vehicle is issued a citation or notice of violation for operating a motor vehicle in violation of subsection 2 of NRS 484D.415, unless the owner provides, within 30 days after the citation or notice is issued, proof to the Department that the condition for which he or she was issued the notice or citation has been corrected. [Part 23:202:1931; A 1953, 280]—(NRS A 1995, 2353)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.461 - Failure of mandatory test of emissions from engines; notification; cost of inspection.

1. Except as otherwise provided in subsection 3 of NRS 445B.825, if the test conducted pursuant to NRS 445B.798 indicates that a motor vehicle which is registered in a county whose population is 100,000 or more does not comply with the provisions of NRS 445B.700 to 445B.845, inclusive, and the regulations adopted pursuant thereto, the Department shall mail to the registered owner of the vehicle a notice that the vehicle has failed the test. 2. The notice must include: (a) The information set forth in subsection 3; (b) A written statement which contains the results of the test conducted pursuant to NRS 445B.798; and (c) Any other information the Department deems necessary. 3. The Department shall rescind and cancel the registration of any motor vehicle which fails the test conducted pursuant to NRS 445B.798, unless within 30 days after the notice is mailed by the Department pursuant to subsection 2, the registered owner of the vehicle: (a) Has the vehicle inspected by an authorized station or authorized inspection station to determine whether the vehicle complies with the provisions of NRS 445B.700 to 445B.845, inclusive, and the regulations adopted pursuant thereto; and (b) Provides to the Department evidence of compliance issued by the authorized station or authorized inspection station certifying that the vehicle complies with the provisions of NRS 445B.700 to 445B.845, inclusive, and the regulations adopted pursuant thereto. 4. The registered owner of the vehicle shall pay the cost of the inspection required pursuant to subsection 3. 5. As used in this section: (a) "Authorized inspection station" has the meaning ascribed to it in NRS 445B.710. (b) "Authorized station" has the meaning ascribed to it in NRS 445B.720. (Added to NRS by 1995, 2352; A 2021, 2173)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS

482.463 - Surrender or proof of loss of certificate of registration and license plates of vehicle with declared gross weight in excess of 26,000 pounds; Refund or credit for excise taxes.

The holder of an original registration for a motor vehicle with a declared gross weight in excess of 26,000 pounds may, upon surrendering the certificate of registration and the corresponding license plates to the Department or upon signing a notarized statement indicating the certificate of registration and the corresponding license plates were lost and providing such supporting documentation as the Department requires, apply to the Department: 1. For a refund of an amount equal to that portion of the governmental services taxes and registration fees paid for the motor vehicle that is attributable, on a pro rata monthly basis, to the remainder of the period of registration; or 2. To have that amount credited against excise taxes due pursuant to the provisions of chapter 366 of NRS. (Added to NRS by 1989, 1421; A 1997, 321; 2001, 335; 2007, 55)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.465 - Unlawful use of certificate of registration or license plates; cancellation of certificate of title or registration and license plates improperly issued or obtained; revocation of certificate of title or registration and license plates for vehicle with declared gross weight in excess of 26,000 pounds.

1. The Department shall rescind and cancel the registration of a vehicle whenever the person to whom the certificate of registration or license plates therefor have been issued makes or permits to be made any unlawful use of the certificate or plates or permits the use thereof by a person not entitled thereto. 2. The Department shall cancel a certificate of title or certificate of registration and license plates which have been issued erroneously or improperly, or obtained illegally. 3. In addition to any other penalty set forth in this chapter and chapters 366, 459, 484A, 484D and 706 of NRS, the Department may revoke a certificate of title or a certificate of registration and license plates for a vehicle with a declared gross weight in excess of 26,000 pounds if the Department determines that: (a) The licensee of the vehicle has violated one or more of the provisions of this chapter or chapter 366, 459, 484A, 484D or 706 of NRS and there is reasonable cause for the revocation; or (b) The motor carrier responsible for the safety of the vehicle is subject to an out-of-service order. 4. Before revoking a certificate of title or a certificate of registration and license plates pursuant to subsection 3, subsection 5 of NRS 482.217 or subsection 5 of NRS 706.188, the Department must send a written notice by certified mail to the licensee or motor carrier, as applicable, at his or her last known address ordering the licensee or motor carrier to appear before the Department at a time not less than 10 days after the mailing of the notice to show cause why the certificate of title or the certificate of registration and license plates should not be revoked pursuant to this section. 5. Upon rescission, revocation or cancellation of the certificate of title or of the certificate of registration and license plates, the affected certificate or certificate and plates must be returned to the Department upon receipt of notice of rescission, revocation or cancellation. [Part 23:202:1931; A 1953, 280]—(NRS A 1973, 202; 1997, 321; 2003, 466; 2017, 979)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.470 - Disposition of certificates of registration and title and license plates if vehicle dismantled, junked or rendered inoperative; issuance of salvage title; destruction of returned plates.

1. Except as otherwise provided in NRS 487.105, if any vehicle is dismantled, junked or rendered inoperative and unfit for further use in accordance with the original purpose for which it was constructed, the owner shall deliver to the Department any certificate of registration and certificate of title issued by the Department or any other jurisdiction, unless the certificate of title is required for the collection of any insurance or other indemnity for the loss of the vehicle, or for transfer in order to dispose of the vehicle. 2. Except as otherwise provided in NRS 487.105, any other person taking possession of a vehicle described in subsection 1 shall immediately deliver to the Department any license plate or plates, certificate of registration or certificate of title issued by the Department or any other jurisdiction, if the person has acquired possession of any of these and unless the certificate of title is required for a further transfer in the ultimate disposition of the vehicle. 3. The Department may issue a salvage title as provided in chapter 487 of NRS. 4. The Department shall destroy any plate or plates that are returned in a manner described in subsections 1 and 2. [Part 23:202:1931; A 1953, 280]—(NRS A 1967, 592; 1973, 363; 1987, 1593; 1991, 1905; 1995, 336; 1999, 1920; 2003, 467, 1907; 2011, 1658)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.475 - Vehicle used for short-term leasing.

The Department shall cancel the registration of any motor vehicle used for short-term leasing whenever the Department ascertains that the short-term lessor has failed to comply with the requirements of NRS 482.295. [Part 6:202:1931; A 1941, 51; 1949, 511; 1953, 52]—(NRS A 1967, 707; 1973, 772)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.478 - No refund of registration fees or governmental services taxes upon rescission or cancellation of registration or surrender of license plates; exception.

Except as otherwise provided in NRS 482.463, upon the rescission or cancellation of the registration of any vehicle pursuant to NRS 482.460 to 482.475, inclusive, or the surrender of the corresponding license plates, no refund of the registration fees or governmental services taxes paid for the vehicle may be allowed by the Department. (Added to NRS by 1993, 1386; A 1995, 2353; 2001, 336)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.480 - Fees for registration; exceptions; Account for Verification of Insurance. [Effective through December 31, 2026.] Fees for registration; exceptions; Account for Verification of Insurance. [Effective January 1, 2027.]

There must be paid to the Department for the registration or the transfer or reinstatement of the registration of motor vehicles, trailers and semitrailers, fees according to the following schedule: 1. Except as otherwise provided in this section, for each stock passenger car and each reconstructed or specially constructed passenger car registered to a person, regardless of weight or number of passenger capacity, a fee for registration of \$33. 2. Except as otherwise provided in subsection 3: (a) For each of the fifth and sixth such cars registered to a person, a fee for registration of \$16.50. (b) For each of the seventh and eighth such cars registered to a person, a fee for registration of \$12. (c) For each of the ninth or more such cars registered to a person, a fee for registration of \$8. 3. The fees specified in subsection 2 do not apply: (a) Unless the person registering the cars presents to the Department at the time of registration the registrations of all the cars registered to the person. (b) To cars that are part of a fleet. 4. For every motorcycle, a fee for registration of \$33 and for each motorcycle other than a trimobile, an additional fee of \$6 for motorcycle safety. The additional fee must be deposited in the State General Fund for credit to the Account for the Program for the Education of Motorcycle Riders created by NRS 486.372. 5. For every moped, a one-time fee for registration of \$33. 6. For each transfer of registration, a fee of \$6 in addition to any other fees. 7. Except as otherwise provided in subsection 6 of NRS 485.317, to reinstate the registration of a motor vehicle that is suspended pursuant to that section: (a) A fee as specified in NRS 482.557 for a registered owner who failed to have insurance on the date specified by the Department, which fee is in addition to any fine or penalty imposed pursuant to NRS 482.557; or (b) A fee of \$50 for a registered owner of a dormant vehicle who cancelled the insurance coverage for that vehicle or allowed the insurance coverage for that vehicle to expire without first cancelling the registration for the vehicle in accordance with subsection 3 of NRS 485.320, both of which must be deposited in the Account for Verification of Insurance which is hereby created in the State Highway Fund. The money in the Account must be used to carry out the provisions of NRS 485.313 to 485.318, inclusive. 8. For every travel trailer, a fee for registration of \$27. 9. For every permit for the operation of a golf cart, an annual fee of \$10. 10. For every low-speed vehicle, as that term is defined in NRS 484B.637, a fee for registration of \$33. 11. To reinstate the registration of a motor vehicle that is suspended pursuant to NRS 482.451 or 482.458, a fee of \$33. 12. For each vehicle for which the registered owner has indicated his or her intention to opt in to making a contribution pursuant to paragraph (i) of subsection 3 of NRS 482.215 or subsection 4 of NRS 482.280, a contribution of \$2. The contribution must be distributed to the appropriate county pursuant to NRS 482.1825. [Part 25:202:1931; A 1931, 339; 1933, 249; 1935, 375; 1937, 76, 330; 1947, 613; 1955, 127, 350]—(NRS A 1959, 915, 918; 1963, 350, 689; 1965, 315; 1969, 689, 1280; 1971, 78, 1555; 1973, 402; 1975, 335, 467, 1089, 1121, 1122; 1979, 112, 792; 1981, 664, 1058, 1736, 1737; 1983, 1132; 1985, 1558, 1837; 1987, 611, 925, 1793; 1989, 705, 1423, 1741, 1742; 1991, 1064, 1777, 1906, 1991, 2330; 1993, 270, 583, 1321, 1392, 2213, 2214, 2481; 1995, 685, 686, 2732; 1997, 1082, 2646, 2647; 1999, 2134, 2144, 2570, 2571; 2001, 189, 192, 668; 2001 Special Session, 251; 2009, 2205; 2011, 1590; 2013, 88, 1840, 2758, 2816; 2015, 1765; 2019, 3005) There must be paid to the Department for the registration or the transfer or reinstatement of the registration of motor vehicles, trailers and semitrailers, fees according to the following schedule: 1. Except as otherwise provided in this section, for each stock passenger car and each reconstructed or specially constructed passenger car registered to a person, regardless of weight or number of passenger capacity, a fee for registration of \$33. 2. Except as otherwise provided in subsection 3: (a) For each of the fifth and sixth such cars registered to a person, a fee for registration of \$16.50. (b) For each of the seventh and eighth such cars registered to a person, a fee for registration of \$12. (c) For each of the ninth or more such cars registered to a person, a fee for registration of \$8. 3. The fees specified in subsection 2 do not apply: (a) Unless the person registering the cars presents to the Department at the time of registration the registrations of all the cars registered to the person. (b) To cars that are part of a fleet. 4. For every motorcycle, a fee for registration of \$33 and for each motorcycle other than a trimobile, an additional fee of \$6 for motorcycle safety. The additional fee must be deposited in the State General Fund for credit to the Account for the Program for the Education of Motorcycle Riders created by NRS 486.372. 5. For every moped, a one-time fee for registration of \$33. 6. For each transfer of registration, a fee of \$6 in addition to any other fees. 7. Except as otherwise provided in subsection 6 of NRS 485.317, to reinstate the registration of a motor vehicle that is suspended pursuant to that section: (a) A fee as specified in NRS 482.557 for a registered owner who failed to have insurance on the date specified by the Department, which fee is in addition to any fine or penalty imposed pursuant to NRS 482.557; or (b) A fee of \$50 for a registered owner of a dormant vehicle who cancelled the insurance coverage for that vehicle or allowed the insurance coverage for that vehicle to expire without first cancelling the registration for the vehicle in accordance with subsection 3 of NRS 485.320, both of which must be deposited in the Account for Verification of Insurance which is hereby created in the State Highway Fund. The money in the Account must be used to carry out the provisions of NRS 485.313 to 485.318, inclusive. 8. For every travel trailer, a fee for registration of \$27. 9. For every permit for the operation of a golf cart, an annual fee of \$10. 10. For every low-speed vehicle, as that term is defined in NRS 484B.637, a fee for registration of \$33. 11. To reinstate the registration of a motor vehicle that is suspended pursuant to NRS 482.451 or 482.458, a fee of \$33. 12. For each vehicle for which the registered owner has indicated his or her intention to opt in to making a contribution pursuant to paragraph (h) of subsection 3 of NRS 482.215 or subsection 4 of NRS 482.280, a contribution of \$2. The contribution must be distributed to the appropriate county pursuant to NRS 482.1825. [Part 25:202:1931; A 1931, 339; 1933, 249; 1935, 375; 1937, 76, 330; 1947, 613; 1955, 127, 350]—(NRS A 1959, 915, 918; 1963, 350, 689; 1965, 315; 1969, 689, 1280; 1971, 78, 1555; 1973, 402; 1975, 335, 467, 1089, 1121, 1122; 1979, 112, 792; 1981, 664, 1058, 1736, 1737; 1983, 1132; 1985, 1558, 1837; 1987, 611, 925, 1793; 1989, 705, 1423, 1741, 1742; 1991, 1064, 1777, 1906, 1991, 2330; 1993, 270, 583, 1321, 1392, 2213, 2214, 2481; 1995, 685, 686, 2732; 1997, 1082, 2646, 2647; 1999, 2134, 2144, 2570, 2571; 2001, 189, 192, 668; 2001 Special Session, 251;

2009, 2205; 2011, 1590; 2013, 88, 1840, 2758, 2816; 2015, 1765; 2019, 3005, effective January 1, 2027)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.4805 - Transfer of money from Account for Verification of Insurance to State Highway Fund.

On June 30 of each year, the State Controller shall transfer from the Account for Verification of Insurance created pursuant to NRS 482.480 to the State Highway Fund any amount in the account which exceeds \$500,000. (Added to NRS by 1993, 2213; A 2001, 2826)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.481 - Proration of fee for registration of certain vehicles.

The registration fees for a motor truck, truck-tractor, bus or combination of vehicles having a declared gross weight of 10,001 pounds or more which is registered on the basis of a calendar year must be reduced by one-twelfth for each calendar month which has elapsed from the beginning of the year and rounded to the nearest dollar. (Added to NRS by 1985, 1835; A 1989, 1423)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.482 - Additional fees for registration of motor truck, truck-tractor or bus; payment by installment for fleets authorized; penalty for failure to pay fee or tax; registration of vehicle after conviction or plea for operating vehicle which exceeded its declared gross weight.

1. Except as otherwise provided in NRS 482.3817, in addition to any other applicable fee listed in NRS 482.480, there must be paid to the Department for the registration of every motor truck, truck-tractor or bus which has a declared gross weight of: (a) Less than 6,000 pounds, a fee of \$33. (b) Not less than 6,000 pounds and not more than 8,499 pounds, a fee of \$38. (c) Not less than 8,500 pounds and not more than 10,000 pounds, a fee of \$48. (d) Not less than 10,001 pounds and not more than 26,000 pounds, a fee of \$12 for each 1,000 pounds or fraction thereof. (e) Not less than 26,001 pounds and not more than 80,000 pounds, a fee of \$17 for each 1,000 pounds or fraction thereof. (f) To the extent authorized by federal law, not less than 80,001 pounds and not more than 129,000 pounds, a fee of \$1,360, plus \$20 for each 1,000 pounds or fraction thereof over 80,000 pounds. The maximum fee is \$2,340. A vehicle may register for additional weight as follows, for no additional fee: (1) A vehicle powered by an alternative fuel source, including, without limitation, liquefied natural gas or electric power, may register for additional weight in an amount equal to the weight of the equipment required for the alternative fuel system but not to exceed 2,000 pounds. (2) A vehicle with an auxiliary power unit or idle reduction technology, as those terms are defined in 42 U.S.C. § 16104, may register for additional weight in an amount equal to the weight of the auxiliary power unit or idle reduction technology but not to exceed 550 pounds. 2. Except as otherwise provided in subsection 6, the original or renewal registration fees for fleets of vehicles with a declared gross weight in excess of 26,000 pounds and the governmental services tax imposed by the provisions of chapter 371 of NRS for the privilege of operating those vehicles may be paid in installments, the amount of which must be determined by regulation. The Department shall not allow installment payments for a vehicle added to a fleet after the original or renewal registration is issued. 3. If the due date of any installment falls on a Saturday, Sunday or legal holiday, that installment is not due until the next following business day. 4. Any payment required by subsection 2 shall be deemed received by the Department on the date shown by the post office cancellation mark stamped on an envelope containing payment properly addressed to the Department, if that date is earlier than the actual receipt of that payment. 5. A person who fails to pay any fee pursuant to subsection 2 or governmental services tax when due shall pay to the Department a penalty of 10 percent of the amount of the unpaid fee, plus interest on the unpaid fee at the rate of 1 percent per month or fraction of a month from the date the fee and tax were due until the date of payment. 6. If a person fails to pay any fee pursuant to subsection 2 or governmental services tax when due, the Department may, in addition to the penalty provided for in subsection 5, require that person to pay: (a) The entire amount of the unpaid registration fee and governmental services tax owed by that person for the remainder of the period of registration; and (b) On an annual basis, any registration fee and governmental services tax set forth in subsection 2 which may be incurred by that person in any subsequent period of registration. 7. A person who is convicted of, or who pleads guilty, guilty but mentally ill or nolo contendere to, a violation of NRS 484D.630 must reregister the vehicle with a declared gross weight equal to: (a) The gross vehicle weight rating; or (b) The combined gross vehicle weight rating, if the vehicle was operated in combination at the time of the violation. The registration fee owed pursuant to this subsection is incurred from the date the person was convicted of, or pled guilty, guilty but mentally ill or nolo contendere to, a violation of NRS 484D.630. (Added to NRS by 1985, 1836; A 1987, 145, 612, 1794; 1989, 1423; 1991, 1906; 1995, 344; 1997, 322; 2001, 336; 2007, 55; 2009, 466; 2017, 979; 2019, 1329, 2966)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.483 - Additional fees for registration of trailer or semitrailer.

In addition to any other applicable fee listed in NRS 482.480, there must be paid to the Department: 1. Except as otherwise provided in subsection 3, for every trailer or semitrailer having an unladen weight of 1,000 pounds or less, a flat registration fee of \$12. 2. Except as otherwise provided in subsection 3, for every trailer having an unladen weight of more than 1,000 pounds, a flat registration fee of \$24. 3. For any full trailer or semitrailer, other than a recreational vehicle or travel trailer, for a nontransferable registration that does not expire until the owner transfers the ownership of the full trailer or semitrailer, a flat nonrefundable

registration fee of \$24. If, pursuant to NRS 482.399, the owner of a full trailer or semitrailer that is registered pursuant to this section cancels the registration and surrenders the license plates to the Department, no portion of the flat registration fee will be refunded or credited to the owner. (Added to NRS by 1985, 1836; A 1991, 1907; 2013, 2863; 2015, 1113)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.4835 - Certain additional charges permissible by lessor of motor truck; disclosure required.

1. A lessor of a motor truck may impose an additional charge to recover any costs incurred by the lessor in conducting his or her business. 2. If a lessor of a motor truck wishes to impose an additional charge pursuant to subsection 1, the lessor shall, at the time he or she provides a price quote or estimate for the lease of the motor truck to the lessee of the motor truck, disclose the existence of the additional charge and include the amount of the additional charge in the price quote or estimate. (Added to NRS by 2017, 625)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.485 - Weighing of motor vehicles by public weighmasters; alternative for farm vehicles.

1. The provisions of chapter 582 of NRS (Public Weighmasters) are hereby made applicable to this chapter. 2. Except as otherwise provided in subsection 6, all motor vehicles required to be weighed under the provisions of this chapter must be weighed by a public weighmaster under such rules and regulations as may be deemed advisable by the Director and the State Sealer of Measurement Standards, and according to the provisions of chapter 582 of NRS. 3. The Department for registration purposes only may collect a fee, not to exceed \$1, for each vehicle weighed by the Department. 4. From time to time, upon request of the Director, the State Sealer of Measurement Standards shall appoint additional public weighmasters, according to the provisions of chapter 582 of NRS, as may be necessary to effectuate the purposes of this chapter. 5. Public weighmasters' certificates issued in states other than Nevada, when such certificates bear the seal of such weighmaster, may be accepted by the Director as evidence of the weight of the motor vehicle for which a license is applied. 6. In lieu of weighing a farm vehicle pursuant to subsection 2, the farmer or rancher who uses the farm vehicle may: (a) Weigh the farm vehicle on a scale which has been certified by the State Sealer of Measurement Standards; and (b) Use a printout from that scale setting forth the declared gross weight of the farm vehicle as proof of the declared gross weight of the farm vehicle for purposes of this chapter. [Part 25:202:1931; A 1931, 339; 1933, 249; 1935, 375; 1937, 76, 330; 1947, 613; 1955, 127, 350]—(NRS A 1961, 132; 1973, 443; 2009, 169; 2013, 2472)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.490 - Manufacturer's, distributor's, dealer's or rebuilder's license plate.

Each person who applies for a manufacturer's, distributor's, dealer's or rebuilder's license plate, or pair of plates shall pay at the time of application a fee according to the following schedule: For each plate or pair of plates for a motor vehicle, including a motorcycle \$12 For plates for a trailer or semitrailer..... 12 This fee is in lieu of any other fee specified in this chapter except the fees imposed by NRS 482.268. [26:202:1931; A 1953, 280; 1955, 468]—(NRS A 1960, 132; 1961, 169; 1971, 1308; 1973, 130; 1981, 665; 1983, 1006; 1987, 1022; 2013, 2528)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.500 - Fees for duplicate or substitute certificates of registration, decals and number plates; fees for replacement number plates or sets of plates issued for special license plates; fees for souvenir and sample license plates; exceptions.

1. Except as otherwise provided in subsection 2 or 3 or specifically provided by statute, whenever upon application any duplicate or substitute certificate of registration, indicator, decal or number plate is issued, the following fees must be paid: For a certificate of registration..... \$5.00 For every substitute number plate or set of plates..... 5.00 For every duplicate number plate or set of plates..... 10.00 For every decal displaying a county name..... .50 For every other indicator, decal, license plate sticker or tab..... 5.00 2. The following fees must be paid for any replacement number plate or set of plates issued for the following special license plates: (a) For any special plate issued pursuant to NRS 482.3667, 482.367002, 482.3672, 482.370 to 482.3755, inclusive, 482.376 or 482.379 to 482.3818, inclusive, a fee of \$10. (b) For any special plate issued pursuant to NRS 482.368, 482.3765, 482.377 or 482.378, a fee of \$5. (c) Except as otherwise provided in paragraph (a) of subsection 1 of NRS 482.3824, for any souvenir license plate issued pursuant to NRS 482.3825 or sample license plate issued pursuant to NRS 482.2703, a fee equal to that established by the Director for the issuance of those plates. 3. A fee must not be charged for a duplicate or substitute of a decal issued pursuant to NRS 482.37635. 4. The fees which are paid for replacement number plates, duplicate number plates and decals displaying county names must be deposited with the State Treasurer for credit to the Motor Vehicle Fund and allocated to the Department to defray the costs of replacing or duplicating the plates and manufacturing the decals. [Part 27:202:1931; A 1953, 280]—(NRS A 1961, 169; 1971, 1556; 1975, 132; 1977, 359; 1981, 665, 1552; 1983, 813, 1230; 1985, 30, 929; 1989, 1616; 1991, 194, 2321; 1993, 616; 1995, 341, 789; 1997, 175, 1361, 1550, 2824, 3003, 3054; 1999, 158, 1167, 1173; 2001, 74, 75, 579, 586, 1467, 1512, 1676, 1678, 1860; 2003, 89, 91, 92, 361, 380, 500, 3069, 3348; 2007, 579; 2013, 2559, 3195; 2015, 666, 1947; 2017, 428, 3569, 3578; 2019, 568, 904, 1330, 1488, 2524, 3094; 2021, 3744; 2023, 1069, 2703)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.503 - Exemptions from fees for registration.

The registration fee imposed by this chapter does not apply to vehicles owned by the United States, the State of Nevada, any political subdivision of the State of Nevada, or any county, municipal corporation, city, unincorporated town or school district in the State of Nevada. (Added to NRS by 1965, 316)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.515 - Delinquent fees; penalties.

1. Whenever a person operates any vehicle upon the public highways of this State without having paid therefor the registration or transfer fee required by this chapter, the required fee shall be deemed delinquent. 2. Except as otherwise provided in NRS 482.209, if the fee for registration is not paid by the end of the last working day of the preceding period of registration, a penalty of \$6 must be added for each period of 30 calendar days or fraction thereof during which the delinquency continues, unless the vehicle has not been operated on the highways since the expiration of the prior registration or has not been operated on the highways since the expiration of the temporary placard issued by a vehicle dealer or rebuilder in this State. Evidence of nonoperation of a vehicle must be furnished by an affidavit executed by a person having knowledge of the fact. The affidavit must accompany the application for renewal of registration. 3. If the transferee of a vehicle, required to be registered under the provisions of NRS 482.205, has not registered the vehicle within 10 days after the transfer, a penalty of \$6 must be added to the fee for registration. The provisions of this section do not apply to vehicles which come within the provisions of NRS 706.801 to 706.861, inclusive. 4. In addition to the penalties prescribed in subsections 2 and 3, the Department and its agents shall collect the fees for license plates and registration for each period of 30 calendar days, or portion thereof in excess of 15 days, during which the delinquency has continued or for which the vehicle has not been registered pursuant to NRS 482.205. [28:202:1931; A 1955, 350]—(NRS A 1960, 132; 1961, 173; 1971, 723, 1556; 1973, 83; 1981, 666; 1985, 684; 1987, 1148; 2007, 324; 2011, 296)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.516 - Sale or lease of repossessed vehicle: Persons liable on security agreement to be given written notice of intent in advance; required manner of provision and contents of notice; rights of persons liable on security agreement.

1. Any provision in any security agreement for the sale or lease of a vehicle to the contrary notwithstanding, at least 10 days' written notice of intent to sell or again lease a repossessed vehicle must be given to all persons liable on the security agreement. The notice must be given in person or sent by mail directed to the address of the persons shown on the security agreement, unless such persons have notified the holder in writing of a different address. 2. The notice: (a) Must inform such persons of the provisions of NRS 482.5165; (b) Must set forth that there is a right to redeem the vehicle and the total amount required as of the date of the notice to redeem; (c) May inform such persons of their privilege of reinstatement of the security agreement, if the holder extends such a privilege; (d) Must give notice of the holder's intent to resell or again lease the vehicle at the expiration of 10 days from the date of giving or mailing the notice; (e) Must disclose the place at which the vehicle will be returned to the buyer or lessee upon redemption or reinstatement; and (f) Must designate the name and address of the person to whom payment must be made. 3. During the period provided under the notice, the person or persons liable on the security agreement may pay in full the indebtedness evidenced by the security agreement. Such persons are liable for any deficiency after sale or lease of the repossessed vehicle only if the notice prescribed by this section is given within 60 days after repossession and includes an itemization of the balance and of any costs or fees for delinquency, collection or repossession. In addition, the notice must either set forth the computation or estimate of the amount of any credit for unearned finance charges or cancelled insurance as of the date of the notice or state that such a credit may be available against the amount due. (Added to NRS by 1967, 1281; A 1987, 2073; 2007, 3220; 2019, 3196)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.5161 - Sale of repossessed construction equipment.

1. All the provisions of NRS 482.516 apply equally to the repossession of any article of construction equipment pursuant to the security agreement. 2. As used in this section, "construction equipment" includes without limitation all earth-moving, erecting, excavating and rigging machinery, whether self-propelled or towed, and any auxiliary vehicle used for towing or transporting such machinery. (Added to NRS by 1967, 1282)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.5163 - Sale of repossessed vehicle in commercially reasonable manner; application of proceeds; injunctive relief; damages.

1. Every repossessed vehicle shall be sold in a commercially reasonable manner. The fact that a better price could have been obtained by a sale at a different time or in a different method from that selected by the secured party is not of itself sufficient to establish that the sale was not made in a commercially reasonable manner. If the secured party either sells the vehicle in the usual manner in any recognized market for such a vehicle or if the secured party sells at the price current in such market at the time of his or her sale or has otherwise sold in conformity with reasonable commercial practices among dealers in the type of vehicle sold the secured party has sold in a commercially reasonable manner. A disposition which has been approved in any judicial proceeding shall conclusively be deemed to be commercially reasonable, but this sentence does not indicate that any such approval must be obtained in any case nor does it indicate that any disposition not so approved is not commercially reasonable. 2. The proceeds of disposition

shall be applied in the order following to: (a) The reasonable expenses of retaking, holding, preparing for sale and selling, and, to the extent provided for in the agreement, the reasonable attorneys' fees and legal expenses incurred by the secured party. (b) The satisfaction of indebtedness secured by the security interest under which the disposition is made. (c) The satisfaction of indebtedness secured by any subordinate security interest in the collateral if written notification of demand therefor is received before distribution of the proceeds is completed. If requested by the secured party, the holder of a subordinate security interest must seasonably furnish reasonable proof of his or her interest, and unless he or she does so, the secured party need not comply with the demand. (d) The payment of any surplus to the debtor. 3. If it is established that the secured party is not proceeding in accordance with the provisions of this section and NRS 482.516 disposition may be ordered or restrained on appropriate terms and conditions. If the disposition has occurred, the debtor or any person entitled to notification or whose security interest has been made known to the secured party prior to the disposition has a right to recover from the secured party any loss caused by failure to comply with the provisions of this section. If the disposition was not commercially reasonable, as specified in subsection 1, the debtor has a right to recover double the debtor's actual damages. (Added to NRS by 1975, 1813)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.5165 - Repossession of vehicle of certain persons prohibited during governmental shutdown; penalty.

1. Notwithstanding any other provision of law and except as otherwise ordered by a court of competent jurisdiction, if a person liable on a security agreement provides proof that he or she is a federal worker, tribal worker, state worker or household member of such a worker and a shutdown is occurring or has occurred, a person shall not repossess or direct or authorize another person to repossess a vehicle of that person during the period commencing on the date on which a shutdown begins and ending on the date that is 30 days after the date on which the shutdown ends. 2. Any person who knowingly repossesses a vehicle or authorizes another person to repossess a vehicle in violation of this section: (a) Is guilty of a misdemeanor; and (b) May be liable for actual damages, reasonable attorney's fees and costs incurred by the injured party. 3. In imposing liability pursuant to paragraph (b) of subsection 2, a court shall, when determining whether to reduce such liability, take into consideration any due diligence used by the person before he or she repossessed a vehicle or directed or authorized another person to repossess a vehicle. 4. As used in this section: (a) "Federal worker" has the meaning ascribed to it in NRS 40.002. (b) "Household member" has the meaning ascribed to it in NRS 40.0025. (c) "Shutdown" has the meaning ascribed to it in NRS 40.0035. (d) "State worker" has the meaning ascribed to it in NRS 40.004. (e) "Tribal worker" has the meaning ascribed to it in NRS 40.0045. (Added to NRS by 2019, 3195)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.518 - Reports of repossession to peace officer and Department.

Any person, firm or corporation who repossesses a vehicle without the knowledge of the registered owner thereof shall immediately report such repossession by oral communication to the police of the city or to the sheriff's office of the county where such repossession is made. The officer to whom the repossession report is made shall forward a copy of such report to the Department. (Added to NRS by 1965, 664)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.520 - Action by Department on reports of stolen, embezzled and recovered vehicles.

Whenever the owner of any motor vehicle, trailer or semitrailer which is stolen or embezzled files an affidavit alleging such fact with the Department, it shall immediately suspend the registration of and refuse to reregister such vehicle until such time as it is notified that the owner has recovered the vehicle, but notices given as herein provided shall be effective only during the current registration period in which given. If during such period the vehicle is not recovered a new affidavit may be filed with like effect during the ensuing period. Every owner who has filed an affidavit of theft or embezzlement must immediately notify the Department of the recovery of such vehicle. [5:202:1931; 1931 NCL § 4435.04] + [19:202:1931; 1931 NCL § 4435.18]—(NRS A 1965, 1009; 1973, 213; 2013, 2863)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.540 - Authority of police officer, without warrant, to seize and take possession of certain vehicles; inspection and written report concerning certain falsely attached, removed, defaced, altered or obliterated numbers and marks; authority of court to declare vehicle forfeited under certain circumstances; charging of criminal act must not precede completion of report.

1. Any police officer, without a warrant, may seize and take possession of any vehicle: (a) Which is being operated with improper registration; (b) Which the police officer has probable cause to believe has been stolen; (c) Which the police officer has probable cause to believe has been illegally altered in a manner that impairs the structural integrity of the vehicle; (d) On which any motor number, manufacturer's number or identification mark has been falsely attached, removed, defaced, altered or obliterated; or (e) Which contains a part on which was placed or stamped by the manufacturer pursuant to federal law or regulation an identification number or other distinguishing number or mark that has been falsely attached, removed, defaced, altered or obliterated. 2. A law enforcement agency or an employee of the Department whose primary responsibility is to conduct investigations involving the theft of motor vehicles shall inspect any vehicle seized pursuant to paragraph (d) or (e) of subsection 1 to determine whether the number or mark in question on the vehicle or part from the vehicle has been falsely attached, removed, defaced, altered or obliterated and

whether any person has presented satisfactory evidence of ownership of the vehicle. The agency or employee shall prepare a written report which sets forth the results of the inspection within 30 days after the vehicle is seized. 3. If the results of the report conclude that the number or mark in question has been falsely attached, removed, defaced, altered or obliterated and that there is no satisfactory evidence of ownership, the court shall declare the vehicle forfeited and proceed in the manner set forth in NRS 482.542. 4. A person must not be charged with any criminal act which caused a motor vehicle to be seized pursuant to paragraph (d) or (e) of subsection 1 until the report is completed pursuant to subsection 2. 5. As used in this section, "police officer" means: (a) Any peace officer of the Department; (b) Sheriffs of counties and officers of metropolitan police departments and their deputies; and (c) Marshals and police officers of cities and towns. [21 3/4:166:1925; added 1953, 391]—(NRS A 1975, 1199; 1983, 1242; 1985, 653; 1995, 1046; 1997, 780; 2007, 2362; 2011, 1616)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.542 - Disposition of seized vehicle.

1. Any vehicle seized pursuant to NRS 482.540 may be removed by a law enforcement agency or the Department to: (a) A place designated for the storage of seized property. (b) An appropriate place for disposal if that disposal is specifically authorized by statute. 2. If disposal of a vehicle seized pursuant to NRS 482.540 is not specifically authorized by statute, a law enforcement agency or the Department may file a civil action for forfeiture of the vehicle: (a) Pursuant to paragraph (c) of subsection 1 of NRS 4.370 in the justice court of the township where the vehicle which is the subject of the action was seized if the fair market value of the vehicle and the cost of towing and storing the vehicle does not exceed \$15,000; or (b) In the district court for the county where the vehicle which is the subject of the action was seized if the fair market value of the vehicle and the cost of towing and storing the vehicle equals or exceeds \$15,000. 3. Upon the filing of a civil action pursuant to subsection 2, the court shall schedule a date for a hearing. The hearing must be held not later than 7 business days after the action is filed. The court shall affix the date of the hearing on a form for that purpose and order a copy served by the sheriff, constable or other process server upon each claimant whose identity is known to the law enforcement agency or Department or who can be identified through the exercise of due diligence. 4. The court shall: (a) Order the release of the vehicle to the owner or to another person who the court determines is entitled to the vehicle if the court finds that: (1) A motor number, manufacturer's number or identification mark which was placed on the vehicle has not been falsely attached, removed, defaced, altered or obliterated; and (2) The vehicle has not been illegally altered in a manner that impairs the structural integrity of the vehicle; or (b) Order the vehicle destroyed or otherwise disposed of as determined by the court, if the court finds that: (1) There is no satisfactory evidence of ownership; (2) A motor number, manufacturer's number or identification mark which was placed on the vehicle has been falsely attached, removed, defaced, altered or obliterated; or (3) The vehicle has been illegally altered in a manner that impairs the structural integrity of the vehicle. 5. If a court declares that a vehicle seized pursuant to NRS 482.540 is forfeited, a law enforcement agency or the Department may: (a) Retain it for official use; (b) Sell it; or (c) Remove it for disposal. 6. As used in this section, "claimant" means any person who claims to have: (a) Any right, title or interest of record in the property or proceeds subject to forfeiture; (b) Any community property interest in the property or proceeds; or (c) Had possession of the property or proceeds at the time of the seizure thereof by a law enforcement agency or the Department. (Added to NRS by 1987, 1143; A 2011, 1617; 2015, 947)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.543 - Definitions.

As used in NRS 482.543 to 482.554, inclusive, unless the context otherwise requires, the words and terms defined in NRS 482.5432 to 482.5445, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2007, 2361)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.5432 - "Automobile wrecker" defined.

"Automobile wrecker" means a person who obtains a license pursuant to NRS 487.050 to dismantle, scrap, process or wreck a vehicle. (Added to NRS by 2007, 2361)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.5434 - "Body shop" defined.

"Body shop" has the meaning ascribed to it in NRS 487.532. (Added to NRS by 2007, 2361; A 2009, 2698)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.5436 - "Garage operator" defined.

"Garage operator" has the meaning ascribed to it in NRS 487.545. (Added to NRS by 2007, 2361)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.544 - "Identification number or mark" defined.

"Identification number or mark" means: 1. The motor number, other distinguishing number or identification mark of a vehicle required or employed for purposes of registration; or 2. The identification number or other distinguishing number or identification

mark of a vehicle or part of a motor vehicle that was placed or stamped on that vehicle or part by the manufacturer pursuant to federal law or regulations. (Added to NRS by 1999, 2056; A 2007, 2363)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.5445 - "Salvage pool" defined.

"Salvage pool" has the meaning ascribed to it in subsection 2 of NRS 487.400. (Added to NRS by 2007, 2361)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.545 - Certain unlawful acts.

It is unlawful for any person to commit any of the following acts: 1. To operate, or for the owner thereof knowingly to permit the operation of, upon a highway any motor vehicle, trailer or semitrailer which is not registered or which does not have attached thereto and displayed thereon the number of plate or plates assigned thereto by the Department for the current period of registration or calendar year, subject to the exemption allowed in NRS 482.316 to 482.3175, inclusive, 482.320 to 482.363, inclusive, 482.385 to 482.3965, inclusive, and 482.420. 2. To display, cause or permit to be displayed or to have in possession any certificate of registration, license plate, certificate of title, temporary placard, movement permit or other document of title knowing it to be fictitious or to have been cancelled, revoked, suspended or altered. 3. To lend to, or knowingly permit the use of by, one not entitled thereto any registration card, plate, temporary placard or movement permit issued to the person so lending or permitting the use thereof. 4. To fail or to refuse to surrender to the Department, upon demand, any registration card or plate which has been suspended, cancelled or revoked as provided in this chapter. 5. To use a false or fictitious name or address in any application for the registration of any vehicle or for any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in an application. A violation of this subsection is a gross misdemeanor. 6. Knowingly to operate a vehicle which: (a) Has an identification number or mark which has been falsely attached, removed, defaced, altered or obliterated; or (b) Contains a part which has an identification number or mark which has been falsely attached, removed, defaced, altered or obliterated. [24:202:1931; 1931 NCL § 4435.23]—(NRS A 1969, 688; 1975, 55, 281, 1090; 1985, 301, 898; 1987, 2080; 1989, 173; 1993, 156; 1995, 1046; 1999, 2057; 2003, 467; 2007, 2363, 3221)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.547 - Unlawful sale, offer of sale or display for sale of motor vehicle; penalty.

1. It is unlawful for a person to sell, offer to sell or display for sale any vehicle unless the person is: (a) The lienholder, owner or registered owner of the vehicle; (b) A reposessor of the vehicle, or holder of a statutory lien on the vehicle, selling the vehicle on a bid basis; or (c) A manufacturer, distributor, rebuilder, lessor or dealer licensed under the provisions of this chapter. 2. The provisions of this section do not apply to any executor, administrator, sheriff or other person who sells a vehicle pursuant to powers or duties granted or imposed by law. 3. A person who violates any of the provisions of this section shall be punished: (a) If the value of the vehicle sold, offered or displayed is \$650 or more, for a category D felony as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution. (b) If the value of the vehicle is less than \$650, for a misdemeanor. (Added to NRS by 1971, 1302; A 1975, 1074; 1983, 1007; 1987, 160; 1989, 1441; 1995, 1297; 2011, 176)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.548 - Unlawful display of vehicle for sale or lease.

1. Except as otherwise provided in subsection 2, it is unlawful for any person to display for the purpose of sale or lease any vehicle upon any vacant lot or unimproved portion of a public right-of-way. 2. A registered owner may display for the purpose of sale or lease his or her vehicle upon a vacant lot if: (a) The activity is authorized by the applicable zoning regulations; and (b) The displayer is the owner of the lot or has received the written consent of the owner and the evidence of the written consent: (1) Is posted on the vehicle in a manner easily seen and read. If the vehicle has a windshield, the consent must be posted inside the windshield, facing outward. (2) Is signed by the owner of the vacant lot. (3) Contains the name and address of the owner of the vacant lot. (4) Contains the name and address of the person who owns the vehicle. (5) States the period for which the display is authorized. 3. Any person who violates the provisions of this section is guilty of a misdemeanor. 4. This section does not prohibit any dealer of vehicles licensed pursuant to this chapter from displaying for sale or lease vehicles in the ordinary course of business. (Added to NRS by 1987, 437)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.550 - Unlawful sale or delivery of used vehicle within State if vehicle not registered in this State; disposition of plates; penalty.

1. It is unlawful to sell or deliver any used automobile or other vehicle, within the State of Nevada, when such vehicle is not registered in the State of Nevada and has displayed on it a vehicle license plate or plates issued by another state or nation. The actual cost of registering the vehicle in Nevada shall be paid by the purchaser of the vehicle. 2. Every person, firm, association or corporation selling any used vehicle which has displayed on it a vehicle license plate or plates issued by any state or nation, before selling such vehicle or delivering it after sale, shall remove from such vehicle any such license plate or plates, and turn in such plate

or plates to the Department or an authorized agent of the Department. 3. Any person violating any provision of this section is guilty of a misdemeanor. [1:211:1953] + [2:211:1953] + [3:211:1953]—(NRS A 1957, 508; 1973, 499)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.5505 - Unlawful taking of possession of motor vehicle or part thereof with knowledge that identification number or mark has been falsely attached, removed, defaced, altered or obliterated; exception; penalty.

A vehicle dealer, employee of a vehicle dealer, garage operator, employee of a garage operator, owner or employee of an automobile wrecker, or operator of a salvage pool or body shop who takes possession of a motor vehicle or part from a motor vehicle knowing that an identification number or mark has been falsely attached, removed, defaced, altered or obliterated, unless the motor vehicle or part has an identification number attached to it which has been assigned or approved by the Department in lieu of the original identification number or mark, is guilty of a category D felony and shall be punished as provided in NRS 193.130. (Added to NRS by 2007, 2361)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.551 - Unlawful purchase, disposal, sale or transfer of motor vehicle or parts with falsely attached, removed, defaced, altered or obliterated identification number or mark; applicability; penalty.

1. Except as otherwise provided in subsection 3, a person who knowingly: (a) Buys with the intent to resell; (b) Disposes of; (c) Sells; or (d) Transfers, a motor vehicle or part from a motor vehicle that has an identification number or mark that has been falsely attached, removed, defaced, altered or obliterated to misrepresent the identity or to prevent the identification of the motor vehicle or part from a motor vehicle is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$60,000, or by both fine and imprisonment. 2. Except as otherwise provided in subsection 3 and NRS 482.5505, or if a greater penalty is otherwise provided by law, a person who takes possession of a motor vehicle or part from a motor vehicle knowing that an identification number or mark has been falsely attached, removed, defaced, altered or obliterated is guilty of a gross misdemeanor and shall be punished by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$10,000, or by both fine and imprisonment. 3. The provisions of this section do not apply to an owner of or person authorized to possess a motor vehicle or part of a motor vehicle: (a) If the motor vehicle or part of the motor vehicle was recovered by a law enforcement agency after having been stolen; (b) If the condition of the identification number or mark of the motor vehicle or part of the motor vehicle is known to, or has been reported to, a law enforcement agency; or (c) If the motor vehicle or part from the motor vehicle has an identification number attached to it which has been assigned or approved by the Department in lieu of the original identification number or mark. (Added to NRS by 1999, 2056; A 2007, 2364; 2013, 988)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.553 - Unlawful removal, defacement, alteration or obliteration of identification number or mark of motor vehicle or part thereof; restoration of number or mark; homemade vehicles; penalty.

1. A person shall not intentionally remove, deface, alter or obliterate the identification number or mark of a vehicle or part from a motor vehicle without written authorization from the Department, nor shall any person attach to or place or stamp upon a vehicle or the parts thereof any serial, motor or other number or mark except one assigned thereto by the Department. 2. This section does not prohibit the restoration by an owner of the original vehicle identification number or mark when the restoration is authorized by the Department, nor prevent any manufacturer from placing in the ordinary course of business numbers or marks upon new motor vehicles or new parts thereof. 3. The Department shall assign serial numbers to all homemade vehicles, and the serial numbers must be placed: (a) If an open trailer, on the left-hand side of the tongue of the trailer. (b) If an enclosed vehicle, on the pillar post for the left-hand door hinge or, if such placement is not appropriate, then on the left-hand side of the fire wall, under the hood. 4. Any person who violates a provision of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$25,000. (Added to NRS by 1971, 145; A 1973, 61; 1995, 1047; 1999, 2058; 2007, 2365)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.5533 - Unlawful failure of certain persons to notify Department or local law enforcement agency within certain period of discovery of motor vehicle or part thereof having identification number or mark that has been falsely attached, removed, defaced, altered or obliterated; penalty.

1. A vehicle dealer, garage operator, automobile wrecker, operator of a salvage pool or body shop, tow car operator, any other business subject to inspection pursuant to NRS 480.610 and the employee of any such establishment who discovers during the course of business that a motor vehicle or part from a motor vehicle has an identification number or mark that has been falsely attached, removed, defaced, altered or obliterated shall notify the Department or a local law enforcement agency within 24 hours after discovery. 2. A person who fails to provide notification pursuant to subsection 1 is guilty of a misdemeanor. (Added to NRS by 2007, 2361)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS

482.5536 - Court proceedings: Disclosure of certain information prohibited; exception; in camera review.

1. Except as otherwise provided in this section, a person shall not disclose during any court proceeding or in any written document produced pursuant to a request for discovery of documents in any action involving the theft of a motor vehicle or part from a motor vehicle the identification of any confidential investigative technique or the location of any confidential identifying number or mark used by a law enforcement agency or the Department to identify a motor vehicle or part from a motor vehicle. 2. Upon request of a party to the action, the court may review confidential techniques and information related to the location of confidential identifying numbers or marks in camera to determine whether disclosure of such information is necessary to determine the issue before the court and may make any orders that justice may require. (Added to NRS by 2007, 2361)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.554 - Deceptive trade practices: Acts constituting; administrative fines; certain disclosures required; remedy not exclusive.

1. The Department may impose an administrative fine of not more than \$10,000 against any person who engages in a deceptive trade practice. The Department shall afford to any person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121. 2. For the purposes of this section, a person shall be deemed to be engaged in a "deceptive trade practice" if, in the course of his or her business or occupation, the person: (a) Enters into a contract for the sale of a vehicle on credit with a customer, exercises a valid option to cancel the vehicle sale and then, after the customer returns the vehicle with no damage other than reasonable wear and tear, the seller: (1) Fails to return any down payment or other consideration in full, including, returning a vehicle accepted in trade; (2) Knowingly makes a false representation to the customer that the customer must sign another contract for the sale of the vehicle on less favorable terms; or (3) Fails to use the disclosure as required in subsection 3. (b) Uses a contract for the sale of the vehicle or a security agreement that materially differs from the form prescribed by law. (c) Engages in any deceptive trade practice, as defined in NRS 598.0915 to 598.0925, inclusive, that involves the purchase and sale or lease of a motor vehicle. (d) Engages in any other acts prescribed by the Department by regulation as a deceptive trade practice. 3. If a seller of a vehicle exercises a valid option to cancel the sale of a vehicle to a customer, the seller must provide a disclosure, and the customer must sign that disclosure, before the seller and customer may enter into a new agreement for the sale of the same vehicle on different terms, or for the sale of a different vehicle. The Department shall prescribe the form of the disclosure by regulation. 4. All administrative fines collected by the Department pursuant to this section must be deposited with the State Treasurer to the credit of the State Highway Fund. 5. The administrative remedy provided in this section is not exclusive and is in addition to any other remedy provided by law. The provisions of this section do not deprive a person injured by a deceptive trade practice from resorting to any other legal remedy. (Added to NRS by 2005, 1240; A 2009, 2527, 2698; 2021, 1454)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.555 - Criminal penalties for certain violations of chapter; exception.

1. In addition to any other penalty provided by this chapter: (a) It is a gross misdemeanor for any person knowingly to falsify: (1) A dealer's or rebuilder's report of sale, as described in NRS 482.423 and 482.424; (2) An application or document to obtain any license, permit, certificate of title or vehicle registration issued under the provisions of this chapter; or (3) An application or document to obtain a salvage title or nonrepairable vehicle certificate as defined in chapter 487 of NRS. (b) It is a misdemeanor for any person to violate any of the provisions of this chapter unless such violation is by this section or other provision of this chapter or other law of this State declared to be a gross misdemeanor or a felony. 2. The provisions of this section do not apply to a violation of subsection 3 of NRS 482.367002. [36:202:1931; 1931 NCL § 4435.35]—(NRS A 1959, 919; 1963, 351; 1967, 592; 1975, 282; 2003, 468; 2007, 3221; 2013, 1483)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.557 - Failure to provide insurance: Administrative fines; requirements for filing and maintaining with Department certificate of financial responsibility; suspension of driver's license of registered owner.

1. Except as otherwise provided in subsection 6 of NRS 485.317, if a registered owner failed to have insurance on the date specified by the Department pursuant to NRS 485.317: (a) For a first offense, the registered owner shall pay to the Department a registration reinstatement fee of \$250, and if the period during which insurance coverage lapsed was: (1) At least 31 days but not more than 90 days, pay to the Department a fine of \$250. (2) At least 91 days but not more than 180 days: (I) Pay to the Department a fine of \$500; and (II) File and maintain with the Department a certificate of financial responsibility for a period of not less than 3 years following the date on which the registration of the applicable vehicle is reinstated. (3) More than 180 days: (I) Pay to the Department a fine of \$1,000; and (II) File and maintain with the Department a certificate of financial responsibility for a period of not less than 3 years following the date on which the registration of the applicable vehicle is reinstated. (b) For a second offense, the registered owner shall pay to the Department a registration reinstatement fee of \$500, and if the period during which insurance coverage lapsed was: (1) At least 31 days but not more than 90 days, pay to the Department a fine of \$500. (2) At least 91 days but not more than 180 days: (I) Pay to the Department a fine of \$500; and (II) File and maintain with the Department a certificate of financial responsibility for a period of not less than 3 years following the date on which the registration of the applicable vehicle is reinstated. (3) More than 180 days: (I) Pay to the Department a fine of \$1,000; and (II) File and maintain with the Department a

certificate of financial responsibility for a period of not less than 3 years following the date on which the registration of the applicable vehicle is reinstated. (c) For a third or subsequent offense: (1) The driver's license of the registered owner must be suspended for a period to be determined by regulation of the Department but not less than 30 days; (2) The registered owner shall file and maintain with the Department a certificate of financial responsibility for a period of not less than 3 years following the date on which the registration of the applicable vehicle is reinstated; and (3) The registered owner shall pay to the Department a registration reinstatement fee of \$750, and if the period during which insurance coverage lapsed was: (I) At least 31 days but not more than 90 days, pay to the Department a fine of \$500. (II) At least 91 days but not more than 180 days, pay to the Department a fine of \$750. (III) More than 180 days, pay to the Department a fine of \$1,000. 2. As used in this section, "certificate of financial responsibility" has the meaning ascribed to it in NRS 485.028. (Added to NRS by 2011, 1587; A 2013, 1841)

2024 Nevada Revised Statutes Chapter 482 - Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases NRS 482.565 - Administrative fines for violations other than deceptive trade practices; injunction or other appropriate remedy; enforcement proceedings.

1. Except as otherwise provided in NRS 482.554, the Department may impose an administrative fine, not to exceed \$2,500, for a violation of any provision of this chapter, or any rule, regulation or order adopted or issued pursuant thereto. The Department shall afford to any person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121. 2. All administrative fines collected by the Department pursuant to subsection 1 must be deposited with the State Treasurer to the credit of the State Highway Fund. 3. In addition to any other remedy provided by this chapter, the Department may compel compliance with any provision of this chapter and any rule, regulation or order adopted or issued pursuant thereto, by injunction or other appropriate remedy and the Department may institute and maintain in the name of the State of Nevada any such enforcement proceedings. (Added to NRS by 1991, 755; A 2005, 1244)

Title: chapter-483

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.010 - Short title.

The provisions of NRS 483.010 to 483.630, inclusive, may be cited as the Uniform Motor Vehicle Drivers' License Act. [49:190:1941; 1931 NCL § 4442.48]—(NRS A 1969, 537; 1975, 1076; 1977, 1060; 2001, 741; 2005, 1216, 2313; 2011, 2658)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.015 - Applicability.

Except as otherwise provided in NRS 483.330, the provisions of NRS 483.010 to 483.630, inclusive, apply only with respect to noncommercial drivers' licenses. (Added to NRS by 1989, 1115; A 1997, 61; 2001, 741; 2005, 1216; 2009, 714; 2011, 2658; 2013, 1297, 1993; 2017, 223, 1279; 2023, 1715)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.020 - Definitions.

As used in NRS 483.010 to 483.630, inclusive, unless the context otherwise requires, the words and terms defined in NRS 483.030 to 483.190, inclusive, have the meanings ascribed to them in those sections. [1:190:1941; 1931 NCL § 4442]—(NRS A 1969, 537; 1973, 1569; 1975, 1076; 1993, 271; 1995, 2762; 1997, 1221, 3046; 1999, 1109, 3408, 3441; 2003, 1236; 2005, 1216; 2009, 396, 714; 2011, 2659; 2013, 1297, 1993; 2017, 224, 1279; 2019, 1791; 2023, 1715)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.030 - "Administrator" defined.

"Administrator" means the Director. [Part 6:190:1941; A 1953, 191]—(NRS A 1957, 614; 1985, 1938)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.035 - "Border state employee" defined.

"Border state employee" means a person whose legal residence is not in this State and who resides outside of the State of Nevada and who commutes into the State of Nevada solely for the purpose of employment. (Added to NRS by 1973, 1569)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.040 - "Cancellation" and "cancelled" defined.

"Cancellation" or "cancelled" means that a license which was issued through error or fraud is declared void and terminated. A new license may be obtained only as permitted in NRS 483.010 to 483.630, inclusive. [Part 7:190:1941; 1931 NCL § 4442.06]—(NRS A 1969, 537)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.045 - "Concentration of alcohol of 0.02 or more but less than 0.08 in his or her blood or breath" defined. [Effective until the date

of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] "Concentration of alcohol of 0.02 or more but less than 0.10 in his or her blood or breath" defined. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

The phrase "concentration of alcohol of 0.02 or more but less than 0.08 in his or her blood or breath" means 0.02 gram or more but less than 0.08 gram of alcohol per 100 milliliters of the blood of a person or per 210 liters of his or her breath. (Added to NRS by 1997, 3044; A 1999, 2448; 2003, 2557) The phrase "concentration of alcohol of 0.02 or more but less than 0.10 in his or her blood or breath" means 0.02 gram or more but less than 0.10 gram of alcohol per 100 milliliters of the blood of a person or per 210 liters of his or her breath. (Added to NRS by 1997, 3044; A 1999, 2448; 2003, 2557, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.063 - "Driver" defined.

"Driver" means a person who is in actual physical control of a vehicle upon a highway. (Added to NRS by 1969, 536)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.064 - "Driver authorization card" defined.

"Driver authorization card" means a card obtained in accordance with NRS 483.291. (Added to NRS by 2013, 1294)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.065 - "Driver's license" defined.

"Driver's license" means a license issued under the laws of this State authorizing a person to drive a motor vehicle in this State. (Added to NRS by 1969, 536)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.067 - "Electric bicycle" defined.

"Electric bicycle" has the meaning ascribed to it in NRS 484B.017. The term does not include a moped or an electric scooter, as defined in NRS 482.0295. (Added to NRS by 2009, 396; A 2019, 1881; 2021, 1742)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.070 - "Farm tractor" defined.

"Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry. [Part 2:190:1941; A 1943, 268; 1943 NCL § 4442.01]

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.075 - "Foreign exchange student" defined.

"Foreign exchange student" means a student: 1. Whose legal residence is not in the United States; 2. Who comes into this State to attend an educational institution for 1 school year; and 3. Who returns to his or her legal residence at the end of that school year. (Added to NRS by 1997, 1220)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.080 - "Highway" defined.

"Highway" has the meaning ascribed to it in NRS 484A.095. [Part 5:190:1941; 1931 NCL § 4442.04]—(NRS A 1999, 3408)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.081 - "International instructor" defined.

"International instructor" means a person: 1. Who is at least 18 years of age; 2. Whose legal residence is not in this State; 3. Who comes into this State to teach at an educational institution for an indefinite period; and 4. Who may declare that he or she is a resident of this State for the limited purpose of obtaining a driver's license or identification card. (Added to NRS by 1997, 1220)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.082 - "International student" defined.

"International student" means a student: 1. Who is at least 18 years of age; 2. Whose legal residence is not in this State; 3. Who comes into this State to attend an educational institution for an indefinite period; and 4. Who may declare that he or she is a resident of this State for the limited purpose of obtaining a driver's license or identification card. (Added to NRS by 1997, 1221)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.083 - "License" defined.

"License" means any driver's license or permit to operate a vehicle issued under or granted by the laws of this State, including: 1. Any temporary license; 2. Any instruction permit obtained in accordance with NRS 483.290; and 3. The future privilege to drive a vehicle by a person who does not hold a driver's license. (Added to NRS by 1969, 536; A 2003, 1237; 2013, 1297)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.085 - "Licensee" defined.

"Licensee" means a person who has a license. (Added to NRS by 1969, 537)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.088 - "Moped" defined.

"Moped" means a motor-driven scooter, motor-driven cycle or similar vehicle that is propelled by a small engine which produces not more than 2 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 1500 watts final output, and: 1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and 2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged. The term does not include an electric bicycle or an electric scooter, as defined in NRS 482.0295. (Added to NRS by 1975, 1076; A 1983, 895; 2009, 397; 2019, 1881)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.090 - "Motor vehicle" defined.

"Motor vehicle" means every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails. "Motor vehicle" includes a moped. The term does not include an electric bicycle or an electric scooter, as defined in NRS 482.0295. [Part 2:190:1941; A 1943, 268; 1943 NCL § 4442.01]—(NRS A 1975, 1076; 2009, 397; 2019, 1881)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.100 - "Nonresident" defined.

"Nonresident" means every person who is not a resident of this State. [4:190:1941; 1931 NCL § 4442.03]

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.115 - "Out-of-state student" defined.

"Out-of-state student" means a student: 1. Whose legal residence is not in this State; 2. Who comes into this State to attend an educational institution; and 3. Who returns to his or her legal residence during the summer months. (Added to NRS by 1973, 1569; A 1997, 1221)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.120 - "Owner" defined.

"Owner" means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of NRS 483.010 to 483.630, inclusive. [Part 3:190:1941; A 1943, 268; 1943 NCL § 4442.02]—(NRS A 1969, 537)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.125 - "Photograph" defined.

"Photograph" includes a digital image created by a computer or digital camera. (Added to NRS by 1999, 1109)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.135 - "Premises to which the public has access" defined.

"Premises to which the public has access" has the meaning ascribed to it in NRS 484A.185. (Added to NRS by 1999, 3408)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.141 - "Resident" defined.

1. "Resident" includes, but is not limited to, a person: (a) Whose legal residence is in the State of Nevada. (b) Who engages in intrastate business and operates in such a business any motor vehicle, trailer or semitrailer, or any person maintaining such vehicles in this State, as the home state of such vehicles. (c) Who physically resides in this State and engages in a trade, profession, occupation or accepts gainful employment in this State. (d) Who declares that he or she is a resident of this State to obtain privileges

not ordinarily extended to nonresidents of this State. 2. The term does not include a person who is an actual tourist, an out-of-state student, a foreign exchange student, a border state employee or a seasonal resident. 3. The provisions of this section do not apply to drivers of vehicles operated in this State under the provisions of NRS 482.385, 482.390, 482.395 or 706.801 to 706.861, inclusive. (Added to NRS by 1973, 1569; A 1989, 706; 1997, 1221)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.150 - "Revocation" defined.

"Revocation" means that the licensee's privilege to drive a vehicle is terminated. A new license may be obtained only as permitted in NRS 483.010 to 483.630, inclusive. [Part 7:190:1941; 1931 NCL § 4442.06]—(NRS A 1969, 537)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.160 - "School bus" defined.

1. "School bus" means every motor vehicle owned by or under the control of a public or governmental agency or a private school and regularly operated for the transportation of children to or from school or a school activity or privately owned and regularly operated for compensation for the transportation of children to or from school or a school activity. 2. "School bus" does not include a passenger car operated under a contract to transport children to and from school, a common carrier or commercial vehicle under the jurisdiction of the Surface Transportation Board or the Nevada Transportation Authority when such a vehicle is operated in the regular conduct of its business in interstate or intrastate commerce within the State of Nevada. [Part 2:190:1941; A 1943, 268; 1943 NCL § 4442.01]—(NRS A 1961, 303; 1971, 139; 1997, 1619, 2007)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.165 - "State" defined.

"State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Northern Mariana Islands and the United States Virgin Islands. (Added to NRS by 2019, 1791)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.170 - "Street" defined.

"Street" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. [Part 5:190:1941; 1931 NCL § 4442.04]

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.180 - "Suspension" defined.

"Suspension" means that the licensee's privilege to drive a vehicle is temporarily withdrawn. [Part 7:190:1941; 1931 NCL § 4442.06]

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.190 - "Vehicle" defined.

"Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, except: 1. Devices moved by human power or used exclusively upon stationary rails or tracks; 2. Electric bicycles; 3. Electric personal assistive mobility devices as defined in NRS 482.029; and 4. An electric scooter, as defined in NRS 482.0295. [Part 2:190:1941; A 1943, 268; 1943 NCL § 4442.01]—(NRS A 2003, 1206; 2019, 1881)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.200 - Employment of examiners and other employees; duties of examiners.

1. The Administrator is authorized to employ examiners, deputies and such other help as may be necessary to carry out the provisions of NRS 483.010 to 483.630, inclusive. 2. The Department may appoint as examiners, sheriffs, chiefs of police or other officials or private citizens whom it deems qualified. 3. Any sheriff, chief of police or other person accepting appointment as an examiner shall conduct examinations under NRS 483.010 to 483.630, inclusive, and make such written reports of findings and recommendations to the Department as it may require. [18:190:1941; A 1953, 191] + [Part 26:190:1941; 1931 NCL § 4442.25]—(NRS A 1969, 538)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.205 - Medical Board: Appointment; duties.

When the Administrator considers it necessary to obtain assistance for the Department in determining the physical or mental ability of a person to operate a motor vehicle, the Administrator, assisted by the Chief Medical Officer, may appoint a medical board consisting of three members to render such assistance. (Added to NRS by 1963, 842; A 1997, 1619)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.210 -

Offices.

The Administrator is authorized to provide suitable office accommodations. [Part 26:190:1941; 1931 NCL § 4442.25]

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.220 - Regulations.

The Administrator is authorized to promulgate rules and regulations governing activities of the Department under NRS 483.010 to 483.630, inclusive. [Part 26:190:1941; 1931 NCL § 4442.25]—(NRS A 1969, 538; 1975, 1076; 2017, 1279)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.222 - Department authorized to enter agreement with Department of Veterans Services for purposes of sharing information relevant to verifying whether applicant was honorably discharged.

The Department may enter into an agreement, including, without limitation, an interlocal agreement that meets the requirements of chapter 277 of NRS, with the Department of Veterans Services. The agreement may provide for, without limitation, the electronic or digital sharing of information for the purposes of NRS 483.292, 483.852 and 483.927. (Added to NRS by 2019, 574)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.225 - List of licensed drivers to be provided for selection of jury; reimbursement of Department.

1. The Department shall provide a list of licensed drivers in any county upon the request of a district judge or jury commissioner of the judicial district in which the county lies for use in selecting jurors. 2. The court or jury commissioner who requests the list shall reimburse the Department for the reasonable cost of the list. (Added to NRS by 1981, 533; A 2017, 3881)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.230 - Licensing of drivers required; vehicle being towed; possession of more than one license prohibited.

1. Except persons expressly exempted in NRS 483.010 to 483.630, inclusive, a person shall not drive any motor vehicle upon a highway in this State unless such person has a valid license as a driver under the provisions of NRS 483.010 to 483.630, inclusive, for the type or class of vehicle being driven. 2. Any person licensed as a driver under the provisions of NRS 483.010 to 483.630, inclusive, may exercise the privilege thereby granted upon all streets and highways of this State and shall not be required to obtain any other license to exercise such privilege by any county, municipal or local board or body having authority to adopt local police regulations. 3. Except persons expressly exempted in NRS 483.010 to 483.630, inclusive, a person shall not steer or exercise any degree of physical control of a vehicle being towed by a motor vehicle upon a highway unless such person has a license to drive the type or class of vehicle being towed. 4. A person shall not receive a driver's license until the person surrenders to the Department all valid licenses in his or her possession issued to the person by this or any other jurisdiction. Surrendered licenses issued by another jurisdiction shall be returned by the Department to such jurisdiction. A person shall not have more than one valid driver's license. [8:190:1941; 1931 NCL § 4442.07]—(NRS A 1969, 538; 2011, 2874)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.235 - Holders of class A noncommercial drivers' licenses: Department to adopt regulations concerning driving of combinations of vehicles of certain length and weight.

The Department shall adopt regulations authorizing the holder of a class A noncommercial driver's license to drive: 1. Except as otherwise provided in subsection 2, any combination of vehicles not exceeding 70 feet in length with a gross combination weight rating of 26,000 pounds or less so long as the gross combination weight rating of the towed vehicles does not exceed the gross vehicle weight rating of the towing vehicle. 2. A retired military vehicle registered pursuant to NRS 482.3817, regardless of the gross vehicle weight of the retired military vehicle, except that a motorcycle driver's license or a driver's license authorizing the holder to operate a motorcycle is required to operate a retired military vehicle that is a motorcycle. (Added to NRS by 2001, 741; A 2019, 1331)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.240 - Exemptions from licensing.

The following persons are exempt from license under the provisions of NRS 483.010 to 483.630, inclusive: 1. Any person while driving a motor vehicle in the service of the Armed Forces. 2. Any person while driving any road machine, farm tractor or implement of husbandry temporarily operated or moved on a highway. 3. A nonresident who is at least 16 years of age and who has in his or her immediate possession a valid license issued to the person in his or her home state or country may drive a motor vehicle in this State of the type or class the person may operate in that home state or country. 4. Any nonresident who is at least 18 years of age, whose home state or country does not require the licensing of drivers, may drive a motor vehicle for a period of not more than 90 days in any calendar year, if the motor vehicle driven is duly registered in the home state or country of such nonresident. 5. A nonresident on active duty in the Armed Forces who has a valid license issued by the person's home state and such nonresident's spouse or dependent child who has a valid license issued by such state. 6. Any person on active duty in the Armed Forces who has a valid license issued in a foreign country by the Armed Forces may drive a motor vehicle for a period of not more than 45 days from

the date of his or her return to the United States. [9:190:1941; 1931 NCL § 4442.08]—(NRS A 1965, 562; 1969, 538)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.245 - License issued by this State required when person becomes resident; issuance; reciprocal agreements with other states or countries.

1. When a person becomes a resident of Nevada as defined in this chapter and chapter 482 of NRS, the person must, within 30 days, obtain a Nevada driver's license as a prerequisite to driving any motor vehicle in the State of Nevada. 2. Where a person who applies for a license has a valid driver's license from a state or country which has requirements for issuance of drivers' licenses comparable to those of the State of Nevada, the Department may issue a Nevada license under the same terms and conditions applicable to a renewal of a license in this State. 3. In carrying out the provisions of this chapter, the Administrator is authorized to enter into reciprocal agreements with appropriate officials of other states or countries concerning the licensing of drivers of motor vehicles. (Added to NRS by 1963, 760; A 1969, 539; 1973, 1570; 1975, 177; 1995, 2728; 2015, 1022)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.250 - Issuance of license to certain persons prohibited; exceptions.

The Department shall not issue any license pursuant to the provisions of NRS 483.010 to 483.630, inclusive: 1. To any person who is under the age of 18 years, except that the Department may issue: (a) A restricted license to a person between the ages of 14 and 18 years pursuant to the provisions of NRS 483.267 and 483.270. (b) An instruction permit to a person who is at least 15 1/2 years of age pursuant to the provisions of subsection 1 or 4 of NRS 483.280. (c) A restricted instruction permit to a person under the age of 18 years pursuant to the provisions of subsection 3 of NRS 483.280. (d) A driver's license to a person who is 16 or 17 years of age pursuant to NRS 483.2521. 2. To any person whose license has been revoked until the expiration of the period during which the person is not eligible for a license. 3. To any person whose license has been suspended, but upon good cause shown to the Administrator, the Department may issue a restricted license to the person or shorten any period of suspension. 4. To any person who has previously been adjudged to be afflicted with or suffering from any mental disability or disease and who has not at the time of application been restored to legal capacity. 5. To any person who is required by NRS 483.010 to 483.630, inclusive, to take an examination, unless the person has successfully passed the examination. 6. To any person when the Administrator has good cause to believe that by reason of physical or mental disability that person would not be able to operate a motor vehicle safely. 7. To any person who is not a resident of this State. 8. To any child who is the subject of a court order issued pursuant to title 5 of NRS or administrative sanctions imposed pursuant to NRS 392.148 which delay the child's privilege to drive. 9. To any person who is the subject of a court order issued pursuant to NRS 206.330 which delays the person's privilege to drive until the expiration of the period of delay. 10. To any person who is not eligible for the issuance of a license pursuant to NRS 483.283. [10:190:1941; A 1943, 268; 1949, 38; 1953, 191; 1955, 129; 1956, 203]—(NRS A 1959, 497; 1969, 540; 1971, 546, 2029; 1977, 1370; 1981, 477; 1983, 1080; 1989, 1396; 1995, 741, 1156, 1165, 1361, 2401; 1997, 802, 1521; 2001, 1500, 1994; 2001 Special Session, 270; 2003, 320, 323, 1152; 2005, 2308, 2886; 2007, 2300; 2013, 2463; 2017, 962)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.2521 - Drivers who are 16 or 17 years of age: Prerequisites to issuance of license.

1. Except as otherwise provided in subsection 4, the Department may issue a driver's license to a person who is 16 or 17 years of age if the person: (a) Except as otherwise provided in subsection 2, has completed: (1) A course in automobile driver education pursuant to NRS 389.090; or (2) A course provided by a school for training drivers which is licensed pursuant to NRS 483.700 to 483.780, inclusive, and which complies with the applicable regulations governing the establishment, conduct and scope of automobile driver education adopted by the State Board of Education pursuant to NRS 389.090; (b) Except as otherwise provided in subsection 3, has at least 50 hours of supervised experience in driving a motor vehicle with a restricted license, instruction permit or restricted instruction permit issued pursuant to NRS 483.267, 483.270 or 483.280, including, without limitation, at least 10 hours of experience in driving a motor vehicle during darkness; (c) Except as otherwise provided in subsection 3, submits to the Department, on a form provided by the Department, a log which contains the dates and times of the hours of supervised experience required pursuant to this section and which is signed: (1) By his or her parent or legal guardian; or (2) If the person applying for the driver's license is an emancipated minor, by a licensed driver who is at least 21 years of age or by a licensed driving instructor, who attests that the person applying for the driver's license has completed the training and experience required pursuant to paragraphs (a) and (b); (d) Submits to the Department: (1) A written statement signed by the principal of the public school in which the person is enrolled or by a designee of the principal and which is provided to the person pursuant to NRS 392.123; (2) A written statement signed by the parent or legal guardian of the person which states that the person is excused from compulsory enrollment and attendance pursuant to NRS 392.070; (3) A copy of the person's high school diploma or certificate of attendance; or (4) A copy of the person's certificate of general educational development or an equivalent document; (e) Has not been found to be responsible for a motor vehicle crash during the 6 months before applying for the driver's license; (f) Has not been convicted of or found by a court to have committed a moving traffic violation or convicted of a crime involving alcohol or a controlled substance during the 6 months before applying for the driver's license; and (g) Has held an instruction permit for not less than 6 months before applying for the driver's license. 2. If a course described in paragraph (a) of subsection 1 is not offered within a 30-mile radius of a person's residence, the person may, in lieu of completing such a course as required by that paragraph, complete an additional 50 hours of

supervised experience in driving a motor vehicle in accordance with paragraph (b) of subsection 1. 3. In lieu of the supervised experience required pursuant to paragraph (b) of subsection 1, a person applying for a Class C noncommercial driver's license may provide to the Department proof that the person has successfully completed: (a) The training required pursuant to paragraph (a) of subsection 1; and (b) A hands-on course in defensive driving that has been approved by the Department pursuant to NRS 483.727. 4. A person who is 16 or 17 years of age, who has held an instruction permit issued pursuant to subsection 4 of NRS 483.280 authorizing the holder of the permit to operate a motorcycle and who applies for a driver's license pursuant to this section that authorizes him or her to operate a motorcycle must comply with the provisions of paragraphs (d) to (g), inclusive, of subsection 1 and must: (a) Except as otherwise provided in subsection 5, complete a course of motorcycle safety approved by the Department; (b) Have at least 50 hours of experience in driving a motorcycle with an instruction permit issued pursuant to subsection 4 of NRS 483.280; and (c) Submit to the Department, on a form provided by the Department, a log which contains the dates and times of the hours of experience required pursuant to paragraph (b) and which is signed by his or her parent or legal guardian who attests that the person applying for the motorcycle driver's license has completed the training and experience required pursuant to paragraphs (a) and (b). 5. If a course described in paragraph (a) of subsection 4 is not offered within a 30-mile radius of a person's residence, the person may, in lieu of completing the course, complete an additional 50 hours of experience in driving a motorcycle in accordance with paragraph (b) of subsection 4. (Added to NRS by 2005, 2306; A 2013, 2463; 2015, 1630; 2017, 963; 2019, 2971; 2021, 3300; 2023, 1224)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.2523 - Drivers who are 16 or 17 years of age: Restriction on transporting certain passengers under 18 years of age during initial period of licensure; penalty; effect of violation.

1. A person to whom a driver's license is issued pursuant to NRS 483.2521 shall not, during the first 6 months after the date on which the driver's license is issued, transport as a passenger a person who is under 18 years of age, unless the person is a member of his or her immediate family. 2. A person who violates the provisions of this section: (a) For a first offense, must be ordered to comply with the provisions of this section for 6 months after the date on which the driver's license is issued. (b) For a second or subsequent offense, must be ordered to: (1) Pay a civil penalty in an amount not to exceed \$250; (2) Comply with the provisions of this section for such additional time as determined by the court; or (3) Both pay such a civil penalty and comply with the provisions of this section for such additional time as determined by the court. 3. A violation of this section: (a) Is not a moving traffic violation for the purposes of NRS 483.473; and (b) Is not grounds for suspension or revocation of the driver's license for the purposes of NRS 483.360. (Added to NRS by 2005, 2307; A 2007, 644; 2021, 3301)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.2525 - Drivers who are 16 or 17 years of age: Violation of restriction on transporting certain passengers during initial period of licensure not primary offense; issuance of citations.

1. A peace officer shall not stop a motor vehicle for the sole purpose of determining whether the driver is violating a provision of NRS 483.2523. Except as otherwise provided in subsection 2, a civil infraction citation may be issued pursuant to NRS 484A.703 to 484A.705, inclusive, for a violation of NRS 483.2523 only if the violation is discovered when the vehicle is halted or its driver is arrested for another alleged violation or offense. 2. A peace officer shall not issue a civil infraction citation pursuant to NRS 484A.703 to 484A.705, inclusive, to a person for operating a motor vehicle in violation of NRS 483.2523 if the person provides satisfactory evidence that the person has held the driver's license for the period required pursuant to NRS 483.2523. (Added to NRS by 2005, 2307; A 2021, 3302)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.2527 - Drivers who are 16 or 17 years of age: Information included on and format of license; regulations.

The Department may: 1. With respect to a driver's license that is issued pursuant to NRS 483.2521: (a) Include on the face of the license the original date on which the license was issued; or (b) Otherwise indicate that the license is for use by a person who: (1) Is 16 or 17 years of age; and (2) Has satisfied the requirements set forth in NRS 483.2521 before receiving the license; 2. Issue drivers' licenses pursuant to NRS 483.2521, in accordance with the requirements of NRS 483.347, with distinguishing characteristics which clearly indicate that the licensee is 16 or 17 years of age; and 3. Adopt regulations necessary to carry out the provisions governing the issuance of drivers' licenses pursuant to NRS 483.2521. (Added to NRS by 2005, 2307)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.2529 - Drivers who are 16 or 17 years of age: Duration of restriction or suspension of license for certain violations.

If the driver's license of a person who is under 18 years of age is restricted or suspended as a result of an act committed in violation of NRS 483.2521 to 483.2529, inclusive, the restriction or suspension remains in effect until the end of the term of the restriction or suspension even if the person becomes 18 years of age before the end of the term of the restriction or suspension. (Added to NRS by 2005, 2307)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.255 - Department to adopt regulations regarding hours of training required for issuance of license to minor who attends school for

training drivers.

The Department shall adopt regulations that set forth the number of hours of training which a person whose age is less than 18 years must complete in a course provided by a school for training drivers to be issued a driver's license pursuant to subparagraph (2) of paragraph (a) of subsection 1 of NRS 483.2521. The regulations must require that the number of hours that must be completed by such a person be comparable to the number of hours of instruction which would be required of such a person if the person completed his or her training in a course provided pursuant to NRS 389.090. (Added to NRS by 1997, 1520; A 2005, 2309)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.267 - Restricted license for person between ages of 14 and 18 if medical hardship exists in family: Issuance; application; restrictions. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.] Restricted license for person between ages of 14 and 18 years if medical hardship exists in family: Issuance; application; restrictions. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

1. The Department may issue a restricted license to any applicant between the ages of 14 and 18 years which entitles the applicant to drive a motor vehicle upon a highway if a member of his or her household has a medical condition which renders that member unable to operate a motor vehicle, and a hardship exists which requires the applicant to drive. 2. An application for a restricted license under this section must: (a) Be made upon a form provided by the Department. (b) Contain a statement that a person living in the same household with the applicant suffers from a medical condition which renders that person unable to operate a motor vehicle and explaining the need for the applicant to drive. (c) Be signed and verified as provided in NRS 483.300. (d) Include: (1) A written statement signed by the principal of the public school in which the applicant is enrolled or by a designee of the principal and which is provided to the applicant pursuant to NRS 392.123; (2) A written statement signed by the parent or legal guardian of the applicant which states that the applicant is excused from compulsory school enrollment and attendance pursuant to NRS 392.070; (3) A copy of the applicant's high school diploma or certificate of attendance; or (4) A copy of the applicant's certificate of general educational development or an equivalent document. (e) Contain such other information as may be required by the Department. 3. A restricted license issued pursuant to this section: (a) Is effective for the period specified by the Department; (b) Authorizes the licensee to operate a motor vehicle on a street or highway only under conditions specified by the Department; and (c) May contain other restrictions which the Department deems necessary. 4. No license may be issued under this section until the Department is satisfied fully as to the applicant's competency and fitness to drive a motor vehicle. (Added to NRS by 1981, 477; A 1997, 1522; 2013, 2464; 2023, 1226)

1. The Department may issue a restricted license to any applicant between the ages of 14 and 18 years which entitles the applicant to drive a motor vehicle upon a highway if a member of his or her household has a medical condition which renders that member unable to operate a motor vehicle, and a hardship exists which requires the applicant to drive. 2. An application for a restricted license under this section must: (a) Be made upon a form provided by the Department. (b) Contain a statement that a person living in the same household with the applicant suffers from a medical condition which renders that person unable to operate a motor vehicle and explaining the need for the applicant to drive. (c) Be signed and verified as provided in NRS 483.300. (d) Include: (1) A written statement signed by the principal of the public school in which the applicant is enrolled or by a designee of the principal and which is provided to the applicant pursuant to NRS 392.123; (2) A written statement signed by the parent or legal guardian of the applicant which states that the applicant is excused from compulsory school enrollment and attendance pursuant to NRS 392.070; (3) A copy of the applicant's high school diploma or certificate of attendance; or (4) A copy of the applicant's certificate of general educational development or an equivalent document. (e) Include information instructing the applicant how to register with the Next-of-Kin Registry pursuant to NRS 483.653 if he or she so chooses. (f) Contain such other information as may be required by the Department. 3. A restricted license issued pursuant to this section: (a) Is effective for the period specified by the Department; (b) Authorizes the licensee to operate a motor vehicle on a street or highway only under conditions specified by the Department; and (c) May contain other restrictions which the Department deems necessary. 4. No license may be issued under this section until the Department is satisfied fully as to the applicant's competency and fitness to drive a motor vehicle. (Added to NRS by 1981, 477; A 1997, 1522; 2013, 2464; 2015, 437; 2023, 1226, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.270 - Restricted license for pupil in school: Issuance; application; restrictions; regulations. [Effective until the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.] Restricted license for pupil in school: Issuance; application; restrictions; regulations. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

1. The Department may issue a restricted license to any pupil between the ages of 14 and 18 years who is attending: (a) A public school in a school district in this State in a county whose population is less than 55,000 or in a city or town whose population is less than 25,000 when transportation to and from school is not provided by the board of trustees of the school district, if the pupil meets the requirements for eligibility adopted by the Department pursuant to subsection 5; or (b) A private school meeting the requirements for approval under NRS 392.070 when transportation to and from school is not provided by the private school, and it is impossible or impracticable to furnish such pupil with private transportation to and from school. 2. An application for the issuance of a restricted license under this section must: (a) Be made upon a form provided by the Department. (b) Be signed and verified as provided in NRS 483.300. (c) Include a written statement signed by the: (1) Principal of the public school in which the pupil is enrolled or by a designee of the principal and which is provided to the applicant pursuant to NRS 392.123; or (2) Parent or legal guardian of the pupil which states that the pupil is excused from compulsory school enrollment and attendance pursuant to NRS 392.070. (d) Contain such other information as may be required by the Department. 3. Any restricted license issued pursuant to this section: (a) Is effective only for the school year during which it is issued or for a more restricted period. (b) Authorizes the licensee to drive a motor vehicle on a street or highway only while going to and from school, and at a speed not in excess of 55 miles per hour. (c) May contain such other restrictions as the Department may deem necessary and proper. (d) May authorize the licensee to transport as passengers in a motor vehicle driven by the licensee, only while the licensee is going to and from school, members of his or her immediate family, or other minor persons upon written consent of the parents or guardians of such minors, but in no event may the number of passengers so transported at any time exceed the number of passengers for which the vehicle was designed. 4. No restricted license may be issued under the provisions of this section until the Department is satisfied fully as to the applicant's competency and fitness to drive a motor vehicle. 5. The Department shall adopt regulations that set forth the requirements for eligibility of a pupil to receive a restricted license pursuant to paragraph (a) of subsection 1. [Part 12:190:1941; A 1955, 129; 1956, 203]—(NRS A 1969, 541; 1973, 223; 1975, 207; 1997, 1523; 2001, 1996; 2011, 1289; 2013, 2465; 2015, 1350; 2023, 1226) 1. The Department may issue a restricted license to any pupil between the ages of 14 and 18 years who is attending: (a) A public school in a school district in this State in a county whose population is less than 55,000 or in a city or town whose population is less than 25,000 when transportation to and from school is not provided by the board of trustees of the school district, if the pupil meets the requirements for eligibility adopted by the Department pursuant to subsection 5; or (b) A private school meeting the requirements for approval under NRS 392.070 when transportation to and from school is not provided by the private school, and it is impossible or impracticable to furnish such pupil with private transportation to and from school. 2. An application for the issuance of a restricted license under this section must: (a) Be made upon a form provided by the Department. (b) Be signed and verified as provided in NRS 483.300. (c) Include a written statement signed by the: (1) Principal of the public school in which the pupil is enrolled or by a designee of the principal and which is provided to the applicant pursuant to NRS 392.123; or (2) Parent or legal guardian of the pupil which states that the pupil is excused from compulsory school enrollment and attendance pursuant to NRS 392.070. (d) Include information instructing the applicant how to register with the Next-of-Kin Registry pursuant to NRS 483.653 if he or she so chooses. (e) Contain such other information as may be required by the Department. 3. Any restricted license issued pursuant to this section: (a) Is effective only for the school year during which it is issued or for a more restricted period. (b) Authorizes the licensee to drive a motor vehicle on a street or highway only while going to and from school, and at a speed not in excess of 55 miles per hour. (c) May contain such other restrictions as the Department may deem necessary and proper. (d) May authorize the licensee to transport as passengers in a motor vehicle driven by the licensee, only while the licensee is going to and from school, members of his or her immediate family, or other minor persons upon written consent of the parents or guardians of such minors, but in no event may the number of passengers so transported at any time exceed the number of passengers for which the vehicle was designed. 4. No restricted license may be issued under the provisions of this section until the Department is satisfied fully as to the applicant's competency and fitness to drive a motor vehicle. 5. The Department shall adopt regulations that set forth the requirements for eligibility of a pupil to receive a restricted license pursuant to paragraph (a) of subsection 1. [Part 12:190:1941; A 1955, 129; 1956, 203]—(NRS A 1969, 541; 1973, 223; 1975, 207; 1997, 1523; 2001, 1996; 2011, 1289; 2013, 2465; 2015, 437, 1350; 2023, 1226, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.280 - Instruction, restricted instruction and temporary drivers' permits. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.] Instruction, restricted instruction and temporary drivers' permits. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

1. Any person who is at least 15 1/2 years of age may apply to the Department for an instruction permit. Except as otherwise provided in subsections 4 and 5, the Department may, in its discretion, after the applicant has successfully passed all parts of the examination administered pursuant to NRS 483.330, other than the driving test, issue to the applicant an instruction permit entitling the applicant, while having the permit in his or her immediate possession, to drive a motor vehicle, other than a motorcycle, upon

the highways for a period of 1 year when accompanied by a licensed driver who is at least 21 years of age, who has had at least 1 year of licensed driving experience in the type of vehicle for which the permit was issued and who is actually occupying a seat beside the driver. A permit issued pursuant to this subsection may be renewed pursuant to subsection 9. The term "licensed driving experience" as used in this subsection does not include driving experience gained under an instruction permit issued pursuant to the provisions of this section. 2. The Department may, in its discretion, issue a temporary driver's permit to an applicant for a driver's license permitting the applicant to drive a motor vehicle while the Department is completing its investigation and determination of all facts relative to the applicant's right to receive a driver's license. The permit must be in the applicant's immediate possession while driving a motor vehicle, and is invalid when the applicant's license has been issued or for good cause has been refused. 3. The Department, upon receiving proper application, may, in its discretion, issue a restricted instruction permit for the operation of a motor vehicle, other than a motorcycle, effective for a school year, or for a more restricted period, to an applicant who is enrolled in a drivers' education program which includes practice driving and which is approved by the Department even though the applicant has not reached the legal age to be eligible for a driver's license. The instruction permit entitles the permittee, when the permittee has the permit in his or her immediate possession, to drive a motor vehicle only on a designated highway or within a designated area, but only when an approved instructor is occupying a seat beside the permittee. 4. Any person who is at least 15 1/2 years of age and less than 18 years of age may apply to the Department for an instruction permit authorizing the holder to operate a motorcycle. Except as otherwise provided in subsection 8, the Department may, in its discretion, after the applicant has successfully passed all parts of the examination administered pursuant to NRS 483.330, other than the driving test, issue to the applicant an instruction permit entitling the applicant, while having the permit in his or her immediate possession, to drive a motorcycle upon the highways for a period of 1 year. Except as otherwise provided in subsection 8, a permit issued pursuant to this subsection may be renewed pursuant to subsection 9, but expires when the holder of the permit attains the age of 18 years. 5. A person who is 18 years of age or more may, not more than once every 5 years, apply to the Department for an instruction permit authorizing the holder to operate a motorcycle. Except as otherwise provided in subsection 8, the Department may, in its discretion, after the applicant has successfully passed all parts of the examination administered pursuant to NRS 483.330, other than the driving test, issue to the applicant an instruction permit entitling the applicant, while having the permit in his or her immediate possession, to drive a motorcycle upon the highways for a period of 6 months. 6. A holder of an instruction permit issued pursuant to subsection 4 or 5, is entitled, while having the permit in his or her immediate possession, to drive a motorcycle only during the hours between sunrise and sunset, and may not: (a) Carry any passengers; or (b) Operate the motorcycle on a controlled-access highway. 7. Except as otherwise provided in subsection 8, an instruction permit issued pursuant to subsection 5 may be renewed not more than once. The holder of such a permit who allows the permit to expire before applying to the Department for renewal of the permit, if he or she does not hold a driver's license from this State, must successfully pass all parts of the examination administered pursuant to NRS 483.330, other than the driving test, to renew the instruction permit. 8. A person who has failed the motorcycle driving test required by the Department pursuant to NRS 483.330 two or more times may not be issued an instruction permit pursuant to subsection 4 or 5. 9. The Department may, in its discretion, after the applicant has successfully retaken and passed all parts of the examination administered pursuant to NRS 483.330, other than the driving test, renew an instruction permit issued pursuant to subsection 1 or 4. [Part 12:190:1941; A 1955, 129; 1956, 203]—(NRS A 1959, 498; 1965, 563, 1090; 1969, 541; 1997, 1523; 2001 Special Session, 272; 2013, 505; 2017, 964; 2021, 91) 1. Any person who is at least 15 1/2 years of age may apply to the Department for an instruction permit. Except as otherwise provided in subsections 4 and 5, the Department may, in its discretion, after the applicant has successfully passed all parts of the examination administered pursuant to NRS 483.330, other than the driving test, issue to the applicant an instruction permit entitling the applicant, while having the permit in his or her immediate possession, to drive a motor vehicle, other than a motorcycle, upon the highways for a period of 1 year when accompanied by a licensed driver who is at least 21 years of age, who has had at least 1 year of licensed driving experience in the type of vehicle for which the permit was issued and who is actually occupying a seat beside the driver. A permit issued pursuant to this subsection may be renewed pursuant to subsection 10. The term "licensed driving experience" as used in this subsection does not include driving experience gained under an instruction permit issued pursuant to the provisions of this section. 2. The Department may, in its discretion, issue a temporary driver's permit to an applicant for a driver's license permitting the applicant to drive a motor vehicle while the Department is completing its investigation and determination of all facts relative to the applicant's right to receive a driver's license. The permit must be in the applicant's immediate possession while driving a motor vehicle, and is invalid when the applicant's license has been issued or for good cause has been refused. 3. The Department, upon receiving proper application, may, in its discretion, issue a restricted instruction permit for the operation of a motor vehicle, other than a motorcycle, effective for a school year, or for a more restricted period, to an applicant who is enrolled in a drivers' education program which includes practice driving and which is approved by the Department even though the applicant has not reached the legal age to be eligible for a driver's license. The instruction permit entitles the permittee, when the permittee has the permit in his or her immediate possession, to drive a motor vehicle only on a designated highway or within a designated area, but only when an approved instructor is occupying a seat beside the permittee. 4. Any person who is at least 15 1/2 years of age and less than 18 years of age may apply to the Department for an instruction permit authorizing the holder to operate a motorcycle. Except as otherwise provided in subsection 8, the Department may, in its discretion, after the applicant has successfully passed all parts of the examination administered pursuant to NRS 483.330, other than the driving test, issue to the applicant an instruction permit entitling the applicant, while having the permit in his or her immediate possession, to drive a motorcycle upon the highways for a period of 1 year. Except as otherwise provided in subsection 8, a permit issued pursuant to this subsection may be renewed pursuant to subsection 10, but expires when the holder of the permit

attains the age of 18 years. 5. A person who is 18 years of age or more may, not more than once every 5 years, apply to the Department for an instruction permit authorizing the holder to operate a motorcycle. Except as otherwise provided in subsection 8, the Department may, in its discretion, after the applicant has successfully passed all parts of the examination administered pursuant to NRS 483.330, other than the driving test, issue to the applicant an instruction permit entitling the applicant, while having the permit in his or her immediate possession, to drive a motorcycle upon the highways for a period of 6 months. 6. A holder of an instruction permit issued pursuant to subsection 4 or 5, is entitled, while having the permit in his or her immediate possession, to drive a motorcycle only during the hours between sunrise and sunset, and may not: (a) Carry any passengers; or (b) Operate the motorcycle on a controlled-access highway. 7. Except as otherwise provided in subsection 8, an instruction permit issued pursuant to subsection 5 may be renewed not more than once. The holder of such a permit who allows the permit to expire before applying to the Department for renewal of the permit, if he or she does not hold a driver's license from this State, must successfully pass all parts of the examination administered pursuant to NRS 483.330, other than the driving test, to renew the instruction permit. 8. A person who has failed the motorcycle driving test required by the Department pursuant to NRS 483.330 two or more times may not be issued an instruction permit pursuant to subsection 4 or 5. 9. At the time of the issuance of a permit pursuant to this section, the Department shall provide to the permittee information instructing the permittee how to register with the Next-of-Kin Registry pursuant to NRS 483.653 if he or she so chooses. 10. The Department may, in its discretion, after the applicant has successfully retaken and passed all parts of the examination administered pursuant to NRS 483.330, other than the driving test, renew an instruction permit issued pursuant to subsection 1 or 4. [Part 12:190:1941; A 1955, 129; 1956, 203]—(NRS A 1959, 498; 1965, 563, 1090; 1969, 541; 1997, 1523; 2001 Special Session, 272; 2013, 505; 2015, 438; 2017, 964; 2021, 91, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.283 - Proof of compliance with certain statutory provisions required for issuance to or renewal of license of certain criminal offenders; expiration of license; regulations.

1. The Department shall not issue a driver's license to an offender or renew the driver's license of an offender until the Department has received information submitted by the Central Repository pursuant to NRS 179D.570 or other satisfactory evidence indicating that the offender is in compliance with the provisions of chapter 179D of NRS. 2. If an offender is not in compliance with the provisions of chapter 179D of NRS, the Department: (a) Shall not issue a driver's license to the offender or renew the driver's license of the offender; and (b) Shall advise the offender to contact the Central Repository to determine the actions that the offender must take to be in compliance with the provisions of chapter 179D of NRS. 3. A driver's license issued to an offender expires on the first anniversary date of the offender's birthday, measured in the case of an original license, or a renewal license and a renewal of an expired license, from the birthday nearest the date of issuance or renewal. 4. The Department may adopt regulations to carry out the provisions of this section. 5. As used in this section: (a) "Central Repository" means the Central Repository for Nevada Records of Criminal History. (b) "Offender" includes an "offender convicted of a crime against a child" as defined in NRS 179D.0559 and a "sex offender" as defined in NRS 179D.095. (Added to NRS by 2005, 2886; A 2007, 2779)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.289 - Application for license or instruction permit: Choice of statutory provisions.

1. A person who wishes to obtain an instruction permit or a driver's license may apply using the provisions of NRS 483.290 or 483.291. 2. A person who wishes to apply for any restricted or limited license issued pursuant to this chapter may do so by: (a) Submitting an application using the provisions of NRS 483.290 or 483.291; and (b) Fulfilling the requirements for the issuance of the restricted or limited license. (Added to NRS by 2013, 1294)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.290 - Application for license or instruction permit; acceptable documents for proof of full legal name and age; preregistration or registration to vote; authority of Department to refuse to accept certain documents; regulations; prohibition on acceptance of consular identification cards as proof of age or identity. [Effective through December 31, 2024.] Application for license or instruction permit; acceptable documents for proof of full legal name and age; preregistration or registration to vote; authority of Department to refuse to accept certain documents; regulations; prohibition on acceptance of consular identification cards as proof of age or identity. [Effective January 1, 2025.]

1. An application for an instruction permit or for a driver's license must: (a) Be made upon a form furnished by the Department. (b) Be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge. (c) Be accompanied by the required fee. (d) State the full legal name, date of birth, sex, address of principal residence and mailing address, if different from the address of principal residence, of the applicant and briefly describe the applicant. (e) State whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal. (f) Include such other information as the Department may require to determine the competency and eligibility of the applicant. 2. Every applicant must furnish proof of his or her full legal name and

age by displaying: (a) An original or certified copy of the required documents as prescribed by regulation; or (b) A photo identification card issued by the Department of Corrections pursuant to NRS 209.511 which indicates that the Director of the Department of Corrections has verified the full legal name and age of the applicant pursuant to subsection 4 of that section. 3. The Department shall adopt regulations prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department pursuant to paragraph (a) of subsection 2, including, without limitation, a document issued by the Department pursuant to NRS 483.375 or 483.8605. 4. At the time of applying for a driver's license, an applicant may, if eligible, preregister or register to vote pursuant to NRS 293.5727 or 293.5742. 5. Every applicant who has been assigned a social security number must furnish proof of his or her social security number by displaying: (a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or (b) Other proof acceptable to the Department, including, without limitation, records of employment or federal income tax returns. 6. The Department may refuse to accept a driver's license issued by another state if the Department determines that the other state has less stringent standards than the State of Nevada for the issuance of a driver's license. 7. With respect to any document presented by a person who was born outside of the United States, the Commonwealth of Puerto Rico, American Samoa, Guam, the Northern Mariana Islands or the United States Virgin Islands to prove his or her full legal name and age, the Department: (a) May, if the document has expired, refuse to accept the document or refuse to issue a driver's license to the person presenting the document, or both; and (b) Shall issue to the person presenting the document a driver's license that is valid only during the time the applicant is authorized to stay in the United States, or if there is no definite end to the time the applicant is authorized to stay, the driver's license is valid for 1 year beginning on the date of issuance. 8. The Administrator shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license in accordance with this section to a person who is a citizen of any state or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue a driver's license to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States. 9. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an instruction permit or for a driver's license. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006. [13:190:1941; A 1943, 268; 1943 NCL § 4442.12]—(NRS A 1963, 842; 1969, 542; 1975, 722; 1977, 12; 1985, 1470; 1987, 2146; 1989, 473, 1873, 1874; 1993, 2844; 1995, 35; 1999, 2475; 2003, 468, 1237, 1934, 2465; 2007, 2782; 2013, 1260, 1297; 2017, 1279, 3878; 2018 initiative petition, Ballot Question No. 5; 2019, 647, 1791, 4478; 2023, 3311) 1. An application for an instruction permit or for a driver's license must: (a) Be made upon a form furnished by the Department. (b) Be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge. (c) Be accompanied by the required fee. (d) State the full legal name, date of birth, sex, address of principal residence and mailing address, if different from the address of principal residence, of the applicant and briefly describe the applicant. (e) State whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal. (f) Include such other information as the Department may require to determine the competency and eligibility of the applicant. 2. Every applicant must furnish proof of his or her full legal name and age by displaying: (a) An original or certified copy of the required documents as prescribed by regulation; or (b) A photo identification card issued by the Department of Corrections pursuant to NRS 209.511 which indicates that the Director of the Department of Corrections has verified the full legal name and age of the applicant pursuant to subsection 4 of that section. 3. The Department shall adopt regulations prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department pursuant to paragraph (a) of subsection 2, including, without limitation, a document issued by the Department pursuant to NRS 483.375 or 483.8605. 4. At the time of applying for a driver's license, an applicant may, if eligible, preregister or register to vote. 5. Every applicant who has been assigned a social security number must furnish proof of his or her social security number by displaying: (a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or (b) Other proof acceptable to the Department, including, without limitation, records of employment or federal income tax returns. 6. The Department may refuse to accept a driver's license issued by another state if the Department determines that the other state has less stringent standards than the State of Nevada for the issuance of a driver's license. 7. With respect to any document presented by a person who was born outside of the United States, the Commonwealth of Puerto Rico, American Samoa, Guam, the Northern Mariana Islands or the United States Virgin Islands to prove his or her full legal name and age, the Department: (a) May, if the document has expired, refuse to accept the document or refuse to issue a driver's license to the person presenting the document, or both; and (b) Shall issue to the person presenting the document a driver's license that is valid only during the time the applicant is authorized to stay in the United States, or if there is no definite end to the time the applicant is authorized to stay, the driver's license is valid for 1 year beginning on the date of issuance. 8. The Administrator shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license in accordance with this section to a person who is a citizen of any state or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue a driver's license to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States. 9. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an instruction permit or for a driver's license. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006. [13:190:1941; A 1943, 268; 1943 NCL § 4442.12]—(NRS A 1963, 842; 1969, 542; 1975, 722; 1977, 12; 1985, 1470; 1987, 2146; 1989, 473, 1873, 1874; 1993, 2844; 1995, 35; 1999, 2475; 2003, 468, 1237, 1934, 2465; 2007, 2782; 2013, 1260, 1297; 2017, 1279, 3878; 2018 initiative petition, Ballot Question No. 5; 2019, 647, 1791,

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.291 - Application for driver authorization card or instruction permit; acceptable documents for proof of name, age and residence; requirements for card or permit; expiration and renewal; exceptions; limitations on use of card or permit. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.] Application for driver authorization card or instruction permit; acceptable documents for proof of name, age and residence; requirements for card or permit; expiration and renewal; exceptions; limitations on use of card or permit. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

1. An application for an instruction permit or for a driver authorization card must: (a) Be made upon a form furnished by the Department. (b) Be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge. (c) Be accompanied by the required fee. (d) State the name, date of birth, sex and residence address of the applicant and briefly describe the applicant. (e) State whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal. (f) Include such other information as the Department may require to determine the competency and eligibility of the applicant. 2. Every applicant must furnish proof of his or her name and age by displaying an original or certified copy of: (a) Any one of the following documents: (1) A birth certificate issued by a state or a political subdivision of a state; (2) A driver's license issued by another state which is issued pursuant to the standards established by 6 C.F.R. Part 37, Subparts A to E, inclusive, and which contains a security mark approved by the United States Department of Homeland Security in accordance with 6 C.F.R. § 37.17; (3) A passport issued by the United States Government; (4) A military identification card or military dependent identification card issued by any branch of the Armed Forces of the United States; (5) For persons who served in any branch of the Armed Forces of the United States, a report of separation; (6) A Certificate of Degree of Indian or Alaska Native Blood issued by the United States Government; (7) A Certificate of Citizenship, Certificate of Naturalization, Permanent Resident Card or Temporary Resident Card issued by the United States Citizenship and Immigration Services of the Department of Homeland Security; (8) A Consular Report of Birth Abroad issued by the Department of State; (9) A document issued by the Department pursuant to NRS 483.375 or 483.8605; or (10) Such other documentation as specified by the Department by regulation; or (b) Any two of the following documents: (1) A driver's license issued by another state other than such a driver's license described in subparagraph (2) of paragraph (a); (2) A passport issued by a foreign government; (3) A birth certificate issued by a foreign government; (4) A consular identification card issued by the Government of Mexico or a document issued by another government that the Department determines is substantially similar; or (5) Any other proof acceptable to the Department. No document which is written in a language other than English may be accepted by the Department pursuant to this subsection unless it is accompanied by a verified translation of the document in the English language. 3. Every applicant must prove his or her residence in this State by displaying an original or certified copy of any two of the following documents: (a) A receipt from the rent or lease of a residence located in this State; (b) A record from a public utility for a service address located in this State which is dated within the previous 60 days; (c) A bank or credit card statement indicating a residential address located in this State which is dated within the previous 60 days; (d) A stub from an employment check indicating a residential address located in this State; (e) A document issued by an insurance company or its agent, including, without limitation, an insurance card, binder or bill, indicating a residential address located in this State; (f) A record, receipt or bill from a medical provider indicating a residential address located in this State; or (g) Any other document as prescribed by the Department by regulation. 4. Except as otherwise provided in subsection 5, a driver authorization card or instruction permit obtained in accordance with this section must: (a) Contain the same information as prescribed for a driver's license pursuant to NRS 483.340 and any regulations adopted pursuant thereto; (b) Be of the same design as a driver's license and contain only the minimum number of changes from that design that are necessary to comply with subsection 5; and (c) Be numbered from the same sequence of numbers as a driver's license. 5. A driver authorization card or instruction permit obtained in accordance with this section must comply with the requirements of section 202(d)(11) of the Real ID Act of 2005, Public Law 109-13, Division B, Title II, 119 Stat. 302, 312-15, 49 U.S.C. § 30301 note. 6. Notwithstanding the provisions of NRS 483.380, every driver authorization card: (a) Expires on the fourth anniversary of the holder's birthday, measured in the case of initial issuance or renewal from the birthday nearest the date of issuance or renewal. (b) Is renewable at any time before its expiration upon application and payment of the required fee. The Department may, by regulation, defer the expiration of the driver authorization card of a person who is on active duty in the Armed Forces of the United States upon such terms and conditions as it may prescribe. The Department may similarly defer the expiration of the driver authorization card of the spouse or dependent son or daughter of that person if the spouse or child is residing with the person. 7. A driver authorization card shall not be used to determine eligibility for any benefits, licenses or services issued or provided by this State or its political subdivisions. 8. Except as otherwise provided in this section or by specific statute, any provision of this title that applies to drivers' licenses shall be deemed to apply to a driver authorization card and an instruction permit obtained in accordance with this section. (Added to NRS by 2013, 1294; A 2017, 1280, 2692; 2019, 1793) 1. An application for an instruction permit or for a driver authorization card must: (a) Be made upon a form

furnished by the Department. (b) Be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge. (c) Be accompanied by the required fee. (d) State the name, date of birth, sex and residence address of the applicant and briefly describe the applicant. (e) State whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal. (f) Include information instructing the applicant how to register for the Next-of-Kin Registry pursuant to NRS 483.653 if he or she so chooses. (g) Include such other information as the Department may require to determine the competency and eligibility of the applicant. 2. Every applicant must furnish proof of his or her name and age by displaying an original or certified copy of: (a) Any one of the following documents: (1) A birth certificate issued by a state or a political subdivision of a state; (2) A driver's license issued by another state which is issued pursuant to the standards established by 6 C.F.R. Part 37, Subparts A to E, inclusive, and which contains a security mark approved by the United States Department of Homeland Security in accordance with 6 C.F.R. § 37.17; (3) A passport issued by the United States Government; (4) A military identification card or military dependent identification card issued by any branch of the Armed Forces of the United States; (5) For persons who served in any branch of the Armed Forces of the United States, a report of separation; (6) A Certificate of Degree of Indian or Alaska Native Blood issued by the United States Government; (7) A Certificate of Citizenship, Certificate of Naturalization, Permanent Resident Card or Temporary Resident Card issued by the United States Citizenship and Immigration Services of the Department of Homeland Security; (8) A Consular Report of Birth Abroad issued by the Department of State; (9) A document issued by the Department pursuant to NRS 483.375 or 483.8605; or (10) Such other documentation as specified by the Department by regulation; or (b) Any two of the following documents: (1) A driver's license issued by another state other than such a driver's license described in subparagraph (2) of paragraph (a); (2) A passport issued by a foreign government; (3) A birth certificate issued by a foreign government; (4) A consular identification card issued by the Government of Mexico or a document issued by another government that the Department determines is substantially similar; or (5) Any other proof acceptable to the Department. No document which is written in a language other than English may be accepted by the Department pursuant to this subsection unless it is accompanied by a verified translation of the document in the English language. 3. Every applicant must prove his or her residence in this State by displaying an original or certified copy of any two of the following documents: (a) A receipt from the rent or lease of a residence located in this State; (b) A record from a public utility for a service address located in this State which is dated within the previous 60 days; (c) A bank or credit card statement indicating a residential address located in this State which is dated within the previous 60 days; (d) A stub from an employment check indicating a residential address located in this State; (e) A document issued by an insurance company or its agent, including, without limitation, an insurance card, binder or bill, indicating a residential address located in this State; (f) A record, receipt or bill from a medical provider indicating a residential address located in this State; or (g) Any other document as prescribed by the Department by regulation. 4. Except as otherwise provided in subsection 5, a driver authorization card or instruction permit obtained in accordance with this section must: (a) Contain the same information as prescribed for a driver's license pursuant to NRS 483.340 and any regulations adopted pursuant thereto; (b) Be of the same design as a driver's license and contain only the minimum number of changes from that design that are necessary to comply with subsection 5; and (c) Be numbered from the same sequence of numbers as a driver's license. 5. A driver authorization card or instruction permit obtained in accordance with this section must comply with the requirements of section 202(d)(11) of the Real ID Act of 2005, Public Law 109-13, Division B, Title II, 119 Stat. 302, 312-15, 49 U.S.C. § 30301 note. 6. Notwithstanding the provisions of NRS 483.380, every driver authorization card: (a) Expires on the fourth anniversary of the holder's birthday, measured in the case of initial issuance or renewal from the birthday nearest the date of issuance or renewal. (b) Is renewable at any time before its expiration upon application and payment of the required fee. The Department may, by regulation, defer the expiration of the driver authorization card of a person who is on active duty in the Armed Forces of the United States upon such terms and conditions as it may prescribe. The Department may similarly defer the expiration of the driver authorization card of the spouse or dependent son or daughter of that person if the spouse or child is residing with the person. 7. A driver authorization card shall not be used to determine eligibility for any benefits, licenses or services issued or provided by this State or its political subdivisions. 8. Except as otherwise provided in this section or by specific statute, any provision of this title that applies to drivers' licenses shall be deemed to apply to a driver authorization card and an instruction permit obtained in accordance with this section. (Added to NRS by 2013, 1294; A 2015, 439; 2017, 1280, 2692; 2019, 1793, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.292 - Declaration of status as veteran: Inquiry by Department upon application for instruction permit or license; provision of evidence by applicant; required documentation for designation of status on license or permit; monthly compilation and transmission to Department of Veterans Services of list of persons who have declared status.

1. When a person applies to the Department for the initial issuance of an instruction permit or driver's license pursuant to NRS 483.290 or 483.291 or the renewal of an instruction permit or driver's license, the Department shall inquire whether the person desires to declare that he or she is a veteran of the Armed Forces of the United States. 2. If the person desires to declare pursuant to subsection 1 that he or she is a veteran of the Armed Forces of the United States, the person shall provide: (a) Evidence satisfactory to the Department that he or she has been honorably discharged from the Armed Forces of the United States; and (b) A written

release authorizing the Department of Motor Vehicles to provide to the Department of Veterans Services personal information about the person, which release must be signed by the person and in a form required by the Director pursuant to NRS 481.063. 3. In addition to the declaration described in subsection 1, a person who is a veteran of the Armed Forces of the United States and who wishes to have placed on his or her instruction permit or driver's license a designation that he or she is a veteran, as described in NRS 483.2925, must: (a) If applying for the initial issuance of an instruction permit or driver's license, appear in person at an office of the Department and submit evidence satisfactory to the Department that he or she has been honorably discharged from the Armed Forces of the United States. (b) If applying for the renewal of an instruction permit or driver's license upon which a designation that the person is a veteran: (1) Is not placed, submit by mail or in person an honorable discharge or other document of honorable separation from the Armed Forces of the United States or other evidence satisfactory to the Department that he or she has been honorably discharged from the Armed Forces of the United States. (2) Is placed, submit by mail, in person or by other means authorized by the Department a statement that the person wishes the instruction permit or driver's license to continue to designate that the person is a veteran. 4. The Department shall, at least once each month: (a) Compile a list of persons who have, during the immediately preceding month, declared pursuant to subsection 1 that they are veterans of the Armed Forces of the United States; and (b) Transmit that list to the Department of Veterans Services to be used for statistical and communication purposes. 5. As used in this section, "evidence satisfactory to the Department that he or she has been honorably discharged from the Armed Forces of the United States" includes, without limitation, digital verification obtained from the Nevada Veterans Information System, or its successor, maintained by the Department of Veterans Services, of the applicant's DD Form 214, Certificate of Release or Discharge from Active Duty, issued by the United States Department of Defense, or a similar form, including, without limitation: (a) AF IMT 100, Request and Authorization for Separation; (b) DD Form 217, Discharge Certificate; (c) NA Form 13038, Certification of Military Service; (d) NAVCG 2510, Honorable Discharge, United States Coast Guard; (e) NAVMC 70-PD, Honorable Discharge, United States Marine Corps; (f) NAVMC 78-PD, United States Marine Corps Report of Separation; (g) NAVPERS-553, Notice of Separation from United States Naval Service; (h) NAVPERS-660, Honorable Discharge from United States Navy; (i) NGB Form 22, Report of Separation and Record of Service, National Guard Bureau; (j) NMC 2571 A&I, Honorable Discharge, United States Marine Corps; (k) WD AGO 53, Enlisted Record and Report of Separation Honorable Discharge; (l) WD AGO 53-55, Enlisted Record and Report of Separation Honorable Discharge; (m) WD AGO 53-58, Enlisted Record and Report of Separation Honorable Discharge; (n) WD AGO 55, Honorable Discharge from The Army of the United States; (o) WD AGO 525, Honorable Discharge from the United States Army; (p) WD AGO 755, Honorable Discharge, Women's Army Auxiliary Corps; and (q) WD AGO-729, Honorable Discharge from the Army of the United States of America. (Added to NRS by 2005, 2064; A 2013, 1298, 1993, 2520; 2015, 1425; 2019, 575)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.2925 - Designation of veteran status on license or permit; duties of Department.

1. Upon the application of a person who requests that his or her instruction permit or driver's license indicate that he or she is a veteran of the Armed Forces of the United States pursuant to subsection 3 of NRS 483.292, and who satisfies the requirements of that subsection, the Department shall place on any instruction permit or driver's license issued to the person pursuant to the provisions of this chapter a designation that the person is a veteran. 2. The Director shall determine the design and placement of the designation of veteran status required by subsection 1 on any instruction permit or driver's license to which this section applies. (Added to NRS by 2013, 1993)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.294 - Registration of certain males with Selective Service System when applying for license or permit to drive or driver authorization card; application for license or permit to drive or driver authorization card to include certain information concerning such registration; transmittal of information to Selective Service System.

1. Except as otherwise provided in subsection 3, when applying for a driver's license, an instruction permit, a restricted license, a special restricted license or a driver authorization card or for a duplicate or the renewal or reinstatement of such a license, permit or card, a male applicant who is: (a) A citizen of the United States or an immigrant; and (b) At least 18 years of age but less than 26 years of age, authorizes the Department to register him with the Selective Service System in compliance with section 3 of the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended. 2. An application for a driver's license, an instruction permit, a restricted license, a special restricted license or a driver authorization card or for a duplicate or substitute or the renewal or reinstatement of such a license, permit or card must inform an applicant described in subsection 1 that: (a) Unless the applicant has checked the box described in subsection 3, submission of the application indicates that the applicant has already registered with the Selective Service System in compliance with federal law or that he is authorizing the Department to forward to the Selective Service System the necessary information for such registration; and (b) By registering with the Selective Service System in compliance with federal law, the applicant remains eligible for federal student loans, grants, benefits relating to job training, most federal jobs and, if applicable, citizenship in the United States. 3. An application for a driver's license, instruction permit, restricted license, special restricted license or driver authorization card, or for a duplicate or substitute or the renewal or reinstatement of such a license, permit or card, must include a box which may be checked by a male applicant who is at least 18 years of age but less than 26 years of age to indicate that the applicant is not required to register with the Selective Service System pursuant to the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended. 4. The Department shall forward the necessary personal information of any eligible

applicant to the Selective Service System in an electronic format. (Added to NRS by 2009, 712; A 2015, 295)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.295 - Application from person previously licensed in another state; copy of record from other state becomes part of Nevada record; Department to furnish records to other states.

1. Whenever an application for an instruction permit or for a driver's license is received from a person previously licensed in another state, the Department shall request a copy of the driver's record from such other state. When received, the driver's record shall become a part of the driver's record in this State with the same effect as though entered on the driver's record in this State in the original instance. 2. Whenever the Department receives a request for a driver's record from another licensing state the record shall be forwarded without charge. (Added to NRS by 1961, 78; A 1969, 542)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.300 - Signing and verification of application of minor by responsible person; liability.

1. The application of any person under the age of 18 years for an instruction permit or driver's license must be signed and verified, before a person authorized to administer oaths: (a) By the applicant's parent who has custody of the applicant or by either parent if both have custody of the applicant; (b) If neither parent has custody of the applicant or if neither parent is living, by the person who has custody of the applicant, including an officer or employee of the State or a county if the minor is in the legal custody of the State or county; (c) If neither parent has custody of the applicant or if neither is living and the applicant has no custodian, by the applicant's employer; or (d) If neither parent has custody of the applicant or if neither is living and the applicant has no custodian or employer, by any responsible person who is willing to assume the obligation imposed under NRS 483.010 to 483.630, inclusive, upon a person signing the application of a minor. 2. Except as otherwise provided in NRS 41.0325, any negligence or willful misconduct of a minor under the age of 18 years when driving a motor vehicle upon a highway is imputed to the person who has signed the application of the minor for a permit or license and that person is jointly and severally liable with the minor for any damages caused by such negligence or willful misconduct. [14:190:1941; A 1943, 268; 1943 NCL § 4442.13]—(NRS A 1969, 542; 1979, 94; 1989, 696; 2005, 1042)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.310 - Release from liability upon cancellation of minor's license.

Any person who has signed the application of a minor for a license may thereafter file with the Department a verified written request that the license of the minor so granted be cancelled. Thereupon, the Department shall cancel the license of the minor, and the person who signed the application of such minor shall be relieved from the liability imposed under NRS 483.010 to 483.630, inclusive, by reason of having signed such application on account of any subsequent negligence or willful misconduct of such minor in driving a motor vehicle. [15:190:1941; 1931 NCL § 4442.14]—(NRS A 1969, 543)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.320 - Cancellation of license upon death of person signing minor's application.

The Department, upon receipt of satisfactory evidence of the death of the persons who signed the application of a minor for a license, shall cancel such license and shall not issue a new license until such time as a new application, duly signed and verified, is made as required by NRS 483.010 to 483.630, inclusive. This provision shall not apply in the event the minor has attained the age of 18 years. [16:190:1941; 1931 NCL § 4442.15]—(NRS A 1969, 543)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.325 - Qualifications for safe driving of types of vehicles; types or classifications of licenses.

The Department shall establish such qualifications as it believes reasonably necessary for the safe driving of the various types, sizes or combinations of vehicles and, except as otherwise provided in NRS 486.071, may require each applicant to submit to an examination to determine the applicant's qualification according to the type or class of license applied for. (Added to NRS by 1969, 537; A 1971, 227; 1995, 87)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.330 - Examination of applicants; waiver of examination and fee by Department.

1. The Department may require every applicant for a driver's license, including a commercial driver's license issued pursuant to NRS 483.900 to 483.940, inclusive, to submit to an examination. The examination may include: (a) A test of the applicant's ability to understand official devices used to control traffic; (b) A test of the applicant's knowledge of practices for safe driving and the traffic laws of this State; (c) Except as otherwise provided in subsection 2, a test of the applicant's eyesight; and (d) Except as otherwise provided in subsection 3, an actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the type or class of vehicle for which he or she is to be licensed. The examination may also include such further physical and mental examination as the Department finds necessary to determine the applicant's fitness to drive a motor vehicle safely upon the highways. If the Department requires an applicant to submit to a test specified in paragraph (b), the

Department shall ensure that the test includes at least one question testing the applicant's knowledge of the provisions of NRS 484B.165. 2. The Department may provide by regulation for the acceptance of a report from an ophthalmologist, optician, optometrist, physician or advanced practice registered nurse in lieu of an eye test by a driver's license examiner. 3. If the Department establishes a type or classification of driver's license to operate a motor vehicle of a type which is not normally available to examine an applicant's ability to exercise ordinary and reasonable control of such a vehicle, the Department may, by regulation, provide for the acceptance of an affidavit from a: (a) Past, present or prospective employer of the applicant; or (b) Local joint apprenticeship committee which had jurisdiction over the training or testing, or both, of the applicant, in lieu of an actual demonstration. 4. The Department may waive an examination pursuant to subsection 1 for a person applying for a Nevada driver's license who possesses a valid driver's license of the same type or class issued by another jurisdiction unless that person: (a) Has not attained 21 years of age, except that the Department may, based on the driving record of the applicant, waive the examination to demonstrate the applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the same type or class of vehicle for which he or she is to be licensed; (b) Has had his or her license or privilege to drive a motor vehicle suspended, revoked or cancelled or has been otherwise disqualified from driving during the immediately preceding 4 years; (c) Has been convicted of a violation of NRS 484C.130 or, during the immediately preceding 7 years, of a violation of NRS 484C.110, 484C.120 or 484C.430 or a law of any other jurisdiction that prohibits the same or similar conduct; (d) Has restrictions to his or her driver's license which the Department must reevaluate to ensure the safe driving of a motor vehicle by that person; (e) Has had three or more convictions of, or findings by a court of having committed, moving traffic violations on his or her driving record during the immediately preceding 4 years; or (f) Has been convicted of any of the offenses related to the use or operation of a motor vehicle which must be reported pursuant to the provisions of Part 1327 of Title 23 of the Code of Federal Regulations relating to the National Driver Register Problem Driver Pointer System during the immediately preceding 4 years. 5. The Department shall waive the fee prescribed by NRS 483.410 not more than one time for administration of the examination required pursuant to this section for: (a) A homeless child or youth under the age of 25 years who submits a signed affidavit on a form prescribed by the Department stating that the child or youth is homeless and under the age of 25 years. (b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year. 6. As used in this section, "homeless child or youth" has the meaning ascribed to it in 42 U.S.C. § 11434a. [Part 17:190:1941; A 1943, 268; 1943 NCL § 4442.16]—(NRS A 1963, 481, 843; 1969, 543; 1985, 570; 1987, 448, 1309, 1318; 1991, 999; 1995, 111; 1997, 61; 1999, 3408; 2005, 130; 2007, 2784; 2009, 2021; 2013, 505; 2019, 496, 4502; 2021, 3302; 2023, 3314)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.340 - Issuance and contents of license; contents of license to be prescribed by regulation; license for purposes of identification only issued to certain persons; confidentiality of certain information; exception; prohibited acts; anatomical gifts; symbol indicating medical condition; Next-of-Kin Registry; adoption of regulations. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 282, Statutes of Nevada 2015, at page 1418.] Issuance and contents of license; contents of license to be prescribed by regulation; license for purposes of identification only issued to certain persons; confidentiality of certain information; exception; prohibited acts; anatomical gifts; symbol indicating medical condition; Next-of-Kin Registry; adoption of regulations. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 282, Statutes of Nevada 2015, at page 1418.]

1. The Department shall, upon payment of the required fee, issue to every qualified applicant a driver's license indicating the type or class of vehicles the licensee may drive. 2. The Department shall adopt regulations prescribing the information that must be contained on a driver's license. 3. The Department may issue a driver's license for purposes of identification only for use by officers of local police and sheriffs' departments, agents of the Investigation Division of the Department of Public Safety while engaged in special undercover investigations relating to narcotics or prostitution or for other undercover investigations requiring the establishment of a fictitious identity, federal agents while engaged in undercover investigations, investigators employed by the Attorney General while engaged in undercover investigations, criminal investigators employed by the Secretary of State while engaged in undercover investigations and agents of the Nevada Gaming Control Board while engaged in investigations pursuant to NRS 463.140. An application for such a license must be made through the head of the police or sheriff's department, the Chief of the Investigation Division of the Department of Public Safety, the director of the appropriate federal agency, the Attorney General, the Secretary of State or his or her designee or the Chair of the Nevada Gaming Control Board. Such a license 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. 4. Except as otherwise provided in NRS 239.0115, information pertaining to the issuance of a driver's license pursuant to subsection 3 is confidential. 5. It is a misdemeanor for any person to use a driver's license issued pursuant to subsection 3 for any purpose other than the special investigation for which it was issued. 6. At the time of the issuance or renewal of the driver's license, the Department shall: (a) Give the holder the opportunity to have indicated on his or her driver's license that the holder wishes to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive, or to refuse to make an anatomical gift of his or her body or part thereof. (b) Give the holder the opportunity to have indicated whether he or she wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150. (c) Provide to

each holder who is interested in becoming a donor information relating to anatomical gifts, including the procedure for registering as a donor with the donor registry with which the Department has entered into a contract pursuant to this paragraph. To carry out this paragraph, the Department shall, on such terms as it deems appropriate, enter into a contract with a donor registry that is in compliance with the provisions of NRS 451.500 to 451.598, inclusive. (d) If the Department has established a program for imprinting a symbol indicating a medical condition on a driver's license pursuant to NRS 483.3485, give the holder the opportunity to have a symbol indicating a medical condition imprinted on his or her driver's license. (e) Provide to the holder information instructing the holder how to register with the Next-of-Kin Registry pursuant to NRS 483.653 if he or she so chooses. 7. If the holder wishes to make a donation to the Anatomical Gift Account, the Department shall collect the donation and deposit the money collected in the State Treasury for credit to the Anatomical Gift Account. 8. The Department shall submit to the donor registry with which the Department has entered into a contract pursuant to paragraph (c) of subsection 6 information from the records of the Department relating to persons who have drivers' licenses that indicate the intention of those persons to make an anatomical gift. The Department shall adopt regulations to carry out the provisions of this subsection. [19:190:1941; A 1943, 268; 1943 NCL § 4442.18]—(NRS A 1963, 843; 1969, 544; 1975, 802; 1977, 449; 1981, 1106, 2007; 1985, 1938; 1987, 895; 1989, 437, 474, 1152; 1991, 487, 2171; 1993, 1188; 2001, 681, 2551; 2003, 180, 469, 830; 2005, 244, 2313; 2007, 795, 2114, 2785; 2009, 2565, 2566; 2015, 441; 2021, 3303; 2023, 2675) 1. The Department shall, upon payment of the required fee, issue to every qualified applicant a driver's license indicating the type or class of vehicles the licensee may drive. 2. The Department shall adopt regulations prescribing the information that must be contained on a driver's license. 3. The Department may issue a driver's license for purposes of identification only for use by officers of local police and sheriffs' departments, agents of the Investigation Division of the Department of Public Safety while engaged in special undercover investigations relating to narcotics or prostitution or for other undercover investigations requiring the establishment of a fictitious identity, federal agents while engaged in undercover investigations, investigators employed by the Attorney General while engaged in undercover investigations, criminal investigators employed by the Secretary of State while engaged in undercover investigations and agents of the Nevada Gaming Control Board while engaged in investigations pursuant to NRS 463.140. An application for such a license must be made through the head of the police or sheriff's department, the Chief of the Investigation Division of the Department of Public Safety, the director of the appropriate federal agency, the Attorney General, the Secretary of State or his or her designee or the Chair of the Nevada Gaming Control Board. Such a license 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. 4. Except as otherwise provided in NRS 239.0115, information pertaining to the issuance of a driver's license pursuant to subsection 3 is confidential. 5. It is a misdemeanor for any person to use a driver's license issued pursuant to subsection 3 for any purpose other than the special investigation for which it was issued. 6. At the time of the issuance of the driver's license, the Department shall: (a) Give the holder the opportunity to have indicated on his or her driver's license that the holder: (1) Wishes to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive; or (2) Does not at that time wish to make an anatomical gift of his or her body or part thereof. (b) Give the holder the opportunity to have indicated whether he or she wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150. (c) Provide to each holder who is interested in becoming a donor information relating to anatomical gifts, including the procedure for registering as a donor with the donor registry with which the Department has entered into a contract pursuant to this paragraph. To carry out this paragraph, the Department shall, on such terms as it deems appropriate, enter into a contract with a donor registry that is in compliance with the provisions of NRS 451.500 to 451.598, inclusive. (d) If the Department has established a program for imprinting a symbol indicating a medical condition on a driver's license pursuant to NRS 483.3485, give the holder the opportunity to have a symbol indicating a medical condition imprinted on his or her driver's license. (e) Provide to the holder information instructing the holder how to register with the Next-of-Kin Registry pursuant to NRS 483.653 if he or she so chooses. 7. At the time of the renewal of the driver's license, the Department shall: (a) If the holder indicated at the time of the issuance of the driver's license pursuant to subsection 6 that the holder wishes to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive, provide the holder: (1) Notice that, unless the holder affirmatively indicates upon the renewal of the driver's license that he or she wishes to change that indication, the indication will remain on his or her driver's license; (2) The opportunity to have indicated whether he or she wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150; and (3) If the Department has established a program for imprinting a symbol or other indicator of a medical condition on a driver's license pursuant to NRS 483.3485, the opportunity to have a symbol or other indicator of a medical condition imprinted on his or her driver's license. (b) If the holder indicated at the time of the issuance of the driver's license pursuant to subsection 6 that the holder did not at that time wish to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive, provide the holder: (1) The opportunity to change that indication to indicate that the holder wishes to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive; (2) The opportunity to have indicated whether he or she wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150; (3) If the holder is interested in becoming a donor, information relating to anatomical gifts, including the procedure for registering as a donor with the donor registry with which the Department has entered into a contract pursuant to this section; and (4) If the Department has established a program for imprinting a symbol or other indicator of a medical condition on a driver's license pursuant to NRS 483.3485, the opportunity to have a symbol or other indicator of a medical condition imprinted on his or her driver's license. 8. If the holder wishes to make a donation to the Anatomical Gift Account, the Department shall collect the donation and deposit the money collected in the State Treasury for credit to the Anatomical Gift Account. 9. The Department shall submit to the donor registry with which the Department has entered into a contract pursuant to paragraph (c) of subsection 6 information from the

records of the Department relating to persons who have drivers' licenses that indicate the intention of those persons to make an anatomical gift. The Department shall adopt regulations to carry out the provisions of this subsection. [19:190:1941; A 1943, 268; 1943 NCL § 4442.18]—(NRS A 1963, 843; 1969, 544; 1975, 802; 1977, 449; 1981, 1106, 2007; 1985, 1938; 1987, 895; 1989, 437, 474, 1152; 1991, 487, 2171; 1993, 1188; 2001, 681, 2551; 2003, 180, 469, 830; 2005, 244, 2313; 2007, 795, 2114, 2785; 2009, 2565, 2566; 2015, 441, 1418; 2021, 3303; 2023, 2675, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 282, Statutes of Nevada 2015, at page 1418)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.347 - Shape of license; inclusion of photograph; issuance in certain circumstances of temporary driver's license without photograph; duties of Department.

1. Except as otherwise provided in subsection 2, the Department shall issue a rectangular-shaped driver's license which bears a front view photograph of the licensee. The photograph and any information included on the license must be placed in a manner which ensures that: (a) If the licensee is 21 years of age or older, the longer edges of the rectangle serve as the top and bottom of the license; or (b) If the licensee is under 21 years of age, the shorter edges of the rectangle serve as the top and bottom of the license. 2. The Department may issue a temporary driver's license without a photograph of the licensee if the licensee is temporarily absent from this State and requests the renewal of, the issuance of a duplicate of, or a change in the information on, his or her driver's license. If the licensee returns to this State for 14 continuous days or more, the licensee shall, within 24 days after the date of return, surrender the temporary license and obtain a license which bears his or her photograph in accordance with subsection 1. A licensee charged with violating the provisions of this subsection may not be convicted if the licensee surrenders the temporary license, obtains a license which bears his or her photograph in accordance with subsection 1 and produces that license in court or in the office of the arresting officer. 3. The Department shall: (a) Establish a uniform procedure for the production of drivers' licenses, applicable to renewal as well as to original licenses. (b) Except as otherwise provided in NRS 483.417 and 483.825, by regulation, increase the fees provided in NRS 483.410, 483.820 and 483.910 as necessary to cover the actual cost of production of photographs for drivers' licenses and identification cards. The increase must be deposited in the State Treasury for credit to the Motor Vehicle Fund and must be allocated to the Department to defray the increased costs of producing the drivers' licenses required by this section. (Added to NRS by 1971, 1229; A 1975, 553; 1979, 1120; 1991, 1907; 1993, 1242; 1997, 99; 1999, 1110; 2001, 1501, 2826; 2003, 53; 2005, 1216; 2017, 1415)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.348 - Issuance of specially designed driver's licenses to insulin dependent diabetics and epileptics; Department of Public Safety required to provide for education of peace officers relating to treatment and identification of such persons.

1. Except as otherwise provided in subsection 2, the Department shall issue a driver's license with a specially colored background to any person who qualifies for a driver's license pursuant to the provisions of this chapter and delivers to the Department a signed statement from a physician or an advanced practice registered nurse that the person is an insulin dependent diabetic or an epileptic. The Department shall designate one color to be used only for a driver's license held by a diabetic and another color to be used only for a driver's license held by an epileptic. 2. In lieu of issuing a driver's license pursuant to subsection 1, the Department may issue to a person specified in that subsection a driver's license with a specially colored border around the photograph on the license. 3. The Department of Public Safety shall provide for the education of peace officers on the: (a) Effects and treatment of a person suffering from a diabetic condition or an epileptic seizure and the similarity in appearance of a person suffering from a diabetic condition or an epileptic seizure to a person under the influence of alcohol or a controlled substance; and (b) Procedures for identifying and handling situations involving a person suffering from a diabetic condition or an epileptic seizure. (Added to NRS by 1989, 1209; A 2001, 1502; 2007, 2044; 2019, 497)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.3485 - Program for imprinting symbol indicating medical condition on license: Establishment; regulations; single symbol; eligibility; records of medical condition; provision of information about program; donations.

1. The Department may adopt regulations establishing a program for the imprinting of a symbol indicating a medical condition on a driver's license issued by the Department. 2. If the Department establishes a program pursuant to subsection 1: (a) Except as otherwise provided in this title, the Department shall adopt a single symbol for imprinting on a driver's license to indicate a medical condition and shall not adopt individualized symbols for different medical conditions. (b) The regulations adopted by the Department must provide that a person is eligible to have the symbol indicating a medical condition imprinted on his or her driver's license if the person is: (1) On anticoagulants; or (2) A person with: (I) Diabetes; (II) Epilepsy; (III) Blindness and low vision; (IV) Deafness; (V) Coronary atherosclerosis; (VI) Chronic obstructive pulmonary disease; (VII) A food allergy; (VIII) Malignant hyperthermia; (IX) Sickle cell disease; (X) Systemic lupus erythematosus; (XI) Heart disease; (XII) Hemophilia; (XIII) Schizophrenia; (XIV) Depression; or (XV) A mental illness. (c) The Department shall maintain a record of the medical condition for which the symbol indicating a medical condition was imprinted on the driver's license of an eligible person. The record must be maintained in the same location and manner as all other records relating to the driver's license of the person, including, without limitation, the records relating to the driver's license of the person that are made available to law enforcement agencies. If the

Department maintains such information in the form of a code, the code used must conform with the International Classification of Diseases, Ninth Revision, Clinical Modification, or the most current revision, adopted by the National Center for Health Statistics and the Centers for Medicare and Medicaid Services. (d) The Department shall maintain on the Internet website of the Department information about the program established pursuant to subsection 1, including, without limitation, the manner in which a person may obtain a driver's license which has been imprinted with a symbol indicating a medical condition. (e) The regulations adopted by the Department may provide that a person is eligible to have the symbol indicating a medical condition imprinted on his or her driver's license to indicate such other medical conditions not listed in paragraph (b) as the Department deems appropriate. The Department shall provide a means for members of the public to suggest additional medical conditions for inclusion in the regulations adopted by the Department. 3. The Department may apply for and accept any gift, grant, appropriation or other donation to assist in carrying out a program established pursuant to the provisions of this section. (Added to NRS by 2005, 2312; A 2023, 2676)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.349 - Placement of designation on license issued to person with disability which limits or impairs ability to walk.

1. Upon the application of a person with a disability which limits or impairs the ability to walk, the Department shall place on any driver's license issued to the person pursuant to the provisions of this chapter a designation that the person is a person with a disability. The application must include a statement from a licensed physician or an advanced practice registered nurse certifying that the applicant is a person with a disability which limits or impairs the ability to walk. 2. For the purposes of this section, "person with a disability which limits or impairs the ability to walk" has the meaning ascribed to it in NRS 482.3835. (Added to NRS by 1995, 2762; A 2019, 497)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.3495 - Placement of designation on license issued to person with communication need; Department prohibited from requiring disclosure of communication need.

1. Upon the application of a person with a communication need, the Department shall place on any driver's license issued to the person pursuant to the provisions of this chapter a designation that the person is a person with a communication need. 2. The Department shall not require any person to disclose that the person is a person with a communication need. 3. As used in this section, "a person with a communication need" has the meaning ascribed to it in NRS 482.167. (Added to NRS by 2023, 1715)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.350 - License to be carried and surrendered upon demand; limitation on conviction.

Every licensee shall have his or her driver's license in his or her immediate possession at all times when driving a motor vehicle and shall manually surrender the license for examination, upon demand, to a justice of the peace, a peace officer, or a deputy of the Department. However, no person charged with violating this section shall be convicted if he or she produces in court or the office of the arresting officer a driver's license theretofore issued to the person and valid at the time of the demand. [Part 20:190:1941; A 1953, 191; 1955, 65]—(NRS A 1969, 544)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.360 - Restricted license; procedure for suspension or revocation; penalty.

1. The Department upon issuing a driver's license shall have authority, whenever good cause appears, to impose restrictions suitable to the licensee's driving ability with respect to special mechanical control devices required on a motor vehicle which the licensee may drive, or such other restrictions applicable to the licensee as the Department may determine to be appropriate to assure the safe driving of a motor vehicle by the licensee. 2. The Department may either issue a special restricted license or may set forth such restrictions upon the usual license form. 3. The Department may, upon receiving satisfactory evidence of any violation of the restrictions of such license, suspend or revoke the same, but the licensee shall be entitled to a hearing as upon a suspension or revocation under NRS 483.010 to 483.630, inclusive. 4. It is a misdemeanor for any person to drive a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to the person. [21:190:1941; 1931 NCL § 4442.20]—(NRS A 1969, 544)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.363 - Report requesting that Department examine licensee who may be unable to safely operate motor vehicle: Qualifications of persons who may file; required contents; confidentiality; exception; limitation upon filing; Administrator to prescribe form and procedure.

1. A person who is 18 years of age or older may file with the Department a report requesting that the Department examine a licensee who: (a) Is related to the person filing the report within the third degree of consanguinity or who is the spouse of the person filing the report; and (b) The person filing the report reasonably and in good faith believes cannot safely operate a motor vehicle. 2. The report described in subsection 1 must: (a) Include the name, relationship, address, telephone number and signature of the person filing the report. (b) State the person's basis for believing that the licensee cannot safely operate a motor vehicle, which basis must be: (1) Personal observation or physical evidence of a physical or medical condition that has the potential to impair the ability of the

licensee to operate a motor vehicle, corroborated by an affidavit from a physician or an advanced practice registered nurse in which the physician or advanced practice registered nurse concurs that the licensee should be examined to determine the licensee's ability to safely operate a motor vehicle; (2) Personal knowledge that the driving record of the licensee indicates the unsafe operation of a motor vehicle, corroborated by an affidavit from a physician or an advanced practice registered nurse in which the physician or advanced practice registered nurse concurs that the licensee should be examined to determine the licensee's ability to safely operate a motor vehicle; or (3) An investigation by a law enforcement officer. (c) Be kept confidential, except as otherwise provided in NRS 239.0115 and except that the report must be released upon request of the licensee or an order of a court of competent jurisdiction. No person may file more than one report concerning the same licensee within a 12-month period. 3. The Administrator shall prescribe: (a) A standard form to be used for the filing of a report pursuant to this section; and (b) The procedure to be used for the filing of a report pursuant to this section. (Added to NRS by 2005, 2311; A 2007, 2115; 2019, 497)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.367 - Report of inability of person to safely operate motor vehicle: Department to require examination and take other appropriate action; reinstatement of restricted, suspended or revoked license; issuance of replacement license.

1. If the Department receives a report filed pursuant to NRS 483.363, the Department shall, upon written notice to the licensee of at least 5 days, require the licensee to submit to all or part of the regular examination set forth in NRS 483.330. Upon conclusion of the examination, the Department shall take action as it deems appropriate and may suspend or revoke the license of the person or allow the person to retain the license, or may issue a license subject to restriction as described in NRS 483.360 or restrictions as to the type or class of vehicle that may be driven. Refusal or neglect on the part of the licensee to submit to the examination is grounds for suspension or revocation of the license. 2. A person whose driver's license is restricted, suspended or revoked pursuant to this section may request a total or partial reinstatement of that license. An appropriate replacement license must be issued to the licensee upon satisfactory completion of the requirements for reinstatement established by the Department pursuant to NRS 483.495. (Added to NRS by 2005, 2312)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.370 - Duplicate or substitute permit or license.

If an instruction permit or driver's license issued under the provisions of NRS 483.010 to 483.630, inclusive, is lost or destroyed, the person to whom the permit or license was issued may obtain a duplicate, or substitute thereof, upon: 1. Furnishing proof satisfactory to the Department that: (a) The permit or license was lost or destroyed; and (b) He or she is the person to whom that permit or license was issued. 2. Payment of the required fee. [22:190:1941; 1931 NCL § 4442.21]—(NRS A 1963, 843; 1969, 544; 1987, 1437)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.375 - Change of full legal name on license: Requirements; circumstances when permitted; fee.

1. A person shall request that the Department change his or her full legal name on a driver's license, including a motorcycle driver's license, issued by the Department after a legal change of the person's name indicated on: (a) An order of a court of competent jurisdiction changing the name of the person; (b) A decree of adoption; (c) A certificate of marriage; or (d) A decree of divorce. 2. A request required pursuant to subsection 1 must: (a) Be made on a form prescribed by the Department; and (b) Include an original or certified copy of the order, decree or certificate. 3. A person may request that the Department change his or her full legal name on a driver's license, including a motorcycle driver's license, issued by the Department upon adoption, marriage, divorce or the death of a spouse. Such a request must be made on a form prescribed by the Department and must include: (a) Upon adoption, an original or certified copy of a decree of adoption and an affidavit on a form prescribed by the Department indicating the person's choice to: (1) Change his or her last name to the last name of one of his or her adoptive parents; (2) Use his or her last name hyphenated with the last name of one of his or her adoptive parents; or (3) Replace his or her middle name with his or her last name and use as his or her last name the last name of one of his or her adoptive parents. (b) Upon marriage, an original or certified copy of a certificate of marriage and an affidavit on a form prescribed by the Department indicating the person's choice to: (1) Change his or her last name to the last name of his or her spouse; (2) Use his or her last name hyphenated with the last name of his or her spouse; or (3) Replace his or her middle name with his or her last name and use as his or her last name the last name of his or her spouse. (c) Upon divorce, an original or certified copy of a decree of divorce and an affidavit on a form prescribed by the Department indicating the person's choice to: (1) Change his or her last name back to a last name he or she used before the marriage; or (2) If he or she changed his or her name pursuant to subparagraph (3) of paragraph (b), change his or her middle name and last name back to the middle name and last name he or she used before the marriage. (d) Upon the death of a spouse, an original or certified copy of a certificate of marriage and an original or certified copy of a death certificate and an affidavit on a form prescribed by the Department indicating the person's choice to: (1) Change his or her last name back to a name he or she used before the marriage; or (2) If he or she changed his or her name pursuant to subparagraph (3) of paragraph (b), change his or her middle name and last name back to the middle name and last name he or she used before the marriage. 4. Upon receipt of a request that meets the requirements of subsection 2 or 3, the Department shall: (a) Change the full legal name of a person on the driver's license or motorcycle driver's license issued to the person by the Department; and (b) Provide to the person who requested the change a document which evidences that such a change was made pursuant to this section. 5. The Department may charge and collect, for a change to a driver's license or

motorcycle driver's license pursuant to this section, the fee provided in NRS 483.410. (Added to NRS by 2017, 1276)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.376 - Alternate address on license at request of peace officer or retired peace officer: Requirements; application; regulations.

1. A peace officer may request, at the time of application for or renewal of his or her driver's license, the display of an alternate address on his or her driver's license. The alternative address must be the street address of his or her employer. 2. A retired peace officer may request, at the time of application for or renewal of his or her driver's license, the display of an alternate address on his or her driver's license. The alternative address must be provided by the retired peace officer at the time he or she submits the request. 3. A peace officer or retired peace officer who requests the display of an alternate address on his or her driver's license pursuant to this section must provide to the Department: (a) Proof satisfactory to the Department that he or she qualifies for the display of an alternate address on his or her driver's license pursuant to this section and any regulations adopted pursuant thereto; and (b) His or her address of principal residence and mailing address, if different from the address of principal residence, for use by the Department in recordkeeping and mailing. 4. A peace officer or retired peace officer who receives from the Department a driver's license imprinted with an alternate address pursuant to this section who ceases to be qualified for the driver's license: (a) Shall notify the Department and return the driver's license within 30 days after ceasing to be qualified; and (b) May apply to the Department for a replacement driver's license that displays his or her address of principal residence. 5. The Department shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license which displays an alternate address in accordance with this section. 6. As used in this section, "peace officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive. (Added to NRS by 2017, 221)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.380 - Expiration of license; exception; Department to prescribe by regulation when license expires; deferred expiration of license of persons on active duty in Armed Forces and certain members of their families.

1. Except as otherwise provided in NRS 483.283, every driver's license expires as prescribed by regulation. 2. The Department shall adopt regulations prescribing when a driver's license expires. The Department may, by regulation, defer the expiration of the driver's license of a person who is on active duty in the Armed Forces upon such terms and conditions as it may prescribe. The Department may similarly defer the expiration of the license of the spouse or dependent son or daughter of that person if the spouse or child is residing with the person. [23:190:1941; A 1943, 268; R 1953, 91; added 1953, 191; A 1955, 54]—(NRS A 1959, 95, 785; 1960, 464; 1961, 455; 1963, 844; 1965, 563, 1005; 1969, 545; 1971, 578; 1975, 250; 1977, 326; 1983, 500; 1997, 1222, 2075; 1999, 976; 2005, 2888; 2007, 2786)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.382 - Renewal of license: Notice to licensee; additional tests.

1. No later than 30 days before the expiration of a license, the Department shall mail to each licensee who has not already renewed his or her license an expiration notice. 2. The Department may require an applicant for a renewal license successfully to pass such additional tests as the Department finds reasonably necessary to determine the applicant's qualification according to the type or class of license applied for. (Added to NRS by 1983, 502; A 1993, 2845; 1999, 3577)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.383 - Renewal of license: Procedure for renewal by mail; regulations.

The Department shall: 1. Establish a procedure to allow such persons as it deems appropriate to renew their drivers' licenses by mail. 2. Adopt regulations necessary to carry out the provisions of this section. (Added to NRS by 1995, 835; A 2005, 890)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.384 - Renewal of license: Test of eyesight; report in lieu of test; regulations; when examination may be required.

1. The Department may require an applicant for a renewal license to appear before an examiner for a driver's license and successfully pass an eye test. 2. The Department may accept, in lieu of an eye test, a report from an ophthalmologist, optometrist, physician, advanced practice registered nurse or agency of another state which has duties comparable to those of the Department if the reported test was performed within 90 days before the application for renewal and: (a) The applicant is qualified to renew his or her driver's license by mail in accordance with the procedure established pursuant to NRS 483.383; or (b) The Department determines, upon good cause shown, that the applicant is unable to appear in person. 3. The Department shall adopt regulations which prescribe: (a) The criteria to determine which applicant for a renewal license must appear and successfully pass an eye test. (b) The circumstances under which the Department will accept a report from an ophthalmologist, optometrist, physician, advanced practice registered nurse or agency of another state which is authorized to conduct eye tests, in lieu of an eye test for the renewal of an applicant's driver's license. 4. If the Administrator or his or her authorized agent has reason to believe that the licensee is no longer qualified to receive a license because of the licensee's physical condition, the Department may require that the applicant submit to an examination pursuant to the provisions of NRS 483.330. The age of a licensee, by itself, does not constitute grounds for requiring an examination of driving qualifications. (Added to NRS by 1983, 502; A 1985, 569; 1995, 835; 2019, 498)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.386 - Renewal of license: Reexamination upon good cause; penalty for late renewal; exemptions.

All persons whose licenses have expired may be required by the Department, whenever good cause appears, to take all or part of the regular examinations as set forth in NRS 483.330. All persons whose licenses have expired for a period of 30 days or more shall pay to the Department the penalty provided in NRS 483.410 in addition to the cost of renewing the license except that the following persons are exempt from this penalty: 1. A person who has not driven a motor vehicle after the expiration of his or her Nevada driver's license and who submits an affidavit stating that fact; 2. A person renewing an expired Nevada driver's license who possesses a valid driver's license from another jurisdiction; 3. A person whose Nevada driver's license expires during a period of suspension if the person completes a renewal application within 30 days after the date of eligibility for renewal; 4. A person whose Nevada driver's license expires while the person is on active duty with any branch of the Armed Forces, if the person completes a renewal application within 30 days after his or her discharge; 5. A person whose Nevada driver's license expires while the person was a member of the military deployed to a combat or combat supporting position. As used in this subsection, "military" means the Armed Forces of the United States, a reserve component thereof or the National Guard; and 6. A person whose Nevada driver's license expires while the person is serving a period of incarceration, if the person submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year and the person completes a renewal application within 1 year after his or her release. (Added to NRS by 1983, 502; A 1985, 1020; 2011, 297; 2023, 3315)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.390 - Notice of change of address.

Whenever any person after applying for or receiving a driver's license moves from the address named in the application or in the license issued to the person, that person shall within 30 days thereafter notify the Department of his or her new and old addresses and of the number of any license then held by the person. [24:190:1941; 1931 NCL § 4442.23]—(NRS A 1965, 1006; 1969, 546; 1973, 449; 1999, 3578; 2001, 920; 2017, 1282)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.400 - Records of Department.

1. The Department shall maintain files of applications for licenses. Such files shall contain: (a) All applications denied and on each thereof note the reasons for such denial. (b) All applications granted. (c) The name of every licensee whose license has been suspended or revoked by the Department and after each such name note the reasons for such action. 2. The Department shall also file all crash reports and abstracts of court records of convictions or findings of the commission of civil infractions pursuant to NRS 484A.703 to 484A.705, inclusive, received by it under the laws of this State, and in connection therewith maintain convenient records or make suitable notations in order that an individual record of each licensee showing the convictions or findings of such licensee and the traffic crashes in which the licensee was involved are readily ascertainable and available for the consideration of the Department upon any application for renewal of license and at other suitable times. [25:190:1941; 1931 NCL § 4442.24]—(NRS A 1965, 319; 1993, 2845; 2015, 1631; 2021, 3304)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.410 - Fees and penalties: Amounts, payment and disposition.

1. Except as otherwise provided in subsection 6 and NRS 483.330 and 483.417, for every driver's license, including a motorcycle driver's license, issued and service performed, the following fees must be charged: An original or renewal license issued to a person 65 years of age or older \$13.50 An original or renewal license issued to any person less than 65 years of age which expires on the eighth anniversary of the licensee's birthday..... 37.00 An original or renewal license issued to any person less than 65 years of age which expires on or before the fourth anniversary of the licensee's birthday..... 18.50 Administration of the examination required by NRS 483.330 for a noncommercial driver's license..... 25.00 Each readministration to the same person of the examination required by NRS 483.330 for a noncommercial driver's license..... 10.00 Reinstatement of a license after suspension, revocation or cancellation, except a revocation for a violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430, or pursuant to NRS 484C.210 and 484C.220..... 75.00 Reinstatement of a license after revocation for a violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430, or pursuant to NRS 484C.210 and 484C.220..... 120.00 A new photograph, change of name, change of other information, except address, or any combination 5.00 A duplicate license..... 14.00 2. For every motorcycle endorsement to a driver's license, a fee of \$5 must be charged. 3. If no other change is requested or required, the Department shall not charge a fee to convert the number of a license from the licensee's social security number, or a number that was formulated by using the licensee's social security number as a basis for the number, to a unique number that is not based on the licensee's social security number. 4. Except as otherwise provided in NRS 483.417, the increase in fees authorized by NRS 483.347 and the fees charged pursuant to NRS 483.415 must be paid in addition to the fees charged pursuant to subsections 1 and 2. 5. A penalty of \$10 must be paid by each person renewing a license after it has expired for a period of 30 days or more as provided in NRS 483.386 unless the person is exempt pursuant to that section. 6. The Department may not charge a fee for the reinstatement of a driver's

license that has been: (a) Voluntarily surrendered for medical reasons; or (b) Cancelled pursuant to NRS 483.310. 7. All fees and penalties are payable to the Administrator at the time a license or a renewal license is issued. 8. Except as otherwise provided in NRS 483.340, subsection 3 of NRS 483.3485, NRS 483.415 and 483.840, and subsection 3 of NRS 483.863, all money collected by the Department pursuant to this chapter must be deposited in the State Treasury for credit to the Motor Vehicle Fund. [27:190:1941; A 1943, 268; 1955, 130] + [Part 28:190:1941; 1931 NCL § 4442.27]—(NRS A 1960, 465; 1961, 88; 1963, 844; 1964, 1; 1965, 564; 1969, 546; 1973, 1275; 1975, 211, 553; 1977, 267; 1979, 1121; 1981, 1590; 1983, 501, 1011; 1987, 1437; 1989, 289, 475; 1991, 1907, 2235; 1993, 271, 583; 1995, 836; 1997, 838, 1384; 2001, 682; 2005, 131, 891, 1024, 1216, 2314; 2009, 60, 1862, 2022; 2013, 1241; 2019, 4503)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.415 - Additional fee; deposit in Highway and Safety Administrative Account; use of money.

1. The Department of Motor Vehicles shall charge and collect a fee of: (a) Fifty cents, in addition to the fees set forth in NRS 483.410, for every driver's license, including a motorcycle driver's license, issued or renewed which expires on or before the fourth anniversary of the licensee's birthday. (b) One dollar, in addition to the fees set forth in NRS 483.410, for every driver's license, including a motorcycle driver's license, issued or renewed which expires on the eighth anniversary of the licensee's birthday. 2. The Department of Motor Vehicles shall deposit the money into the Highway and Safety Administrative Account which is hereby created in the State Highway Fund. The money in the Account may be used only by the Department of Transportation for: (a) The support of the position of Motor Vehicle Recovery and Transportation Planner created pursuant to NRS 408.234; and (b) The support of the position of Highway Safety Information and Outreach Coordinator created pursuant to NRS 408.228, and to carry out the provisions of that section. (Added to NRS by 1991, 2234; A 1993, 647; 1995, 867; 2011, 2517; 2013, 1242)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.417 - One-time waiver of fees to furnish duplicate license to homeless person or person recently released from prison, jail or detention facility; one-time waiver of fees to furnish original or renewal license or to reinstate license for person recently released from prison, jail or detention facility; one-time waiver of fee to furnish original or duplicate license to homeless child or youth; acceptance of gifts, grants and donations.

1. Except as otherwise provided in subsection 5, the Department shall waive the fee prescribed by NRS 483.410 and the increase in the fee required by NRS 483.347 not more than one time for furnishing a duplicate driver's license to: (a) A homeless person who submits a signed affidavit on a form prescribed by the Department stating that the person is homeless. (b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year. (c) A person who submits documentation from a county, city or town jail or detention facility verifying that the person was released from the county, city or town jail or detention facility, as applicable, within the immediately preceding 90 days. 2. The Department shall waive the fee prescribed by NRS 483.410 and the increase in the fee required by NRS 483.347 not more than one time for: (a) Furnishing an original or renewal driver's license to; or (b) The reinstating after suspension, revocation or cancellation of the driver's license of, a person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year. 3. A vendor that has entered into an agreement with the Department to produce photographs for drivers' licenses pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of: (a) A homeless person or person released from prison or a county, city or town jail or detention facility for a duplicate driver's license; or (b) A person released from prison for an original or renewal driver's license or for the reinstatement of a driver's license. 4. Except as otherwise provided in subsection 5, if the vendor does not waive pursuant to subsection 3 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate driver's license furnished to a person pursuant to subsection 1, the person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the person: (a) Applies to the Department for the renewal of his or her driver's license; and (b) Is employed at the time of such application. 5. The Department shall waive the fee prescribed by NRS 483.410, the increase in the fee required by NRS 483.347 and the reimbursement required by subsection 4 not more than one time for furnishing: (a) An original driver's license or a duplicate driver's license to a homeless child or youth under the age of 25 years who submits a signed affidavit on a form prescribed by the Department stating that the child or youth is homeless and under the age of 25 years. (b) An original or renewal driver's license to or reinstating the driver's license of a person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year. 6. The Department may accept gifts, grants and donations of money to fund the provision of original, renewal and duplicate drivers' licenses or the reinstatement of drivers' licenses without a fee to persons pursuant to subsections 1, 2 and 5. 7. As used in this section, "homeless child or youth" has the meaning ascribed to it in 42 U.S.C. § 11434a. (Added to NRS by 2005, 1215; A 2011, 2604; 2017, 4055; 2019, 4504; 2023, 3316)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.419 - Definitions.

As used in NRS 483.419 to 483.525, inclusive, unless the context otherwise requires, the words and terms defined in NRS 483.4193 and 483.4194 have the meanings ascribed to them in those sections. (Added to NRS by 2021, 2448)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.4193 - "Ignition interlock device" defined.

"Ignition interlock device" has the meaning ascribed to it in NRS 484C.053. (Added to NRS by 2021, 2448)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.4194 - "Ignition interlock privilege" defined.

"Ignition interlock privilege" has the meaning ascribed to it in NRS 484C.057. (Added to NRS by 2021, 2448)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.420 - Authority of Department to cancel license.

1. The Department is hereby authorized to cancel any driver's license upon determining that the licensee was not entitled to the issuance thereof pursuant to NRS 483.010 to 483.630, inclusive, or that the licensee failed to give the required or correct information in his or her application or committed any fraud in making an application. 2. Upon cancellation of a driver's license pursuant to subsection 1, the licensee shall surrender the license cancelled to the Department. 3. The Department is authorized to cancel any license that is voluntarily surrendered to the Department. [29:190:1941; 1931 NCL § 4442.28]—(NRS A 1965, 564; 1969, 547; 1971, 579; 1991, 1908; 2011, 2659)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.430 - Suspension or revocation of privilege of nonresident; report of certain civil infractions or convictions in this State or revocation or suspension involving nonresident.

1. The privilege of driving a motor vehicle on the highways of this State given to a nonresident under NRS 483.010 to 483.630, inclusive, is subject to suspension or revocation by the Department in like manner and for like cause as a driver's license issued under NRS 483.010 to 483.630, inclusive, may be suspended or revoked. 2. The Department is further authorized, upon receiving a record of the entrance of an order pursuant to NRS 484A.703 to 484A.705, inclusive, finding that a nonresident driver of a motor vehicle committed a civil infraction in this State or the conviction in this State of a nonresident driver of a motor vehicle of any criminal offense under the motor vehicle laws of this State, to forward a certified copy of such record to the motor vehicle administrator in the state wherein the person so found or convicted is a resident. 3. When a nonresident's driving privilege is suspended or revoked in this State, the Department shall forward a copy of the record of such action to the motor vehicle administrator in the state where such driver resides. [30:190:1941; 1931 NCL § 4442.29]—(NRS A 1969, 547; 2021, 3305)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.440 - Suspension or revocation of license or privilege upon conviction in another state.

The Department is authorized to suspend or revoke the license of any resident of this State or the privilege of a nonresident to drive a motor vehicle in this State upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this State, would be grounds for the suspension or revocation of the license. [31:190:1941; 1931 NCL § 4442.30]—(NRS A 1969, 547)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.441 - Suspension of license for delinquent payment of administrative fines and other costs owed pursuant to NRS 706.476 or 706.771; notice; plan for repayment; reinstatement; fee for reinstatement.

1. Upon receipt of notice from the Nevada Transportation Authority pursuant to NRS 706.772 regarding a driver's delinquency with respect to the payment of an administrative fine and any other costs owed to the Authority pursuant to NRS 706.476 or 706.771, the Department shall notify the driver by mail that his or her driver's license is subject to suspension and allow the driver 30 days after the date of mailing the notice to: (a) Pay to the Authority the delinquent administrative fine and any other costs or comply with a plan of repayment approved pursuant to NRS 706.772; or (b) Make a written request to the Department for a hearing. 2. If notified by the Nevada Transportation Authority, within 30 days after the notice of a delinquency in the payment of an administrative fine, that a driver has entered into a plan for repayment approved pursuant to NRS 706.772, the Department shall stop the suspension of the driver's license from going into effect. If the driver subsequently defaults on the plan of repayment with the Authority, the Authority shall notify the Department, which shall immediately suspend the driver's license until the Authority notifies the Department that the license is eligible for reinstatement. 3. The Department shall suspend the driver's license of a driver 31 days after it mails the notice provided for in subsection 1 to the driver, unless within that time it has received a written request for a hearing from the driver or notice from the Nevada Transportation Authority that the driver has paid the administrative fine and any other costs or complied with a plan of repayment approved pursuant to NRS 706.772. A license so suspended remains suspended until: (a) The Authority notifies the Department that the license is eligible for reinstatement; and (b) The Department receives payment of the fee for reinstatement required by NRS 483.410. (Added to NRS by 2011, 2658)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.443 - Suspension of license for failure to comply with certain subpoenas or warrants or failure to satisfy arrearage in payment of

support for child; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] Suspension of license for failure to satisfy arrearage in payment of support for child; reinstatement of license. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. The Department shall, upon receiving notification from a district attorney or other public agency collecting support for children pursuant to NRS 425.510 that a court has determined that a person: (a) Has failed to comply with a subpoena or warrant relating to a proceeding to establish paternity or to establish or enforce an obligation for the support of a child; or (b) Is in arrears in the payment for the support of one or more children, send a written notice to that person that his or her driver's license is subject to suspension. 2. The notice must include: (a) The reason for the suspension of the license; (b) The information set forth in subsections 3, 5 and 6; and (c) Any other information the Department deems necessary. 3. If a person who receives a notice pursuant to subsection 1 does not, within 30 days after receiving the notice, comply with the subpoena or warrant or satisfy the arrearage as required in NRS 425.510, the Department shall suspend the license without providing the person with an opportunity for a hearing. 4. The Department shall suspend immediately the license of a defendant if so ordered pursuant to NRS 62B.420 or 484A.7047. 5. The Department shall reinstate the driver's license of a person whose license was suspended pursuant to this section if it receives: (a) A notice from any of the following: (1) The district attorney or other public agency pursuant to NRS 425.510 that the person has complied with the subpoena or warrant or has satisfied the arrearage pursuant to that section. (2) A traffic commissioner, referee, hearing master, municipal judge, justice of the peace or district judge, as applicable, that a delinquency for which the suspension was ordered pursuant to NRS 484A.7047 has been discharged. (3) A judge of the juvenile court that an unsatisfied civil judgment for which the suspension was ordered pursuant to NRS 62B.420 has been satisfied; and (b) Payment of the fee for reinstatement of a suspended license prescribed in NRS 483.410. 6. The Department shall not require a person whose driver's license was suspended pursuant to this section to submit to the tests and other requirements which are adopted by regulation pursuant to subsection 1 of NRS 483.495 as a condition of the reinstatement of the license. (Added to NRS by 1995, 947; A 1997, 901, 2076; 2013, 537; 2021, 3294, 3305) 1. The Department shall, upon receiving notification from a district attorney or other public agency collecting support for children that a court has determined a person is in arrears in the payment for the support of a child pursuant to NRS 425.510, send a written notice to that person that his or her license is subject to suspension. The notice must include: (a) The reason for the suspension of the license; (b) The information set forth in subsections 2, 4 and 5; and (c) Any other information the Department deems necessary. 2. If a person who receives a notice pursuant to subsection 1 does not satisfy the arrearage as required in NRS 425.510 within 30 days after receiving the notice, the Department shall suspend the license. 3. The Department shall suspend immediately the license of a defendant if so ordered pursuant to NRS 62B.420 or 484A.7047. 4. The Department shall reinstate the driver's license of a person whose license was suspended pursuant to this section if it receives: (a) A notice from any of the following: (1) The district attorney or other public agency pursuant to NRS 425.510 that the person has complied with the subpoena or warrant or has satisfied the arrearages pursuant to that section. (2) A traffic commissioner, referee, hearing master, municipal judge, justice of the peace or district judge, as applicable, that a delinquency for which the suspension was ordered pursuant to NRS 484A.7047 has been discharged. (3) A judge of the juvenile court that an unsatisfied civil judgment for which the suspension was ordered pursuant to NRS 62B.420 has been satisfied; and (b) Payment of the fee for reinstatement of a suspended license prescribed in NRS 483.410. 5. The Department shall not require a person whose driver's license was suspended pursuant to this section to submit to the tests and other requirements which are adopted by regulation pursuant to subsection 1 of NRS 483.495 as a condition of the reinstatement of the license. (Added to NRS by 1995, 947; A 1997, 901, 2076; 2013, 537; 2021, 3294, 3305, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.445 - Suspension or revocation of license of member of Armed Forces.

The Department may suspend or revoke the license of a member of the Armed Forces of the United States stationed at a military installation located in Nevada if: 1. It receives notice from the commander of any such installation that such person's military driving privilege has been suspended; and 2. The conduct on which the suspension of the military license is based is of such a nature that the Department would revoke or suspend such person's driver's license had such conduct occurred within its jurisdiction. (Added to NRS by 1969, 595)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.447 - Future driving privileges: Deemed possession by unlicensed driver who operates vehicle in Nevada.

A person who does not hold a valid license issued by this State or any other state and who operates a vehicle in this State shall be deemed to have future driving privileges that may be suspended if the person is found to have committed a civil infraction in this State pursuant to NRS 484A.703 to 484A.705, inclusive, or is convicted of any criminal traffic offense in this State. (Added to NRS

by 2003, 1235; A 2021, 3306)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.448 - Future driving privileges: Notice; demerit points; suspension; hearing.

1. Except as otherwise provided in this subsection, when a person deemed to have future driving privileges pursuant to NRS 483.447 has accumulated 3 or more demerit points, but less than 12, the Department shall notify the person of this fact. If, after the Department mails the notice, the person presents proof to the Department that he or she has successfully completed a course of traffic safety approved by the Department and a signed statement which indicates that the successful completion of the course was not required pursuant to a court order entered pursuant to NRS 484A.7043 or a plea agreement, the Department shall cancel not more than 3 demerit points from the person's driving record. If such a person accumulates 12 or more demerit points before completing the course of traffic safety, the person will not be entitled to have demerit points cancelled upon the completion of the course but must have future driving privileges suspended. A person deemed to have future driving privileges may attend a course only once in 12 months for the purpose of reducing demerit points. The 3 demerit points may only be cancelled from the driver's record of the person during the 12-month period immediately following the driver's successful completion of the course of traffic safety. The provisions of this subsection do not apply to a person deemed to have future driving privileges whose successful completion of a course of traffic safety was required pursuant to a court order entered pursuant to NRS 484A.7043 or a plea agreement. 2. Any reduction of demerit points pursuant to this section applies only to the demerit record of the person deemed to have future driving privileges and otherwise does not affect the person's driving record with the Department or insurance record. 3. Notwithstanding any provision of this title to the contrary, if a person deemed to have future driving privileges accumulates demerit points, the Department shall suspend those future driving privileges: (a) For the first accumulation of 12 demerit points during a 12-month period, for 6 months. Such a person is eligible for a restricted license during this 6-month period. (b) For the second accumulation within 3 years of 12 demerit points during a 12-month period, for 1 year. Such a person is eligible for a restricted license during this 1-year period. (c) For the third accumulation within 5 years of 12 demerit points during a 12-month period, for 1 year. Such a person is not eligible for a restricted license during this 1-year period. 4. The Department shall suspend for 1 year the future driving privileges of a person who has been convicted of a sixth traffic offense within a 5-year period, is found to have committed a sixth civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive, within a 5-year period or has accumulated a combined total of six civil infractions and traffic offenses within a 5-year period, if all six civil infractions or traffic offenses have been assigned a value of 4 or more demerit points. Such a person is not eligible for a restricted license during this 1-year period. 5. If the Department determines by its records that a person deemed to have future driving privileges is not eligible for a driver's license pursuant to this section, the Department shall notify the person by mail of that fact. 6. Except as otherwise provided in subsection 7, the Department shall suspend the future driving privileges of a person pursuant to this section 30 days after the date on which the Department mails the notice to the person required by subsection 5. 7. If a written request for a hearing is received by the Department: (a) The suspension of the future driving privileges of the person requesting the hearing is stayed until a determination is made by the Department after the hearing. (b) The hearing must be held, within 45 days after the request is received, in the county in which the person resides unless the person and the Department agree that the hearing may be held in some other county. The scope of the hearing must be limited to whether the records of the Department accurately reflect the driving history of the person. (Added to NRS by 2003, 1235; A 2021, 3306)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.450 - Conviction of offense or finding of civil infraction: Regulations prescribing recordation of conviction or finding; duties of courts; expenses.

1. A record of each conviction and each finding that a person has committed a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive, must be made in a manner approved by the Department. The court shall provide sufficient information to allow the Department to include accurately the information regarding each conviction and finding in the driver's record. 2. The Department shall adopt regulations prescribing the information necessary to record each conviction and finding in the driver's record. 3. Every court, including a juvenile court, having jurisdiction over violations of the provisions of NRS 483.010 to 483.630, inclusive, or any other law of this State or municipal ordinance regulating the operation of motor vehicles on highways, shall forward to the Department: (a) If the court is other than a juvenile court, each record of the conviction of any person in that court for a violation of any such laws other than regulations governing standing or parking and each record of the finding that any person has committed a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive; or (b) If the court is a juvenile court, a record of any finding that a child has violated a traffic law or ordinance other than one governing standing or parking, within 5 days after the conviction or finding, and may recommend the suspension of the driver's license of the person convicted or found to have committed a civil infraction or the child found in violation of a traffic law or ordinance. 4. If a record forwarded to the Department pursuant to subsection 3 is a record of the conviction of, or a record of a finding of the commission of a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive, against, a person who holds a commercial driver's license, the Department shall, within 5 days after the date on which it receives such a record, transmit notice of the conviction or finding to the Commercial Driver's License Information System. 5. For the purposes of NRS 483.010 to 483.630, inclusive, "conviction" has the meaning prescribed by regulation pursuant to NRS 481.052. 6. If a court mails records of conviction or of findings of the commission of a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive, the necessary expenses of mailing such records to the Department as required by

this section must be paid by the court charged with the duty of forwarding those records. 7. As used in this section, "Commercial Driver's License Information System" has the meaning ascribed to it in NRS 483.904. [32:190:1941; A 1943, 268; 1953, 191]—(NRS A 1961, 79; 1969, 547; 1973, 1533; 1981, 534; 1989, 554; 2003, 1153; 2007, 2787; 2011, 404; 2021, 3307)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.460 - Mandatory revocation of license, permit or privilege to drive; period of revocation; tolling of period of revocation during imprisonment; ineligibility for restricted license or ignition interlock privilege; action to carry out court's order.

1. Except as otherwise provided by specific statute, the Department shall revoke the license, permit or privilege of any driver upon receiving a record of his or her conviction of any of the following offenses, when that conviction has become final, and the driver is not eligible for a license, permit or privilege to drive for the period indicated: (a) For a period of 185 days, if the offense is a first violation within 7 years of NRS 484C.110 or 484C.120. (b) For a period of 1 year if the offense is: (1) Except as otherwise provided in paragraph (c), any manslaughter, including vehicular manslaughter as described in NRS 484B.657, resulting from the driving of a motor vehicle or felony in the commission of which a motor vehicle is used, including the unlawful taking of a motor vehicle. (2) Failure to stop and render aid as required pursuant to the laws of this State in the event of a motor vehicle crash resulting in the death or bodily injury of another. (3) Perjury or the making of a false affidavit or statement under oath to the Department pursuant to NRS 483.010 to 483.630, inclusive, or pursuant to any other law relating to the ownership or driving of motor vehicles. (4) Conviction, or forfeiture of bail not vacated, upon three charges of reckless driving committed within a period of 12 months. (5) A second violation within 7 years of NRS 484C.110 or 484C.120. (6) A violation of NRS 484B.550. (c) For a period of 3 years if the offense is: (1) A first violation of driving without an ignition interlock device or tampering with an ignition interlock device pursuant to subsection 2 of NRS 484C.470 and the driver is not eligible for a restricted license or an ignition interlock privilege during any of that period. (2) A violation of subsection 9 of NRS 484B.653. (3) A third or subsequent violation within 7 years of NRS 484C.110 or 484C.120. (4) A violation of NRS 484C.110 or 484C.120 resulting in a felony conviction pursuant to NRS 484C.400 or 484C.410. (5) A violation of NRS 484C.430 or a homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430. The period during which such a driver is not eligible for a license, permit or privilege to drive must be set aside during any period of imprisonment and the period of revocation must resume when the Department is notified pursuant to NRS 209.517 or 213.12185 that the person has completed the period of imprisonment or that the person has been placed on residential confinement or parole. (d) For a period of 5 years if the offense is a second or subsequent violation of driving without an ignition interlock device or tampering with an ignition interlock device pursuant to subsection 2 of NRS 484C.470 and the driver is not eligible for a restricted license or an ignition interlock privilege during any of that period. 2. The Department shall revoke the license, permit or privilege of a driver convicted of violating NRS 484C.110 or 484C.120 who fails to complete the educational course on the use of alcohol and controlled substances within the time ordered by the court and shall add a period of 90 days during which the driver is not eligible for a license, permit or privilege to drive. 3. When the Department is notified by a court that a person who has been convicted of a first violation within 7 years of NRS 484C.110 has been permitted to enter a program of treatment pursuant to NRS 484C.320, the Department shall reduce by one-half the period during which the person is not eligible for a license, permit or privilege to drive, but shall restore that reduction in time if notified that the person was not accepted for or failed to complete the treatment. 4. In addition to any other requirements set forth by specific statute, if the Department is notified that a court has ordered the revocation, suspension or delay in the issuance of a license pursuant to title 5 of NRS, NRS 206.330 or 392.148, chapters 484A to 484E, inclusive, of NRS or any other provision of law, the Department shall take such actions as are necessary to carry out the court's order. [33:190:1941; A 1943, 268; 1947, 443; 1943 NCL § 4442.32]—(NRS A 1959, 287; 1969, 760, 761, 1508; 1971, 2030; 1973, 586; 1975, 787; 1981, 535, 1922; 1983, 1081; 1989, 1193, 1397, 1736; 1995, 741, 1156, 1165, 1361, 1372, 1917, 2401; 1997, 802, 1742, 2842, 2856, 3367; 1999, 474, 1384, 2135, 3409; 2001, 245, 246; 2003, 1154; 2005, 76, 132, 604; 2007, 2037, 2045, 2787; 2009, 1031, 1863; 2011, 1630; 2013, 2466; 2015, 1632; 2017, 4040; 2019, 681; 2021, 2448, 3294)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.461 - Mandatory suspension of license of person less than 21 years of age if test shows concentration of alcohol of 0.02 or more but less than 0.08 in blood or breath; cancellation of suspension and credit toward subsequent revocation or suspension.

[Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Mandatory suspension of license of person less than 21 years of age if test shows concentration of alcohol of 0.02 or more but less than 0.10 in blood or breath; cancellation of suspension and credit toward subsequent revocation or suspension. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. If the result of a test given pursuant to NRS 484C.150 or 484C.160 shows that a person less than 21 years of age had a concentration of alcohol of 0.02 or more but less than 0.08 in his or her blood or breath at the time of the test, the person's license, permit or privilege to drive must be suspended for a period of 90 days. 2. If a revocation or suspension of a person's license, permit or privilege to drive for a violation of NRS 62E.640, 484C.120, 484C.130 or 484C.430 follows a suspension ordered pursuant to

subsection 1, the Department shall: (a) Cancel the suspension ordered pursuant to subsection 1; and (b) Give the person credit toward the period of revocation or suspension ordered pursuant to NRS 62E.640, 484C.120, 484C.130 or 484C.430, whichever is applicable, for any period during which the person's license, permit or privilege to drive was suspended pursuant to subsection 1. 3. This section does not preclude: (a) The prosecution of a person for a violation of any other provision of law; or (b) The suspension or revocation of a person's license, permit or privilege to drive pursuant to any other provision of law. (Added to NRS by 1997, 3044; A 1999, 2448; 2003, 1155, 2557; 2005, 133; 2009, 1864; 2021, 1458) 1. If the result of a test given pursuant to NRS 484C.150 or 484C.160 shows that a person less than 21 years of age had a concentration of alcohol of 0.02 or more but less than 0.10 in his or her blood or breath at the time of the test, the person's license, permit or privilege to drive must be suspended for a period of 90 days. 2. If a revocation or suspension of a person's license, permit or privilege to drive for a violation of NRS 62E.640, 484C.120, 484C.130 or 484C.430 follows a suspension ordered pursuant to subsection 1, the Department shall: (a) Cancel the suspension ordered pursuant to subsection 1; and (b) Give the person credit toward the period of revocation or suspension ordered pursuant to NRS 62E.640, 484C.120, 484C.130 or 484C.430, whichever is applicable, for any period during which the person's license, permit or privilege to drive was suspended pursuant to subsection 1. 3. This section does not preclude: (a) The prosecution of a person for a violation of any other provision of law; or (b) The suspension or revocation of a person's license, permit or privilege to drive pursuant to any other provision of law. (Added to NRS by 1997, 3044; A 1999, 2448; 2003, 1155, 2557; 2005, 133; 2009, 1864, 1865; 2021, 1458, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.462 - Test indicating person less than 21 years of age has concentration of alcohol of 0.02 or more but less than 0.08 in blood or breath; duties of peace officer and Department; order for suspension of license. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Test indicating person less than 21 years of age has concentration of alcohol of 0.02 or more but less than 0.10 in blood or breath; duties of peace officer and Department; order for suspension of license. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. A peace officer who has received the result of a test given pursuant to NRS 484C.150 or 484C.160 which indicates that a person less than 21 years of age to whom the test was given had a concentration of alcohol of 0.02 or more but less than 0.08 in his or her blood or breath shall prepare a written certificate indicating whether the peace officer: (a) Had reasonable grounds to believe that the person was driving under the influence of alcohol; (b) Served an order of suspension on the person pursuant to subsection 2; and (c) Issued the person a temporary license pursuant to subsection 2. 2. If a person less than 21 years of age to whom a test is given pursuant to NRS 484C.150 or 484C.160 is present when a peace officer receives the result of the test and the test indicates that the person has a concentration of alcohol of 0.02 or more but less than 0.08 in his or her blood or breath, the peace officer shall: (a) Serve an order of suspension of the license, permit or privilege; (b) Seize any license or permit of the person; (c) Advise the person that the person has the right to: (1) Administrative and judicial review of the suspension; and (2) Have a temporary license; (d) If the person requests a temporary license, issue the person a temporary license on a form approved by the Department which becomes effective 24 hours after the person receives the temporary license and expires 120 hours after it becomes effective; and (e) Transmit to the Department: (1) Any license or permit seized pursuant to paragraph (b); and (2) The written certificate which the peace officer is required to prepare pursuant to subsection 1. 3. If a person less than 21 years of age to whom a test is given pursuant to NRS 484C.150 or 484C.160 is not present when a peace officer receives the result of the test and the test indicates that the person has a concentration of alcohol of 0.02 or more but less than 0.08 in his or her blood or breath, the peace officer shall transmit to the Department a copy of the result of the test and the written certificate which the peace officer is required to prepare pursuant to subsection 1. 4. The Department, upon receiving a copy of the result of the test and the written certificate transmitted by the peace officer pursuant to subsection 3, shall: (a) Review the result of the test and the written certificate; and (b) If the Department determines that it is appropriate, issue an order to suspend the license, permit or privilege to drive of the person by mailing the order to the person at the person's last known address. 5. An order for suspension issued by the Department pursuant to subsection 4 must: (a) Explain the grounds for the suspension; (b) Indicate the period of the suspension; (c) Require the person to transmit to the Department any license or permit held by the person; and (d) Explain that the person has a right to administrative and judicial review of the suspension. 6. An order for suspension issued by the Department pursuant to subsection 4 is presumed to have been received by the person 5 days after the order is deposited, postage prepaid, in the United States mail by the Department. The date of mailing of the order may be shown by a certificate that is prepared by an officer or employee of the Department specifying the date of mailing. (Added to NRS by 1997, 3044; A 1999, 2448; 2003, 2557) 1. A peace officer who has received the result of a test given pursuant to NRS 484C.150 or 484C.160 which indicates that a person less than 21 years of age to whom the test was given had a concentration of alcohol of 0.02 or more but less than 0.10 in his or her blood or breath shall prepare a written certificate indicating whether the peace officer: (a) Had reasonable grounds to believe that the person was driving under the influence of alcohol; (b) Served an order of suspension on the person pursuant to subsection 2; and (c) Issued the person a temporary license pursuant to subsection 2. 2. If a person less than 21 years of age to whom a test is given pursuant to NRS 484C.150 or 484C.160 is present when

a peace officer receives the result of the test and the test indicates that the person has a concentration of alcohol of 0.02 or more but less than 0.10 in his or her blood or breath, the peace officer shall: (a) Serve an order of suspension of the license, permit or privilege; (b) Seize any license or permit of the person; (c) Advise the person that the person has the right to: (1) Administrative and judicial review of the suspension; and (2) Have a temporary license; (d) If the person requests a temporary license, issue the person a temporary license on a form approved by the Department which becomes effective 24 hours after the person receives the temporary license and expires 120 hours after it becomes effective; and (e) Transmit to the Department: (1) Any license or permit seized pursuant to paragraph (b); and (2) The written certificate which the peace officer is required to prepare pursuant to subsection 1. 3. If a person less than 21 years of age to whom a test is given pursuant to NRS 484C.150 or 484C.160 is not present when a peace officer receives the result of the test and the test indicates that the person has a concentration of alcohol of 0.02 or more but less than 0.10 in his or her blood or breath, the peace officer shall transmit to the Department a copy of the result of the test and the written certificate which the peace officer is required to prepare pursuant to subsection 1. 4. The Department, upon receiving a copy of the result of the test and the written certificate transmitted by the peace officer pursuant to subsection 3, shall: (a) Review the result of the test and the written certificate; and (b) If the Department determines that it is appropriate, issue an order to suspend the license, permit or privilege to drive of the person by mailing the order to the person at the person's last known address. 5. An order for suspension issued by the Department pursuant to subsection 4 must: (a) Explain the grounds for the suspension; (b) Indicate the period of the suspension; (c) Require the person to transmit to the Department any license or permit held by the person; and (d) Explain that the person has a right to administrative and judicial review of the suspension. 6. An order for suspension issued by the Department pursuant to subsection 4 is presumed to have been received by the person 5 days after the order is deposited, postage prepaid, in the United States mail by the Department. The date of mailing of the order may be shown by a certificate that is prepared by an officer or employee of the Department specifying the date of mailing. (Added to NRS by 1997, 3044; A 1999, 2448; 2003, 2557, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.463 - Review of order of suspension issued pursuant to NRS 483.462; hearing; issuance of temporary license; affirmation or rescission of suspension; judicial review. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Review of order of suspension issued pursuant to NRS 483.462; hearing; issuance of temporary license; affirmation or rescission of suspension; judicial review. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. At any time during which the license, permit or privilege to drive is suspended pursuant to NRS 483.462, the person may request in writing a hearing by the Department to review the order of suspension. A person is entitled to only one administrative hearing pursuant to this section. 2. Unless the parties agree otherwise, the hearing must be conducted within 15 days after receipt of the request or as soon thereafter as is practicable in the county in which the requester resides. 3. The Administrator or an agent thereof may: (a) Issue subpoenas for: (1) The attendance of witnesses at the hearing; and (2) The production of relevant books and papers; and (b) Require a reexamination of the requester. 4. The scope of the hearing must be limited to the issues of whether the person, at the time of the test: (a) Was less than 21 years of age; and (b) Had a concentration of alcohol of 0.02 or more but less than 0.08 in his or her blood or breath. 5. The Department shall issue the person a temporary license for a period that is sufficient to complete the administrative hearing. 6. Upon an affirmative finding on the issues listed in subsection 4, the Department shall affirm the order of suspension. Otherwise, the order of suspension must be rescinded. 7. If the order of suspension is affirmed by the Department, the person is entitled to judicial review of the issues listed in subsection 4 in the manner provided in chapter 233B of NRS. 8. The court shall notify the Department upon issuing a stay. Upon receiving such notice, the Department shall issue an additional temporary license for a period that is sufficient to complete the judicial review. 9. The hearing officer or the court shall notify the Department if the hearing officer grants a continuance of the administrative hearing or the court grants a continuance after issuing a stay of the suspension. Upon receiving such notice, the Department shall cancel any temporary license granted pursuant to this section and notify the holder by mailing an order of cancellation to the last known address of the holder. (Added to NRS by 1997, 3046; A 1999, 2450; 2003, 2559) 1. At any time during which the license, permit or privilege to drive is suspended pursuant to NRS 483.462, the person may request in writing a hearing by the Department to review the order of suspension. A person is entitled to only one administrative hearing pursuant to this section. 2. Unless the parties agree otherwise, the hearing must be conducted within 15 days after receipt of the request or as soon thereafter as is practicable in the county in which the requester resides. 3. The Administrator or an agent thereof may: (a) Issue subpoenas for: (1) The attendance of witnesses at the hearing; and (2) The production of relevant books and papers; and (b) Require a reexamination of the requester. 4. The scope of the hearing must be limited to the issues of whether the person, at the time of the test: (a) Was less than 21 years of age; and (b) Had a concentration of alcohol of 0.02 or more but less than 0.10 in his or her blood or breath. 5. The Department shall issue the person a temporary license for a period that is sufficient to complete the administrative hearing. 6. Upon an affirmative finding on the issues listed in subsection 4, the Department shall affirm the order of suspension. Otherwise, the order of suspension must be rescinded. 7. If the order of suspension is affirmed

by the Department, the person is entitled to judicial review of the issues listed in subsection 4 in the manner provided in chapter 233B of NRS. 8. The court shall notify the Department upon issuing a stay. Upon receiving such notice, the Department shall issue an additional temporary license for a period that is sufficient to complete the judicial review. 9. The hearing officer or the court shall notify the Department if the hearing officer grants a continuance of the administrative hearing or the court grants a continuance after issuing a stay of the suspension. Upon receiving such notice, the Department shall cancel any temporary license granted pursuant to this section and notify the holder by mailing an order of cancellation to the last known address of the holder. (Added to NRS by 1997, 3046; A 1999, 2450; 2003, 2559, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.464 - Issuance of restricted license after certain period if license suspended pursuant to NRS 483.462.

After half the period during which the driver's license of a person is suspended pursuant to NRS 483.462, the Department may issue the person a restricted driver's license in the manner provided in subsection 1 of NRS 483.490. (Added to NRS by 1997, 3046)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.465 - Mandatory suspension of license when person violates promise to appear pursuant to citation: Notice; period of suspension.

1. If a driver who holds a Nevada driver's license violates a written promise to appear pursuant to a citation that was prepared manually or electronically for a violation of a traffic law or ordinance occurring within this State other than one governing standing or parking, the clerk of the court shall immediately notify the Department on a form approved by the Department. 2. Upon receipt of notice from a court in this State of a failure to appear, the Department shall notify the driver by mail that his or her privilege to drive is subject to suspension and allow 30 days after the date of mailing the notice to: (a) Appear in court and obtain a dismissal of the citation or complaint as provided by law; (b) Appear in court and, if permitted by the court, make an arrangement acceptable to the court to satisfy a judgment of conviction; or (c) Make a written request to the Department for a hearing. 3. If notified by a court, within 30 days after the notice of a failure to appear, that a driver has been allowed to make an arrangement for the satisfaction of a judgment of conviction, the Department shall remove the suspension from the driver's record. If the driver subsequently defaults on the arrangement with the court, the court shall notify the Department which shall immediately suspend the driver's license until the court notifies the Department that the suspension may be removed. 4. The Department shall suspend the license of a driver 31 days after it mails the notice provided for in subsection 2 to the driver, unless within that time it has received a written request for a hearing from the driver or notice from the court on a form approved by the Department that the driver has appeared or the citation or complaint has been dismissed. A license so suspended remains suspended until further notice is received from the court that the driver has appeared or that the case has been otherwise disposed of as provided by law. (Added to NRS by 1981, 533; A 1985, 633; 1999, 1144)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.470 - Grounds for discretionary suspension of license without preliminary hearing; notice; hearing.

1. The Department may suspend the license of a driver without preliminary hearing upon a showing by its records or other sufficient evidence that the licensee: (a) Has committed an offense for which mandatory revocation of license is required upon conviction; (b) Has been involved as a driver in any crash resulting in the death or personal injury of another or serious property damage; (c) Is physically or mentally incompetent to drive a motor vehicle; (d) Has permitted an unlawful or fraudulent use of his or her license; (e) Has committed an offense in another state which if committed in this State would be grounds for suspension or revocation; or (f) Has failed to comply with the conditions of issuance of a restricted license or an ignition interlock privilege. 2. Upon suspending the license of any person as authorized in this section, the Department shall immediately notify the person in writing, and upon his or her request shall afford the person an opportunity for a hearing as early as practical within 20 days after receipt of the request in the county wherein the person resides unless the person and the Department agree that the hearing may be held in some other county. The Administrator, or an authorized agent thereof, may issue subpoenas for the attendance of witnesses and the production of relevant books and papers, and may require a reexamination of the licensee in connection with the hearing. Upon the hearing, the Department shall either rescind its order of suspension or, for good cause, extend the suspension of the license or revoke it. [34:190:1941; A 1943, 268; 1955, 297]—(NRS A 1963, 845; 1967, 1375; 1969, 548; 1971, 81; 1973, 365, 1534; 1975, 133; 1981, 83, 197, 199; 1985, 1167; 2015, 1633; 2021, 2450)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.473 - Establishment of uniform system of demerit points; schedule of demerits; assessment of points.

1. As used in this section, "traffic violation" means conviction of a moving traffic violation in any municipal court, justice court or district court in this State or a finding by any municipal court or justice court in this State that a person has committed a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive. The term includes a finding by a juvenile court that a child has violated a traffic law or ordinance other than one governing standing or parking. The term does not include a conviction or a finding by a juvenile court of a violation of the speed limit posted by a public authority under the circumstances described in subsection 1 of

NRS 484B.617. 2. The Department shall establish a uniform system of demerit points for various traffic violations occurring within this State affecting the driving privilege of any person who holds a driver's license issued by the Department and persons deemed to have future driving privileges pursuant to NRS 483.447. The system must be based on the accumulation of demerits during a period of 12 months. 3. The system must be uniform in its operation, and the Department shall set up a schedule of demerits for each traffic violation, depending upon the gravity of the violation, on a scale of one demerit point for a minor violation of any traffic law to eight demerit points for an extremely serious violation of the law governing traffic violations. If a conviction of two or more traffic violations committed on a single occasion is obtained, points must be assessed for one offense or civil infraction, and if the point values differ, points must be assessed for the offense or civil infraction having the greater point value. Details of the violation must be submitted to the Department by the court where the conviction or finding is obtained. The Department may provide for a graduated system of demerits within each category of violations according to the extent to which the traffic law was violated. (Added to NRS by 1985, 1166; A 1987, 656; 1995, 2440, 2441, 2442; 1997, 2524; 2003, 1238; 2021, 3308)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.475 - Demerit points: Cancellation for successful completion of course of traffic safety; limitations; suspension of license; cumulative period for suspension; notice; hearing.

1. Except as otherwise provided in this subsection, when a person who holds a driver's license has accumulated 3 or more demerit points, but less than 12, the Department shall notify the person of this fact. If, after the Department mails the notice, the driver presents proof to the Department that he or she has successfully completed a course of traffic safety approved by the Department and a signed statement which indicates that the successful completion of the course was not required pursuant to a plea agreement or court order entered pursuant to NRS 484A.7043, the Department shall cancel not more than 3 demerit points from the person's driving record. If the driver accumulates 12 or more demerit points before completing the course of traffic safety, the person will not be entitled to have demerit points cancelled upon the completion of the course, but must have his or her license suspended. A person may attend a course only once in 12 months for the purpose of reducing demerit points. The 3 demerit points may only be cancelled from a driver's record during the 12-month period immediately following the driver's successful completion of the course of traffic safety. The provisions of this subsection do not apply to a person whose successful completion of a course of traffic safety was required pursuant to a plea agreement or court order entered pursuant to NRS 484A.7043. 2. Any reduction of demerit points applies only to the demerit record of the driver and does not affect the person's driving record with the Department or insurance record. 3. The Department shall use a cumulative period for the suspension of licenses pursuant to subsection 1. The periods of suspension are: (a) For the first accumulation of 12 demerit points during a 12-month period, 6 months. A driver whose license is suspended pursuant to this paragraph is eligible for a restricted license during the suspension. (b) For the second accumulation within 3 years of 12 demerit points during a 12-month period, 1 year. A driver whose license is suspended pursuant to this paragraph is eligible for a restricted license during the suspension. (c) For the third accumulation within 5 years of 12 demerit points during a 12-month period, 1 year. A driver whose license is suspended pursuant to this paragraph is not eligible for a restricted license during the suspension. 4. The Department shall suspend for 1 year the license of a driver who is convicted of a sixth traffic offense within 5 years, is found to have committed a sixth civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, within 5 years or has accumulated a combined total of six civil infractions and offenses within 5 years, if all six civil infractions or offenses have been assigned a value of 4 or more demerit points. A driver whose license is suspended pursuant to this subsection is not eligible for a restricted license during the suspension. 5. If the Department determines by its records that the license of a driver must be suspended pursuant to this section, it shall notify the driver by mail that his or her privilege to drive is subject to suspension. 6. Except as otherwise provided in subsection 7, the Department shall suspend the license 30 days after it mails the notice required by subsection 5. 7. If a written request for a hearing is received by the Department: (a) The suspension of the license is stayed until a determination is made by the Department after the hearing. (b) The hearing must be held within 45 days after the request is received in the county where the driver resides unless the driver and the Department agree that the hearing may be held in some other county. The scope of the hearing must be limited to whether the records of the Department accurately reflect the driving history of the driver. (Added to NRS by 1985, 1166; A 2001, 920; 2003, 1238; 2021, 3309)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.477 - Attendance at school for training drivers upon suspension.

In addition to suspending the license of a driver pursuant to NRS 483.470 and 483.475, the Department may, for good cause, require the driver to attend, at his or her own expense, a drivers' training school approved by the Department. (Added to NRS by 1985, 1167)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.480 - Department may require examination before suspension or revocation of license; no additional fee or examination for reinstatement under certain circumstances.

1. The Department, having good cause to believe that a licensed driver is incompetent or otherwise not qualified to be licensed, may upon written notice of at least 5 days to the licensee require the licensee to submit to an examination. Upon the conclusion of the examination, the Department shall take action as may be appropriate and may suspend or revoke the license of the person or permit the person to retain the license, or may issue a license subject to restrictions as permitted under NRS 483.360 or restrictions as to the

type or class of vehicles that may be driven. Refusal or neglect of the licensee to submit to the examination is grounds for suspension or revocation of the license. 2. Except for the suspension of a driver's license pursuant to subsection 3 of NRS 483.465, the Department shall not charge an additional fee or require an additional examination for the reinstatement of a revoked or suspended license if the additional fee or examination arises out of the same offense for which the license was previously revoked or suspended and the driver has previously reinstated the license after that offense. [35:190:1941; 1931 NCL § 4442.34]—(NRS A 1969, 549; 1973, 126; 1985, 570; 1989, 1152; 1993, 271)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.490 - Issuance of restricted license; penalties; period of suspension or revocation; issuance of ignition interlock privilege. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.] Issuance of restricted license; penalties; period of suspension or revocation; issuance of ignition interlock device. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

1. Except as otherwise provided in this section, after a driver's license has been suspended or revoked and one-half of the period during which the driver is not eligible for a license has expired, the Department may, unless the statute authorizing the suspension or revocation prohibits the issuance of a restricted license, issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle: (a) To and from work or in the course of his or her work, or both; or (b) To acquire supplies of medicine or food or receive regularly scheduled medical care for himself, herself or a member of his or her immediate family. Before a restricted license may be issued, the applicant must submit sufficient documentary evidence to satisfy the Department that a severe hardship exists because the applicant has no alternative means of transportation and that the severe hardship outweighs the risk to the public if the applicant is issued a restricted license. 2. If the driver's license of a person assigned to a program established pursuant to NRS 484C.392 is suspended or revoked, the Department may issue a restricted driver's license to an applicant that is valid while he or she is participating in and complying with the requirements of the program and that permits the applicant to drive a motor vehicle: (a) To and from a testing location established by a designated law enforcement agency pursuant to NRS 484C.393; (b) If applicable, to and from work or in the course of his or her work, or both; (c) To and from court appearances; (d) To and from counseling; or (e) To receive regularly scheduled medical care for himself or herself. 3. Except as otherwise provided in NRS 62E.630, after a driver's license has been revoked or suspended pursuant to title 5 of NRS or NRS 392.148, the Department may issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle: (a) If applicable, to and from work or in the course of his or her work, or both; or (b) If applicable, to and from school. 4. After a driver's license has been suspended pursuant to NRS 483.443, the Department may issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle: (a) If applicable, to and from work or in the course of his or her work, or both; (b) To receive regularly scheduled medical care for himself, herself or a member of his or her immediate family; or (c) If applicable, as necessary to exercise a court-ordered right to visit a child. 5. A driver who violates a condition of a restricted license issued pursuant to subsection 1 or 2 is guilty of a misdemeanor and, if the license of the driver was suspended or revoked for: (a) A violation of NRS 484C.110, 484C.210 or 484C.430; (b) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430; or (c) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a) or (b), the driver shall be punished in the manner provided pursuant to subsection 2 of NRS 483.560. 6. The periods of suspensions and revocations required pursuant to this chapter and NRS 484C.210 must run consecutively, except as otherwise provided in NRS 483.465 and 483.475, when the suspensions must run concurrently. 7. Whenever the Department suspends or revokes a license, the period of suspension, or of ineligibility for a license after the revocation, begins upon the effective date of the revocation or suspension as contained in the notice thereof. 8. Any person for whom a court provides an exception relating to the installation of an ignition interlock device pursuant to subsection 4 of NRS 484C.210 or subsection 2 of NRS 484C.460 is eligible for a restricted driver's license under this section while the person is participating in and complying with the requirements of a program established pursuant to NRS 484C.392. 9. If the Department receives a copy of an order requiring a person to install an ignition interlock device in a motor vehicle pursuant to NRS 484C.460, the Department shall issue an ignition interlock privilege to the person after he or she submits proof of compliance with the order. A person who is required to install an ignition interlock device pursuant to NRS 484C.210 or 484C.460 shall install the device not later than 14 days after the date on which the order was issued. A driver who violates any condition of an ignition interlock privilege issued pursuant to this subsection is guilty of a misdemeanor and shall be punished in the same manner provided in subsection 2 of NRS 483.560 for driving a vehicle while a driver's license is cancelled, revoked or suspended. [36:190:1941; A 1953, 191]—(NRS A 1971, 282; 1973, 81; 1975, 200; 1977, 998; 1981, 535, 1923; 1983, 1082; 1985, 633, 1169; 1993, 2482, 2898; 1995, 731, 947, 1157, 1362, 1918, 1919, 2401, 2409; 1997, 803, 2843, 2858, 3368; 1999, 2136, 3411; 2001, 147; 2003, 1156; 2005, 134, 605; 2007, 2038; 2009, 1033; 2011, 1632; 2013, 716, 2467; 2017, 4042; 2019, 683, 2746; 2021, 2451) 1. Except as otherwise provided in this section, after a driver's license has been suspended or revoked and one-half of the period during which the driver is not eligible for a license has expired, the Department may, unless the statute authorizing the suspension or revocation prohibits the issuance of a restricted license, issue a restricted driver's license to an

applicant permitting the applicant to drive a motor vehicle: (a) To and from work or in the course of his or her work, or both; or (b) To acquire supplies of medicine or food or receive regularly scheduled medical care for himself, herself or a member of his or her immediate family. Before a restricted license may be issued, the applicant must submit sufficient documentary evidence to satisfy the Department that a severe hardship exists because the applicant has no alternative means of transportation and that the severe hardship outweighs the risk to the public if the applicant is issued a restricted license. 2. If the driver's license of a person assigned to a program established pursuant to NRS 484C.392 is suspended or revoked, the Department may issue a restricted driver's license to an applicant that is valid while he or she is participating in and complying with the requirements of the program and that permits the applicant to drive a motor vehicle: (a) To and from a testing location established by a designated law enforcement agency pursuant to NRS 484C.393; (b) If applicable, to and from work or in the course of his or her work, or both; (c) To and from court appearances; (d) To and from counseling; or (e) To receive regularly scheduled medical care for himself or herself. 3. Except as otherwise provided in NRS 62E.630, after a driver's license has been revoked or suspended pursuant to title 5 of NRS or NRS 392.148, the Department may issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle: (a) If applicable, to and from work or in the course of his or her work, or both; or (b) If applicable, to and from school. 4. After a driver's license has been suspended pursuant to NRS 483.443, the Department may issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle: (a) If applicable, to and from work or in the course of his or her work, or both; (b) To receive regularly scheduled medical care for himself, herself or a member of his or her immediate family; or (c) If applicable, as necessary to exercise a court-ordered right to visit a child. 5. A driver who violates a condition of a restricted license issued pursuant to subsection 1 or 2 is guilty of a misdemeanor and, if the license of the driver was suspended or revoked for: (a) A violation of NRS 484C.110, 484C.210 or 484C.430; (b) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430; or (c) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a) or (b), the driver shall be punished in the manner provided pursuant to subsection 2 of NRS 483.560. 6. The periods of suspensions and revocations required pursuant to this chapter and NRS 484C.210 must run consecutively, except as otherwise provided in NRS 483.465 and 483.475, when the suspensions must run concurrently. 7. Whenever the Department suspends or revokes a license, the period of suspension, or of ineligibility for a license after the revocation, begins upon the effective date of the revocation or suspension as contained in the notice thereof. 8. At the time of the issuance of a restricted license pursuant to this section, the Department shall provide to the applicant information instructing the applicant how to register with the Next-of-Kin Registry pursuant to NRS 483.653 if he or she so chooses. 9. Any person for whom a court provides an exception relating to the installation of an ignition interlock device pursuant to subsection 4 of NRS 484C.210 or subsection 2 of NRS 484C.460 is eligible for a restricted driver's license under this section while the person is participating in and complying with the requirements of a program established pursuant to NRS 484C.392. 10. If the Department receives a copy of an order requiring a person to install an ignition interlock device in a motor vehicle pursuant to NRS 484C.460, the Department shall issue an ignition interlock privilege to the person after he or she submits proof of compliance with the order. A person who is required to install an ignition interlock device pursuant to NRS 484C.210 or 484C.460 shall install the device not later than 14 days after the date on which the order was issued. A driver who violates any condition of an ignition interlock privilege issued pursuant to this subsection is guilty of a misdemeanor and shall be punished in the same manner provided in subsection 2 of NRS 483.560 for driving a vehicle while a driver's license is cancelled, revoked or suspended. [36:190:1941; A 1953, 191]—(NRS A 1971, 282; 1973, 81; 1975, 200; 1977, 998; 1981, 535, 1923; 1983, 1082; 1985, 633, 1169; 1993, 2482, 2898; 1995, 731, 947, 1157, 1362, 1918, 1919, 2401, 2409; 1997, 803, 2843, 2858, 3368; 1999, 2136, 3411; 2001, 147; 2003, 1156; 2005, 134, 605; 2007, 2038; 2009, 1033; 2011, 1632; 2013, 716, 2467; 2015, 442; 2017, 4042; 2019, 683, 2746; 2021, 2451, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.495 - Tests and other requirements for reinstatement of license; waiver of tests or requirements; modification of revocation, suspension or cancellation.

The Department shall by regulation: 1. Except as otherwise provided in title 5 of NRS, set forth any tests and other requirements which are a condition for the reinstatement of a license after any suspension, revocation, cancellation or voluntary surrender of the license. The tests and requirements: (a) Must provide for a fair evaluation of a person's ability to operate a motor vehicle; and (b) May allow for the waiver of certain tests or requirements as the Department deems necessary. 2. Set forth the circumstances under which the Administrator may, for good cause shown, rescind the revocation, suspension or cancellation of a license, or shorten the period for the suspension of a license. (Added to NRS by 1993, 270; A 1993, 2899; 1995, 948, 1158, 1363, 1919, 2401, 2409; 1997, 804, 2844; 1999, 1217; 2003, 1157)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.500 - Surrender and reissuance of license upon suspension or revocation.

The Department upon suspending or revoking a license shall require that the license be surrendered to and be retained by the Department. At the end of the period of suspension or revocation an appropriate replacement license must be issued to the licensee, upon satisfactory completion of the requirements for reinstatement established by regulations of the Department adopted pursuant to

NRS 483.495. [37:190:1941; 1931 NCL § 4442.36]—(NRS A 1963, 846; 1973, 126; 1993, 272)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.505 - Voluntary surrender of license; reissuance.

The Department shall by regulation establish a method to allow a driver, under circumstances specified by regulation, to surrender a driver's license voluntarily to the Department, including conditions and procedures for reissuance of the license at the request of the driver. (Added to NRS by 1993, 270)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.510 - Operation in this State under foreign license during suspension or revocation prohibited.

Any resident or nonresident whose driver's license or right or privilege to drive a motor vehicle in this State has been suspended or revoked, as provided in NRS 483.010 to 483.630, inclusive, shall not drive a motor vehicle in this State under a license, permit or registration certificate issued by any other jurisdiction, or otherwise, during such suspension or after such revocation until a license is obtained when and as permitted under NRS 483.010 to 483.630, inclusive. [38:190:1941; 1931 NCL § 4442.37]—(NRS A 1969, 550; 1973, 165)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.520 - Judicial review.

Any person denied a license or whose license has been cancelled, suspended or revoked by the Department is entitled to judicial review of the decision in the manner provided by chapter 233B of NRS. [39:190:1941; A 1943, 268; 1943 NCL § 4442.38]—(NRS A 1967, 1075; 1969, 550; 1989, 1654)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.525 - Proof of financial responsibility required for restoration of revoked license, permit or privilege; maintenance; suspension for failure to maintain.

The Department may not restore a driver's license, permit or privilege of driving a motor vehicle in this State which has been revoked unless the person who is seeking the license, permit or privilege submits proof of financial responsibility as provided in NRS 485.307. The person shall maintain proof of financial responsibility for 3 years after the date of reinstatement of the license, permit or privilege. If the person fails to do so, the Department shall suspend his or her license, permit or privilege. (Added to NRS by 1981, 1923; A 1983, 1083; 1985, 1173)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.530 - Unlawful uses of license; prohibited acts related to provision of false information or commission of fraud in connection with application for license or identification card; penalties.

1. Except as otherwise provided in subsection 2, it is a misdemeanor for any person: (a) To display or cause or permit to be displayed or possess any cancelled, revoked, suspended, fictitious, fraudulently altered or fraudulently obtained driver's license; (b) To alter, forge, substitute, counterfeit or use an unvalidated driver's license; (c) To lend his or her driver's license to any other person or knowingly permit the use thereof by another; (d) To display or represent as one's own any driver's license not issued to him or her; (e) To fail or refuse to surrender to the Department, a peace officer or a court upon lawful demand any driver's license which has been suspended, revoked or cancelled; (f) To permit any unlawful use of a driver's license issued to him or her; or (g) To photograph, photostat, duplicate or in any way reproduce any driver's license or facsimile thereof in such a manner that it could be mistaken for a valid license, or to display or possess any such photograph, photostat, duplicate, reproduction or facsimile unless authorized by this chapter. 2. Except as otherwise provided in this subsection, a person who uses a false or fictitious name in any application for a driver's license or identification card or who knowingly makes a false statement or knowingly conceals a material fact or otherwise commits a fraud in any such application is guilty of a category E felony and shall be punished as provided in NRS 193.130. If the false statement, knowing concealment of a material fact or other commission of fraud described in this subsection relates solely to the age of a person, including, without limitation, to establish false proof of age to game, purchase alcoholic beverages or purchase cigarettes or other tobacco products, the person is guilty of a misdemeanor. [40:190:1941; A 1943, 268; 1943 NCL § 4442.39]—(NRS A 1963, 846; 1965, 1006; 1969, 550; 1973, 165; 1989, 555; 2003, 2466; 2005, 1217; 2013, 1994; 2017, 1282; 2021, 3310)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.550 - Driving without valid license; penalty.

1. It is unlawful for any person to drive a motor vehicle upon a public street or highway in this State without being the holder of a valid driver's license. A person who violates this section is guilty of a misdemeanor. 2. The court shall require any person convicted of violating subsection 1 to obtain a valid driver's license or produce a notice of disqualification from the Department. [Part 20:190:1941; A 1953, 191; 1955, 65]—(NRS A 1959, 224; 1963, 846; 1967, 592; 1969, 551; 1979, 1483; 1981, 585; 2021, 3310)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.560 - Driving while license cancelled, revoked or suspended; probation, suspended sentences and plea bargaining prohibited; exception; penalties.

1. Except as otherwise provided in subsection 2, any person who drives a motor vehicle on a highway or on premises to which the public has access at a time when the person's driver's license has been cancelled, revoked or suspended is guilty of a misdemeanor.

2. Except as otherwise provided in this subsection, if the license of the person was suspended, revoked or restricted because of: (a) A violation of NRS 484C.110, 484C.120, 484C.210 or 484C.430; (b) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430; or (c) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a) or (b), the person shall be punished by imprisonment in jail for not less than 30 days nor more than 6 months or by serving a term of residential confinement for not less than 60 days nor more than 6 months, and shall be further punished by a fine of not less than \$500 nor more than \$1,000. A person who is punished pursuant to this subsection may not be granted probation, and a sentence imposed for such a violation may not be suspended. A prosecutor may not dismiss a charge of such a violation in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason, unless the prosecutor believes the charge is not supported by probable cause or cannot be proved at trial. The provisions of this subsection do not apply if the period of revocation has expired but the person has not reinstated the license.

3. A term of imprisonment imposed pursuant to the provisions of this section may be served intermittently at the discretion of the judge or justice of the peace. This discretion must be exercised after considering all the circumstances surrounding the offense, and the family and employment of the person convicted. However, the full term of imprisonment must be served within 6 months after the date of conviction, and any segment of time the person is imprisoned must not consist of less than 24 hours.

4. Jail sentences simultaneously imposed pursuant to this section and NRS 484C.320, 484C.330, 484C.400, 484C.410 or 484C.420 must run consecutively.

5. If the Department receives a record of the conviction or punishment of any person pursuant to this section upon a charge of driving a vehicle while the person's license was: (a) Suspended, the Department shall extend the period of the suspension for an additional like period. (b) Revoked, the Department shall extend the period of ineligibility for a license, permit or privilege to drive for an additional 1 year. (c) Restricted, the Department shall revoke the restricted license and extend the period of ineligibility for a license, permit or privilege to drive for an additional 1 year. (d) Suspended or cancelled for an indefinite period, the Department shall suspend the license for an additional 6 months for the first violation and an additional 1 year for each subsequent violation.

6. Suspensions and revocations imposed pursuant to this section must run consecutively. [Part 20:190:1941; A 1953, 191; 1955, 65] + [Part 42:190:1941; 1931 NCL § 4442.41]—(NRS A 1967, 593, 1261; 1969, 551; 1973, 1276; 1981, 535, 1923; 1983, 1083; 1989, 1153; 1993, 113, 2265; 1995, 261, 2470; 1997, 1743; 1999, 3412; 2003, 1489; 2005, 135; 2007, 1449, 2789)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.570 - Driving when privilege as nonresident cancelled, suspended or revoked; penalty.

No person whose driving privilege as a nonresident has been cancelled, suspended or revoked, as provided in NRS 483.010 to 483.630, inclusive, shall drive any motor vehicle upon the highways of this State while such privilege is cancelled, suspended or revoked. It is a misdemeanor for any person to violate this section. [Part 42:190:1941; 1931 NCL § 4442.41]—(NRS A 1969, 551; 2021, 3311)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.575 - Driving if epilepsy severely impairs ability to safely operate motor vehicle; penalty; duties of physician or advanced practice registered nurse.

1. A person with epilepsy shall not operate a motor vehicle if that person has been informed by a physician or an advanced practice registered nurse pursuant to NRS 629.047 that his or her condition would severely impair his or her ability to safely operate a motor vehicle. A violation of this subsection is a misdemeanor.

2. If a physician or an advanced practice registered nurse is aware that a person has violated subsection 1 after the physician or advanced practice registered nurse has informed the person pursuant to NRS 629.047 that the person's condition would severely impair his or her ability to safely operate a motor vehicle, the physician or advanced practice registered nurse may, without the consent of the person, submit a written report to the Department that includes the name, address and age of the person. A report received by the Department pursuant to this subsection: (a) Is confidential, except that the contents of the report may be disclosed to the person about whom the report is made; and (b) May be used by the Department solely to determine the eligibility of the person to operate a vehicle on the streets and highways of this State.

3. The submission by a physician or an advanced practice registered nurse of a report pursuant to subsection 2 is solely within his or her discretion. No cause of action may be brought against a physician or an advanced practice registered nurse based on the fact that he or she did not submit such a report.

4. No cause of action may be brought against a physician or an advanced practice registered nurse based on the fact that he or she submitted a report pursuant to subsection 2 unless the physician or advanced practice registered nurse acted with malice, intentional misconduct, gross negligence or intentional or knowing violation of the law. (Added to NRS by 2015, 1460; A 2019, 499; 2021, 3311)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.580 - Permitting unauthorized minor to drive; penalty.

A person shall not cause or knowingly permit his or her child or ward under the age of 18 years to drive a motor vehicle upon any highway when the minor is not authorized under the provisions of NRS 483.010 to 483.630, inclusive, or is in violation of any of the provisions of NRS 483.010 to 483.630, inclusive, or if the minor's license is revoked or suspended pursuant to title 5 of NRS or NRS 392.148. It is a misdemeanor for a person to violate this section. [43:190:1941; 1931 NCL § 4442.42]—(NRS A 1969, 552; 1993, 2899; 1995, 1158, 1363, 1919, 2401; 1997, 805, 2844; 2003, 1158; 2013, 2469; 2021, 3311)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.590 - Permitting unauthorized person to drive; penalty.

No person shall authorize or knowingly permit a motor vehicle owned by the person or under his or her control to be driven upon any highway by any person who is not authorized under NRS 483.010 to 483.630, inclusive, or in violation of any of the provisions of NRS 483.010 to 483.630, inclusive. It is a misdemeanor for a person to violate this section. [44:190:1941; 1931 NCL § 4442.43]—(NRS A 1969, 552; 2021, 3311)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.600 - Employing unlicensed driver; penalty.

No person shall employ as a driver of a motor vehicle any person not then licensed as provided in NRS 483.010 to 483.630, inclusive. It is a misdemeanor for a person to violate this section. [45:190:1941; 1931 NCL § 4442.44]—(NRS A 1969, 552; 2021, 3312)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.610 - Renting motor vehicle to another: Conditions; record; penalty.

1. No person shall rent a motor vehicle to any other person unless the latter person is then duly licensed under NRS 483.010 to 483.630, inclusive, or, in the case of a nonresident, then duly licensed under the laws of the state or country of his or her residence except a nonresident whose home state or country does not require that a driver be licensed. 2. No person shall rent a motor vehicle to another until the person has inspected the driver's license of the person to whom the vehicle is to be rented and compared and verified the signature thereon with the signature of such person written in his or her presence. 3. Every person renting a motor vehicle to another shall keep a record of the registration number of the motor vehicle so rented, the name and address of the person to whom the vehicle is rented, the number of the license of the latter person and the date and place when and where the license was issued. Such record shall be open to inspection by any police officer or officer of the Department. 4. It is a misdemeanor for a person to violate any provision of this section. [46:190:1941; 1931 NCL § 4442.45]—(NRS A 1969, 552; 2021, 3312)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.620 - Violation not declared to be misdemeanor, gross misdemeanor or felony is civil infraction.

It is a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, for any person to violate any of the provisions of NRS 483.010 to 483.630, inclusive, unless such violation is, by NRS 483.010 to 483.630, inclusive, or other law of this State, declared to be a misdemeanor, gross misdemeanor or felony. [47:190:1941; 1931 NCL § 4442.46]—(NRS A 1967, 593; 1969, 552; 1997, 1524; 2005, 1218, 2309; 2011, 2874; 2013, 1298, 1995; 2017, 1283; 2021, 3312)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.630 - Uniformity of interpretation.

NRS 483.010 to 483.630, inclusive, shall be so interpreted and construed as to effectuate their general purpose to make uniform the law of those states which enact them. [48:190:1941; 1931 NCL § 4442.47]—(NRS A 1969, 552; 2005, 1218)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.635 - Authority of Department to enter into agreement to facilitate exchange of information concerning drivers' licenses and driving records; regulations.

1. The Department may enter into an agreement with another state to facilitate the exchange of information concerning the issuance, renewal, suspension or revocation of drivers' licenses and to ensure that each driver possesses only one license and driving record. 2. The Department shall adopt regulations necessary to carry out any such agreement. (Added to NRS by 2001, 920)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.641 - Definitions. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

As used in NRS 483.641 to 483.663, inclusive, unless the context otherwise requires, the words and terms defined in NRS 483.643, 483.645 and 483.647 have the meanings ascribed to them in those sections. (Added to NRS by 2015, 433, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015,

at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.643 - "Identification card" defined. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

"Identification card" means an identification card issued by the Department pursuant to NRS 483.810 to 483.890, inclusive. (Added to NRS by 2015, 433, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.645 - "Next-of-Kin Registry" defined. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

"Next-of-Kin Registry" means the registry of emergency contact persons established pursuant to NRS 483.651. (Added to NRS by 2015, 433, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.647 - "Registrant" defined. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

"Registrant" means a person who registers with the Next-of-Kin Registry pursuant to NRS 483.653. (Added to NRS by 2015, 433, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.651 - Establishment of Registry by Department; Department to provide access by certain persons. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

1. The Department shall establish and maintain on its Internet website a registry to be known as the Next-of-Kin Registry. The Next-of-Kin Registry must include, without limitation, in a secure portion of the Internet website, a registry record unique to each registrant. 2. Except as otherwise provided in this section, the Department shall provide access to, or information from, the registry record of a registrant in the Next-of-Kin Registry to: (a) A law enforcement officer or other duly authorized employee of a law enforcement agency who conducts a search pursuant to NRS 483.655 or 483.657; (b) A coroner or medical examiner or a duly authorized employee of a coroner or medical examiner who conducts a search pursuant to NRS 483.655; (c) The registrant for the purpose of adding, amending or deleting the name, telephone number, address or electronic mail address of an emergency contact person; (d) The parent or legal guardian of a registrant who is less than 18 years of age and is not emancipated; and (e) Employees of the Department to the extent necessary to carry out the provisions of NRS 483.641 to 483.663, inclusive. 3. The Department may provide access to, or information from, the registry record of a registrant: (a) Pursuant to the lawful order of a court of competent jurisdiction; or (b) At the request of the personal representative of a deceased registrant. (Added to NRS by 2015, 433, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.653 - Registration with Registry: Requirements; designation of emergency contact person. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

1. A person may register with the Next-of-Kin Registry if the person possesses: (a) A Nevada driver's license, identification card or driver authorization card; and (b) An Internet portal account with the Department. 2. The Department shall prescribe the information a person must submit electronically through the person's portal account to register with the Next-of-Kin Registry, which must include, without limitation: (a) An affirmative indication of the desire of the person to become a registrant; (b) The driver's license

number, identification card number or driver authorization card number of the person; (c) The name, telephone number, address and electronic mail address, if available, of not more than two emergency contact persons who are at least 18 years of age, one of whom is the parent or legal guardian of the person if he or she is less than 18 years of age and is not emancipated; and (d) If the registrant is less than 18 years of age and is not emancipated, the driver's license number, identification card number or driver authorization card number, if any, of the parent or legal guardian whose contact information is submitted by the registrant pursuant to paragraph (c). 3. If a person submits the information required pursuant to subsection 2 to become a registrant, the Department shall: (a) Create a registry record within the Next-of-Kin Registry for the registrant which includes the information regarding the emergency contact persons provided by the registrant; and (b) Provide to the registrant information regarding: (1) The persons and entities who will have access to the information in the Registry; and (2) Who will be notified in the event of an emergency involving the registrant. (Added to NRS by 2015, 434, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.655 - Law enforcement personnel required to search Registry after certain motor vehicle crashes; notification of emergency contact person; procedure for notification upon death of registrant. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

1. A law enforcement officer or a duly authorized employee of a law enforcement agency must, as soon as practicable, search the Next-of-Kin Registry for an emergency contact person of a driver or passenger in a motor vehicle if the driver or passenger: (a) Possesses a Nevada driver's license, identification card or driver authorization card; (b) Has been involved in a motor vehicle crash which results in the death, serious bodily injury or other incapacitation of the driver or passenger; and (c) Is incapable of communicating. 2. Except as otherwise provided in subsection 3, if the law enforcement officer or the duly authorized employee of a law enforcement agency identifies an emergency contact person of a driver or passenger through the Next-of-Kin Registry pursuant to this section, the officer or employee must make a reasonable attempt to notify the emergency contact person, as soon as practicable, of the hospital or other location at which the driver or passenger may be located. 3. In the event of the death of a driver or passenger in a motor vehicle crash, the law enforcement officer or the duly authorized employee of a law enforcement agency shall coordinate the notification of the emergency contact person with the coroner or medical examiner, as applicable. Such notification may only be made after the positive identification of the decedent. 4. A coroner or medical examiner or a duly authorized employee of a coroner or medical examiner may access the Next-of-Kin Registry to search for the next-of-kin of a decedent if the decedent possessed a Nevada driver's license, identification card or driver authorization card at the time of his or her death. (Added to NRS by 2015, 435, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.657 - Law enforcement personnel authorized to search Registry upon certain accident or emergency situations; notification of emergency contact person; procedures for notification upon death of registrant. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

1. A law enforcement officer or a duly appointed authorized employee of a law enforcement agency may search the Next-of-Kin Registry for an emergency contact person of a person if the person on whose behalf the search is conducted: (a) Possesses a Nevada driver's license, identification card or driver authorization card; (b) Has been involved in an accident or emergency situation other than a motor vehicle crash which results in the death, serious bodily injury or other incapacitation of the person; and (c) Is incapable of communicating. 2. Except as otherwise provided in subsection 3, if the law enforcement officer or the duly authorized employee of a law enforcement agency identifies an emergency contact person of a person through the Next-of-Kin Registry pursuant to this section, the officer or employee shall make a reasonable attempt to notify the emergency contact person of the hospital or other location at which the injured or incapacitated person may be located. 3. In the event of the death of a person due to an accident or other emergency situation other than a motor vehicle crash, the law enforcement officer or the duly authorized employee of a law enforcement agency shall coordinate the notification of the emergency contact person with the coroner or medical examiner, as applicable. Such notification may only be made after the positive identification of the decedent. (Added to NRS by 2015, 435, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.659 - Information regarding emergency contact person in Registry is confidential. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient

resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

Except as otherwise provided in NRS 483.651, 483.655 and 483.657, the information regarding an emergency contact person submitted by a registrant for inclusion in the Next-of-Kin Registry is: 1. Confidential; 2. To be used or accessed only as authorized pursuant to NRS 483.641 to 483.663, inclusive; 3. Not a public record for the purposes of chapter 239 of NRS; and 4. Not discoverable by any person, entity or governmental agency except upon the issuance of a subpoena by a grand jury or a court order in a criminal matter. (Added to NRS by 2015, 436, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.661 - Immunity from liability for certain persons using Registry. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

1. The Department, any employee of the Department, any law enforcement officer, any coroner or medical examiner, or any duly authorized employee of a law enforcement agency or coroner or medical examiner, when carrying out the provisions of NRS 483.641 to 483.663, inclusive, in the scope of their public duties or employment, are not liable to any person for civil damages or subject to criminal prosecution resulting from or caused by, without limitation: (a) Any disruption or failure in Internet service caused by an accident, malfunction, act of sabotage or God, or any other condition or circumstance which the Department has not directly or indirectly caused and which prevents: (1) The Department from establishing, maintaining or accessing the Next-of-Kin Registry; (2) A law enforcement officer, a coroner or a medical examiner, or a duly authorized employee of a law enforcement agency or coroner or medical examiner, from accessing the Next-of-Kin Registry as required or authorized pursuant to NRS 483.655 and 483.657; (3) A registrant from accessing his or her registry record in the Next-of-Kin Registry or adding, amending or deleting the name, telephone number or address of an emergency contact person; or (4) The parent or legal guardian of a registrant who is less than 18 years of age and not emancipated from accessing the registry record of the registrant. (b) Any negligent misuse of, omission of or failure to input accurate information into, or input of inaccurate or outdated information into the Next-of-Kin Registry by a registrant. (c) The failure of a law enforcement officer, a coroner or a medical examiner, or a duly authorized employee of a law enforcement agency or coroner or medical examiner, to make contact with any emergency contact person. 2. This section must not be construed to exempt any person, including, without limitation, the Department, an employee of the Department, a law enforcement officer, a coroner, a medical examiner or a duly authorized employee of a law enforcement agency or coroner or medical examiner from criminal and civil liability for willful misuse of the information in the Next-of-Kin Registry. (Added to NRS by 2015, 436, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.663 - Authority of Department to adopt regulations. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

The Department may adopt such regulations as are necessary to carry out the provisions of NRS 483.641 to 483.663, inclusive. (Added to NRS by 2015, 436, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.700 - License required.

No person may operate a school for training drivers, or engage in the business of giving instruction for hire in driving motor vehicles or in the preparation of an applicant for an examination given by the Department for a driver's license, unless the person has secured a license therefor from the Department as provided in NRS 483.700 to 483.780, inclusive. (Added to NRS by 1961, 76; A 1985, 1939; 1997, 2076; 2019, 2972)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.710 - Requirements for licensure as operator of school.

1. An applicant for a license to operate a school for training drivers must: (a) Be of good moral character. (b) Except as otherwise provided in subsection 2, maintain an established place of business that is open to the public and that is not within 200 feet of any building used by the Department as an office. (c) Have the equipment necessary to give proper instruction in the operation of motor vehicles. (d) Be 21 years of age or older. (e) Have at least 100 hours of experience as an instructor operating vehicles with pupils at a school for training drivers, if the school for which the applicant is applying for a license will provide that training to pupils

enrolled at the school. (f) File with the Department a surety bond in the amount of \$10,000 to the Department, executed by the applicant as principal with a corporation authorized to transact surety business in this State as surety. The bond must be continuous in form and conditioned that the operator conduct the business of the school as an instructional institution without fraud or fraudulent representation. Upon application by an operator, the Department may reduce the amount of the bond required to an amount not less than \$5,000 if the operator has satisfactorily conducted the school for the 5 years immediately preceding the application for reduction. 2. The provisions of paragraph (b) of subsection 1 do not apply if the course of training the applicant will provide consists in whole of classroom instruction that is taught interactively through the use of communications technology pursuant to subsection 2 of NRS 483.725. (Added to NRS by 1961, 76; A 1963, 847; 1969, 1047; 1985, 571, 1939; 1999, 1924; 2001, 921; 2021, 92)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.720 - Requirements for licensure as instructor for school.

An applicant for a license as an instructor for a school for training drivers must: 1. Be of good moral character; 2. Pass such examination as the Department may require on traffic laws, safe driving practices and operation of motor vehicles; 3. Be physically able to operate a motor vehicle safely and train others in the operation of motor vehicles; 4. Hold a valid Nevada driver's license; and 5. Be 21 years of age or older. (Added to NRS by 1961, 77; A 1963, 847; 1969, 1048; 1985, 1940; 2001, 922)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.7205 - Applicant for licensure as operator of school or instructor for school: Submission of fingerprints; payment of fee.

An applicant for a license to operate a school for training drivers or a license as an instructor for a school for training drivers must submit to the Department: 1. A complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and 2. The fee established by the Department for processing the fingerprints of the applicant. The fee must not exceed the total amount charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints of the applicant. (Added to NRS by 2001, 920)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.721 - Application for licensure as instructor for school to include social security number. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

An application for the issuance of a license as an instructor for a school for training drivers must include the social security number of the applicant. (Added to NRS by 1997, 2075)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.722 - Payment of child support: Statement by applicant for licensure as instructor for school; grounds for denial of license; duty of Department. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for the issuance or renewal of a license as an instructor for a school for training drivers shall submit to the Department the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant. 2. The Department shall include the statement required pursuant to subsection 1 in: (a) The application or any other forms that must be submitted for the issuance or renewal of the license; or (b) A separate form prescribed by the Department. 3. A license as an instructor for a school for training drivers may not be issued or renewed by the Department if the applicant: (a) Fails to submit the statement required pursuant to subsection 1; or (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order. 4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Department shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage. (Added to NRS by 1997, 2074)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.723 - Minimum age for training; exceptions.

A school for training drivers may not offer or provide training to a person whose age is less than 15 years unless the person has been issued: 1. A restricted license pursuant to the provisions of NRS 483.267 or 483.270; or 2. A restricted instruction permit pursuant to the provisions of subsection 3 of NRS 483.280. (Added to NRS by 1997, 1520; A 1999, 1925)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.725 - Courses of training: Required topics of instruction; use of communications technology for interactive instruction and testing; regulations.

1. Except as otherwise provided in NRS 483.727, each course of training provided by a school for training drivers licensed pursuant to NRS 483.700 to 483.780, inclusive, must include, without limitation, instruction in: (a) Motor vehicle insurance. (b) The effect of drugs and alcohol on an operator of a motor vehicle. (c) Rules of the road relating to pedestrians and persons riding bicycles, electric bicycles and electric scooters. 2. If a course of training provided by a school for training drivers licensed pursuant to NRS 483.700 to 483.780, inclusive, consists in whole or in part of classroom instruction, that part of the course which consists of classroom instruction may be taught interactively through the use of communications technology so that persons taking the course need not be physically present in a classroom. 3. The Department shall adopt regulations to carry out the provisions of subsection 2. The regulations must include, without limitation: (a) Provisions for the licensing and operation of interactive courses that use communications technology; (b) Provisions to ensure that interactive courses which use communications technology are secure, reliable and include measures for testing and security that are at least as secure as the measures for testing and security which would be available in an ordinary classroom; and (c) Standards to ensure that interactive courses which use communications technology offer a curriculum that is at least as stringent as the curriculum which would be available in an ordinary classroom. 4. As used in this section, "communications technology" means any method or component, or both, that is used by a school for training drivers licensed pursuant to NRS 483.700 to 483.780, inclusive, to carry out or facilitate the transmission of information, including, without limitation, the transmission and reception of information by: (a) Systems based on the following technologies: (1) Video; (2) Wire; (3) Cable; (4) Radio; (5) Microwave; (6) Light; or (7) Optics; and (b) Computer data networks, including, without limitation, the Internet or its successor, if any, and intranet services. (Added to NRS by 1995, 1748; A 1997, 1524; 2001 Special Session, 273; 2019, 2972; 2021, 1047)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.727 - Defensive driving course: Department to approve under certain circumstances; Department to maintain list of approved courses; regulations.

1. The Department shall approve a hands-on course in defensive driving for the purposes of NRS 483.2521 if the course: (a) Includes instruction in the theory and practical applications of defensive driving; (b) Requires a person taking the course to practice defensive driving skills and maneuvers, including, without limitation, emergency avoidance and response techniques; (c) Is provided by a school for training drivers that meets the requirements of this section and NRS 483.700 to 483.780, inclusive; and (d) Is conducted by a person who holds a license as an instructor for a school for training drivers and who meets the requirements of this section and NRS 483.700 to 483.780, inclusive. 2. The Department shall maintain on the Internet website of the Department a list of hands-on courses in defensive driving that are approved pursuant to this section. The list must identify those courses which are provided for free. In the event that no such free courses are available, the Internet website must provide notice of that fact. 3. The Department may adopt regulations to carry out the provisions of this section. (Added to NRS by 2019, 2970)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.730 - Licenses: Issuance; term; renewal; training; exception.

1. The Department shall issue a license to operate a school for training drivers or to act as an instructor for such a school, if the Department is satisfied that the applicant has met the qualifications required by NRS 483.700 to 483.780, inclusive. 2. The license is valid for 1 year after the date of issuance, unless cancelled, suspended or revoked by the Department and, except as otherwise provided in subsection 3, may be renewed subject to the same conditions as the original license, except that an operator of or instructor for a school for training drivers is not required to comply with the provisions of NRS 483.7205 for the renewal of his or her license. 3. Except as otherwise provided in subsection 4, the Department may renew the license of an instructor of a school for training drivers if, when the instructor submits an application for the renewal of the license, the instructor provides evidence satisfactory to the Department that, during the period of the license, he or she completed training of a type and in an amount prescribed by the Department by regulation. 4. The provisions of subsection 3 do not apply to an instructor who provides instruction solely to applicants for commercial drivers' licenses. (Added to NRS by 1961, 77; A 1971, 579; 1985, 1940; 1997, 2077; 1999, 1925; 2001, 922, 1606; 2001 Special Session, 273; 2003, 320; 2007, 3222)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.740 - Liability insurance.

1. A person operating a school for training drivers shall maintain liability insurance on motor vehicles used in driving instruction, insuring the liability of the driving school, the driving instructor and any person taking instruction, in at least the following amounts: (a) For bodily injury to or death of one person in any one crash, \$100,000; (b) For bodily injury to or death of two or more persons in any one crash, \$300,000; and (c) For damage to property of others in any one crash, \$50,000. 2. Evidence of the insurance coverage in the form of a certificate from the insurance carrier must be filed with the Department. The certificate must stipulate that the insurance may not be cancelled except upon 10 days' written notice to the Department. (Added to NRS by 1961, 77; A 1985, 1940; 1999, 1926; 2015, 1634)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.745 - Inspection of vehicles: Frequency; results to be provided to Department within certain period; Department to adopt certain regulations; results thereof to be maintained for certain period.

1. A school for training drivers or a third-party certifier provided for by regulation shall ensure that each vehicle used for training drivers and operated on a highway is inspected within 30 days after initial use by the school for training drivers and inspected annually thereafter. 2. The school for training drivers or the third-party certifier shall provide to the Department, within 30 days of the inspection or by December 31 of each calendar year, whichever comes first, the results of the inspection regarding the safety and road worthiness of the vehicles inspected pursuant to subsection 1. 3. The Department shall adopt regulations setting forth: (a) The persons qualified to conduct the inspection; and (b) The standards with which the inspection must comply. 4. The owner of the school for training drivers or the third-party certifier shall maintain a copy of the results of the inspection at his or her principal place of business for 3 years after the inspection is completed. (Added to NRS by 2007, 3222; A 2017, 1415)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.750 - Maintenance of vehicles.

A holder of a license to operate a driver training school shall maintain all vehicles used in driver training in safe mechanical condition at all times. (Added to NRS by 1961, 77)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.755 - Books and records: Location; inspection and copying; retention.

1. A person operating a school for training drivers shall keep the books and records of the school at his or her principal place of business. 2. A person operating a school for training drivers shall: (a) Allow any authorized agent of the Department or the State of Nevada to inspect and copy the books and records of the school during usual business hours; or (b) Not later than 3 business days after receiving a request from an authorized agent described in paragraph (a) for the production of the books and records or any other information, provide the requested books, records and other information to the authorized agent at the location specified in the request or by means of electronic communication. 3. A person operating a school for training drivers shall retain the books and records of the school for 3 years after he or she ceases to be licensed as an operator of a school for training drivers. (Added to NRS by 2021, 91)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.760 - Grounds for refusal to issue or cancellation, revocation or suspension of license.

The Department may refuse to issue a license or may cancel, suspend, revoke or refuse to renew any license granted pursuant to NRS 483.700 to 483.780, inclusive: 1. If the applicant or licensee makes a material misstatement on an application. 2. If the applicant or licensee fails or refuses to provide any information requested by the Department in conjunction with an application. 3. If the applicant has been convicted of a crime for a violation of any of the provisions of NRS 483.700 to 483.780, inclusive. 4. If the licensee permits fraud or engages in fraudulent practices either with reference to the applicant or the Department or induces or countenances fraud or fraudulent practices on the part of any applicant for a driver's license. 5. If the licensee fails to comply with or is convicted of a crime for a violation of any of the provisions of NRS 483.700 to 483.780, inclusive, or any of the regulations or requirements of the Department made pursuant thereto. 6. If the licensee or any employee or agent of the licensee solicits persons for enrollment in a school for training drivers in an office of the Department or within 200 feet of any such office. 7. If the licensee or any employee or agent of the licensee follows the identical course of training which is used by the Department in giving an examination for a driver's license. (Added to NRS by 1961, 77; A 1971, 580; 1985, 1940; 2017, 1416; 2019, 2973; 2021, 93)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.765 - Suspension of license as instructor for school for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license as an instructor for a school for training drivers, the Department shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. 2. The Department shall reinstate a license as an instructor for a school for training drivers that has been suspended by a district court pursuant to NRS 425.540 if the Department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. (Added to NRS by 1997, 2075)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.767 - Administrative fines; opportunity for hearing; disposition of fines collected; injunctions and other remedies.

1. The Department may impose an administrative fine, not to exceed \$2,500, for a violation of any provision of NRS 483.700 to 483.780, inclusive, or any rule, regulation or order adopted or issued pursuant thereto. The Department shall afford to any person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121. 2. All administrative fines collected by the Department pursuant to subsection 1 must be deposited with the State Treasurer to the credit of the State Highway Fund. 3. In addition to any other remedy provided by NRS 483.700 to 483.780, inclusive, the Department may compel compliance with any provision of NRS 483.700 to 483.780, inclusive, and any rule, regulation or order adopted or issued pursuant thereto, by injunction or other appropriate remedy and the Department may institute and maintain in the name of the State of Nevada any such enforcement proceedings. (Added to NRS by 2007, 3222; A 2019, 2974; 2021, 93)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.770 - Exemptions.

The provisions of NRS 483.700 to 483.780, inclusive, do not apply to: 1. Public schools or educational institutions in which driving instruction is part of the curriculum. 2. Automobile dealers or their salespersons giving instruction without charge to purchasers of motor vehicles. 3. Employers giving instruction to their employees. (Added to NRS by 1961, 78)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.780 - Fees.

The Department shall charge annually the following fees for licenses issued pursuant to the provisions of NRS 483.700 to 483.780, inclusive: License for a school for training drivers..... \$50 License for a driving instructor..... 10 License for a school, an agency or a business that provides an educational course on alcohol and other controlled substance use disorders..... 250 License for an instructor of an educational course on alcohol and other controlled substance use disorders 50 License for a school for traffic safety..... 250 License for an instructor of traffic safety..... 50 (Added to NRS by 1961, 78; A 1985, 1941; 1991, 1908; 2019, 2974)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.785 - Department authorized to accept gifts and grants of money to provide financial assistance to certain pupils for automobile drivers' education; regulations.

1. The Department may accept gifts and grants of money to provide grants of money to pupils who are less than 18 years of age and who need financial assistance to pay: (a) If a pupil is enrolled in a public school that provides instruction in automobile education, a laboratory fee required pursuant to NRS 389.100. (b) If a pupil is enrolled in a public school that does not provide instruction in automobile education, the costs and fees of a course provided by a school for training drivers that is licensed pursuant to NRS 483.700 to 483.780, inclusive, and that complies with the applicable regulations governing the establishment, conduct and scope of automobile drivers' education adopted by the State Board of Education pursuant to NRS 389.090. 2. The Department may, in consultation with the State Board of Education, adopt regulations to carry out the provisions of this section, including, without limitation, the: (a) Procedure by which a person may apply for a grant of money from the Department; (b) Criteria that the Department will consider in determining whether to award a grant of money; and (c) Procedure by which the Department will distribute the money it receives pursuant to subsection 1. (Added to NRS by 1997, 1520)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.790 - Definitions.

As used in NRS 483.800: 1. "Person who is blind" means any person whose visual acuity with correcting lenses does not exceed 20/200 in the better eye, or whose vision in the better eye is restricted to a field which subtends an angle of not greater than 20°. 2. "Person who is night-blind" means a person afflicted with nyctalopia. 3. "Person who is severely visually impaired" means any person whose visual acuity with correcting lenses does not exceed 20/70 in the better eye, or whose vision in the better eye is restricted to a field which subtends an angle of not greater than 30°, or whose vision is impaired to such an extent that it materially limits, contributes to limiting or, if not corrected, will probably result in limiting the individual's activities of functioning. (Added to NRS by 1973, 1522)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.800 - Information to be furnished to Department; establishment of registry; regulations; maintenance of file; confidentiality; exception; penalty.

1. The following sources shall submit, within 30 days after learning such information, to the Department the name, address, birth date, social security number, visual acuity and any other information which may be required by regulation of the Department, of persons who are blind or night-blind or whose vision is severely impaired and shall designate whether the person is blind, night-blind or has severely impaired vision: (a) Hospitals, medical clinics and similar institutions which treat persons who are blind, night-blind or whose vision is severely impaired; and (b) Agencies of the State and political subdivisions which provide special tax

consideration for blindness. 2. When any source described in subsection 1 learns that vision has been restored to any person whose name appears in the registry established pursuant to subsection 3, the fact of restoration of vision must be reported to the registry within 30 days after learning of that fact. 3. The Department may establish a registry for the purposes of this section and adopt regulations governing reports to and operation of the registry. 4. The Department shall maintain a file of the names, addresses, birth dates and social security numbers of persons who are blind or night-blind or whose vision is severely impaired. 5. Except as otherwise provided in NRS 239.0115, all information learned by the Department pursuant to this section is confidential and any person who, without the consent of the person concerned, reveals that information for purposes other than those specified in this section, or other than for administration of the Program for Supplemental Security Income, including State Supplementary Assistance pursuant to chapter 422 or 422A of NRS, or services to persons who are blind pursuant to NRS 426.517 to 426.610, inclusive, is guilty of a misdemeanor. (Added to NRS by 1973, 1522; A 1975, 1013; 1981, 1912; 1985, 1941; 1993, 2068; 2005, 630; 2005, 22nd Special Session, 62; 2007, 2116; 2017, 265)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.810 - Legislative findings and declaration.

The Legislature finds and declares that: 1. A need exists in this State for the creation of a system of identification for: (a) Residents who are 10 years of age or older and who do not hold a valid driver's license or identification card from any state or jurisdiction; and (b) Seasonal residents who are 10 years of age or older and who do not hold a valid Nevada driver's license. 2. To serve this purpose, official identification cards must be prepared for issuance to those residents and seasonal residents who are 10 years of age or older and who apply and qualify for them. The cards must be designed in such form and distributed pursuant to such controls that they will merit the general acceptability of drivers' licenses for personal identification. (Added to NRS by 1975, 785; A 1979, 301; 1997, 1385, 2987; 1999, 437)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.820 - Persons entitled to card; fees.

1. A person who applies for an identification card in accordance with the provisions of NRS 483.810 to 483.890, inclusive, and who is not ineligible to receive an identification card pursuant to NRS 483.861, is entitled to receive an identification card if the person is: (a) A resident of this State and is 10 years of age or older and does not hold a valid driver's license or identification card from any state or jurisdiction; or (b) A seasonal resident who does not hold a valid Nevada driver's license. 2. Except as otherwise provided in NRS 483.825, the Department shall charge and collect the following fees for the issuance of an original, duplicate or changed identification card: An original or duplicate identification card issued to a person 65 years of age or older which expires on or before the fourth anniversary of the person's birthday..... \$4 An original or duplicate identification card issued to a person 65 years of age or older which expires on or before the eighth anniversary of the person's birthday..... 8 An original or duplicate identification card issued to a person under 18 years of age which expires on the eighth anniversary of the person's birthday..... 6 A renewal of an identification card for a person under 18 years of age which expires on the eighth anniversary of the person's birthday..... 6 An original or duplicate identification card issued to a person under 18 years of age which expires on or before the fourth anniversary of the person's birthday..... 3 A renewal of an identification card for a person under 18 years of age which expires on or before the fourth anniversary of the person's birthday..... 3 An original or duplicate identification card issued to any person at least 18 years of age, but less than 65 years of age, which expires on the eighth anniversary of the person's birthday..... 18 A renewal of an identification card for any person at least 18 years of age, but less than 65 years of age, which expires on the eighth anniversary of the person's birthday..... 18 An original or duplicate identification card issued to any person at least 18 years of age, but less than 65 years of age, which expires on or before the fourth anniversary of the person's birthday..... 9 A renewal of an identification card for any person at least 18 years of age, but less than 65 years of age, which expires on or before the fourth anniversary of the person's birthday..... 9 A new photograph or change of name, or both..... 4 3. The Department shall not charge a fee for: (a) An identification card issued to a person who has voluntarily surrendered his or her driver's license pursuant to NRS 483.420; or (b) A renewal of an identification card for a person 65 years of age or older. 4. Except as otherwise provided in NRS 483.825, the increase in fees authorized in NRS 483.347 must be paid in addition to the fees charged pursuant to this section. 5. As used in this section, "photograph" has the meaning ascribed to it in NRS 483.125. (Added to NRS by 1975, 785; A 1979, 301; 1985, 1942; 1991, 1909; 1997, 1385, 2988; 1999, 437, 1110; 2001, 2826; 2003, 1239; 2005, 1218, 2888; 2009, 714; 2013, 1243; 2017, 224, 1283, 1416)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.825 - One-time waiver of fees to furnish duplicate card to homeless person or person recently released from prison, jail or detention facility; one-time waiver of fees to furnish original or renewal card or reinstate card for person recently released from prison, jail or detention facility; reimbursement; one-time waiver of fee to furnish original or duplicate card to homeless child or youth; acceptance of gifts, grants and donations. [Effective through December 31, 2025.] One-time waiver of fees to furnish duplicate card to homeless person or person recently released from prison, jail or detention facility; one-time waiver of fees to furnish original or renewal card or reinstate card for person recently released from prison, jail or

detention facility; reimbursement; one-time waiver of fee to furnish original or duplicate card to homeless child or youth; acceptance of gifts, grants and donations. [Effective January 1, 2026.]

1. Except as otherwise provided in subsection 5, the Department shall waive the fee prescribed by NRS 483.820 and the increase in the fee required by NRS 483.347 not more than one time for furnishing a duplicate identification card to: (a) A homeless person who submits a signed affidavit on a form prescribed by the Department stating that the person is homeless. (b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year. (c) A person who submits documentation from a county, city or town jail or detention facility verifying that the person was released from the county, city or town jail, as applicable, within the immediately preceding 90 days. 2. The Department shall waive the fee prescribed by NRS 483.820 and the increase in the fee required by NRS 483.347 not more than one time for furnishing an original identification card or a renewal of an identification card to a person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year. 3. A vendor that has entered into an agreement with the Department to produce photographs for identification cards pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of: (a) A homeless person or person released from prison, a county, city or town jail or detention facility for a duplicate identification card; or (b) A person released from prison for an original identification card or for the renewal of an identification card. 4. Except as otherwise provided in subsection 5, if the vendor does not waive pursuant to subsection 3 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate identification card furnished to a person pursuant to subsection 1, the person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the person: (a) Applies to the Department for the renewal of his or her identification card; and (b) Is employed at the time of such application. 5. The Department shall waive the fee prescribed by NRS 483.820, the increase in the fee required by NRS 483.347 and the reimbursement required by subsection 4 not more than one time for furnishing: (a) An original identification card or a duplicate identification card to a homeless child or youth less than 25 years of age who submits a signed affidavit on a form prescribed by the Department stating that the child or youth is homeless and less than 25 years of age. (b) An original identification card or for renewing an identification card to a person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year. 6. The Department may accept gifts, grants and donations of money to fund the provision of original, renewal and duplicate identification cards without a fee to persons pursuant to subsections 1, 2 and 5. 7. As used in this section: (a) "Homeless child or youth" has the meaning ascribed to it in 42 U.S.C. § 11434a. (b) "Photograph" has the meaning ascribed to it in NRS 483.125. (Added to NRS by 2005, 1215; A 2011, 2605; 2017, 4056; 2019, 4505; 2023, 3317) 1. Except as otherwise provided in subsection 5, the Department shall waive the fee prescribed by NRS 483.820 and the increase in the fee required by NRS 483.347 not more than one time for furnishing a duplicate identification card to: (a) A homeless person who submits a signed affidavit on a form prescribed by the Department stating that the person is homeless. (b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year. (c) A person who submits documentation from a county, city or town jail or detention facility verifying that the person was released from the county, city or town jail, as applicable, within the immediately preceding 90 days. 2. The Department shall waive the fee prescribed by NRS 483.820 and the increase in the fee required by NRS 483.347 not more than one time for furnishing an original identification card or a renewal of an identification card to a person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year. 3. A vendor that has entered into an agreement with the Department to produce photographs for identification cards pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of: (a) A homeless person or person released from prison, a county, city or town jail or detention facility for a duplicate identification card; or (b) A person released from prison for an original identification card or for the renewal of an identification card. 4. Except as otherwise provided in subsection 5, if the vendor does not waive pursuant to subsection 3 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate identification card furnished to a person pursuant to subsection 1, the person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the person: (a) Applies to the Department for the renewal of his or her identification card; and (b) Is employed at the time of such application. 5. The Department shall waive the fee prescribed by NRS 483.820, the increase in the fee required by NRS 483.347 and the reimbursement required by subsection 4 for furnishing: (a) An original identification card or a duplicate identification card to a homeless child or youth less than 25 years of age who submits a signed affidavit on a form prescribed by the Department stating that the child or youth is homeless and less than 25 years of age. (b) An original identification card or for renewing an identification card to a person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year. 6. The Department may accept gifts, grants and donations of money to fund the provision of original, renewal and duplicate identification cards without a fee to persons pursuant to subsections 1, 2 and 5. 7. As used in this section: (a) "Homeless child or youth" has the meaning ascribed to "homeless children and youths" in 42 U.S.C. § 11434a. (b) "Photograph" has the meaning ascribed to it in NRS 483.125. (Added to NRS by 2005, 1215; A 2011, 2605; 2017, 4056; 2019, 4505; 2023, 1866, 3317, effective January 1, 2026)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.830 - Duties of Director.

The Director shall: 1. Prepare suitable identification cards. 2. Prepare and furnish application forms for those cards. 3. Receive

applications, grant or deny them and maintain files of applications. 4. Issue identification cards, recall and cancel cards when necessary and maintain records adequate to preserve the integrity of the system for identification cards. (Added to NRS by 1975, 785; A 1985, 1942)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.840 - Form and effect of card; Department to adopt regulations prescribing contents of card; duties of Department concerning anatomical gifts, indicia of medical condition and Next-of-Kin Registry; Anatomical Gift Account; donor registry. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 282, Statutes of Nevada 2015, at page 1418.] Form and effect of card; Department to adopt regulations prescribing contents of card; duties of Department concerning anatomical gifts, indicia of medical condition and Next-of-Kin Registry; Anatomical Gift Account; donor registry. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 282, Statutes of Nevada 2015, at page 1418.]

1. The form of the identification cards must be similar to that of drivers' licenses but distinguishable in color or otherwise. 2. Identification cards do not authorize the operation of any motor vehicles. 3. The Department shall adopt regulations prescribing the information that must be contained on an identification card. 4. At the time of the issuance or renewal of the identification card, the Department shall: (a) Give the holder the opportunity to have indicated on his or her identification card that the holder wishes to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive, or to refuse to make an anatomical gift of his or her body or part thereof. (b) Give the holder the opportunity to indicate whether he or she wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150. (c) Provide to each holder who is interested in becoming a donor information relating to anatomical gifts, including the procedure for registering as a donor with the donor registry with which the Department has entered into a contract pursuant to this paragraph. To carry out this paragraph, the Department shall, on such terms as it deems appropriate, enter into a contract with a donor registry that is in compliance with the provisions of NRS 451.500 to 451.598, inclusive. (d) If the Department has established a program for imprinting a symbol or other indicator of a medical condition on an identification card pursuant to NRS 483.863, give the holder the opportunity to have a symbol indicating a medical condition imprinted on his or her identification card. (e) Provide to the holder information instructing the holder how to register with the Next-of-Kin Registry pursuant to NRS 483.653 if he or she so chooses. 5. If the holder wishes to make a donation to the Anatomical Gift Account, the Department shall collect the donation and deposit the money collected in the State Treasury for credit to the Anatomical Gift Account. 6. The Department shall submit to the donor registry with which the Department has entered into a contract pursuant to paragraph (c) of subsection 4 information from the records of the Department relating to persons who have identification cards issued by the Department that indicate the intention of those persons to make an anatomical gift. The Department shall adopt regulations to carry out the provisions of this subsection. (Added to NRS by 1975, 785; A 1977, 450; 1979, 301; 1989, 438, 476; 1991, 488, 2172; 1997, 839, 2988; 1999, 425, 1111; 2001, 683, 1502; 2003, 831, 1240; 2005, 244, 245, 2315; 2007, 797, 2790; 2015, 444; 2023, 2677)

1. The form of the identification cards must be similar to that of drivers' licenses but distinguishable in color or otherwise. 2. Identification cards do not authorize the operation of any motor vehicles. 3. The Department shall adopt regulations prescribing the information that must be contained on an identification card. 4. At the time of the issuance of the identification card, the Department shall: (a) Give the holder the opportunity to have indicated on his or her identification card that the holder: (1) Wishes to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive; or (2) Does not at that time wish to make an anatomical gift of his or her body or part thereof. (b) Give the holder the opportunity to indicate whether he or she wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150. (c) Provide to each holder who is interested in becoming a donor information relating to anatomical gifts, including the procedure for registering as a donor with the donor registry with which the Department has entered into a contract pursuant to this paragraph. To carry out this paragraph, the Department shall, on such terms as it deems appropriate, enter into a contract with a donor registry that is in compliance with the provisions of NRS 451.500 to 451.598, inclusive. (d) If the Department has established a program for imprinting a symbol or other indicator of a medical condition on an identification card pursuant to NRS 483.863, give the holder the opportunity to have a symbol indicating a medical condition imprinted on his or her identification card. (e) Provide to the holder information instructing the holder how to register with the Next-of-Kin Registry pursuant to NRS 483.653 if he or she so chooses. 5. At the time of the renewal of the identification card, the Department shall: (a) If the holder indicated at the time of the issuance of the identification card pursuant to subsection 4 that the holder wishes to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive, provide the holder: (1) Notice that, unless the holder affirmatively indicates upon the renewal of the identification card that he or she wishes to change that indication, the indication will remain on his or her identification card; (2) The opportunity to have indicated whether he or she wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150; and (3) If the Department has established a program for imprinting a symbol or other indicator of a medical condition on an identification card pursuant to NRS 483.3485, the opportunity to have a symbol or other indicator of a medical condition imprinted on his or her identification card. (b) If the holder indicated at the time of the issuance of the identification card pursuant to subsection 4 that the holder did not at that time wish to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive, provide the holder: (1) The opportunity to change that indication to indicate that the holder wishes to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive; (2) The opportunity to have indicated whether he or

she wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150; (3) If the holder is interested in becoming a donor, information relating to anatomical gifts, including the procedure for registering as a donor with the donor registry with which the Department has entered into a contract pursuant to this section; and (4) If the Department has established a program for imprinting a symbol or other indicator of a medical condition on an identification card pursuant to NRS 483.3485, the opportunity to have a symbol or other indicator of a medical condition imprinted on his or her identification card. (c) Provide to the holder information instructing the holder how to register with the Next-of-Kin Registry pursuant to NRS 483.653 if he or she chooses. 6. If the holder wishes to make a donation to the Anatomical Gift Account, the Department shall collect the donation and deposit the money collected in the State Treasury for credit to the Anatomical Gift Account. 7. The Department shall submit to the donor registry with which the Department has entered into a contract pursuant to paragraph (c) of subsection 4 information from the records of the Department relating to persons who have identification cards issued by the Department that indicate the intention of those persons to make an anatomical gift. The Department shall adopt regulations to carry out the provisions of this subsection. (Added to NRS by 1975, 785; A 1977, 450; 1979, 301; 1989, 438, 476; 1991, 488, 2172; 1997, 839, 2988; 1999, 425, 1111; 2001, 683, 1502; 2003, 831, 1240; 2005, 244, 245, 2315; 2007, 797, 2790; 2015, 444, 1420; 2023, 2677, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 282, Statutes of Nevada 2015, at page 1418)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.850 - Application for card; required contents; duties of applicant; preregistration or registration to vote; surrender of driver's license or identification card issued by another state or jurisdiction. [Effective through December 31, 2024.] Application for card; required contents; duties of applicant; preregistration or registration to vote; surrender of driver's license or identification card issued by another state or jurisdiction. [Effective January 1, 2025, through December 31, 2025.] Application for card; required contents; duties of applicant; preregistration or registration to vote; surrender of driver's license or identification card issued by another state or jurisdiction. [Effective January 1, 2026.]

1. Every application for an identification card must be made upon a form provided by the Department and include, without limitation: (a) The applicant's: (1) Full legal name. (2) Date of birth. (3) State of legal residence. (4) Current address of principal residence and mailing address, if different from his or her address of principal residence, in this State, unless the applicant is on active duty in the military service of the United States. (b) A statement from: (1) A resident stating that he or she does not hold a valid driver's license or identification card from any state or jurisdiction; or (2) A seasonal resident stating that he or she does not hold a valid Nevada driver's license. 2. When the form is completed, the applicant must sign the form and verify the contents before a person authorized to administer oaths. 3. An applicant who has been issued a social security number must provide to the Department for inspection: (a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or (b) Other proof acceptable to the Department bearing the social security number of the applicant, including, without limitation, records of employment or federal income tax returns. 4. At the time of applying for an identification card, an applicant may, if eligible, preregister or register to vote pursuant to NRS 293.5727 or 293.5742. 5. A person who possesses a driver's license or identification card issued by another state or jurisdiction who wishes to apply for an identification card pursuant to this section shall surrender to the Department the driver's license or identification card issued by the other state or jurisdiction at the time the person applies for an identification card pursuant to this section. (Added to NRS by 1975, 786; A 1985, 1942; 1987, 2147; 1989, 1874; 1993, 2846; 1997, 1386, 2989; 1999, 437; 2003, 470; 2007, 2791; 2017, 3879; 2018 initiative petition, Ballot Question No. 5; 2023, 3311) 1. Every application for an identification card must be made upon a form provided by the Department and include, without limitation: (a) The applicant's: (1) Full legal name. (2) Date of birth. (3) State of legal residence. (4) Current address of principal residence and mailing address, if different from his or her address of principal residence, in this State, unless the applicant is on active duty in the military service of the United States. (b) A statement from: (1) A resident stating that he or she does not hold a valid driver's license or identification card from any state or jurisdiction; or (2) A seasonal resident stating that he or she does not hold a valid Nevada driver's license. 2. When the form is completed, the applicant must sign the form and verify the contents before a person authorized to administer oaths. 3. An applicant who has been issued a social security number must provide to the Department for inspection: (a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or (b) Other proof acceptable to the Department bearing the social security number of the applicant, including, without limitation, records of employment or federal income tax returns. 4. At the time of applying for an identification card, an applicant may, if eligible, preregister or register to vote. 5. A person who possesses a driver's license or identification card issued by another state or jurisdiction who wishes to apply for an identification card pursuant to this section shall surrender to the Department the driver's license or identification card issued by the other state or jurisdiction at the time the person applies for an identification card pursuant to this section. (Added to NRS by 1975, 786; A 1985, 1942; 1987, 2147; 1989, 1874; 1993, 2846; 1997, 1386, 2989; 1999, 437; 2003, 470; 2007, 2791; 2017, 3879; 2018 initiative petition, Ballot Question No. 5; 2021, 3875; 2023, 3311, effective January 1, 2025) 1. Every application for an identification card must be made upon a form provided by the Department and include, without limitation: (a) The applicant's: (1) Full legal name. (2) Date of birth. (3) State of legal residence. (4) Current address of principal residence and mailing address, if different from his or her address of principal residence, in this State, unless the applicant is on active duty in the military service of the United States. (b) A statement from: (1) A resident stating that he or she does not hold a valid driver's license or identification card from any state or

jurisdiction; or (2) A seasonal resident stating that he or she does not hold a valid Nevada driver's license. 2. When the form is completed, the applicant must sign the form and verify the contents before a person authorized to administer oaths. 3. Except as otherwise provided in subsection 6, an applicant who has been issued a social security number must provide to the Department for inspection: (a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or (b) Other proof acceptable to the Department bearing the social security number of the applicant, including, without limitation, records of employment or federal income tax returns. 4. At the time of applying for an identification card, an applicant may, if eligible, preregister or register to vote. 5. A person who possesses a driver's license or identification card issued by another state or jurisdiction who wishes to apply for an identification card pursuant to this section shall surrender to the Department the driver's license or identification card issued by the other state or jurisdiction at the time the person applies for an identification card pursuant to this section. 6. The provisions of subsection 3 do not apply to a homeless child or youth less than 25 years of age who submits a signed affidavit on a form prescribed by the Department stating that the child or youth is homeless and less than 25 years of age. 7. As used in this section, "homeless child or youth" has the meaning ascribed to "homeless children and youths" in 42 U.S.C. § 11434a. (Added to NRS by 1975, 786; A 1985, 1942; 1987, 2147; 1989, 1874; 1993, 2846; 1997, 1386, 2989; 1999, 437; 2003, 470; 2007, 2791; 2017, 3879; 2018 initiative petition, Ballot Question No. 5; 2021, 3875; 2023, 1866, 3311, effective January 1, 2026)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.852 - Declaration of status as veteran: Inquiry by Department upon application for card; provision of evidence by applicant; required documentation for designation of status on card; monthly compilation and transmission to Department of Veterans Services of list of persons who have declared status.

1. When a person applies to the Department for the initial issuance of an identification card pursuant to NRS 483.850 or the renewal of an identification card pursuant to NRS 483.875, the Department shall inquire whether the person desires to declare that he or she is a veteran of the Armed Forces of the United States. 2. If the person desires to declare pursuant to subsection 1 that he or she is a veteran of the Armed Forces of the United States, the person shall provide: (a) Evidence satisfactory to the Department that he or she has been honorably discharged from the Armed Forces of the United States; and (b) A written release authorizing the Department of Motor Vehicles to provide to the Department of Veterans Services personal information about the person, which release must be signed by the person and in a form required by the Director pursuant to NRS 481.063. 3. In addition to the declaration described in subsection 1, a person who is a veteran of the Armed Forces of the United States and who wishes to have placed on his or her identification card a designation that he or she is a veteran, as described in NRS 483.853, must: (a) If applying for the initial issuance of an identification card, appear in person at an office of the Department and submit evidence satisfactory to the Department that he or she has been honorably discharged from the Armed Forces of the United States. (b) If applying for the renewal of an identification card upon which a designation that the person is a veteran: (1) Is not placed, submit by mail or in person an honorable discharge or other document of honorable separation from the Armed Forces of the United States or other evidence satisfactory to the Department that he or she has been honorably discharged from the Armed Forces of the United States. (2) Is placed, submit by mail, in person or by other means authorized by the Department a statement that the person wishes the identification card to continue to designate that the person is a veteran. 4. The Department shall, at least once each month: (a) Compile a list of persons who have, during the immediately preceding month, declared pursuant to subsection 1 that they are veterans of the Armed Forces of the United States; and (b) Transmit that list to the Department of Veterans Services to be used for statistical and communication purposes. 5. As used in this section, "evidence satisfactory to the Department that he or she has been honorably discharged from the Armed Forces of the United States" includes, without limitation, digital verification obtained from the Nevada Veterans Information System, or its successor, maintained by the Department of Veterans Services, of the applicant's DD Form 214, Certificate of Release or Discharge from Active Duty, issued by the United States Department of Defense, or a similar form, including, without limitation: (a) AF IMT 100, Request and Authorization for Separation; (b) DD Form 217, Discharge Certificate; (c) NA Form 13038, Certification of Military Service; (d) NAVCG 2510, Honorable Discharge, United States Coast Guard; (e) NAVMC 70-PD, Honorable Discharge, United States Marine Corps; (f) NAVMC 78-PD, United States Marine Corps Report of Separation; (g) NAVPERS-553, Notice of Separation from United States Naval Service; (h) NAVPERS-660, Honorable Discharge from United States Navy; (i) NGB Form 22, Report of Separation and Record of Service, National Guard Bureau; (j) NMC 2571 A&I, Honorable Discharge, United States Marine Corps; (k) WD AGO 53, Enlisted Record and Report of Separation Honorable Discharge; (l) WD AGO 53-55, Enlisted Record and Report of Separation Honorable Discharge; (m) WD AGO 53-58, Enlisted Record and Report of Separation Honorable Discharge; (n) WD AGO 55, Honorable Discharge from The Army of the United States; (o) WD AGO 525, Honorable Discharge from the United States Army; (p) WD AGO 755, Honorable Discharge, Women's Army Auxiliary Corps; and (q) WD AGO-729, Honorable Discharge from the Army of the United States of America. (Added to NRS by 2005, 2064; A 2013, 1995, 2520; 2015, 1426; 2019, 576)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.853 - Designation of veteran status on card; duties of Department.

1. Upon the application of a person who requests that his or her identification card indicate that he or she is a veteran of the Armed Forces of the United States pursuant to subsection 3 of NRS 483.852, and who satisfies the requirements of that subsection, the Department shall place on any identification card issued to the person pursuant to NRS 483.810 to 483.890, inclusive, a designation

that the person is a veteran. 2. The Director shall determine the design and placement of the designation of veteran status required by subsection 1 on any identification card to which this section applies. (Added to NRS by 2013, 1993)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.854 - Alternate address on card at request of peace officer or retired peace officer: Requirements; application; regulations.

1. A peace officer may request, at the time of application for or renewal of his or her identification card, the display of an alternate address on his or her identification card. The alternative address must be the street address of his or her employer. 2. A retired peace officer may request, at the time of application for or renewal of his or her identification card, the display of an alternate address on his or her identification card. The alternative address must be provided by the retired peace officer at the time he or she submits the request. 3. A peace officer or retired peace officer who requests the display of an alternate address on his or her identification card pursuant to this section must provide to the Department: (a) Proof satisfactory to the Department that he or she qualifies for the display of an alternate address on his or her identification card pursuant to this section and any regulations adopted pursuant thereto; and (b) His or her address of principal residence and mailing address, if different from the address of principal residence, for use by the Department in recordkeeping and mailing. 4. A peace officer or retired peace officer who receives from the Department an identification card imprinted with an alternate address pursuant to this section who ceases to be qualified for the identification card: (a) Shall notify the Department and return the identification card within 30 days after ceasing to be qualified; and (b) May apply to the Department for a replacement identification card that displays his or her address of principal residence. 5. The Department shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue an identification card which displays an alternate address in accordance with this section. 6. As used in this section, "peace officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive. (Added to NRS by 2017, 222)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.855 - Registration of certain males with Selective Service System when applying for identification card; application for identification card to include certain information concerning such registration; transmittal of information to Selective Service System.

1. Except as otherwise provided in subsection 3, when applying for an identification card or for a duplicate or the renewal of such a card, a male applicant who is: (a) A citizen of the United States or an immigrant; and (b) At least 18 years of age but less than 26 years of age, authorizes the Department to register him with the Selective Service System in compliance with section 3 of the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended. 2. An application for an identification card or for a duplicate or the renewal of such a card must inform an applicant described in subsection 1 that: (a) Unless the applicant has checked the box described in subsection 3, submission of the application indicates that the applicant has already registered with the Selective Service System in compliance with federal law or that he is authorizing the Department to forward to the Selective Service System the necessary information for such registration; and (b) By registering with the Selective Service System in compliance with federal law, the applicant remains eligible for federal student loans, grants, benefits relating to job training, most federal jobs and, if applicable, citizenship in the United States. 3. An application for an identification card, or for a duplicate or the renewal of such a card, must include a box which may be checked by a male applicant who is at least 18 years of age but less than 26 years of age to indicate that the applicant is not required to register with the Selective Service System pursuant to the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended. 4. The Department shall forward the necessary personal information of any eligible applicant to the Selective Service System in an electronic format. (Added to NRS by 2009, 713; A 2015, 296)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.860 - Proof of full legal name and age; regulations; consular identification cards. [Effective through December 31, 2025.] Proof of full legal name and age; regulations; consular identification cards. [Effective January 1, 2026.]

1. Every applicant for an identification card must furnish proof of his or her full legal name and age by presenting: (a) An original or certified copy of the required documents as prescribed by regulation; or (b) A photo identification card issued by the Department of Corrections pursuant to NRS 209.511 which indicates that the Director of the Department of Corrections has verified the full legal name and age of the applicant pursuant to subsection 5 of that section. 2. The Director shall adopt regulations: (a) Prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department pursuant to paragraph (a) of subsection 1, including, without limitation, a document issued by the Department pursuant to NRS 483.375 or 483.8605; and (b) Setting forth criteria pursuant to which the Department will issue or refuse to issue an identification card in accordance with this section to a person who is a citizen of a state or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue an identification card to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States. 3. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an identification card. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006. (Added to NRS by 1975, 786; A 1985, 1942; 1989, 476; 1995, 36; 2003, 1241, 1935, 2467; 2007, 2791; 2013, 1261; 2017, 1284; 2019, 648, 1795, 4479) 1. Except as otherwise provided in subsection 4, every applicant for an identification card must furnish proof of his or her full legal name and age by presenting: (a) An original or certified copy of the required documents as prescribed by regulation; or (b) A photo identification card issued by the

Department of Corrections pursuant to NRS 209.511 which indicates that the Director of the Department of Corrections has verified the full legal name and age of the applicant pursuant to subsection 5 of that section. 2. The Director shall adopt regulations: (a) Prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department pursuant to paragraph (a) of subsection 1, including, without limitation, a document issued by the Department pursuant to NRS 483.375 or 483.8605; and (b) Setting forth criteria pursuant to which the Department will issue or refuse to issue an identification card in accordance with this section to a person who is a citizen of a state or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue an identification card to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States. 3. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an identification card. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006. 4. If an applicant is a homeless child or youth less than 25 years of age who submits a signed affidavit on a form prescribed by the Department stating that the child or youth is homeless and less than 25 years of age, the applicant may satisfy the requirements of subsection 1 by presenting a school identification card and an unofficial transcript from the respective school that includes the date of birth of the applicant. A school identification card presented pursuant to this subsection must include, without limitation: (a) The name of the school that issued the card; (b) The first and last name of the applicant; and (c) A photograph of the applicant. 5. As used in this section: (a) "Homeless child or youth" has the meaning ascribed to "homeless children and youths" in 42 U.S.C. § 11434a. (b) "Photograph" has the meaning ascribed to it in NRS 483.125. (Added to NRS by 1975, 786; A 1985, 1942; 1989, 476; 1995, 36; 2003, 1241, 1935, 2467; 2007, 2791; 2013, 1261; 2017, 1284; 2019, 648, 1795, 4479; 2023, 1867, effective January 1, 2026)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.8605 - Change of full legal name on card: Requirements; circumstances when permitted; fee.

1. A person must request that the Department change his or her full legal name on an identification card issued by the Department after a legal change of the person's name indicated on: (a) An order of a court of competent jurisdiction changing the name of the person; (b) A decree of adoption; (c) A certificate of marriage; or (d) A decree of divorce. 2. A request required pursuant to subsection 1 must: (a) Be made on a form prescribed by the Department; and (b) Include an original or certified copy of the order, decree or certificate. 3. A person may request that the Department change his or her full legal name on an identification card issued by the Department upon adoption, marriage, divorce or the death of a spouse. Such a request must be made on a form prescribed by the Department and must include: (a) Upon adoption, an original or certified copy of a decree of adoption and an affidavit on a form prescribed by the Department indicating the person's choice to: (1) Change his or her last name to the last name of one of his or her adoptive parents; (2) Use his or her last name hyphenated with the last name of one of his or her adoptive parents; or (3) Replace his or her middle name with his or her last name and use as his or her last name the last name of one of his or her adoptive parents. (b) Upon marriage, an original or certified copy of a certificate of marriage and an affidavit on a form prescribed by the Department indicating the person's choice to: (1) Change his or her last name to the last name of his or her spouse; (2) Use his or her last name hyphenated with the last name of his or her spouse; or (3) Replace his or her middle name with his or her last name and use as his or her last name the last name of his or her spouse. (c) Upon divorce, an original or certified copy of a decree of divorce and an affidavit on a form prescribed by the Department indicating the person's choice to: (1) Change his or her last name back to a last name he or she used before the marriage; or (2) If he or she changed his or her name pursuant to subparagraph (3) of paragraph (b), change his or her middle name and last name back to the middle name and last name he or she used before the marriage. (d) Upon the death of a spouse, an original or certified copy of a certificate of marriage and an original or certified copy of a death certificate and an affidavit on a form prescribed by the Department indicating the person's choice to: (1) Change his or her last name back to a name he or she used before the marriage; or (2) If he or she changed his or her name pursuant to subparagraph (3) of paragraph (b), change his or her middle name and last name back to the middle name and last name he or she used before the marriage. 4. Upon receipt of a request that meets the requirements of subsection 2 or 3, the Department shall: (a) Change the full legal name of a person on the identification card issued to the person by the Department; and (b) Provide to the person who requested the change a document which evidences that such a change was made pursuant to this section. 5. The Department may charge and collect, for a change to an identification card pursuant to this section, the fee provided in NRS 483.820. (Added to NRS by 2017, 1277)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.861 - Proof of compliance with certain statutory provisions required for issuance to or renewal of card of certain criminal offenders; expiration of card; regulations.

1. The Department shall not issue an identification card to an offender or renew the identification card of an offender until the Department has received information submitted by the Central Repository pursuant to NRS 179D.570 or other satisfactory evidence indicating that the offender is in compliance with the provisions of chapter 179D of NRS. 2. If an offender is not in compliance with the provisions of chapter 179D of NRS, the Department: (a) Shall not issue an identification card to the offender or renew the identification card of the offender; and (b) Shall advise the offender to contact the Central Repository to determine the actions that the offender must take to be in compliance with the provisions of chapter 179D of NRS. 3. An identification card issued to an offender expires on the first anniversary date of the offender's birthday, measured in the case of an original identification card, a renewal identification card and a renewal of an expired identification card, from the birthday nearest the date of issuance or renewal. 4. The Department may adopt regulations to carry out the provisions of this section. 5. As used in this section: (a) "Central

Repository" means the Central Repository for Nevada Records of Criminal History. (b) "Offender" includes, without limitation, an "offender convicted of a crime against a child" as defined in NRS 179D.0559 and a "sex offender" as defined in NRS 179D.095. (Added to NRS by 2005, 2886; A 2007, 2779)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.863 - Program for imprinting symbol indicating medical condition on card: Establishment; regulations; single symbol; eligibility; records of medical condition; provision of information about program; donations.

1. The Department may adopt regulations establishing a program for the imprinting of a symbol indicating a medical condition on an identification card issued by the Department. 2. If the Department establishes a program pursuant to subsection 1: (a) Except as otherwise provided in this title, the Department shall adopt a single symbol for imprinting on an identification card to indicate a medical condition and shall not adopt individualized symbols for different medical conditions. (b) The regulations adopted by the Department must provide that a person is eligible to have the symbol indicating a medical condition imprinted on his or her identification card if the person is: (1) On anticoagulants; or (2) A person with: (I) Diabetes; (II) Epilepsy; (III) Blindness and low vision; (IV) Deafness; (V) Coronary atherosclerosis; (VI) Chronic obstructive pulmonary disease; (VII) A food allergy; (VIII) Malignant hyperthermia; (IX) Sickle cell disease; (X) Systemic lupus erythematosus; (XI) Heart disease; (XII) Hemophilia; (XIII) Schizophrenia; (XIV) Depression; or (XV) A mental illness. (c) The Department shall maintain a record of the medical condition for which the symbol indicating a medical condition was imprinted on the identification card of an eligible person. The record must be maintained in the same location and manner as all other records relating to the identification card of the person, including, without limitation, the records relating to the identification card of the person that are available to law enforcement agencies. If the Department maintains such information in the form of a code, the code used must conform with the International Classification of Diseases, Ninth Revision, Clinical Modification, or the most current revision, adopted by the National Center for Health Statistics and the Centers for Medicare and Medicaid Services. (d) The Department shall, at the time of the issuance or renewal of an identification card, give the holder the opportunity to have imprinted on his or her identification card a symbol indicating a medical condition. (e) The Department shall maintain on the Internet website of the Department information about the program established pursuant to subsection 1, including, without limitation, the manner in which a person may obtain an identification card which has been imprinted with a symbol indicating a medical condition. (f) The regulations adopted by the Department may provide that a person is eligible to have the symbol indicating a medical condition imprinted on his or her identification card to indicate such other medical conditions not listed in paragraph (b) as the Department deems appropriate. The Department shall provide a means for members of the public to suggest additional medical conditions for inclusion in the regulations adopted by the Department. 3. The Department may apply for and accept any gift, grant, appropriation or other donation to assist in carrying out a program established pursuant to the provisions of this section. (Added to NRS by 2005, 2312; A 2023, 2678)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.865 - Placement of designation on card issued to person with disability which limits or impairs ability to walk.

1. Upon the application of a person with a disability which limits or impairs the ability to walk, the Department shall place on any identification card issued to the person pursuant to NRS 483.810 to 483.890, inclusive, a designation that the person is a person with a disability. The application must include a statement from a licensed physician or an advanced practice registered nurse certifying that the applicant is a person with a disability which limits or impairs the ability to walk. 2. For the purposes of this section, "person with a disability which limits or impairs the ability to walk" has the meaning ascribed to it in NRS 482.3835. (Added to NRS by 1995, 2762; A 2019, 499)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.866 - Placement of designation on card issued to person with communication need; Department prohibited from requiring person to disclose communication need.

1. Upon the application of a person with a communication need, the Department shall place on any identification card issued to the person pursuant to the provisions of NRS 483.810 to 483.890, inclusive, a designation that the person is a person with a communication need. 2. The Department shall not require any person to disclose that the person is a person with a communication need. 3. As used in this section, "a person with a communication need" has the meaning ascribed to it in NRS 482.167. (Added to NRS by 2023, 1715)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.867 - Placement of designation on card issued to person who is seasonal resident.

Upon the application of a person who is a seasonal resident of this State, the Department shall place on any identification card issued to the person pursuant to NRS 483.810 to 483.890, inclusive: 1. A designation indicating that the person is a seasonal resident; and 2. A statement indicating that the person holds a valid driver's license from another state or jurisdiction. (Added to NRS by 1997, 2987)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.870 - Validity of card; surrender of card; report of change of information or loss of card.

1. Except as otherwise provided in NRS 483.875, an identification card that is issued to: (a) A seasonal resident remains valid until its expiration date so long as the person does not become licensed in Nevada to drive a motor vehicle and the facts and circumstances declared in the application and stated on the card do not change. An identification card must be surrendered by a seasonal resident upon issuance of a Nevada driver's license. (b) A resident remains valid until its expiration date so long as the person does not become licensed in any state or jurisdiction to drive a motor vehicle and the facts and circumstances declared in the application and stated on the card do not change. An identification card must be surrendered by a resident upon issuance of a driver's license from any state or jurisdiction. 2. The holder of an identification card shall promptly report any change in the information declared in the application and stated in the card to the Department. 3. Any change occurring in the holder's address or any loss of an identification card must be reported within 30 days after the occurrence to the Department. (Added to NRS by 1975, 786; A 1985, 1943; 1997, 1386, 2989; 1999, 437; 2003, 1241; 2017, 1285)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.875 - Expiration as prescribed by regulation; renewability of card; duties of and restriction upon authority of Department.

1. Except as otherwise provided in NRS 483.861 and 483.870, an identification card and a renewal of an identification card issued pursuant to NRS 483.810 to 483.890, inclusive, expires as prescribed by regulation. 2. The Department shall adopt regulations prescribing when an identification card expires. 3. An identification card is renewable at any time before its expiration upon application and payment of the required fee. 4. The Department shall issue an identification card that is valid only during the time the applicant is authorized to stay in the United States, or if there is no definite end to the time the applicant is authorized to stay, the identification card is valid for 1 year beginning on the date of issuance. (Added to NRS by 2003, 1236; A 2005, 2889; 2007, 2792)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.880 - Duplicate card; return of original.

1. Upon furnishing information that his or her identification card is lost or destroyed and paying the prescribed fee, the person to whom the original was issued may obtain a duplicate. 2. If the original of a duplicated card is subsequently recovered or a lost card is found, the person having possession shall return it immediately to the Department. (Added to NRS by 1975, 786; A 1985, 1943)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.890 - Unlawful acts; penalty.

A person who: 1. Forges or alters an identification card or knowingly possesses an altered or forged identification card; 2. Refuses to surrender an identification card for cancellation when so directed by the Department; 3. Lends his or her identification card to another person for the other's use or uses a card issued to another person; or 4. Willfully fails to surrender to the Department within 10 days after another's identification card comes into his or her possession or to return it to the proper holder, is guilty of a misdemeanor. (Added to NRS by 1975, 786; A 1985, 1943)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.900 - Purposes.

The purposes of NRS 483.900 to 483.940, inclusive, are to implement the Commercial Motor Vehicle Safety Act of 1986, as amended, 49 U.S.C. chapter 313 (§§ 31301 et seq.), and reduce or prevent commercial motor vehicle crashes, fatalities and injuries by: 1. Permitting drivers of commercial motor vehicles to hold only one license; 2. Providing for the disqualification of drivers of commercial motor vehicles who have committed certain serious traffic violations or other specified offenses; 3. Strengthening the licensing and testing standards for drivers of commercial motor vehicles; and 4. Ensuring that drivers of commercial motor vehicles carrying hazardous materials are qualified to operate a commercial motor vehicle in accordance with all regulations pertaining to the transportation of hazardous materials and have the skills and knowledge necessary to respond appropriately to any emergency arising out of the transportation of hazardous materials. (Added to NRS by 1989, 1115; A 2015, 1634; 2017, 225; 2021, 1459)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.902 - Applicability.

The provisions of NRS 483.900 to 483.940, inclusive, apply only with respect to commercial drivers' licenses. (Added to NRS by 1989, 1116; A 2009, 715; 2011, 405; 2015, 1427; 2017, 225; 2021, 1459; 2023, 206)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.904 - Definitions.

As used in NRS 483.900 to 483.940, inclusive, unless the context otherwise requires: 1. "Commercial driver's license" means a license issued to a person which authorizes the person to drive a class or type of commercial motor vehicle. 2. "Commercial Driver's License Information System" means the information system maintained by the Secretary of Transportation pursuant to 49 U.S.C. § 31309 to serve as a clearinghouse for locating information relating to the licensing, identification and disqualification of operators of commercial motor vehicles. (Added to NRS by 1989, 1116; A 2009, 715; 2011, 405; 2015, 1427; 2017, 225; 2021, 1459; 2023, 206)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.906 - Authority of Department.

The Department may enter into or make agreements, arrangements or declarations to carry out the provisions of NRS 483.900 to 483.940, inclusive. (Added to NRS by 1989, 1119)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.908 - Adoption of regulations.

The Department shall adopt regulations: 1. Providing for the issuance, expiration, renewal, suspension, revocation and reinstatement of commercial drivers' licenses; 2. Providing the same exemptions allowed pursuant to federal regulations for farmers, firefighters, military personnel or any other class of operators or vehicles for which exemptions are authorized by federal law or regulations; 3. Specifying the violations which constitute grounds for disqualification from driving a commercial motor vehicle and the penalties associated with each violation; 4. Setting forth a schedule of various alcohol concentrations and the penalties which must be imposed if those concentrations are detected in the breath, blood, urine or other bodily substances of a person who is driving, operating or is in actual physical control of a commercial motor vehicle; 5. Necessary to enable it to carry out the provisions of NRS 483.900 to 483.940, inclusive; and 6. Necessary to enable it to comply with the provisions of 49 C.F.R. § 383.73(q). The Department shall not adopt regulations which are more restrictive than the federal regulations adopted pursuant to the Commercial Motor Vehicle Safety Act of 1986, as amended, 49 U.S.C. chapter 313 (§§ 31301 et seq.). (Added to NRS by 1989, 1119; A 1999, 3414; 2023, 206)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.910 - Schedule of fees.

1. The Department shall charge and collect the following fees: For an original commercial driver's license which expires on or before the eighth anniversary of the date of issuance of the license but after the fourth anniversary of the date of issuance of the license \$108 For an original commercial driver's license or commercial learner's permit which expires on or before the fourth anniversary of the birthday of the licensee or permit holder..... 54 For renewal of a commercial driver's license which expires on or before the eighth anniversary of the date of issuance of the license but after the fourth anniversary of the date of issuance of the license 108 For renewal of a commercial driver's license or commercial learner's permit which expires on or before the fourth anniversary of the birthday of the licensee or permit holder..... 54 For reinstatement of a commercial driver's license after suspension or revocation of the license for a violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430, or pursuant to NRS 484C.210 and 484C.220, or pursuant to 49 C.F.R. § 383.51(b)(1) to (4)..... 145 For reinstatement of a commercial driver's license after suspension, revocation, cancellation or disqualification of the license, except a suspension or revocation for a violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430, or pursuant to NRS 484C.210 and 484C.220, or pursuant to 49 C.F.R. § 383.51(b)(1) to (4) 110 For a duplicate commercial driver's license..... 19 For any change of information on a commercial driver's license..... 9 For each endorsement added after the issuance of an original commercial driver's license 14 For the administration of a driving skills test for the issuance, renewal or transfer of a commercial driver's license or to change any information on, or add an endorsement to, an existing commercial driver's license 30 2. The Department shall charge and collect an annual fee of \$555 from each person who is authorized by the Department to administer a driving skills test pursuant to NRS 483.912. 3. An additional charge of \$3 must be charged for each knowledge test administered to a person who has twice failed the test. 4. An additional charge of \$25 must be charged for each driving skills test administered to a person who has twice failed the test. 5. The increase in fees authorized in NRS 483.347 must be paid in addition to the fees charged pursuant to this section. 6. The Department shall charge an applicant for a hazardous materials endorsement an additional fee for the processing of fingerprints. The Department shall establish the additional fee by regulation, except that the amount of the additional fee must not exceed the sum of the amount charged by the Central Repository for Nevada Records of Criminal History and each applicable federal agency to process the fingerprints for a background check of the applicant in accordance with Section 1012 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001, 49 U.S.C. § 5103a. (Added to NRS by 1989, 1119; A 1993, 1242; 1995, 16; 1997, 1222; 2003, 1241; 2005, 136; 2009, 61, 1865; 2013, 1244; 2017, 1417)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.912 - Administration of driving skills test by person or agency other than Department; credit for passing test.

1. The Department may authorize any person, including an agency of this or another state, or a department, agency or instrumentality of local government to administer any driving skills test required by the provisions of NRS 483.900 to 483.940, inclusive, or by regulations adopted by the Department pursuant to the provisions of NRS 483.908, if: (a) The test is the same as that which would otherwise be administered by the Department; and (b) That person has entered into an agreement with the Department which includes provisions that: (1) Allow the United States Federal Highway Administration, its representative or the Department to conduct random examinations, inspections and audits without prior notice; (2) Require the Department to conduct on-site inspections not less than annually; (3) Require all examiners used by that person to meet the same qualification and training

standards established in regulations adopted by the Department for examiners employed by the Department to give driving skills tests in commercial motor vehicles; (4) Require that, not less than annually, employees of the Department take the tests administered by that person as if they were actual applicants or that the State retest a sample of drivers who were examined by that person and compare the passage rates; and (5) Reserve to the Department the right to take prompt and appropriate remedial action against that person if the person fails to comply with any standard of this State or the Federal Government relating to the tests required for a commercial driver's license or with any term of the agreement. 2. An applicant for a commercial driver's license who passes a driving skills test administered pursuant to subsection 1 must provide evidence of that fact to the Department to receive credit for having passed that test. (Added to NRS by 1989, 1117)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.914 - Department to notify Commercial Driver's License Information System of certain matters concerning issuance and validity of licenses.

1. Within 10 days after issuing, transferring, renewing or upgrading any commercial driver's license, the Department shall so notify the Commercial Driver's License Information System and provide it with such information as it may require regarding the person who holds that license. 2. Within 10 days after the disqualification for 60 days or more of a person who holds a commercial driver's license, or after the suspension, revocation or cancellation of that license, the Department shall update its records to reflect that action and shall provide notification of that disqualification, suspension, revocation or cancellation to the Commercial Driver's License Information System and, if the license was issued by another jurisdiction, to the licensing authority of the jurisdiction which issued the license. (Added to NRS by 1989, 1118)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.916 - Release of information regarding driver's record.

Except as otherwise provided in NRS 481.063, the Department shall furnish full information regarding the driving record of any person to: 1. The person who is the subject of the driving record upon his or her request; 2. The driver's license administrator of any other state or of any province or territory of Canada upon his or her request; 3. Any employer or prospective employer of that person upon his or her request and payment of a fee established in regulations adopted by the Department; 4. Any insurer upon its request and payment of a fee established in regulations adopted by the Department if the insurer has complied with the provisions of NRS 485.314; or 5. The Secretary of Transportation of the United States upon his or her request. (Added to NRS by 1989, 1118; A 1993, 2482; 1995, 1929; 2023, 207)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.918 - Department to notify jurisdiction issuing license of certain violations committed in Nevada.

Within 10 days after the conviction of any person who holds a commercial driver's license issued by another jurisdiction for a violation of a state law or local ordinance relating to motor vehicle traffic control, other than a parking violation, committed while operating a commercial motor vehicle, the Department shall provide notification of the conviction to the licensing authority of the jurisdiction which issued the license. (Added to NRS by 1989, 1118)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.920 - Effect of convictions entered in other states.

The Department shall give full faith and credit to all convictions entered in another state and treat them for the purpose of imposing penalties pursuant to the regulations adopted by the Department pursuant to NRS 483.908, as if they were entered in this State. (Added to NRS by 1989, 1119)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.924 - Restrictions on driving commercial motor vehicle on highways of Nevada.

A person shall not drive a commercial motor vehicle on the highways of this State: 1. Unless the person has been issued and has in his or her immediate possession a: (a) Commercial driver's license with applicable endorsements valid for the vehicle the person is driving issued by this State or by any other jurisdiction in accordance with the minimum federal standards for the issuance of a commercial driver's license; or (b) Valid learner's permit for the operation of a commercial motor vehicle and is accompanied by the holder of a commercial driver's license valid for the vehicle being driven. 2. At any time while the person's driving privilege is suspended, revoked or cancelled, or while subject to a disqualification, including, without limitation, a disqualification for any conduct described in 49 C.F.R. § 383.51. (Added to NRS by 1989, 1116; A 2011, 405; 2021, 1460)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.926 - Commercial driver's license: Privilege granted; general requirement; surrender of other licenses.

1. Any person to whom a valid commercial driver's license has been issued may exercise the privilege thereby granted upon all streets and highways of this State and shall not be required to obtain any other license to exercise the privilege by any county, municipal or local board or body having authority to adopt local police regulations. 2. Except persons expressly exempted in

regulations adopted by the Department pursuant to NRS 483.908, a person shall not steer or exercise any degree of physical control of a vehicle being towed by a motor vehicle upon a highway unless the person has a license to drive the type or class of vehicle being towed. 3. The Department shall not issue a commercial driver's license to a person until the person surrenders to the Department all valid licenses in his or her possession issued to the person by this or any other jurisdiction. Surrendered licenses issued by another jurisdiction must be returned by the Department to that jurisdiction. A person shall not have more than one valid driver's license. (Added to NRS by 1989, 1116)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.927 - Designation of veteran status on license; duties of Department.

1. A person who wishes to have placed on his or her commercial driver's license a designation that he or she is a veteran of the Armed Forces of the United States pursuant to subsection 2 must: (a) If applying for the initial issuance of a commercial driver's license, appear in person at an office of the Department and submit evidence satisfactory to the Department that he or she has been honorably discharged from the Armed Forces of the United States. (b) If applying for the renewal of a commercial driver's license upon which a designation that the person is a veteran: (1) Is not placed, submit by mail or in person an honorable discharge or other document of honorable separation from the Armed Forces of the United States or other evidence satisfactory to the Department that he or she has been honorably discharged from the Armed Forces of the United States. (2) Is placed, submit by mail, in person or by other means authorized by the Department a statement that the person wishes the commercial driver's license to continue to designate that the person is a veteran. 2. Upon the request of a person that his or her commercial driver's license indicate that he or she is a veteran of the Armed Forces of the United States pursuant to subsection 1, and who satisfies the requirements of that subsection, the Department shall place on any commercial driver's license issued to the person pursuant to the provisions of this chapter a designation that the person is a veteran. 3. The Director shall determine the design and placement of the designation of veteran status required by this section on any commercial driver's license to which this section applies. 4. As used in this section, "evidence satisfactory to the Department that he or she has been honorably discharged from the Armed Forces of the United States" includes, without limitation, digital verification obtained from the Nevada Veterans Information System, or its successor, maintained by the Department of Veterans Services, of the applicant's DD Form 214, Certificate of Release or Discharge from Active Duty, issued by the United States Department of Defense, or a similar form, including, without limitation: (a) AF IMT 100, Request and Authorization for Separation; (b) DD Form 217, Discharge Certificate; (c) NA Form 13038, Certification of Military Service; (d) NAVCG 2510, Honorable Discharge, United States Coast Guard; (e) NAVMC 70-PD, Honorable Discharge, United States Marine Corps; (f) NAVMC 78-PD, United States Marine Corps Report of Separation; (g) NAVPERS-553, Notice of Separation from United States Naval Service; (h) NAVPERS-660, Honorable Discharge from United States Navy; (i) NGB Form 22, Report of Separation and Record of Service, National Guard Bureau; (j) NMC 2571 A&I, Honorable Discharge, United States Marine Corps; (k) WD AGO 53, Enlisted Record and Report of Separation Honorable Discharge; (l) WD AGO 53-55, Enlisted Record and Report of Separation Honorable Discharge; (m) WD AGO 53-58, Enlisted Record and Report of Separation Honorable Discharge; (n) WD AGO 55, Honorable Discharge from The Army of the United States; (o) WD AGO 525, Honorable Discharge from the United States Army; (p) WD AGO 755, Honorable Discharge, Women's Army Auxiliary Corps; and (q) WD AGO-729, Honorable Discharge from the Army of the United States of America. (Added to NRS by 2015, 1425; A 2019, 577)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.9275 - Alternate address on license at request of peace officer or retired peace officer: Requirements; application; regulations.

1. A peace officer may request, at the time of application for or renewal of his or her commercial driver's license or commercial learner's permit, the display of an alternate address on his or her commercial driver's license or commercial learner's permit. The alternate address must be the street address of his or her employer. 2. A retired peace officer may request, at the time of application for or renewal of his or her commercial driver's license or commercial learner's permit, the display of an alternate address on his or her commercial driver's license or commercial learner's permit. The alternate address must be provided by the retired peace officer at the time he or she submits the request. 3. A peace officer or retired peace officer who requests the display of an alternate address on his or her commercial driver's license or commercial learner's permit pursuant to this section must provide to the Department: (a) Proof satisfactory to the Department that he or she qualifies for the display of an alternate address on his or her commercial driver's license or commercial learner's permit pursuant to this section and any regulations adopted pursuant thereto; and (b) His or her address of principal residence and mailing address, if different from the address of principal residence, for use by the Department in recordkeeping and mailing. 4. A peace officer or retired peace officer who receives from the Department a commercial driver's license or commercial learner's permit imprinted with an alternate address pursuant to this section who ceases to be qualified for the commercial driver's license or commercial learner's permit: (a) Shall notify the Department and return the commercial driver's license or commercial learner's permit within 30 days after ceasing to be qualified; and (b) May apply to the Department for a replacement commercial driver's license or commercial learner's permit that displays his or her address of principal residence. 5. The Department shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a commercial driver's license or commercial learner's permit which displays an alternate address in accordance with this section. 6. As used in this section, "peace officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive. (Added to NRS by 2017, 223)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.928 - Requirements for issuance of license. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.] Requirements for issuance of license. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

A person who wishes to be issued a commercial driver's license by this State must: 1. Apply to the Department for a commercial driver's license; 2. In accordance with standards contained in regulations adopted by the Department: (a) Pass a knowledge test for the type of motor vehicle the person operates or expects to operate; and (b) Except as otherwise provided in NRS 483.933, pass a driving skills test for driving a commercial motor vehicle taken in a motor vehicle which is representative of the type of motor vehicle the person operates or expects to operate; 3. Comply with all other requirements contained in the regulations adopted by the Department pursuant to NRS 483.908; 4. Not be ineligible to be issued a commercial driver's license pursuant to NRS 483.929; and 5. For the issuance of a commercial driver's license with an endorsement for hazardous materials, submit a complete set of fingerprints and written permission authorizing the Department to forward the fingerprints to the Central Repository for Nevada Records of Criminal History and all applicable federal agencies to process the fingerprints for a background check of the applicant in accordance with Section 1012 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001, 49 U.S.C. § 5103a. (Added to NRS by 1989, 1116; A 2003, 1243; 2005, 2889; 2015, 3864)

1. A person who wishes to be issued a commercial driver's license by this State must: (a) Apply to the Department for a commercial driver's license; (b) In accordance with standards contained in regulations adopted by the Department: (1) Pass a knowledge test for the type of motor vehicle the person operates or expects to operate; and (2) Except as otherwise provided in NRS 483.933, pass a driving skills test for driving a commercial motor vehicle taken in a motor vehicle which is representative of the type of motor vehicle the person operates or expects to operate; (c) Comply with all other requirements contained in the regulations adopted by the Department pursuant to NRS 483.908; (d) Not be ineligible to be issued a commercial driver's license pursuant to NRS 483.929; and (e) For the issuance of a commercial driver's license with an endorsement for hazardous materials, submit a complete set of fingerprints and written permission authorizing the Department to forward the fingerprints to the Central Repository for Nevada Records of Criminal History and all applicable federal agencies to process the fingerprints for a background check of the applicant in accordance with Section 1012 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001, 49 U.S.C. § 5103a.

2. At the time of the issuance or renewal of a commercial driver's license pursuant to this section, the Department shall provide to the holder of the license information instructing the holder how to register with the Next-of-Kin Registry pursuant to NRS 483.653 if he or she so chooses. (Added to NRS by 1989, 1116; A 2003, 1243; 2005, 2889; 2015, 445, 3864, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.929 - Proof of compliance with certain statutory provisions required for issuance to or renewal of license of certain criminal offenders; expiration of license; regulations.

1. The Department shall not issue a commercial driver's license to an offender or renew the commercial driver's license of an offender until the Department has received information submitted by the Central Repository pursuant to NRS 179D.570 or other satisfactory evidence indicating that the offender is in compliance with the provisions of chapter 179D of NRS. 2. If an offender is not in compliance with the provisions of chapter 179D of NRS, the Department: (a) Shall not issue a commercial driver's license to the offender or renew the commercial driver's license of the offender; and (b) Shall advise the offender to contact the Central Repository to determine the actions that the offender must take to be in compliance with the provisions of chapter 179D of NRS. 3. A commercial driver's license issued to an offender expires on the first anniversary date of the offender's birthday, measured in the case of an original license, a renewal license and a renewal of an expired license, from the birthday nearest the date of issuance or renewal. 4. The Department may adopt regulations to carry out the provisions of this section. 5. As used in this section: (a) "Central Repository" means the Central Repository for Nevada Records of Criminal History. (b) "Offender" includes, without limitation, an "offender convicted of a crime against a child" as defined in NRS 179D.0559 and a "sex offender" as defined in NRS 179D.095. (Added to NRS by 2005, 2886; A 2007, 2780)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.930 - Transfer of license issued in another jurisdiction.

A person who holds a commercial driver's license issued in another jurisdiction who wishes to transfer that license to this State must, within 30 days after becoming a resident of this State: 1. Apply to the Department for a commercial driver's license; and 2. Comply with all other requirements contained in the regulations adopted by the Department pursuant to NRS 483.908. (Added to NRS by 1989, 1117)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.932 - Use of license issued by another jurisdiction prohibited after becoming resident of Nevada.

A person who is a resident of this State for 30 days or more shall not drive a commercial motor vehicle under the authority of a commercial driver's license issued by another jurisdiction. (Added to NRS by 1989, 1117)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.933 - Waiver of certain requirements for certain persons with experience driving commercial motor vehicles in Armed Forces of United States; requirements to obtain waiver. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.] Waiver of certain requirements for certain persons with experience driving commercial motor vehicles in Armed Forces of United States; requirements to obtain waiver. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429.]

1. In accordance with 49 C.F.R. § 383.77, the requirement set forth in paragraph (b) of subsection 2 of NRS 483.928 for the issuance of a commercial driver's license by this State must be waived for an applicant who: (a) Has experience driving a commercial motor vehicle because of his or her service in the Armed Forces of the United States; (b) Is licensed at the time of his or her application for a commercial driver's license; and (c) Meets the requirements set forth in subsection 2. 2. An applicant for a commercial driver's license who seeks a waiver pursuant to subsection 1 of the requirement set forth in paragraph (b) of subsection 2 of NRS 483.928 shall: (a) Certify that, during the 2 years immediately preceding his or her application for a commercial driver's license, the applicant has not had: (1) More than one license in more than one jurisdiction at the same time, except for a military license; (2) A license suspended, revoked, cancelled or denied; (3) A conviction for an offense listed in 49 C.F.R. § 383.51(b); (4) More than one conviction for a serious traffic violation listed in 49 C.F.R. § 383.51(c); and (5) A conviction for a violation of any military, state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with any traffic crash, and has no record of a crash in which he or she was at fault. (b) Certify and provide evidence that he or she: (1) Has been regularly employed in a military position that requires the operation of a commercial motor vehicle within the 90 days immediately preceding his or her application; (2) Is exempt from the requirements for a commercial driver's license pursuant to 49 C.F.R. § 383.3(c); and (3) Has operated a vehicle which is representative of the commercial motor vehicle that he or she intends to operate for at least 2 years immediately preceding the date of his or her application. (Added to NRS by 2015, 3864) 1. In accordance with 49 C.F.R. § 383.77, the requirement set forth in subparagraph (2) of paragraph (b) of subsection 1 of NRS 483.928 for the issuance of a commercial driver's license by this State must be waived for an applicant who: (a) Has experience driving a commercial motor vehicle because of his or her service in the Armed Forces of the United States; (b) Is licensed at the time of his or her application for a commercial driver's license; and (c) Meets the requirements set forth in subsection 2. 2. An applicant for a commercial driver's license who seeks a waiver pursuant to subsection 1 of the requirement set forth in subparagraph (2) of paragraph (b) of subsection 1 of NRS 483.928 shall: (a) Certify that, during the 2 years immediately preceding his or her application for a commercial driver's license, the applicant has not had: (1) More than one license in more than one jurisdiction at the same time, except for a military license; (2) A license suspended, revoked, cancelled or denied; (3) A conviction for an offense listed in 49 C.F.R. § 383.51(b); (4) More than one conviction for a serious traffic violation listed in 49 C.F.R. § 383.51(c); and (5) A conviction for a violation of any military, state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with any traffic crash, and has no record of a crash in which he or she was at fault. (b) Certify and provide evidence that he or she: (1) Has been regularly employed in a military position that requires the operation of a commercial motor vehicle within the 90 days immediately preceding his or her application; (2) Is exempt from the requirements for a commercial driver's license pursuant to 49 C.F.R. § 383.3(c); and (3) Has operated a vehicle which is representative of the commercial motor vehicle that he or she intends to operate for at least 2 years immediately preceding the date of his or her application. (Added to NRS by 2015, 3864, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 119, Statutes of Nevada 2015, at page 429)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.934 - Issuance of license or learner's permit to nonresidents prohibited; exception.

Except as otherwise provided in NRS 483.936, the Department may not issue a commercial driver's license or commercial learner's permit to a person unless the person is a resident of this State. (Added to NRS by 1989, 1117; A 2013, 1245)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.936 - Licensing and permitting of nonresidents.

A person who is a resident of a foreign jurisdiction which the Federal Highway Administrator has determined does not test drivers and issue commercial drivers' licenses in accordance with federal standards and who wishes to be issued a limited-term commercial driver's license or limited-term commercial learner's permit by this State must: 1. Apply to the Department for a limited-term

commercial driver's license or limited-term commercial learner's permit; and 2. Comply with all other requirements contained in the regulations adopted by the Department pursuant to NRS 483.908. (Added to NRS by 1989, 1117; A 2013, 1246; 2017, 1419)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.937 - Registration of certain males with Selective Service System when applying for commercial driver's license; application for commercial driver's license to include certain information concerning such registration; transmittal of information to Selective Service System.

1. Except as otherwise provided in subsection 3, when applying for a commercial driver's license or for a duplicate or the renewal or reinstatement of such a license, a male applicant who is: (a) A citizen of the United States or an immigrant; and (b) At least 18 years of age but less than 26 years of age, authorizes the Department to register him with the Selective Service System in compliance with section 3 of the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended. 2. An application for a commercial driver's license or for a duplicate or the renewal or reinstatement of such a license must inform an applicant described in subsection 1 that: (a) Unless the applicant has checked the box described in subsection 3, submission of the application indicates that the applicant has already registered with the Selective Service System in compliance with federal law or that he is authorizing the Department to forward to the Selective Service System the necessary information for such registration; and (b) By registering with the Selective Service System in compliance with federal law, the applicant remains eligible for federal student loans, grants, benefits relating to job training, most federal jobs and, if applicable, citizenship in the United States. 3. An application for a commercial driver's license, or for a duplicate or the renewal or reinstatement of such a license, must include a box which may be checked by a male applicant who is at least 18 years of age but less than 26 years of age to indicate that the applicant is not required to register with the Selective Service System pursuant to the Military Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended. 4. The Department shall forward the necessary personal information of any eligible applicant to the Selective Service System in an electronic format. (Added to NRS by 2009, 713; A 2015, 297)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.938 - Application for noncommercial driver's license after disqualification for commercial driver's license based on concentration of alcohol.

Any person who, in accordance with regulations adopted by the Department pursuant to NRS 483.908, is disqualified from driving a commercial motor vehicle based on an alcohol concentration level that: 1. Does not otherwise constitute grounds for disqualifying the person from driving a noncommercial motor vehicle pursuant to the provisions of NRS 484C.210, may apply to the Department for a noncommercial driver's license pursuant to the provisions of NRS 483.010 to 483.630, inclusive. 2. Also constitutes grounds for disqualifying the person from driving a noncommercial motor vehicle pursuant to the provisions of NRS 484C.210 may, upon the expiration of the period of disqualification specified in that section, apply to the Department for a noncommercial driver's license pursuant to the provisions of NRS 483.010 to 483.630, inclusive. (Added to NRS by 1989, 1119)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.9382 - Disqualification from operation of commercial motor vehicle upon conviction of certain offenses.

1. If a person is convicted of an offense listed in 49 C.F.R. § 383.51 involving the operation of a motor vehicle, other than an offense described in 49 C.F.R. §§ 383.51(b)(9) or 383.51(b)(10), or the person refuses to submit to a test required by NRS 484C.150 or 484C.160, the person is disqualified from operating a commercial motor vehicle for the period set forth in 49 C.F.R. § 383.51. 2. If a person is convicted of any of the following offenses involving the operation of a motor vehicle, the person is disqualified from operating a commercial motor vehicle for life without the possibility of reinstatement: (a) Using a motor vehicle in the commission of a felony involving manufacturing, distributing or dispensing a controlled substance; or (b) Using a commercial motor vehicle in the commission of: (1) A violation of NRS 200.463, 200.4631, 200.464, 200.465, 200.467, 200.468, 200.4685, 201.300 or 207.400 involving an offense described in subsection 36 or 37 of NRS 207.360; (2) An attempt or conspiracy to commit an offense described by subparagraph (1), if punishable by a felony; or (3) Any other offense punishable as a felony by state or federal law which involves an act or practice of severe forms of human trafficking, as defined in 22 U.S.C. § 7102(11). 3. A person who is disqualified from operating a commercial motor vehicle for life without the possibility of reinstatement pursuant to this section or 49 C.F.R. § 383.51 must not be issued, and shall not hold, a commercial driver's license or commercial learner's permit. (Added to NRS by 2023, 205)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.9383 - Court required to notify Department of conviction of certain offenses requiring disqualification from operating commercial motor vehicle.

If a person is convicted of an offense described in subparagraph (1) or (2) of paragraph (b) of subsection 2 of NRS 483.9382 while operating a commercial motor vehicle, the court in which the person was convicted shall, not later than 5 business days after the date on which the person was convicted, provide to the Department notice of the conviction in a form prescribed by Department. (Added to NRS by 2023, 205)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.9385 -

Mandatory suspension of commercial driver's license, commercial learner's permit or privilege to drive commercial motor vehicle based upon result of test showing prohibited concentration of alcohol or presence of schedule I controlled substance. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Mandatory suspension of commercial driver's license, commercial learner's permit or privilege to drive commercial motor vehicle based upon result of test showing prohibited concentration of alcohol or presence of schedule I controlled substance. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. If the result of a test given pursuant to NRS 484C.150 or 484C.160 shows that a person 18 years of age or older had a concentration of alcohol of 0.04 or more but less than 0.08 in his or her blood or breath or any detectable amount of a substance described in 21 C.F.R. § 1308.11 in his or her blood or urine at the time of the test, the person's commercial driver's license, commercial learner's permit or privilege to drive a commercial motor vehicle must be suspended for a period of 1 year. 2. This section does not preclude: (a) The prosecution of a person for a violation of any other provision of law; or (b) The suspension or revocation of a person's commercial driver's license, commercial learner's permit or privilege to drive a commercial motor vehicle pursuant to any other provision of law. (Added to NRS by 2021, 1458) 1. If the result of a test given pursuant to NRS 484C.150 or 484C.160 shows that a person 18 years of age or older had a concentration of alcohol of 0.04 or more but less than 0.10 in his or her blood or breath or any detectable amount of a substance described in 21 C.F.R. § 1308.11 in his or her blood or urine at the time of the test, the person's commercial driver's license, commercial learner's permit or privilege to drive a commercial motor vehicle must be suspended for a period of 1 year. 2. This section does not preclude: (a) The prosecution of a person for a violation of any other provision of law; or (b) The suspension or revocation of a person's commercial driver's license, commercial learner's permit or privilege to drive a commercial motor vehicle pursuant to any other provision of law. (Added to NRS by 2021, 1458; A 2021, 1466, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.939 - Mandatory suspension of commercial driver's license upon notice of conviction of violation of certain federal regulations; civil penalties for certain violation by holders of commercial drivers' licenses and employers; regulations.

1. If the Department receives notice that a person who holds a commercial driver's license has been convicted of driving a commercial motor vehicle in violation of the prohibitions described in 49 C.F.R. § 395.13, the Department shall: (a) Suspend the privilege of the person to operate a commercial motor vehicle for the period set forth in 49 C.F.R. § 383.51; and (b) In addition to any other applicable fees and penalties that must be paid to reinstate the commercial driver's license after suspension, impose against the person a civil penalty in the amount set forth in 49 C.F.R. § 383.53(b)(1). 2. If the Department receives notice that the employer of a person who holds a commercial driver's license has been convicted of: (a) A violation of 49 C.F.R. § 383.37(a)-(d), for knowingly allowing, requiring, permitting or authorizing the person to operate a commercial motor vehicle during any period in which the person or the commercial motor vehicle is subject to the circumstances described in 49 C.F.R. § 383.37(a)-(d), the Department shall impose against the employer a civil penalty in the amount set forth in 49 C.F.R. § 383.53. (b) A violation of paragraph (f) of subsection 1 of NRS 483.9395, the Department shall impose against the employer a civil penalty in the amount set forth in 49 C.F.R. Part 386, Appendix B. 3. All money collected by the Department pursuant to paragraph (b) of subsection 1 or subsection 2 must be deposited in the State Treasury for credit to the Motor Vehicle Fund. 4. The Department shall adopt regulations to carry out the provisions of this section. 5. As used in this section, "employer" means any person who owns or leases a commercial motor vehicle or assigns an employee to operate a commercial motor vehicle. (Added to NRS by 2011, 404; A 2021, 1460; 2023, 207)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.9395 - Prohibited acts of employers.

1. An employer shall not allow, require, permit or authorize a person to operate a commercial motor vehicle if the employer knows or should reasonably know that the operation of the motor vehicle is: (a) During a period in which the person does not have a current commercial driver's license or commercial learner's permit or does not have a commercial driver's license or commercial learner's permit with the proper class or endorsements; (b) In violation of any restriction on the commercial driver's license or commercial learner's permit of the person; (c) During a period in which the person has a commercial driver's license or commercial learner's permit disqualified by a state, has lost the right to operate a commercial motor vehicle in a state or has been disqualified from operating a commercial motor vehicle; (d) During a period in which the person has more than one commercial driver's license or commercial learner's permit; (e) During a period in which the person, the motor vehicle he or she is operating or the motor carrier operation is subject to an out-of-service order, as defined by 49 C.F.R. § 383.5; or (f) In violation of a federal, state or local law or regulation pertaining to railroad-highway grade crossings. 2. As used in this section, "employer" means any person who owns or leases a commercial motor vehicle or assigns an employee to operate a commercial motor vehicle. (Added to NRS by 2023, 205)

2024 Nevada Revised Statutes Chapter 483 - Drivers' Licenses; Driving Schools and Driving Instructors NRS 483.940 - Falsification of information or certification on application: Criminal and administrative penalties.

Any person who knowingly falsifies any information or certification on an application filed with the Department for a commercial driver's license or learner's permit is guilty of a misdemeanor and, in addition to any criminal penalty which may be imposed on the person, shall be punished as provided in regulations adopted by the Department pursuant to NRS 483.908. (Added to NRS by 1989, 1119)

Title: chapter-484a

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.005 - Purposes of chapters 484A to 484E, inclusive, of NRS.

The purposes of chapters 484A to 484E, inclusive, of NRS are to: 1. Establish traffic laws which are uniform throughout the State of Nevada, whether or not incorporated into local ordinances. 2. Minimize the differences between the traffic laws of the State of Nevada and those of other states. (Added to NRS by 1969, 1482)—(Substituted in revision for NRS 484.011)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.010 - Definitions.

As used in chapters 484A to 484E, inclusive, of NRS, unless the context otherwise requires, the words and terms defined in NRS 484A.015 to 484A.320, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1969, 1202, 1476; A 1973, 448; 1975, 1076; 1981, 621; 1987, 1073; 1989, 291, 798; 1993, 1392, 1414, 2586; 1995, 568; 1999, 3415; 2003, 380; 2005, 21, 72; 2009, 397; 2011, 2876; 2019, 1883; 2021, 1743)—(Substituted in revision for part of NRS 484.013)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.015 - "Alley" defined.

"Alley" means a highway: 1. Within a city block set apart for public use, vehicular traffic and local convenience. 2. Which primarily services access to the rear entrance of abutting property. 3. Designed for the special accommodation of abutting property, but not a cul-de-sac. (Added to NRS by 1969, 1476)—(Substituted in revision for NRS 484.015)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.020 - "Authorized emergency vehicle" defined.

"Authorized emergency vehicle" means a vehicle permitted to depart from certain traffic laws when equipped and operated in the manner provided by law. (Added to NRS by 1969, 1476)—(Substituted in revision for NRS 484.017)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.025 - "Bicycle" defined.

"Bicycle" means a device propelled by human power upon which a person may ride, having two tandem wheels either of which is over 14 inches in diameter, or every such device generally recognized as a bicycle though equipped with two front or two rear wheels except a moped. (Added to NRS by 1969, 1476; A 1975, 1077)—(Substituted in revision for NRS 484.019)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.030 - "Bus" defined.

"Bus" means a vehicle owned by the State, a political subdivision or a private school or nursery, designed for carrying more than 10 passengers and used for the transportation of persons, or a vehicle, other than a taxicab, designed and used for the transportation of persons for compensation. (Added to NRS by 1969, 1476)—(Substituted in revision for NRS 484.021)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.035 - "Bus stand" defined.

"Bus stand" means a fixed area in or adjacent to the highway to be occupied exclusively by buses for layover and operating schedules or in receiving or discharging passengers. (Added to NRS by 1969, 1476)—(Substituted in revision for NRS 484.023)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.040 - "Center" and "centerline" defined.

"Center" or "centerline" means a continuous or broken line marked upon the surface of a highway by paint or otherwise to indicate each portion of a highway allocated to traffic proceeding in the two opposite directions, and, if a line is not marked, it is an imaginary line in the highway equally distant from the edges or curbs of the highway. (Added to NRS by 1969, 1477)—(Substituted in revision for NRS 484.029)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.045 - "City" defined.

"City" means any incorporated city, whether incorporated under general or special law. (Added to NRS by 1969, 1477; A 1987, 1725)—(Substituted in revision for NRS 484.033)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.050 - "Combination of vehicles" defined.

"Combination of vehicles" means two or more vehicles coupled together. (Added to NRS by 1969, 1477)—(Substituted in revision for NRS 484.035)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.055 - "Commercial vehicle" defined.

"Commercial vehicle" means every vehicle designed, maintained or used primarily for the transportation of property in furtherance of commercial enterprise. (Added to NRS by 1969, 1477; A 1973, 448)—(Substituted in revision for NRS 484.037)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.060 - "Controlled-access highway" defined.

"Controlled-access highway" means every highway to or from which owners or occupants of abutting lands and other persons have no legal right of access except at such points only and in such manner as may be determined by a public authority. (Added to NRS by 1969, 1477)—(Substituted in revision for NRS 484.041)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.065 - "Crosswalk" defined.

"Crosswalk" means: 1. That part of a highway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traveled portions of highways; or 2. Any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface. (Added to NRS by 1969, 1477)—(Substituted in revision for NRS 484.043)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.070 - "Divided highway" defined.

"Divided highway" means a highway divided into two or more roadways by means of a physical barrier or dividing section, constructed so as to impede the conflict of vehicular traffic traveling in opposite directions. (Added to NRS by 1973, 447)—(Substituted in revision for NRS 484.048)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.075 - "Driveaway-towaway operation" defined.

"Driveaway-towaway operation" means any operation in which any motor vehicle, trailer or semitrailer, singly or in combination, new or used, constitutes the commodity being transported, when one set or more of wheels of any such vehicle are on the highway during the course of transportation, whether or not any such vehicle furnishes the motive power. (Added to NRS by 1969, 1203)—(Substituted in revision for NRS 484.051)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.080 - "Driver" defined.

1. Except as otherwise provided in subsection 2, "driver" means every person who drives or is in actual physical control of a vehicle. 2. If a vehicle is an autonomous vehicle, as defined in NRS 482A.030, and the automated driving system, as defined in NRS 482A.025, of the autonomous vehicle is engaged, "driver" means a person who causes the automated driving system of the autonomous vehicle to engage. 3. If a vehicle is a fully autonomous vehicle, as defined in NRS 482A.036, and the automated driving system, as defined in NRS 482A.025, of the fully autonomous vehicle is engaged, "driver" does not include a natural person who causes the automated driving system of the fully autonomous vehicle to engage unless the natural person is the owner of the fully autonomous vehicle. (Added to NRS by 1969, 1477; A 2017, 4469)—(Substituted in revision for NRS 484.053)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.081 - "Electric bicycle" defined.

"Electric bicycle" has the meaning ascribed to it in NRS 484B.017. (Added to NRS by 2021, 1742)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.082 - "Electric scooter" defined.

"Electric scooter" means a vehicle with handlebars and an electric motor that is designed to be ridden on in an upright or seated position and propelled by its electric motor or by propulsion provided by the rider. Such a vehicle: 1. Must not weigh more than 100 pounds without a rider; and 2. Must have a maximum speed of not more than 20 miles per hour when powered solely by its electric motor. (Added to NRS by 2019, 1881)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.085 - "Explosives" defined.

"Explosives" means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb. (Added to NRS by 1969, 1477)—(Substituted in revision for NRS 484.057)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.090 - "Funeral procession" defined.

"Funeral procession" means a procession of two or more vehicles accompanying a vehicle containing the body of a deceased person. (Added to NRS by 1985, 944)—(Substituted in revision for NRS 484.064)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.095 - "Highway" defined.

"Highway" means the entire width between the boundary lines of every way dedicated to a public authority when any part of the

way is open to the use of the public for purposes of vehicular traffic, whether or not the public authority is maintaining the way. (Added to NRS by 1969, 1478; A 1981, 1690)—(Substituted in revision for NRS 484.065)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.100 - "House trailer" defined.

"House trailer" means: 1. A trailer or a semitrailer which is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, and is equipped for use as a conveyance on a highway; or 2. A trailer or semitrailer whose chassis and exterior shell is designed and constructed for use as a house trailer, as defined in subsection 1, but which is used instead permanently or temporarily for the advertising, sales, display or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier. (Added to NRS by 1969, 1478)—(Substituted in revision for NRS 484.069)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.105 - "Intersection" defined.

"Intersection" means: 1. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. 2. Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection. 3. The junction of an alley with a street, road or highway shall not constitute an intersection. (Added to NRS by 1969, 1478)—(Substituted in revision for NRS 484.073)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.110 - "Laned highway" defined.

"Laned highway" means a highway which is divided into two or more clearly marked lanes for vehicular traffic. (Added to NRS by 1969, 1478)—(Substituted in revision for NRS 484.075)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.115 - "Local authority" defined.

"Local authority" means the governing board of a county, city or other political subdivision having authority to enact laws or ordinances or promulgate regulations relating to traffic over a highway. (Added to NRS by 1969, 1478)—(Substituted in revision for NRS 484.079)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.120 - "Manufactured home" defined.

"Manufactured home" has the meaning ascribed to it in NRS 489.113. (Added to NRS by 1989, 798)—(Substituted in revision for NRS 484.0792)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.125 - "Moped" defined.

"Moped" means a motor-driven scooter, motor-driven cycle or similar vehicle that is propelled by a small engine which produces not more than 2 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 1500 watts final output, and: 1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and 2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged. The term does not include an electric bicycle or an electric scooter. (Added to NRS by 1975, 1076; A 1983, 895; 2009, 397; 2019, 1883)—(Substituted in revision for NRS 484.0798)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.130 - "Motor vehicle" defined.

"Motor vehicle" means every vehicle which is self-propelled but not operated upon rails. The term does not include an electric bicycle or an electric scooter. (Added to NRS by 1969, 1479; A 2019, 1884)—(Substituted in revision for NRS 484.081)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.135 - "Motorcycle" defined.

"Motorcycle" means every motor vehicle equipped with a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, excluding an electric bicycle, a tractor or a moped. (Added to NRS by 1969, 1479; A 1971, 1472; 1975, 1077; 2009, 398)—(Substituted in revision for NRS 484.083)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.140 - "Nonresident" defined.

"Nonresident" means every person who is not a resident of this State. (Added to NRS by 1969, 1479)—(Substituted in revision for NRS 484.085)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.145 - "Official traffic-control device" defined.

"Official traffic-control device" means every sign, signal, marking and device not inconsistent with chapters 484A to 484E,

inclusive, of NRS or prohibited by law, placed or erected by a public authority or railroad for the purpose of regulating, warning or guiding traffic. (Added to NRS by 1969, 1479; A 1973, 448)—(Substituted in revision for NRS 484.089)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.150 - "Owner" defined.

"Owner" means a person who holds the legal title to a vehicle. The term includes a conditional vendee or lessee, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof, with or without the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee. The term also includes a mortgagor, in the event of a mortgage of the vehicle, when the mortgagor of a vehicle is entitled to possession. (Added to NRS by 1969, 1479; A 1973, 448)—(Substituted in revision for NRS 484.091)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.155 - "Park" and "parking" defined.

"Park" or "parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of merchandise or passengers. (Added to NRS by 1969, 1479)—(Substituted in revision for NRS 484.097)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.160 - "Passenger car" defined.

"Passenger car" means every motor vehicle, except motorcycles and motor-driven cycles, designed for carrying 10 passengers or less and used for the transportation of persons. (Added to NRS by 1969, 1203; A 2009, 398)—(Substituted in revision for NRS 484.101)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.165 - "Pedestrian" defined.

"Pedestrian" means a person afoot, a person in a manual or motorized wheelchair, or a person on an electric personal assistive mobility device as defined in NRS 482.029. (Added to NRS by 1969, 1479; A 2003, 1206)—(Substituted in revision for NRS 484.111)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.170 - "Person with a disability which limits or impairs the ability to walk" defined.

"Person with a disability which limits or impairs the ability to walk" has the meaning ascribed to it in NRS 482.3835. (Added to NRS by 1993, 1392)—(Substituted in revision for NRS 484.112)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.175 - "Pole trailer" defined.

"Pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes or structural members capable, generally, of sustaining themselves as beams between the supporting connections. (Added to NRS by 1969, 1203)—(Substituted in revision for NRS 484.116)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.180 - "Police officer" defined.

"Police officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic laws, ordinances or regulations. (Added to NRS by 1969, 1479)—(Substituted in revision for NRS 484.118)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.185 - "Premises to which the public has access" defined.

1. "Premises to which the public has access" means property in private or public ownership onto which members of the public regularly enter, are reasonably likely to enter, or are invited or permitted to enter as invitees or licensees, whether or not access to the property by some members of the public is restricted or controlled by a person or a device. 2. The term includes, but is not limited to: (a) A parking deck, parking garage or other parking structure. (b) A paved or unpaved parking lot or other paved or unpaved area where vehicles are parked or are reasonably likely to be parked. (c) A way that provides access to or is appurtenant to: (1) A place of business; (2) A governmental building; (3) An apartment building; (4) A mobile home park; (5) A residential area or residential community which is gated or enclosed or the access to which is restricted or controlled by a person or a device; or (6) Any other similar area, community, building or structure. 3. The term does not include: (a) A private way on a farm. (b) The driveway of an individual dwelling. (Added to NRS by 1983, 1065; A 1997, 325)—(Substituted in revision for NRS 484.122)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.190 - "Private way" and "driveway" defined.

"Private way" or "driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons. (Added to NRS by 1969, 1479)—(Substituted in revision for NRS 484.124)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.195 - "Public authority" defined.

"Public authority" means the Department of Transportation or the local authority having jurisdiction to enact laws or ordinances or adopt regulations relating to traffic over a highway. (Added to NRS by 1969, 1479; A 1979, 1801)—(Substituted in revision for NRS 484.126)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.200 - "Railroad" defined.

"Railroad" means a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails. (Added to NRS by 1969, 1480)—(Substituted in revision for NRS 484.128)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.205 - "Regulatory agency" defined.

"Regulatory agency" means any of the agencies granted police or enforcement powers under the provisions of subsection 1 of NRS 289.250, NRS 289.260, subsection 2 of NRS 289.270, NRS 289.280, 289.290, 289.320, 289.340, 407.065, 472.040, 481.048, 501.349, 565.155 or 706.8821. (Added to NRS by 1985, 25; A 1985, 2002; 1993, 2540; 2003, 2166; 2005, 677; 2011, 727; 2021, 1909)—(Substituted in revision for NRS 484.1345)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.210 - "Right-of-way" defined.

"Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to the danger of a crash unless one grants precedence to the other. (Added to NRS by 1969, 1480; A 2015, 1634)—(Substituted in revision for NRS 484.141)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.215 - "Road" defined.

"Road" means the entire width between the boundary lines of every highway outside the territorial limits of a city and open to the use of the public for purposes of vehicular traffic. (Added to NRS by 1969, 1480)—(Substituted in revision for NRS 484.144)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.220 - "Roadway" defined.

"Roadway" means that portion of a highway which is improved and ordinarily used for vehicular traffic, exclusive of the shoulder. (Added to NRS by 1973, 448)—(Substituted in revision for NRS 484.145)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.225 - "Rural area" defined.

"Rural area" means the area of the State which is not included within an urban area. (Added to NRS by 1973, 448)—(Substituted in revision for NRS 484.1455)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.230 - "School bus" defined.

1. "School bus" means every motor vehicle which is designed or used to carry more than 10 passengers in addition to the driver and which is: (a) Owned by or under the control of a public or governmental agency or a private school and regularly operated for the transportation of children to or from school or a school activity; or (b) Privately owned and regularly operated for compensation for the transportation of children to or from school or a school activity. 2. "School bus" does not include: (a) A passenger car operated under a contract to transport children to and from school; (b) A common carrier or commercial vehicle under the jurisdiction of the Surface Transportation Board or the Nevada Transportation Authority when such vehicle is operated in the regular conduct of its business in interstate or intrastate commerce within the State of Nevada; or (c) A multifunction school activity bus whose purposes do not include transporting students to and from home or school bus stops. (Added to NRS by 1969, 1480; A 1997, 1619, 2007; 2017, 2177)—(Substituted in revision for NRS 484.148)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.235 - "Semitrailer" defined.

"Semitrailer" means every vehicle so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle, except a pole trailer. (Added to NRS by 1969, 1480)—(Substituted in revision for NRS 484.168)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.240 - "Sidewalk" defined.

"Sidewalk" means that portion of a highway between the curb lines or the lateral lines of a highway and the adjacent property lines intended for the use of pedestrians. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.171)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.245 - "Special mobile equipment" defined.

1. "Special mobile equipment" means every motor vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved upon a highway, including, but not limited to, scoomobiles, forklifts, ditch-digging apparatus, well-boring apparatus and road construction and maintenance machinery such as asphalt graders, bituminous mixers, bucket loaders, tractors other than truck-tractors, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and earth-moving equipment. 2. "Special

mobile equipment" does not include house trailers, dump trucks, truck-mounted transit mixers, concrete pumpers, cranes or drill rigs with highway-rated tires or other vehicles designed for the transportation of persons or property to which machinery has been attached. 3. The Director may make the final determination as to whether a vehicle not specifically enumerated in subsection 1 or 2 falls within this definition. 4. The Department shall, by regulation, define "incidentally operated or moved upon a highway" for purposes of this section. (Added to NRS by 1969, 1203; A 1973, 448; 2007, 230)—(Substituted in revision for NRS 484.173)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.250 - "Stand" and "standing" defined.

"Stand" or "standing" means the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.183)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.255 - "Stop" defined.

"Stop," when required, means complete cessation from movement. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.185)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.260 - "Stop" and "stopping" defined.

"Stop" or "stopping" means, when prohibited, any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.187)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.265 - "Street" defined.

"Street" means the entire width between the boundary lines of every highway inside the territorial limits of a city when any part of such highway is open to the use of the public for purposes of vehicular traffic. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.189)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.270 - "Taxicab" defined.

"Taxicab" means a motor vehicle designed or constructed to accommodate and transport not more than six passengers, including the driver, and used to transport passengers for a charge or fee. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.191)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.275 - "Through highway" defined.

"Through highway" means every highway or portion thereof on which vehicular traffic is given the right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on such through highway in obedience to either an authorized stop sign or a yield sign, or other official traffic-control device. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.199)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.280 - "Tow car" defined.

"Tow car" means a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, hoist, tow bar, towline or dolly, or is otherwise exclusively used to render assistance to other vehicles. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.201)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.285 - "Traffic" defined.

"Traffic" means pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together using any highway for purposes of travel. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.203)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.290 - "Traffic-control signal" defined.

"Traffic-control signal" means any official traffic-control device, whether manually, electrically or mechanically operated, placed or erected by a public authority or railroad, by which traffic is alternately directed to stop or proceed. (Added to NRS by 1969, 1481; A 1973, 449)—(Substituted in revision for NRS 484.205)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.295 - "Trailer" defined.

"Trailer" means every vehicle designed to be drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle, except a pole trailer. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.207)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.300 - "Traveled portion of highway" defined.

"Traveled portion of highway" means that portion of a highway improved, designed or ordinarily used for vehicular traffic, exclusive of the berm or shoulder. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.209)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.305 - "Truck" defined.

"Truck" means every motor vehicle which is used for the transportation or delivery of goods with a body built and designed for that purpose. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.211)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.310 - "Truck-tractor" defined.

"Truck-tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than the part of the weight of the vehicle and load so drawn. (Added to NRS by 1969, 1203)—(Substituted in revision for NRS 484.213)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.315 - "Urban area" defined.

"Urban area" means the area encompassed within the city limits of a city whose population is 15,000 or more. (Added to NRS by 1973, 448; A 1979, 555; 1989, 1931; 2011, 1289)—(Substituted in revision for NRS 484.2155)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.320 - "Vehicle" defined.

"Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except: 1. Devices moved by human power or used exclusively upon stationary rails; 2. Electric bicycles; 3. Electric personal assistive mobility devices as defined in NRS 482.029; and 4. An electric scooter. (Added to NRS by 1969, 1482; A 2003, 1206; 2019, 1884)—(Substituted in revision for NRS 484.217)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.400 - Provisions uniform throughout State; local authority prohibited from enacting certain ordinances; trial for same offense for violation of traffic ordinance prohibited.

1. The provisions of chapters 484A to 484E, inclusive, of NRS are applicable and uniform throughout this State on all highways to which the public has a right of access, to which persons have access as invitees or licensees or such other premises as provided by statute. 2. Except as otherwise provided in subsection 3 and unless otherwise provided by specific statute, any local authority may enact by ordinance traffic regulations which cover the same subject matter as the various sections of chapters 484A to 484E, inclusive, of NRS if the provisions of the ordinance are not in conflict with chapters 484A to 484E, inclusive, of NRS, or regulations adopted pursuant thereto. It may also enact by ordinance regulations requiring the registration and licensing of bicycles. 3. A local authority shall not enact an ordinance: (a) Governing the registration of vehicles and the licensing of drivers; (b) Governing the duties and obligations of persons involved in traffic crashes, other than the duties to stop, render aid and provide necessary information; (c) Providing a penalty for an offense for which the penalty prescribed by chapters 484A to 484E, inclusive, of NRS is greater than that imposed for a misdemeanor; (d) Providing a criminal penalty for a violation of chapters 484A to 484E, inclusive, of NRS for which the penalty prescribed by those chapters is a civil penalty; or (e) Requiring a permit for a vehicle, or to operate a vehicle, on a highway in this State. 4. No person convicted or adjudged guilty or guilty but mentally ill of, or found to have committed a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive, for, a violation of a traffic ordinance may be charged or tried in any other court in this State for the same offense. (Added to NRS by 1969, 1482; A 1971, 22; 1973, 406; 1983, 1079; 2007, 1458, 2735; 2015, 1634; 2019, 2653; 2021, 3321)—(Substituted in revision for NRS 484.777)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.410 - City or county may adopt penalties for certain violations of driving under influence of alcohol or prohibited substance; person convicted of violation of city or county ordinance subject to other provisions of law for such violation.

1. The governing body of each city or county may enact an ordinance adopting the penalties set forth for misdemeanors in NRS 484C.400 for similar offenses under city or county ordinance. 2. A person convicted of a violation of an ordinance enacted by the governing body of a city or county that prohibits the same or similar conduct as set forth in NRS 484C.110 or 484C.120 is subject to each provision of law that applies to a person convicted of a violation of NRS 484C.110 or 484C.120, including, without limitation, the revocation of the license, permit or privilege to drive of the person pursuant to NRS 483.460. (Added to NRS by 1981, 1928; A 1989, 598; 2013, 93)—(Substituted in revision for NRS 484.778)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.420 - Powers of local authority.

1. Except as otherwise provided in subsection 3, a local authority may adopt, by ordinance, regulations with respect to highways under its jurisdiction within the reasonable exercise of the police power: (a) Regulating or prohibiting processions or assemblages on the highways. (b) Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction. (c) Designating any highway as a through highway, requiring that all vehicles stop before entering or crossing the highway, or designating any intersection as a stop or a yield intersection and requiring all vehicles to stop or yield at one or more entrances to the intersection. (d) Designating truck, bicycle, electric bicycle and electric scooter routes. (e) Adopting such other traffic regulations related to specific highways as are expressly authorized by chapters 484A to 484E, inclusive, of NRS. 2. An ordinance relating to traffic control enacted under this section is not effective until official devices for traffic control giving notice of those local traffic regulations are posted upon or at the entrances to the highway or part thereof affected as is most appropriate. 3. An

ordinance enacted under this section is not effective with respect to: (a) Highways constructed and maintained by the Department of Transportation under the authority granted by chapter 408 of NRS; or (b) Alternative routes for the transport of radioactive, chemical or other hazardous materials which are governed by regulations of the United States Department of Transportation, until the ordinance has been approved by the Board of Directors of the Department of Transportation. 4. As used in this section, "hazardous material" has the meaning ascribed to it in NRS 459.7024. (Added to NRS by 1969, 1488; A 1979, 1813; 1981, 234; 1983, 1079; 1987, 1757; 1989, 1313; 1993, 850; 2009, 402; 2019, 1884)—(Substituted in revision for NRS 484.779)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.430 - Adoption of manual and specifications for devices for control of traffic by Department of Transportation.

1. The Department of Transportation shall adopt a manual and specifications for a uniform system of official traffic-control devices consistent with the provisions of chapters 484A to 484E, inclusive, of NRS for use upon highways within this State. The uniform system must correlate with and so far as possible conform to the system then current and approved by the American Association of State Highway Officials and the National Joint Committee on Uniform Traffic Control Devices. 2. All devices used by local authorities or the Department of Transportation must conform with the manual and specifications adopted by the Department. (Added to NRS by 1969, 1488; A 1979, 1814)—(Substituted in revision for NRS 484.781)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.440 - Local device for control of traffic.

1. Except as provided in subsection 2, local authorities shall place and maintain such official traffic-control devices upon highways under their jurisdiction as are determined necessary to indicate and to carry out the provisions of chapters 484A to 484E, inclusive, of NRS and to regulate, warn or guide traffic. 2. No traffic-control device may be placed by a local authority on a highway constructed and maintained by the Department of Transportation under the authority granted by chapter 408 of NRS without prior approval by the Department. (Added to NRS by 1969, 1488; A 1979, 1814)—(Substituted in revision for NRS 484.783)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.450 - Designation of through highways and intersections requiring stop or yield; vehicle entering intersection.

1. The Department of Transportation and local authorities, with reference to highways under their respective jurisdictions, may designate through highways and erect official traffic-control devices in the form of stop signs or yield signs at specified entrances thereto, or may designate any intersection as a stop intersection or as a yield intersection and erect stop signs or yield signs at one or more entrances to such an intersection. 2. Every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, shall stop at a clearly marked stop line, or if none, then at the point nearest the intersecting highway where the driver has a view of approaching traffic on the intersecting highway before entering the intersection. 3. The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the crosswalk on the nearest side of the intersection or, if there is no crosswalk, at a clearly marked stop line, or if none, then at the point nearest the intersecting highway where the driver has a view of approaching traffic on the intersecting highway. (Added to NRS by 1969, 1496; A 1979, 1814)—(Substituted in revision for NRS 484.785)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.460 - Authority of Department of Transportation to designate carpool lanes; duties of Department of Transportation; regulations.

1. The Department of Transportation, with respect to highways under its jurisdiction, may designate a lane on a highway for the preferential or exclusive use of high-occupancy vehicles. 2. The Department of Transportation shall, for each lane that it designates pursuant to this section for the use of high-occupancy vehicles: (a) Determine the conditions for use of the lane, including, without limitation: (1) The number of occupants required per vehicle; and (2) The hours of the day that the use of the lane is restricted. (b) Place and maintain signs and other official traffic-control devices that: (1) Identify the lane as designated for the use of high-occupancy vehicles; and (2) Advise operators of vehicles of the required conditions for the use of the lane. 3. The Department of Transportation may adopt regulations necessary to carry out the provisions of this section. 4. As used in this section, "high-occupancy vehicle" means: (a) A vehicle that is transporting more than one person; (b) A motorcycle, regardless of the number of passengers; (c) A bus, regardless of the number of passengers; and (d) Any other vehicle designated by regulation. (Added to NRS by 2005, 72)—(Substituted in revision for part of NRS 484.312)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.463 - Authority of Department of Transportation to adopt regulations to allow certain low emission and energy-efficient vehicles to be operated in lane designated for high-occupancy vehicles.

1. To the extent not inconsistent with federal law, the Department of Transportation may, in consultation with the Federal Highway Administration and the United States Environmental Protection Agency, adopt regulations establishing a program to allow a vehicle that is certified by the Administrator of the United States Environmental Protection Agency as a low emission and energy-efficient vehicle to be operated in a lane that is designated for the use of high-occupancy vehicles pursuant to NRS 484A.460. 2. As used in this section, "low emission and energy-efficient vehicle" has the meaning ascribed to it in 23 U.S.C. § 166(f)(3). (Added to NRS by 2009, 84; A 2011, 2876, 2877)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.467 - County or city authorized to adopt ordinance to allow low emission and energy-efficient vehicles to travel in designated lane in planned community.

1. A county or city may adopt an ordinance to allow low emission and energy-efficient vehicles to travel in a designated lane on streets within a planned community. 2. As used in this section: (a) "Low emission and energy-efficient vehicle" has the meaning ascribed to it in 23 U.S.C. § 166(f)(3) except that the term includes golf carts. (b) "Planned community" has the meaning ascribed to it in NRS 116.075. (Added to NRS by 2009, 85)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.469 - Local authority may regulate operation of electric scooters and scooter-share program; requirements for and limitations on scooter-share program.

1. A local authority may adopt, to protect the health and safety of the public, an ordinance which regulates the time, place and manner of operation of electric scooters in the jurisdiction of the local authority in a manner that is generally consistent with such regulation of bicycles and electric bicycles and which may, without limitation: (a) Prohibit the use of an electric scooter in a specified area or areas of the jurisdiction; or (b) Establish a speed limit for electric scooters operating on sidewalks in the jurisdiction. 2. A local authority may by ordinance regulate the operation of a scooter-share program in the jurisdiction of the local authority as provided in this section. 3. An ordinance enacted pursuant to subsection 2 may: (a) Require a scooter-share operator to pay a reasonable fee for the privilege of operating a scooter-share program, provided that such fee does not exceed the cost to the local authority for regulating the scooter-share program. (b) Require a scooter-share operator to indemnify the local authority against claims, losses, liabilities, damages, costs and attorney's fees arising out of any negligent act, error, omission or willful misconduct by a scooter-share operator or its officers or employees, except for those claims, losses, liabilities, damages, costs and attorney's fees which arise out of the negligence or willful misconduct of the local authority. (c) Except as otherwise provided in subsection 1, designate locations where a scooter-share operator may not stage shared scooters, provided that at least one such staging location must be allowed on each side of each city block in any commercial zone or business district in the jurisdiction of the local authority where use of electric scooters is allowed, provided that such a staging location does not impede the normal and reasonable movement of pedestrians at the location. (d) Except as otherwise provided in subsection 5, enact or identify moving or parking violations specific to shared scooters and assessing penalties for such violations, provided that such penalties do not exceed those imposed, if any, for similar violations by the rider of a bicycle. (e) Require a scooter-share operator to provide to the local authority trip data for all trips starting or ending in the jurisdiction of the local authority on each shared scooter of the scooter-share operator or any person or company controlled by, controlling or under common control with the scooter-share operator. To ensure privacy, such trip data must be: (1) Provided via an application programming interface, subject to the scooter-share operator's license agreement for the interface; (2) Subject to a publicly available privacy policy of the local authority or a designee of the local authority, disclosing what data is collected and how the data is used or shared with third parties; (3) Safely and securely stored by the local authority, which must implement reasonable administrative, physical and technical safeguards to protect, secure and, if applicable, encrypt or otherwise limit access to the data; (4) Except as otherwise provided in subparagraphs (5) and (6), treated by the local authority as personal, proprietary business information and trade secret of the scooter-share operator, exempt from public disclosure pursuant to any public records request, deemed confidential and not a public record for the purposes of chapter 239 of NRS and not considered property of the local authority; (5) Shared with law enforcement agencies only pursuant to valid legal process; and (6) Shared with third parties only with the consent of the scooter-share operator, except that, for the purposes of subparagraph (1), the local authority may, upon a showing of legitimate necessity, designate a third party to receive trip data from the scooter-share operator if the third party is in privity with the local authority and agrees to the requirements of this section. 4. An ordinance enacted pursuant to subsection 2 may not, except as required to protect the health and safety of the public as provided in subsection 1, subject customers of a scooter-share program to requirements more restrictive than those applicable to riders of bicycles or electric bicycles, except those requirements which by their nature only apply to electric scooters. 5. An ordinance enacted pursuant to subsection 2 must: (a) Prohibit a scooter-share operator from knowingly allowing a person who is under 16 years of age to operate a shared scooter. (b) Prohibit a person from knowingly allowing a person who is under the age of 16 to operate a shared scooter. (c) Provide that a violation of paragraph (a) or (b) is: (1) Not a misdemeanor; and (2) Punishable by the imposition of a civil penalty of \$250. (d) Require a scooter-share operator to maintain insurance coverage that must include, without limitation: (1) Commercial general liability insurance in an amount of not less than \$1,000,000 for each occurrence and \$5,000,000 in the aggregate; (2) Motor vehicle insurance with a combined single limit of not less than \$1,000,000; (3) Umbrella or excess liability coverage with a limit of not less than \$5,000,000 for each occurrence and \$5,000,000 in the aggregate; and (4) If the scooter-share operator has employees, industrial insurance as required pursuant to chapters 616A to 617, inclusive, of NRS. 6. As used in this section: (a) "Scooter-share operator" means a person offering shared scooters for hire through a scooter-share program. (b) "Scooter-share program" means the offering of shared scooters for hire. (c) "Shared scooter" means an electric scooter offered for hire as part of a scooter-share program. (d) "Trip data" means any data elements related to the use of a shared scooter by a customer of a scooter-share program, including, without limitation, route data, GPS information and timestamps. (Added to NRS by 2019, 1882)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.4695 - Electric bicycles may be ridden where bicycles are allowed; local authority or state agency may regulate operation of electric bicycle on certain paths and trails.

1. Except as otherwise provided in this section or by federal law, an electric bicycle may be ridden in places where bicycles are allowed, including, without limitation, streets, highways, roads, roadways, bicycle lanes, bicycle paths and shared-use paths. 2. A local authority, by ordinance, or a state agency, after notice and a hearing, may prohibit the operation of an electric bicycle or a class of electric bicycles on a bicycle path or shared-use path over which it has jurisdiction if the local authority or state agency finds that such a prohibition is necessary to protect the health and safety of the public or comply with other laws or legal obligations. 3. The provisions of this section do not apply to a trail that is specifically designated as nonmotorized and that has a natural surface tread that is made by clearing and grading the native soil with no added surfacing materials, except for occasional hydrological controls, including, without limitation, bridges and pervious patching materials. A local authority or state agency having jurisdiction over such a trail may regulate the use of an electric bicycle on that trail. 4. As used in this section, "shared-use path" means a transportation circulation system that is physically separated from motor vehicle traffic, may be paved or unpaved and supports multiple recreational opportunities, such as walking, bicycling and inline skating. (Added to NRS by 2021, 1742)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.470 - Authority of Department to adopt regulations concerning special mobile equipment.

The Department may adopt regulations relating to the administration and enforcement of provisions in chapters 484A to 484E, inclusive, of NRS pertaining to special mobile equipment as defined in NRS 484A.245. (Added to NRS by 2007, 230)—(Substituted in revision for NRS 484.7777)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.480 - Designation of authorized emergency vehicles; equipment; limitations on use of warning devices.

1. Except as otherwise provided in NRS 484A.490, authorized emergency vehicles are vehicles publicly owned and operated in the performance of the duty of: (a) A police or fire department. (b) A sheriff's office. (c) The Department of Public Safety, for vehicles that are: (1) Operated in the performance of the duty of the Capitol Police Division, the Investigation Division, the Nevada Highway Patrol Division, the State Fire Marshal Division, the Training Division and the Office of the Director of the Department of Public Safety; or (2) Designated an authorized emergency vehicle by the Director of the Department of Public Safety. (d) The Office of the Attorney General. (e) The Division of Forestry of the State Department of Conservation and Natural Resources in responding to a fire. (f) The Section for the Control of Emissions From Vehicles and the Enforcement of Matters Related to the Use of Special Fuel in the Department of Motor Vehicles. (g) A public ambulance agency. (h) A public lifeguard or lifesaving agency. (i) The office of a coroner or medical examiner. 2. A vehicle publicly maintained in whole or in part by the State, or by a city or county, and privately owned and operated by a regularly salaried member of a police department, sheriff's office or traffic law enforcement department, is an authorized emergency vehicle if: (a) The vehicle has a permit, pursuant to NRS 484A.490, from the Department of Public Safety; (b) The person operates the vehicle in responding to emergency calls or fire alarms, or at the request of the Nevada Highway Patrol or in the pursuit of actual or suspected violators of the law; and (c) The State, county or city does not furnish a publicly owned vehicle for the purposes stated in paragraph (b). 3. Every authorized emergency vehicle must be equipped with at least one flashing red warning lamp visible from the front and a siren for use as provided in chapters 484A to 484E, inclusive, of NRS, which lamp and siren must be in compliance with standards approved by the Department of Public Safety. In addition, an authorized emergency vehicle may display revolving, flashing or steady red or blue warning lights to the front, sides or rear of the vehicle. 4. An authorized emergency vehicle may be equipped with a system or device that causes the upper-beam headlamps of the vehicle to continue to flash alternately while the system or device is activated. The driver of a vehicle that is so equipped may use the system or device when responding to an emergency call or fire alarm, while escorting a funeral procession, or when in pursuit of an actual or suspected violator of the law. As used in this subsection, "upper-beam headlamp" means a headlamp or that part of a headlamp which projects a distribution of light or composite beam meeting the requirements of subsection 1 of NRS 484D.210. 5. Except as otherwise provided in subsection 4, a person shall not operate a motor vehicle with any system or device that causes the headlamps of the vehicle to continue to flash alternately or simultaneously while the system or device is activated. This subsection does not prohibit the operation of a motorcycle equipped with any system or device that modulates the intensity of light produced by the headlamp of the motorcycle, if the system or device is used only during daylight hours and conforms to the requirements of 49 C.F.R. § 571.108. 6. A person shall not operate a vehicle with any lamp or device displaying a red light visible from directly in front of the center of the vehicle except an authorized emergency vehicle, a school bus, an official vehicle of a regulatory agency or a vehicle operated pursuant to NRS 408.437. 7. A person shall not operate a vehicle with any lamp or device displaying a blue light, except a motorcycle pursuant to NRS 486.261, an authorized emergency vehicle or a vehicle operated pursuant to NRS 408.437. (Added to NRS by 1969, 1505; A 1975, 320; 1979, 1814; 1985, 26, 341, 1956; 1989, 1132; 2003, 402; 2011, 343; 2019, 1228; 2021, 669; 2023, 1810)—(Substituted in revision for NRS 484.787)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.490 - Permit for authorized emergency vehicle issued to other vehicles; certain vehicles not considered emergency vehicles.

1. The Department of Public Safety may issue permits for authorized emergency vehicles to vehicles required to be operated primarily for the immediate preservation of life or property or for the apprehension of violators of the law. The permits must not be issued to vehicles when there are available comparable services provided by agencies referred to in NRS 484A.480. 2. The issuance of the permits to vehicles under this section must be limited to: (a) Agencies designated in NRS 484A.480; (b) Vehicles owned or

operated by an agency of the United States engaged primarily in law enforcement work; (c) Ambulances designed and operated exclusively as such; and (d) Supervisory vehicles which are: (1) Marked and used to coordinate and direct the response of ambulances to emergencies; (2) Privately owned by a person licensed to operate an ambulance; and (3) Operated under contract with a local governmental agency and at the request of its law enforcement agency or fire department. 3. The following are not emergency vehicles and must not be permitted to operate as such: (a) Tow cars; (b) Vehicles used by public utilities; (c) Vehicles used in merchant patrols; (d) Vehicles used in private escort service; (e) Privately owned vehicles of volunteer firefighters; (f) Privately owned vehicles of reserve members of a police department or a sheriff's office; and (g) Vehicles of private detectives. (Added to NRS by 1969, 1505; A 1985, 1957; 1987, 912; 2005, 316; 2011, 344)—(Substituted in revision for NRS 484.789)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.600 - Use by governmental entity or agent of photographic, video or digital equipment to gather evidence for issuance of traffic citation or civil infraction citation.

A governmental entity and any agent thereof shall not use photographic, video or digital equipment for gathering evidence to be used for the issuance of a traffic citation or civil infraction citation pursuant to NRS 484A.7035 for a violation of chapters 484A to 484E, inclusive, of NRS unless the equipment is a portable camera or event recording device worn or held by a peace officer, the equipment is otherwise installed temporarily or permanently within a vehicle or facility of a law enforcement agency or the equipment is privately owned by a nongovernmental entity. (Added to NRS by 1999, 3278; A 2021, 3321)—(Substituted in revision for NRS 484.910)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.610 - Issuance of forms for traffic citations; maintenance of records of books, electronic devices and citations.

1. Every traffic enforcement agency in this State shall provide in appropriate form traffic citations containing notices to appear which must meet the requirements of chapters 484A to 484E, inclusive, of NRS and be: (a) Issued in books; or (b) Available through an electronic device used to prepare citations. 2. The chief administrative officer of each traffic enforcement agency is responsible for the issuance of such books and electronic devices and shall maintain a record of each book, each electronic device and each citation contained therein issued to individual members of the traffic enforcement agency and volunteers of the traffic enforcement agency appointed pursuant to NRS 484B.470. The chief administrative officer shall require and retain a receipt for every book and electronic device that is issued. 3. Any traffic citation provided by a traffic enforcement agency pursuant to this section may be designed such that the traffic citation: (a) Clearly states at the top of the citation the purpose of the citation and the actions that must be taken by the person to whom the citation is issued; (b) Provides in a conspicuous location near the top of the citation fields for the date and time when and the location where the person to whom the citation is issued is required to appear in court; and (c) Clearly states, in bold type, the consequences of failing to appear in court. (Added to NRS by 1967, 1213; A 1991, 15; 1999, 1148; 2019, 382)—(Substituted in revision for NRS 484.811)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.615 - Court or traffic violations bureau authorized to establish system to allow person to respond to traffic citation or civil infraction citation by mail or electronic means; requirements of system; exceptions; Nevada Supreme Court may adopt rules regarding system.

1. A court having jurisdiction over an offense for which a traffic citation must be issued pursuant to NRS 484A.630 or that is punishable as a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive, or its traffic violations bureau may establish a system by which, except as otherwise provided in subsection 6, the court or traffic violations bureau may allow: (a) A person who has been issued a traffic citation or a civil infraction citation that is filed with the court or traffic violations bureau to perform certain actions approved by the court or traffic violations bureau, including, without limitation, to make a plea and state his or her defense or, if authorized, any mitigating circumstances, by mail, by electronic mail, over the Internet or by other electronic means. (b) A peace officer who issued a civil infraction citation to a person or, if the provisions of NRS 484A.7049 apply, a peace officer who halted a person, to perform certain actions approved by the court or traffic violations bureau, including, without limitation, to submit a written statement under oath by mail, by electronic mail, over the Internet or by other electronic means in lieu of his or her personal appearance at the hearing held pursuant to NRS 484A.7041 to contest the determination that the person who has been issued the civil infraction citation committed a civil infraction. 2. Except as otherwise provided in subsection 6, if a court or traffic violations bureau has established a system pursuant to subsection 1, the court or traffic violations bureau may allow: (a) A person described in paragraph (a) of subsection 1 to use the system to perform certain actions approved by the court or traffic violations bureau, including, without limitation, to make a plea or state his or her defense or, if authorized, any mitigating circumstances in lieu of making a plea and statement of his or her defense or any mitigating circumstances in court. (b) A peace officer described in paragraph (b) of subsection 1 to use the system to perform certain actions approved by the court or traffic violations bureau, including, without limitation, to submit a written statement under oath in lieu of making a personal appearance in court. 3. Any plea or statement submitted through the system by a person or peace officer pursuant to subsection 2 must be received by the court before the date on which the person is required to appear in court pursuant to the traffic citation or civil infraction citation. 4. If a court or traffic violations bureau allows an eligible person to whom a traffic citation or civil infraction citation is issued to use a system established pursuant to subsection 1 to make a plea and state his or her defense or, if authorized, any mitigating circumstances and the person chooses to make a plea and state his or her defense or any mitigating circumstances by using such a system, the person waives any relevant constitutional right, including, without limitation, the right to a trial, the right to confront any witnesses and the

right to counsel, as applicable. 5. Any system established pursuant to subsection 1 must: (a) For the purpose of authenticating that the person making the plea and statement of his or her defense or any mitigating circumstances or performing any other approved action is the person to whom the traffic citation or civil infraction citation was issued, be capable of requiring the person to submit any of the following information, as applicable, at the discretion of the court or traffic violations bureau: (1) The traffic citation number or civil infraction citation number; (2) The name and address of the person; (3) The state registration number of the person's vehicle, if any; (4) The number of the driver's license of the person, if any; (5) The offense charged or the civil infraction for which the citation was issued; and (6) Any other information required by any rules adopted by the Nevada Supreme Court pursuant to subsection 7. (b) For the purposes of authenticating that the peace officer submitting the written statement or performing any other approved action is the peace officer who issued the civil infraction citation, be capable of requiring the peace officer to submit any of the following information at the discretion of the court or traffic violations bureau: (1) The civil infraction citation number; (2) The civil infraction for which the citation was issued; and (3) The first initial, last name and personnel number of the peace officer. (c) Provide notice to each person who uses the system to make a plea and statement of his or her defense or any mitigating circumstances that the person waives any relevant constitutional right, including, without limitation, the right to a trial, the right to confront any witnesses and the right to counsel, as applicable. (d) If a plea and statement of the defense or mitigating circumstances of a person or a written statement of a peace officer is submitted by electronic mail, over the Internet or by other electronic means: (1) Confirm receipt of: (I) The plea and statement to the person making the plea; and (II) The written statement to the peace officer; or (2) Make available to: (I) The person making the plea a copy of the plea and statement; and (II) The peace officer submitting the written statement a copy of the written statement. 6. A person who has been issued a traffic citation for any of the following offenses may not make a plea and state his or her defense or any mitigating circumstances by using a system established pursuant to subsection 1: (a) Aggressive driving in violation of NRS 484B.650; (b) Reckless driving in violation of NRS 484B.653; (c) Vehicular manslaughter in violation of NRS 484B.657; or (d) Driving, operating or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance in violation of NRS 484C.110 or 484C.120, as applicable. 7. The Nevada Supreme Court may adopt rules not inconsistent with the laws of this State to carry out the provisions of this section. (Added to NRS by 2019, 380; A 2021, 3321, 3466)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.620 - Citation filed with court deemed lawful complaint.

Regardless of whether a citation is prepared electronically or by other means, if the form of citation includes information whose truthfulness is attested as required for a complaint charging commission of the offense alleged in the citation to have been committed, then the citation when filed with a court of competent jurisdiction shall be deemed to be a lawful complaint for the purpose of prosecution pursuant to chapters 484A to 484E, inclusive, of NRS. (Added to NRS by 1967, 1213; A 1983, 446; 1999, 1149; 2019, 1442)—(Substituted in revision for NRS 484.817)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.630 - Citation: Contents; minimum 5-day notice to appear in court; written promise to appear; physical receipt deemed personal service of notice to appear.

1. Whenever a person is halted by a peace officer for any violation of chapters 484A to 484E, inclusive, of NRS and is not taken before a magistrate as required or permitted by NRS 484A.720 and 484A.730, the peace officer must prepare a traffic citation manually or electronically in the form of a complaint issuing in the name of "The State of Nevada," containing a notice to appear in court, the name and address of the person, the state registration number of the person's vehicle, if any, the number of the person's driver's license, if any, the offense charged, including a brief description of the offense and the NRS citation, the time and place when and where the person is required to appear in court, and such other pertinent information as may be necessary. The peace officer may also request, and the person may provide, the electronic mail address and mobile telephone number of the person for the purpose of enabling the court in which the person is required to appear to communicate with the person. If the peace officer requests such information, the peace officer shall expressly inform the person that providing such information is voluntary and, if the person provides such information, the person thereby gives his or her consent for the court to communicate with the person through such means. The peace officer shall sign the citation and deliver a copy of the citation to the person charged with the violation. If the citation is prepared electronically, the peace officer shall sign the copy of the citation that is delivered to the person charged with the violation. 2. The time specified in the notice to appear must be at least 5 days after the alleged violation. 3. The place specified in the notice to appear must be before a magistrate, as designated in NRS 484A.750. 4. The person charged with the violation may give his or her written promise to appear in court by signing or physically receiving at least one copy of the traffic citation prepared by the peace officer and thereupon the peace officer shall not take the person into physical custody for the violation. If the citation is prepared electronically, the peace officer shall indicate on the electronic record of the citation whether the person charged gave his or her written promise to appear. A copy of the citation that is signed by the person charged or the electronic record of the citation which indicates that the person charged gave his or her written promise to appear suffices as proof of service. 5. If the person charged with the violation refuses to sign a copy of the traffic citation but physically receives a copy of the citation delivered by the peace officer: (a) The receipt shall be deemed personal service of the notice to appear in court; (b) A copy of the citation signed by the peace officer suffices as proof of service; and (c) The peace officer shall not take the person into physical custody for the violation. (Added to NRS by 1967, 1211; A 1975, 142; 1991, 15; 1999, 1146; 2017, 1419; 2019, 382, 1442; 2021, 3467)—(Substituted in revision for NRS 484.799)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.640 - Matching of certain information before officer issues citation or makes arrest; when officer may arrest driver for prior offense.

1. Except for a citation issued pursuant to NRS 484A.700, whenever a police officer makes an arrest or issues a citation to a person for any violation of chapters 484A to 484E, inclusive, of NRS, the police officer shall record the name as given by that person, the number of the person's driver's license and a brief description of the person's physical appearance. This information must be maintained in a record for offenses kept at the traffic enforcement agency which employs that officer. 2. Whenever a police officer stops a driver of a motor vehicle for any violation of chapters 484A to 484E, inclusive, of NRS and requests information from a traffic enforcement agency concerning that person's record of prior offenses, the police officer shall compare not only the driver's name but also the number of his or her driver's license and physical description with any information obtained from the agency as a result of the request. If the information received from the agency indicates that the driver's name is on an outstanding warrant for a prior offense, the officer shall not arrest the driver for that prior offense unless the additional information used for comparison also connects the driver with that prior offense. (Added to NRS by 1985, 1160)—(Substituted in revision for NRS 484.800)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.650 - Peace officer to demand proof of insurance during traffic stop; citation for operation of vehicle without insurance or for failure to present proof of insurance; proof of insurance displayed on mobile electronic device.

1. Whenever the driver of a vehicle is stopped by a peace officer for violating a provision of chapters 484A to 484E, inclusive, of NRS, except for violating a provision of NRS 484B.440 to 484B.523, inclusive, the officer shall demand proof of the insurance required by NRS 485.185 or 490.0825 and issue a citation as provided in NRS 484A.630 if the officer has probable cause to believe that the driver of the vehicle is in violation of NRS 485.187 or subsection 5 of NRS 490.520. If the driver of the vehicle is not the owner, a citation must also be issued to the owner, and in such a case the driver: (a) May sign the citation on behalf of the owner; and (b) Shall notify the owner of the citation within 3 days after it is issued. The agency which employs the peace officer shall immediately forward a copy of the citation to the registered owner of the vehicle, by certified mail, at his or her address as it appears on the certificate of registration. 2. When the evidence of insurance provided by the driver of the vehicle upon the demand of the peace officer is in an electronic format displayed on a mobile electronic device, the peace officer may view only the evidence of insurance and shall not intentionally view any other content on the mobile electronic device. (Added to NRS by 1987, 1442; A 1993, 2482; 1995, 2733; 2013, 703; 2015, 798; 2021, 3323)—(Substituted in revision for NRS 484.792)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.660 - Issuance of citation at scene of crash.

When, based upon the personal investigation of a peace officer at the scene of a traffic crash, the peace officer has reasonable and probable grounds to believe that a person has committed any offense pursuant to the provisions of chapters 482 to 486, inclusive, or 706 of NRS in connection with the crash, the peace officer must determine whether to issue, as applicable: 1. A traffic citation in accordance with the standards provided in NRS 484A.730; or 2. A misdemeanor citation in accordance with the standards provided in NRS 171.1771. (Added to NRS by 1967, 1212; A 1987, 480; 1989, 1131; 1999, 1147; 2005, 153; 2015, 1635; 2021, 3468)—(Substituted in revision for NRS 484.801)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.670 - Effect of violation of written promise to appear or failure to comply with notice to appear; when appearance by counsel in lieu of personal appearance is authorized; exceptions.

1. Unless a person makes a plea by using a system established by a court or traffic violations bureau in accordance with NRS 484A.615, regardless of the disposition of the charge for which a traffic citation was originally issued, it is unlawful for a person to: (a) Violate a written promise to appear in court given to a peace officer upon the issuance of a traffic citation prepared by the peace officer; or (b) Fail to appear at the time and place set forth in a notice to appear in court that is contained in a traffic citation prepared by a peace officer. 2. Except as otherwise provided in this subsection, a person may comply with a written promise to appear in court or a notice to appear in court by an appearance by counsel. A person who has been convicted of two or more moving traffic violations in unrelated incidents within a 12-month period and is subsequently arrested or issued a citation within that 12-month period shall appear personally in court with or without counsel. 3. Except as otherwise provided in NRS 484A.780 and unless a person makes a plea by using a system established by a court or traffic violations bureau in accordance with NRS 484A.615, a warrant may issue upon a violation of a written promise to appear in court or a failure to appear at the time and place set forth in a notice to appear in court. (Added to NRS by 1967, 1212; A 1977, 1061; 1999, 1148; 2005, 54; 2007, 2730; 2017, 1420; 2019, 383, 2281)—(Substituted in revision for NRS 484.807)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.680 - Disposition and records of traffic citations.

1. Every peace officer upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this State or of any traffic ordinance of any city or town shall file manually or, if the provisions of subsection 2 are satisfied, file electronically the original or a copy of the traffic citation with a court having jurisdiction over the alleged offense or with its traffic violations bureau. 2. A copy of a traffic citation that is prepared electronically and issued to an alleged violator of any provision of the motor

vehicle laws of this State or of any traffic ordinance of any city or town may be filed electronically with a court having jurisdiction over the alleged offense or with its traffic violations bureau if the court or traffic violations bureau, respectively: (a) Authorizes such electronic filing; (b) Has the ability to receive and store the citation electronically; and (c) Has the ability to physically reproduce the citation upon request. 3. Upon the filing of the original or a copy of the traffic citation with a court having jurisdiction over the alleged offense or with its traffic violations bureau, the traffic citation may be disposed of only by trial in that court or other official action by a judge of that court, including payment of a fine to the traffic violations bureau by the person to whom the traffic citation has been issued by the peace officer. 4. It is unlawful and official misconduct for any peace officer or other officer or public employee to dispose of a traffic citation or copies of it or of the record of the issuance of a traffic citation in a manner other than as required in this section. 5. The chief administrative officer of every traffic enforcement agency shall require the return to him or her of a physical copy or electronic record of every traffic citation issued by an officer under his or her supervision to an alleged violator of any traffic law or ordinance and of all physical copies or electronic records of every traffic citation which has been spoiled or upon which any entry has been made and not issued to an alleged violator. 6. The chief administrative officer shall also maintain or cause to be maintained a record of every traffic citation issued by officers under his or her supervision. The record must be retained for at least 2 years after issuance of the citation. 7. As used in this section, "officer" includes a volunteer appointed to a traffic enforcement agency pursuant to NRS 484B.470. (Added to NRS by 1967, 1213; A 1979, 37; 1999, 1148; 2021, 3324)—(Substituted in revision for NRS 484.813)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.690 - Audit of records of traffic citations.

Every record of traffic citations required in chapters 484A to 484E, inclusive, of NRS must be audited at least annually by the appropriate fiscal officer of the governmental agency to which the traffic enforcement agency is responsible. (Added to NRS by 1967, 1213; A 2011, 6)—(Substituted in revision for NRS 484.815)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.700 - When warrant for failure to obey citation for parking violation may be issued; exception.

1. A traffic citation for a parking violation may be prepared manually or electronically. 2. Except as otherwise provided in subsection 3, when a traffic citation for a parking violation has been issued identifying by license number a vehicle registered to a person who has not signed the citation, a bench warrant may be issued for that person for failure to appear before the court if: (a) A notice to appear concerning the violation is first sent to the person by first-class mail within 60 days after the citation is issued; and (b) The person does not appear within 20 days after the date of the notice. 3. A bench warrant may not be issued pursuant to subsection 2 if the notice to appear is returned with a report that it cannot be delivered. (Added to NRS by 1977, 576; A 1981, 401; 1999, 1148; 2019, 383)—(Substituted in revision for NRS 484.810)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.703 - Traffic enforcement agency to provide form for civil infraction citations; duty of chief administrative officer regarding books and electronic devices.

1. Every traffic enforcement agency in this State shall provide in appropriate form civil infraction citations containing notice of the civil infraction which must meet the requirements of NRS 484A.703 to 484A.705, inclusive, and be: (a) Issued in books; or (b) Available through an electronic device used to prepare such citations. 2. The chief administrative officer of each traffic enforcement agency is responsible for the issuance of such books and electronic devices and shall maintain a record of each book, each electronic device and each civil infraction citation issued to individual members of the traffic enforcement agency. The chief administrative officer shall require and retain a receipt for every book and electronic device that is issued. (Added to NRS by 2021, 3312)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.7031 - Civil infraction citation serves as complaint for initiating civil case.

A civil infraction citation, when filed with a court of competent jurisdiction, shall be deemed to be a lawful complaint for the purpose of initiating a civil case pursuant to NRS 484A.703 to 484A.705, inclusive, if the civil infraction citation includes information whose truthfulness is attested as required for a complaint in a civil case or is prepared electronically. (Added to NRS by 2021, 3312)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.7033 - Authority of peace officer to detain, search or arrest person suspected of committing civil infraction; inclusion of civil infraction in criminal complaint.

1. Except as otherwise provided by law, a peace officer in this State who has reasonable cause to believe that a person has violated a provision of chapters 483 to 484E, inclusive, 486 or 490 of NRS that is a civil infraction may halt and detain the person as is reasonably necessary to investigate the alleged violation and issue a civil infraction citation for the alleged violation. A peace officer who has halted and detained a person pursuant to this section may also: (a) Detain the person in accordance with NRS 171.123 if circumstances exist that warrant such a detention; (b) Search the person to ascertain the presence of a weapon in accordance with NRS 171.1232 and take any other action authorized pursuant to that section or any other provision of law; and (c) Arrest the person in accordance with NRS 171.1231 if probable cause for the arrest exists. 2. If a person is arrested pursuant to paragraph (c) of subsection 1 for an offense that arises out of the same facts and circumstances as the civil infraction and is punishable as a

misdeemeanor, the offense and the civil infraction may be included in the same criminal complaint. (Added to NRS by 2021, 3312)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.7035 - Civil infraction citation: Contents; signature; service.

1. When a person is halted by a peace officer in this State for any violation of chapters 483 to 484E, inclusive, 486 or 490 of NRS that is a civil infraction, or a prosecuting attorney elects to treat a violation of chapters 483 to 484E, inclusive, 486 or 490 of NRS that is punishable as a misdemeanor instead as a civil infraction in accordance with NRS 484A.7049, the peace officer or prosecuting attorney, as applicable, may prepare a civil infraction citation manually or electronically in the form of a complaint issuing in the name of "The State of Nevada," containing, except as otherwise provided in paragraph (a) of subsection 2 of NRS 484A.7049: (a) A statement that the citation represents a determination by a peace officer or prosecuting attorney that a civil infraction has been committed by the person named in the citation and that the determination will be final unless contested as provided in NRS 484A.703 to 484A.705, inclusive; (b) A statement that a civil infraction is not a criminal offense; (c) The name, date of birth, residential address and mailing address, if different from the residential address, telephone number and electronic mail address of the person who is being issued the citation and an indication as to whether the person has agreed to receive communications relating to the civil infraction by text message; (d) The state registration number of the person's vehicle, if any; (e) The number of the person's driver's license, if any; (f) The civil infraction for which the citation was issued; (g) The personnel number or other unique agency identification number of the peace officer issuing the citation and the address and phone number of the agency which employs the peace officer or, if a prosecuting attorney is issuing the citation, the personnel number or other unique agency identification number of the peace officer who halted the person for the violation or the volunteer appointed pursuant to NRS 484B.470 who issued the citation and the address and phone number of the agency which employs the peace officer or volunteer, preprinted or printed legibly on the citation; (h) A statement of the options provided pursuant to NRS 484A.703 to 484A.705, inclusive, for responding to the citation and the procedures necessary to exercise these options; (i) A statement that, at any hearing to contest the determination set forth in the citation, the facts that constitute the infraction must be proved by a preponderance of the evidence and the person may subpoena witnesses, including, without limitation, the peace officer or duly authorized member or volunteer of a traffic enforcement agency who issued the citation or halted the person; and (j) A statement that the person must respond to the citation as provided in NRS 484A.703 to 484A.705, inclusive, within 90 calendar days. 2. A peace officer who issues a civil infraction citation pursuant to subsection 1 shall sign the citation and deliver a copy of the citation to the person charged with the civil infraction. If the citation is prepared electronically, the peace officer shall sign the copy of the citation that is delivered to the person charged with the violation. 3. A civil infraction citation may be served by delivering a copy of the citation to the person charged with the civil infraction pursuant to this section or NRS 484A.7049. The acceptance of a civil infraction citation by the person charged with the civil infraction shall be deemed personal service of the citation and a copy of the citation signed by the peace officer or prosecuting attorney, as applicable, constitutes proof of service. If a person charged with a civil infraction refuses to accept a civil infraction citation, the copy of the citation signed by the peace officer or prosecuting attorney, as applicable, constitutes proof of service. (Added to NRS by 2021, 3313)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.7037 - Peace officer to demand proof of insurance during traffic stop; citation for operation of vehicle without insurance or for failure to present proof of insurance; proof of insurance displayed on mobile electronic device.

1. Whenever the driver of a vehicle is stopped by a peace officer for violating a provision of chapters 483 to 484E, inclusive, 486 or 490 of NRS that is a civil infraction, except for violating a provision of NRS 484B.440 to 484B.523, inclusive, the peace officer shall demand proof of the insurance required by NRS 485.185 or 490.0825 and issue a citation as provided in NRS 484A.630 if the peace officer has probable cause to believe that the driver of the vehicle is in violation of NRS 485.187 or subsection 5 of NRS 490.520. 2. When the evidence of insurance provided by the driver of the vehicle upon the demand of the peace officer is in an electronic format displayed on a mobile electronic device, the peace officer may view only the evidence of insurance and shall not intentionally view any other content on the mobile electronic device. (Added to NRS by 2021, 3314)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.7039 - Filing of civil infraction citation; electronic filing; disposal of citation; return of citations; retention of records.

1. Every peace officer, upon issuing a civil infraction citation to an alleged violator of any provision of the motor vehicle laws of this State or of any traffic ordinance, shall file manually or, if the provisions of subsection 2 are satisfied, file electronically the original or a copy of the citation with a court having jurisdiction over the alleged offense or with its traffic violations bureau. 2. A copy of a civil infraction citation that is prepared electronically and issued to an alleged violator of any provision of the motor vehicle laws of this State or of any traffic ordinance may be filed electronically with a court having jurisdiction over the alleged civil infraction or with its traffic violations bureau if the court or traffic violations bureau, respectively: (a) Authorizes such electronic filing; (b) Has the ability to receive and store the citation electronically; and (c) Has the ability to physically reproduce the citation upon request. 3. Upon the filing of the original or a copy of the civil infraction citation with a court having jurisdiction over the alleged infraction or with its traffic violations bureau, the citation may be disposed of only by an official action of a judge of the court, an online program of dispute resolution established by the court, the prosecuting attorney or by the payment of a civil penalty to the court or its traffic violations bureau by the person to whom the civil infraction citation has been issued by the peace officer. 4.

It is unlawful and official misconduct from any peace officer or other officer or public employee to dispose of a civil infraction citation or copies of it or of the record of the issuance of a civil infraction citation in a manner other than as required in this section. 5. The chief administrative officer of every traffic enforcement agency shall require the return to him or her of a physical copy or electronic record of every civil infraction citation issued by an officer under his or her supervision to an alleged violator of any traffic law or ordinance and of all physical copies and electronic records of every civil infraction citation which has been spoiled or upon which any entry has been made and not issued to an alleged violator. 6. The chief administrative officer of every traffic enforcement agency shall maintain or cause to be maintained a record of every civil infraction citation issued by any peace officer under his or her supervision. The record must be retained for at least 2 years after issuance of the citation. (Added to NRS by 2021, 3314)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.704 - Response to civil infraction citation: Deadline; reminder; effect of failure to respond or appear at hearing; reimbursement of costs by person found to have committed civil infraction.

1. Any person who receives a civil infraction citation pursuant to NRS 484A.7035 or 484A.7049 shall respond to the citation as provided in this section not later than 90 calendar days after the date on which the citation is issued. 2. If a person receiving a civil infraction citation does not contest the determination that the person has committed the civil infraction set forth in the citation, the person must respond to the citation by indicating that the person does not contest the determination and submitting full payment of the monetary penalty, the administrative assessment and any fees to the court specified in the citation, or its traffic violations bureau, in person, by mail or through the Internet or other electronic means. 3. If a person receiving a civil infraction citation wishes to contest the determination that the person has committed the civil infraction set forth in the citation, the person must respond by requesting in person, by mail or through the Internet or other electronic means a hearing for that purpose. The court shall notify the person in writing of the time, place and date of the hearing, but the date of the hearing must not be earlier than 9 calendar days after the court provides notice of the hearing. 4. Except as otherwise provided in this subsection, not less than 30 days before the deadline for a person to respond to a civil infraction citation, the court must send to the address or electronic mail address of the person, as indicated on the civil infraction citation issued to the person, a reminder that the person must respond to the civil infraction citation within 90 calendar days after the date on which the civil infraction citation is issued. If the person agreed to receive communications relating to the civil infraction by text message, the court may send such a notice to the telephone number of the person as indicated on the civil infraction citation. If the person does not respond to the civil infraction citation in the manner specified by subsection 2 or 3 within 90 calendar days after the date on which the civil infraction citation is issued, the court must enter an order pursuant to NRS 484A.7043 finding that the person committed the civil infraction and assessing the monetary penalty and administrative assessments prescribed for the civil infraction. A person who has been issued a civil infraction citation and who fails to respond to the civil infraction citation as required by this section may not appeal an order entered pursuant to this section. 5. If any person issued a civil infraction citation fails to appear at a hearing requested pursuant to subsection 3, the court must enter an order pursuant to NRS 484A.7043 finding that the person committed the civil infraction and assessing the monetary penalty and administrative assessments prescribed for the civil infraction. A person who has been issued a civil infraction citation and who fails to appear at a hearing requested pursuant to subsection 3 may not appeal an order entered pursuant to this subsection. 6. In addition to any other penalty imposed, any person who is found by the court to have committed a civil infraction pursuant to subsection 5 shall pay the witness fees, per diem allowances, travel expenses and other reimbursement in accordance with NRS 50.225. 7. If a court has established a system pursuant to NRS 484A.615, any person issued a civil infraction citation may, if authorized by the court, use the system to perform any applicable actions pursuant to this section. (Added to NRS by 2021, 3315)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.7041 - Hearing: Request; bond or deposit required; representation by counsel; evidence and witnesses; determination; appeal.

1. If, pursuant to subsection 3 of NRS 484A.704, a person receiving a civil infraction citation requests a hearing to contest the determination that the person has committed the civil infraction set forth in the citation, the hearing must be conducted in accordance with this section. 2. Except as otherwise provided in this subsection, before a hearing to contest the determination that a person has committed a civil infraction, the court shall require the person to post a bond equal to the amount of the full payment of the monetary penalty, the administrative assessment and any fees specified in the civil infraction citation. In lieu of posting such a bond, the person may instead deposit cash with the court in the amount of the bond required pursuant to this subsection. Any bond posted or cash deposited with the court pursuant to this subsection must be forfeited upon the court's finding that the person committed the civil infraction. Any person whom the court determines is unable to pay the costs of defending the action or is a client of a program for legal aid in accordance with NRS 12.015 must not be required to post a bond or deposit cash with the court in accordance with this subsection. 3. The person who requested the hearing may, at his or her expense, be represented by counsel, and a city attorney or district attorney, in his or her discretion and as applicable, may represent the plaintiff. 4. A hearing conducted pursuant to this section must be conducted by the court without a jury. In lieu of the personal appearance at the hearing by the peace officer who issued the civil infraction citation, the court may consider the information contained in the civil infraction citation and any other written statement submitted under oath by the peace officer. If the court has established a system pursuant to NRS 484A.615, the peace officer may, if authorized by the court, use the system to submit such a statement. The person named in the civil infraction citation may subpoena witnesses, including, without limitation, the peace officer who issued the citation, and has the

right to present evidence and examine witnesses present in court. 5. After consideration of the evidence and argument, the court shall determine whether a civil infraction was committed by the person named in the civil infraction citation. The court must find by a preponderance of the evidence that the person named in the civil infraction citation committed a civil infraction. If it has not been established by a preponderance of the evidence that the infraction was committed by the person named in the citation, the court must enter an order dismissing the civil infraction citation in the court's records. If it has been established by a preponderance of the evidence that the infraction was committed, the court must enter in the court's records an order pursuant to NRS 484A.7043. 6. An appeal from the court's determination or order may be taken in the same manner as any other civil appeal from a municipal court or justice court, as applicable, except that: (a) The notice of appeal must be filed not later than 7 calendar days after the court enters in the court's records an order pursuant to NRS 484A.7043; (b) If the appellant is the person charged with the civil infraction, any bond required to be given by the appellant in order to secure a stay of execution of the order of the court during the pendency of the appeal must equal the amount of the monetary penalty and administrative assessments which the court has ordered the appellant to pay pursuant to NRS 484A.7043. Any bond must be forfeited if the order of the court is affirmed on appeal; and (c) If a prosecuting attorney does not represent the plaintiff during the proceedings in the justice court or municipal court, the appellate court shall review the record and any arguments presented by the person charged with the civil infraction and render a decision. (Added to NRS by 2021, 3316)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.7043 - Penalties.

1. Except as otherwise provided in this section, a person who is found to have committed a civil infraction shall be punished by a civil penalty of not more than \$500 per violation unless a greater civil penalty is authorized by specific statute. Except as otherwise provided in NRS 484A.792, any civil penalty collected pursuant to NRS 484A.703 to 484A.705, inclusive, must be paid to: (a) The treasurer of the city in which the civil infraction occurred; or (b) If the civil infraction did not occur in a city, the treasurer of the county in which the civil infraction occurred. 2. If a person is found to have committed a civil infraction, in addition to any civil penalty imposed on the person, the court shall order the person to pay the administrative assessments set forth in NRS 176.059, 176.0611, 176.0613 and 176.0623 in the amount that the person would be required to pay if the civil penalty were a fine imposed on a defendant who pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a misdemeanor. If, in lieu of a civil penalty, the court authorizes a person to successfully complete a course of traffic safety approved by the Department of Motor Vehicles, the court must order the person to pay the amount of the administrative assessment that corresponds to the civil penalty for which the defendant would have otherwise been responsible. The administrative assessments imposed pursuant to this subsection must be collected and distributed in the same manner as the administrative assessments imposed and collected pursuant to NRS 176.059, 176.0611, 176.0613 and 176.0623. 3. If the court determines that a civil penalty or administrative assessment imposed pursuant to this section is: (a) Excessive in relation to the financial resources of the defendant, the court may waive or reduce the monetary penalty accordingly. (b) Not within the defendant's present financial ability to pay, the court may enter into a payment plan with the person. 4. A court having jurisdiction over a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive, may: (a) In addition to ordering a person who is found to have committed a civil infraction to pay a civil penalty and administrative assessments pursuant to this section, order the person to successfully complete a course of traffic safety approved by the Department of Motor Vehicles. (b) Waive or reduce the civil penalty that a person who is found to have committed a civil infraction would otherwise be required to pay if the court determines that any circumstances warrant such a waiver or reduction. (c) Reduce any moving violation for which a person was issued a civil infraction citation to a nonmoving violation if the court determines that any circumstances warrant such a reduction. (Added to NRS by 2021, 3317)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.7045 - Community service; payment of associated insurance costs; conditions.

1. Except where the imposition of a specific civil penalty is mandatory, a court may order a person who is found to have committed a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive, to perform community service that is supervised in accordance with subsection 2: (a) In lieu of all or a part of any civil penalty or administrative assessment, or both, that may be imposed for the commission of the civil infraction; or (b) As all or part of the punishment for the commission of the civil infraction. 2. The community service must be performed for and under the supervising authority of a county, city, town or other political subdivision or agency of the State of Nevada or a charitable organization that renders service to the community or its residents. 3. The court may require the person who committed the civil infraction to deposit with the court a reasonable sum of money to pay for the cost of policies of insurance against liability for personal injury and damage to property or for industrial insurance, or both, during those periods in which the person performs the community service, unless, in the case of industrial insurance, it is provided by the authority for which the person performs the community service. 4. The following conditions apply to any such community service imposed by the court: (a) The court must fix the period of community service that is imposed and distribute the period over weekends or over other appropriate times that will allow the person to continue employment and to care for his or her family. The period of community service fixed by the court must not exceed 200 hours. (b) A supervising authority listed in subsection 2 must agree to accept the person for community service before the court may require the person to perform community service for that supervising authority. The supervising authority must be located in or be the town or city of the person's residence or, if that placement is not possible, one located within the jurisdiction of the court or, if that placement is not possible, the authority may be located outside the jurisdiction of the court. (c) Community service that a court requires pursuant to this section must be supervised

by an official of the supervising authority or by a person designated by the authority. (d) The court may require the supervising authority to report periodically to the court the person's performance in carrying out the community service. (e) A person performing community service in lieu of the payment of a civil penalty must receive credit toward the civil penalty at a rate per hour of community service performed that is equal to at least \$10 or the state minimum wage for an employee who is not provided health benefits by his or her employer, whichever is greater. (Added to NRS by 2021, 3318)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.7047 - Delinquent penalty, assessment or fee; collection fee; collection; distribution of money collected.

1. If a civil penalty, administrative assessment or fee is imposed upon a person who is found to have committed a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive, whether or not the civil penalty, administrative assessment or fee is in addition to any other punishment, and the civil penalty, administrative assessment or fee or any part of it remains unpaid after the time established by the court for its payment, the delinquent person is liable for a collection fee, to be imposed by the court at the time it finds that the civil penalty, administrative assessment or fee is delinquent, of: (a) Not more than \$100, if the amount of the delinquency is less than \$2,000. (b) Not more than \$500, if the amount of the delinquency is \$2,000 or greater, but is less than \$5,000. (c) Ten percent of the amount of the delinquency, if the amount of the delinquency is \$5,000 or greater. 2. The city or county that is responsible for collecting a delinquent civil penalty, administrative assessment or fee may, in addition to attempting to collect the delinquent amounts through any other lawful means, contract with a collection agency licensed pursuant to NRS 649.075 to collect the delinquent amounts owed by a person who is found to have committed a civil infraction. The collection agency must be paid as compensation for its services an amount not greater than the amount of the collection fee imposed pursuant to subsection 1 in accordance with the provisions of the contract. 3. If a court finds that a person committed a civil infraction, the civil penalty, administrative assessments and fees prescribed for the civil infraction may be enforced in the manner provided by law for the enforcement of a judgment for money rendered in a civil action except that the judgment and any lien for the judgment expires 10 years after the date the judgment was docketed and may not be renewed. The court may: (a) Request that the city or county in which the court has jurisdiction undertake collection of the delinquency, including, without limitation, the original amount of the civil judgment entered pursuant to this subsection and the collection fee, by attachment or garnishment of the property, wages or other money receivable of the delinquent person. (b) Order the suspension of the driver's license of the delinquent person. If the delinquent person does not possess a driver's license, the court may prohibit him or her from applying for a driver's license for a specified period. If the delinquent person is already the subject of a court order suspending or delaying the issuance of his or her driver's license, the court may order the additional suspension or delay, as appropriate, to apply consecutively with the previous order. At the time the court issues an order pursuant to this paragraph suspending the driver's license of a delinquent person or delaying the ability of a delinquent person to apply for a driver's license, the court shall, within 5 days after issuing the order, forward to the Department a copy of the order. The Department shall report a suspension pursuant to this paragraph to an insurance company or its agent inquiring about the delinquent person's driving record, but such a suspension must not be considered for the purpose of rating or underwriting. 4. Money collected from a collection fee imposed pursuant to subsection 1 must be distributed in the following manner: (a) Except as otherwise provided in paragraph (c), if the money is collected by or on behalf of a municipal court, the money must be deposited in a special fund in the appropriate city treasury. The city may use the money in the fund only to develop and implement a program for the collection of civil penalties, administrative assessments and fees and to hire additional personnel necessary for the success of such a program. (b) Except as otherwise provided in paragraph (c), if the money is collected by or on behalf of a justice court, the money must be deposited in a special fund in the appropriate county treasury. The county may use the money in the special fund only to: (1) Develop and implement a program for the collection of civil penalties, administrative assessments and fees and to hire additional personnel necessary for the success of such a program; or (2) Improve the operations of a court by providing funding for: (I) A civil law self-help center; or (II) Court security personnel and equipment for a regional justice center that includes the justice courts of that county. (c) If the money is collected by a collection agency, after the collection agency has been paid its fee pursuant to the terms of the contract, any remaining money must be deposited in the state, city or county treasury, whichever is appropriate, to be used only for the purposes set forth in paragraph (a) or (b). (Added to NRS by 2021, 3319)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.7049 - Violation punishable as misdemeanor may be treated as civil infraction; dismissal of underlying criminal charge.

1. A prosecuting attorney may elect to treat a violation of a provision of chapters 483 to 484E, inclusive, 486 or 490 of NRS that is punishable as a misdemeanor, other than a violation of NRS 484C.110 or 484C.120, as a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive. 2. The prosecuting attorney shall make the election described in subsection 1 on or before the time scheduled for the first appearance of the defendant by: (a) Preparing a civil infraction citation in accordance with subsection 1 of NRS 484A.7035 that contains all applicable information that is known to the prosecuting attorney, signing the citation and filing the citation with a court having jurisdiction over the alleged offense or with its traffic violations bureau; (b) Filing notice of the prosecuting attorney's election with the court having jurisdiction of the underlying criminal charge; and (c) Delivering a copy of the notice and citation to the defendant. 3. Upon the filing of a notice pursuant to paragraph (b) of subsection 2, the court shall dismiss the underlying criminal charge. (Added to NRS by 2021, 3320)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.705 - Violation committed under the

influence of alcohol or controlled substance may be charged as misdemeanor.

Notwithstanding any other provision of law, if a person commits a violation of a provision of chapters 483 to 484E, inclusive, 486 or 490 of NRS that is punishable as a civil infraction while the person is under the influence of alcohol or a controlled substance, the person may instead be charged with a misdemeanor. (Added to NRS by 2021, 3321)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.710 - Arrest without warrant for certain offenses.

1. Any peace officer may, without a warrant, arrest a person if the officer has reasonable cause for believing that the person has committed any of the following offenses: (a) Homicide by vehicle; (b) A violation of NRS 484C.110 or 484C.120; (c) A violation of NRS 484C.430; (d) A violation of NRS 484C.130; (e) Failure to stop, give information or render reasonable assistance in the event of a crash resulting in death or personal injuries in violation of NRS 484E.010 or 484E.030; (f) Failure to stop or give information in the event of a crash resulting in damage to a vehicle or to other property legally upon or adjacent to a highway in violation of NRS 484E.020 or 484E.040; (g) Reckless driving; (h) Driving a motor vehicle on a highway or on premises to which the public has access at a time when the person's driver's license has been cancelled, revoked or suspended; or (i) Driving a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to the person pursuant to NRS 483.490. 2. Whenever any person is arrested as authorized in this section, the person must be taken without unnecessary delay before the proper magistrate as specified in NRS 484A.750. (Added to NRS by 1967, 1210; A 1969, 1509; 1975, 125; 1983, 1080; 1987, 480; 1999, 2461, 3429; 2001, 172; 2005, 152; 2007, 2807; 2015, 1635; 2021, 3468)—(Substituted in revision for NRS 484.791)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.720 - When person must be taken immediately before magistrate.

Whenever any person is halted by a peace officer for any violation of chapters 484A to 484E, inclusive, of NRS, the person shall be taken without unnecessary delay before the proper magistrate, as specified in NRS 484A.750, in the following cases: 1. When the person demands an immediate appearance before a magistrate; 2. When the person does not furnish satisfactory evidence of identity; or 3. In any other event when the person is issued a traffic citation and refuses to sign or take physical delivery of a copy of the traffic citation. (Added to NRS by 1967, 1211; A 2017, 1420; 2019, 1443; 2021, 3468)—(Substituted in revision for NRS 484.793)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.730 - When peace officer has option to give traffic citation or take person before magistrate.

1. Whenever any person is halted by a peace officer for any violation of chapters 484A to 484E, inclusive, of NRS punishable as a misdemeanor and is not required to be taken before a magistrate, the person must be given a traffic citation unless the violation constitutes a repeat offense or a prohibited offense, in which case the person may, in the discretion of the peace officer, either be given a traffic citation or be taken without unnecessary delay before the proper magistrate. 2. As used in this section: (a) "Prohibited offense" means: (1) A violation of NRS 484B.653; (2) A violation of NRS 484C.110; (3) A violation of NRS 484C.120; (4) A violation of NRS 484E.020; (5) A violation of NRS 484E.030; (6) A violation of NRS 484E.040; or (7) A crime of violence, as defined in NRS 200.408. (b) "Repeat offense" means an offense for which the person has previously been arrested, convicted or issued a citation. (Added to NRS by 1967, 1211; A 1969, 1509; 1981, 1362; 2007, 2807; 2017, 1420; 2021, 3469)—(Substituted in revision for NRS 484.795)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.740 - Arrest of nonresident.

1. All of the provisions of chapters 484A to 484E, inclusive, of NRS apply both to residents and nonresidents of this State, except the special provisions in this section, which shall govern in respect to nonresidents. 2. A peace officer at the scene of a traffic crash may arrest without a warrant any driver of a vehicle who is a nonresident of this State and who is involved in the crash when, based upon personal investigation, the peace officer has reasonable cause for believing that the person has committed any offense under the provisions of chapters 484A to 484E, inclusive, of NRS in connection with the crash, and if the peace officer has reasonable cause for believing that the person will disregard a written promise to appear in court. 3. Whenever any person is arrested under the provisions of this section, the person shall be taken without unnecessary delay before the proper magistrate, as specified in NRS 484A.750. (Added to NRS by 1967, 1211; A 2015, 1635)—(Substituted in revision for NRS 484.797)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.750 - Appearance before magistrate having jurisdiction.

1. Whenever any person is taken before a magistrate or is given a traffic citation containing a notice to appear before a magistrate as provided for in NRS 484A.630, the magistrate must be a justice of the peace or municipal judge who has jurisdiction of the offense and is nearest or most accessible with reference to the place where the alleged violation occurred, except that when the offense is alleged to have been committed within an incorporated municipality wherein there is an established court having jurisdiction of the offense, the person must be taken without unnecessary delay before that court. 2. For the purpose of this section, the terms "magistrate" and "court" include magistrates and courts having jurisdiction of offenses under the law of this State as committing magistrates and courts and those having jurisdiction of the trials of such offenses. (Added to NRS by 1967, 1212; A 1983, 905;

1999, 1147)—(Substituted in revision for NRS 484.803)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.760 - Release of defendant when magistrate not available.

Whenever any person is taken into custody by a peace officer for the purpose of taking him or her before a magistrate or court as authorized or required in chapters 484A to 484E, inclusive, of NRS upon any charge other than a felony or the offenses enumerated in paragraphs (a) to (e), inclusive, of subsection 1 of NRS 484A.710, and no magistrate is available at the time of arrest, and there is no bail schedule established by the magistrate or court and no lawfully designated court clerk or other public officer who is available and authorized to accept bail upon behalf of the magistrate or court, the person must be released from custody upon the issuance to the person of a misdemeanor citation or traffic citation and the person signing a promise to appear, as provided in NRS 171.1773 or 484A.630, respectively, or physically receiving a copy of the traffic citation, as provided in NRS 484A.630. (Added to NRS by 1967, 1212; A 1987, 481; 1999, 1147; 2005, 153; 2017, 1421; 2019, 1443)—(Substituted in revision for NRS 484.805)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.770 - Procedure prescribed for arrest without warrant not exclusive.

NRS 484A.630 to 484A.670, inclusive, and 484A.710 to 484A.760, inclusive, govern all peace officers in making arrests without a warrant for violations of any provision of chapters 484A to 484E, inclusive, of NRS, but the procedure prescribed in those sections is not otherwise exclusive of any other method prescribed by law for the arrest and prosecution of a person for an offense of like grade. (Added to NRS by 1967, 1213; A 1985, 1160; 1987, 1442)—(Substituted in revision for NRS 484.809)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.772 - Legislative findings and declarations.

The Legislature hereby finds and declares that the incarceration of a person for failing to appear in court or failing to pay any administrative assessment, fine or court fee imposed for the commission of a minor traffic violation should generally be disfavored unless a court determines that failing to incarcerate such a person would substantially jeopardize public safety. (Added to NRS by 2019, 2277)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.774 - Presumption for release of person arrested for traffic violation; exceptions.

1. Except as otherwise provided in subsection 2, after a person is arrested for the commission of a traffic violation pursuant to chapters 484A to 484E, inclusive, of NRS, there is a presumption that the person should be released on his or her own recognizance.
2. The presumption established in subsection 1 does not apply if: (a) A person is arrested for: (1) Reckless driving in violation of NRS 484B.653; (2) Vehicular manslaughter in violation of NRS 484B.657; or (3) Driving, operating or being in actual physical control of a vehicle, a power-driven vessel or a sailing vessel under way while under the influence of intoxicating liquor or a controlled substance in violation of NRS 484C.110, 484C.120 or 488.410, as applicable; or (b) The court determines that a person is willfully refusing to satisfy any obligations imposed by the court, including, without limitation, willfully refusing to pay any amount owed or willfully refusing to perform community service. (Added to NRS by 2019, 2277; A 2023, 533)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.780 - 30-day grace period must be provided before warrant may be issued to person after failure to appear or failure to pay assessment, fine or fee for traffic violation; exceptions.

1. Except as otherwise provided in subsection 2, and subject to the limitation imposed by NRS 484A.782, a grace period of not less than 30 calendar days must be provided to a person who has failed to appear in court or failed to pay any administrative assessment, fine or court fee imposed upon the person for a violation of any provision of chapters 484A to 484E, inclusive, of NRS before a warrant can be issued for such a failure to appear or failure to pay.
2. The provisions of subsection 1 do not apply if: (a) The court determines that providing such a grace period would substantially jeopardize public safety; (b) The person was issued a traffic citation for: (1) Reckless driving in violation of NRS 484B.653; (2) Vehicular manslaughter in violation of NRS 484B.657; or (3) Driving, operating or being in actual physical control of a vehicle, a power-driven vessel or a sailing vessel under way while under the influence of intoxicating liquor or a controlled substance in violation of NRS 484C.110, 484C.120 or 488.410, as applicable; or (c) During the immediately preceding 30 calendar days, the person was released from custody and given a date to return to court but failed to appear in court. (Added to NRS by 2019, 2278; A 2023, 533)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.782 - Warrant must not be issued for failure to pay assessment, fine or fee for traffic violation unless person provided opportunity to satisfy assessment, fine or fee by way of community service and has failed to perform such service.

If a person has failed to pay any administrative assessment, fine or court fee imposed upon the person for a violation of any provision of chapters 484A to 484E, inclusive, of NRS, a warrant must not be issued unless the person has been provided with the opportunity to perform community service to satisfy the entire amount due and has failed to perform such community service. (Added to NRS by 2019, 2278)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.784 - Court fees not expressly authorized by statute or for specialty court participation must be assessed on per case basis.

1. Any fee assessed by a court pursuant to chapters 484A to 484E, inclusive, of NRS that is not expressly authorized by statute or is not solely for the purpose of recovering any costs incurred relating to the participation of a person in a specialty court program must be assessed on a per case basis and not on a per charge basis. The provisions of this subsection must not be construed to apply to any credit card processing fees that are assessed solely for the purpose of recouping any costs incurred to process a credit card payment.

2. As used in this section: (a) "Case" means a single complaint, citation, information or indictment naming a single defendant that is based on the same act or transaction or based on two or more acts or transactions connected together or constituting parts of a common scheme or plan. (b) "Specialty court program" means a program established by a court to facilitate testing, treatment and oversight of certain persons over whom the court has jurisdiction and who the court has determined suffer from a mental illness or who abuse alcohol or drugs or are homeless. Such a program includes, without limitation, a program established pursuant to NRS 176A.250. (Added to NRS by 2019, 2278)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.786 - Order in which installment payments must be applied.

In accordance with NRS 484A.788 and any provision of law that further specifies the order in which more than one administrative assessment, court fee or fine that is imposed upon a person must be paid, including, without limitation, NRS 176.0611 and 176.0613, if a court imposes upon a person an administrative assessment, court fee or fine for a violation of any provision of chapters 484A to 484E, inclusive, of NRS, and the court permits any such administrative assessment, court fee or fine to be paid in installments, the payments must be applied in the following order: 1. To pay the unpaid balance of an administrative assessment; 2. To pay the unpaid balance of a court fee; and 3. To pay the unpaid balance of a fine. (Added to NRS by 2019, 2279)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.788 - Order in which payment must be applied when person has more than one outstanding citation or is charged with more than one offense; exceptions.

1. If a traffic citation that is issued to a person contains more than one offense charged, or if a person has been issued more than one traffic citation that is outstanding, any payment made by the person must be applied, in accordance with the provisions of subsection 3 and NRS 484A.786, to one offense or one citation, as applicable, in chronological order beginning with the citation that was issued first until all administrative assessments, court fees and fines due for that offense or citation are paid in full. 2. Once all administrative assessments, court fees and fines due for an offense or citation are paid in full, any remaining portion of a payment made by a person must be applied to the next offense or citation, as applicable, until all administrative assessments, court fees and fines due for that offense or citation are paid in full. 3. Except as otherwise provided in this subsection, in addition to the manner in which payments must be applied pursuant to subsections 1 and 2, payments must be applied first to traffic violations and then to any violations that are not traffic violations. If the application of any payment pursuant to this subsection would conflict with the provisions of subsections 1 and 2, the requirement set forth in this subsection does not apply. 4. Payments made by a person must continue to be applied in the manner set forth in this section until all administrative assessments, court fees and fines due for all offenses charged or all outstanding traffic citations are paid in full. (Added to NRS by 2019, 2279)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.790 - Imposition and disposition of fee for traffic violation for purpose of reducing demerit points in lieu of completing course of traffic safety; duties of court collecting such fees; use of money collected.

1. Except as otherwise provided in this section, if a court authorizes a defendant who pleads guilty, guilty but mentally ill or nolo contendere to, or who is found guilty or guilty but mentally ill of, a violation of chapters 484A to 484E, inclusive, of NRS to pay a fee for the purpose of reducing demerit points, in lieu of requiring the defendant to complete a course of traffic safety for the purpose of reducing demerit points, the court must include the fee in the sentence, in addition to any other penalty or administrative assessment provided by law, and render a judgment against the defendant for the fee. 2. The money collected for the fee imposed pursuant to this section must not be deducted from any fine imposed by the court but must be collected from the defendant in addition to the fine. The money collected for such a fee must be stated separately on the court's docket. If the court cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the fee remaining unpaid shall be deemed to be uncollectible and the defendant is not required to pay them. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of any amount of the fine or fee that the defendant has paid. 3. A court shall, if requested by a defendant, allow a fee imposed pursuant to this section to be paid in installments under terms established by the court. 4. The money collected for a fee pursuant to this section in municipal court must be paid by the clerk of the court to the city treasurer on or before the fifth day of each month for the preceding month. On or before the 15th day of that month, the city treasurer shall deposit: (a) Twenty-five percent of the money received for each such fee with the State Controller for credit to a special account in the State General Fund administered by the Office of Court Administrator. (b) Seventy-five percent of the money received for each such fee in a special revenue fund. The city may use the money in the special revenue fund only to: (1) Fund local specialty court programs; or (2) Pay for upgrades to court information technology. 5. The money collected for a fee pursuant to this section in justice courts must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. On or before the

15th day of that month, the county treasurer shall deposit: (a) Twenty-five percent of the money received for each such fee with the State Controller for credit to a special account in the State General Fund administered by the Office of Court Administrator. (b) Seventy-five percent of the money received for each such fee in a special revenue fund. The county may use the money in the special revenue fund only to: (1) Fund local specialty court programs; or (2) Pay for upgrades to court information technology. 6. Money that is apportioned to a court from specialty courts fees pursuant to this section must be used by the court to: (a) Pay for any level of treatment, including, without limitation, psychiatric care, required for successful completion and testing of persons who participate in the program; (b) Pay for the transportation to and from the program of persons who participate in the program; and (c) Improve the operations of the specialty court program by any combination of: (1) Acquiring necessary capital goods; (2) Providing for personnel to staff and oversee the specialty court program; (3) Providing training and education to personnel; (4) Studying the management and operation of the program; (5) Conducting audits of the program; (6) Providing for prosecutor and public defender representation; (7) Acquiring or using appropriate technology; (8) Providing capital for building facilities necessary to house persons who participate in the program; (9) Providing funding for employment programs for persons who participate in the program; and (10) Providing funding for statewide public information campaigns necessary to deter driving under the influence of intoxicating liquor or a controlled substance. 7. As used in this section: (a) "Office of Court Administrator" means the Office of Court Administrator created by NRS 1.320; and (b) "Specialty court program" means a program established by a court to facilitate testing, treatment and oversight of certain persons over whom the court has jurisdiction and who the court has determined suffer from a mental illness or who abuse alcohol or drugs or are homeless. Such a program includes, without limitation, a program established pursuant to NRS 176A.250. (Added to NRS by 2019, 2279)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.792 - Certain fines and forfeitures of bail must be paid into State Permanent School Fund.

If a person commits any offense for which a local authority is prohibited from enacting an ordinance pursuant to subsection 3 of NRS 484A.400, any fine paid or forfeiture of bail by the person must be paid into the State Treasury for credit to the State Permanent School Fund. (Added to NRS by 2019, 2281)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.798 - Conviction for traffic violation not criminal conviction for applying for employment, professional licensure or educational opportunity; exceptions.

1. Notwithstanding any other provision of law, and except as otherwise provided in subsection 2, any conviction for a traffic violation pursuant to chapters 484A to 484E, inclusive, of NRS is not a criminal conviction for the purpose of applying for employment, a professional license or any educational opportunity. 2. The provisions of subsection 1 do not apply if a person is convicted of: (a) Reckless driving in violation of NRS 484B.653; (b) Vehicular manslaughter in violation of NRS 484B.657; or (c) Driving, operating or being in actual physical control of a vehicle, a power-driven vessel or a sailing vessel under way while under the influence of intoxicating liquor or a controlled substance in violation of NRS 484C.110, 484C.120 or 488.410, as applicable. (Added to NRS by 2019, 2278; A 2023, 533)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.800 - Sponsor of special event to provide for control of vehicular traffic.

1. Any person or governmental agency sponsoring a special event shall ensure that adequate provision is made for the control of vehicular traffic related to or affected by the event. 2. As used in this section, "special event" means any scheduled activity or event: (a) That is attended or observed by more than 500 persons; or (b) That substantially increases or disrupts the normal flow of traffic on any street or highway. (Added to NRS by 1989, 667)—(Substituted in revision for NRS 484.900)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.805 - Peace officer may seize license plates from or impound certain commercial vehicles subject to out-of-service order: Requirements; procedures; notice.

1. Except as otherwise provided in subsection 4, a peace officer may seize the license plates from a commercial motor vehicle which is: (a) Registered or operating in this State pursuant to the provisions of NRS 706.801 to 706.861, inclusive, and has a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 10,000 pounds; (b) Registered in this State pursuant to chapter 482 of NRS, operating in intrastate commerce and has a gross vehicle weight rating, a combined gross vehicle weight rating, a gross vehicle weight or a combined gross vehicle weight in excess of 26,000 pounds; or (c) Transporting hazardous material, if the peace officer determines that the motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order. 2. Upon the seizure of any license plates pursuant to subsection 1, a peace officer shall immediately: (a) Provide the motor carrier responsible for the safety of the commercial motor vehicle, if present, or the driver of the commercial motor vehicle if the motor carrier responsible for the safety of the commercial motor vehicle is not present, a notice which explains the procedures required pursuant to this section and NRS 482.465; and (b) Transmit the license plates to the Department. 3. The Department, upon the receipt of the license plates pursuant to subsection 2, shall proceed as provided in NRS 482.465. 4. A peace officer may impound a commercial motor vehicle which meets the requirements of paragraph (a), (b) or (c) of subsection 1 if the peace officer determines that: (a) The motor carrier responsible for the safety of the commercial motor vehicle is subject to an out-of-service order; and (b) The motor carrier responsible for the safety of

the commercial motor vehicle is not the registered owner of the vehicle. 5. Upon the impounding of a commercial motor vehicle pursuant to subsection 4, the peace officer who impounded the vehicle or the law enforcement agency for which he or she is employed shall notify the registered owner of the commercial motor vehicle of the impoundment as soon as practicable. 6. As used in this section: (a) "Combined gross vehicle weight" has the meaning ascribed to it in NRS 482.0152. (b) "Combined gross vehicle weight rating" has the meaning ascribed to it in NRS 482.0153. (c) "Gross vehicle weight" has the meaning ascribed to it in NRS 482.0443. (d) "Gross vehicle weight rating" has the meaning ascribed to it in NRS 482.0445. (e) "Hazardous material" has the meaning ascribed to it in NRS 459.7024. (f) "Out-of-service order" has the meaning ascribed to it in NRS 482.083. (Added to NRS by 2017, 980)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.810 - Department required to compile list of new and amended traffic laws and related provisions after each legislative session; posting and dissemination of information for public.

1. The Department of Motor Vehicles, after each regular session of the Nevada Legislature, shall: (a) Compile a list of new traffic laws, changes to existing traffic laws and other new or amended provisions of this title relevant to the operation of a motor vehicle upon the highways of this State made during the immediately preceding legislative session; (b) Post information on the Internet website of the Department in a manner designed to inform and educate the public about the new and changed traffic laws and other provisions on the list compiled pursuant to paragraph (a); and (c) Disseminate such information in any other manner deemed appropriate by the Department, including without limitation, by including such information in any: (1) Information provided to a person applying for the initial issuance of a driver's license or instruction permit, including any information provided for the purposes of preparing for an examination required pursuant to NRS 483.330; and (2) Notices of renewal or other similar information mailed or sent via electronic communication to drivers licensed in this State or to owners of motor vehicles registered in this State.

2. The Department may consult with the Office of Traffic Safety of the Department of Public Safety in carrying out the requirements of this section. (Added to NRS by 2019, 1226)

2024 Nevada Revised Statutes Chapter 484A - Traffic Laws Generally NRS 484A.900 - Penalty for violation of traffic law when no penalty provided in statute; authority of court to order repeat offender to pay for and attend school for driver training.

1. It is unlawful and, unless otherwise declared in chapters 484A to 484E, inclusive, of NRS with respect to a particular offense, it is a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, for any person to do any act forbidden or fail to perform any act required in chapters 484A to 484E, inclusive, of NRS. 2. The court may order any person who, within a 1-year period, is twice convicted of violating, or found to have committed a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, for a violation of, a provision of chapters 484A to 484E, inclusive, of NRS to pay tuition for and attend a school for driver training which is approved by the Department for retraining such drivers. The person so ordered may choose from those so approved the school which the person will attend. A person who willfully fails to comply with such an order is guilty of a misdemeanor. (Added to NRS by 1957, 505; A 1983, 319; 1985, 1945; 2021, 3325)—(Substituted in revision for NRS 484.999)

Title: chapter-484b

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.003 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 484B.007 to 484B.077, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1969, 1202, 1476; A 1973, 448; 1975, 1076; 1981, 621; 1987, 1073; 1989, 291, 798; 1993, 1392, 1414, 2586; 1995, 568; 1999, 3415; 2003, 380; 2005, 21, 72; 2009, 397; 2019, 1885, 3100; 2023, 941)—(Substituted in revision for part of NRS 484.013)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.007 - "Administrative roadblock" defined.

"Administrative roadblock" means any structure, device or means used by police officers to control all traffic through a point on the highway whereby all vehicles may be slowed or stopped for a lawful purpose other than identifying the occupants of the vehicles or an emergency. (Added to NRS by 1987, 1072)—(Substituted in revision for NRS 484.014)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.010 - "Business district" defined.

"Business district" means the territory contiguous to and including a highway when within any 600 feet along such highway there are buildings in use for business or industrial purposes, including, but not limited to, hotels, banks or office buildings, railroad stations and public buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway. (Added to NRS by 1969, 1476)—(Substituted in revision for NRS 484.027)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.017 - "Electric bicycle" defined.

"Electric bicycle" means a device upon which a person may ride, having two or three wheels, or every such device generally recognized as a bicycle that has fully operable pedals, a seat or saddle for the rider, an electric motor which produces not more than 750 watts and meets the requirements of one of the following three classes: 1. "Class 1 electric bicycle" means an electric bicycle

equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. 2. "Class 2 electric bicycle" means an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour. 3. "Class 3 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour. The term does not include a moped or an electric scooter. (Added to NRS by 2009, 397; A 2019, 1885; 2021, 1743)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.018 - "Electric scooter" defined.

"Electric scooter" means a vehicle with handlebars and an electric motor that is designed to be ridden on in an upright or seated position and propelled by its electric motor or by propulsion provided by the rider. Such a vehicle: 1. Must not weigh more than 100 pounds without a rider; and 2. Must have a maximum speed of not more than 20 miles per hour when powered solely by its electric motor. (Added to NRS by 2019, 1885)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.020 - "Flammable liquid" defined.

"Flammable liquid" means any liquid which has a flash point of 70° F., or less, as determined by a tagliabue or equivalent closed-cup test device. (Added to NRS by 1969, 1478)—(Substituted in revision for NRS 484.061)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.023 - "Freight curb loading zone" defined.

"Freight curb loading zone" means a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight. (Added to NRS by 1969, 1478)—(Substituted in revision for NRS 484.063)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.027 - "House coach" defined.

"House coach" means a motor vehicle which is designed, constructed and equipped as a dwelling place or living abode, either permanently or temporarily. (Added to NRS by 1969, 1478)—(Substituted in revision for NRS 484.067)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.029 - "Mobile carrying device" defined.

"Mobile carrying device" means an electrically powered wheeled device that: 1. Is designed to operate semi-autonomously not more than 25 feet from its operator; 2. Is equipped with technology that allows for active monitoring of the operation of the device by the operator; 3. Is intended primarily to transport personal property on sidewalks and crosswalks; 4. Weighs less than 90 pounds when empty; and 5. Has a maximum speed of 12.5 miles per hour. (Added to NRS by 2019, 3099)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.030 - "Parking meter" defined.

"Parking meter" means a mechanical timing device authorized by an ordinance of a municipality to be used for the purpose of regulating parking. (Added to NRS by 1969, 1479)—(Substituted in revision for NRS 484.099)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.033 - "Passenger curb loading zone" defined.

"Passenger curb loading zone" means an area adjacent to a curb or edge of a highway reserved for the exclusive use of vehicles during the loading or unloading of passengers. (Added to NRS by 1969, 1479)—(Substituted in revision for NRS 484.109)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.037 - Person with a disability of moderate duration" defined.

"Person with a disability of moderate duration" has the meaning ascribed to it in NRS 482.3833. (Added to NRS by 2003, 380)—(Substituted in revision for NRS 484.1115)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.040 - Person with a permanent disability" defined.

"Person with a permanent disability" has the meaning ascribed to it in NRS 482.3837. (Added to NRS by 2003, 380)—(Substituted in revision for NRS 484.1135)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.043 - Person with a temporary disability" defined.

"Person with a temporary disability" has the meaning ascribed to it in NRS 482.3839. (Added to NRS by 2003, 380)—(Substituted in revision for NRS 484.1145)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.044 - "Personal delivery device" defined.

1. "Personal delivery device" means an electrically powered device that: (a) Is designed to operate autonomously, semi-autonomously or remotely by a personal delivery device operator; (b) Is equipped with technology that allows navigation with or without the active control or monitoring of a natural person; (c) Is intended primarily to transport cargo on sidewalks, crosswalks and other pedestrian areas; (d) Weighs less than 150 pounds when empty; and (e) Has a maximum speed of 10 miles per hour. 2.

The term does not include a mobile carrying device. (Added to NRS by 2023, 940)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.045 - "Personal delivery device operator" defined.

"Personal delivery device operator" means a person or entity that exercises control or monitoring over the operation and navigation of a personal delivery device. The term does not include a person or entity who solely: 1. Requests or receives the delivery or services of a personal delivery device; 2. Arranges for or dispatches the requested services of a personal delivery device; or 3. Stores, charges or maintains a personal delivery device. (Added to NRS by 2023, 940)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.047 - "Railroad sign" and "railroad signal" defined.

"Railroad sign" or "railroad signal" means any sign, signal or device erected by a public authority or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train. (Added to NRS by 1969, 1480)—(Substituted in revision for NRS 484.131)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.050 - "Railroad train" defined.

"Railroad train" means a steam, electric or other motor engine, with or without cars coupled thereto, operated upon stationary rails, except streetcars. (Added to NRS by 1969, 1480)—(Substituted in revision for NRS 484.134)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.053 - "Residence district" defined.

"Residence district" means the territory contiguous to a highway not comprising a business district when the frontage on such for a distance of 300 feet or more is mainly occupied by dwellings or by dwellings and buildings in use for residence. (Added to NRS by 1969, 1480)—(Substituted in revision for NRS 484.136)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.057 - "Safety zone" defined.

"Safety zone" means the area officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone. (Added to NRS by 1969, 1480)—(Substituted in revision for NRS 484.146)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.060 - "School crossing zone" defined.

"School crossing zone" means those sections of streets not adjacent to school property that pupils cross while following a designated walking route to school. (Added to NRS by 1993, 2586)—(Substituted in revision for NRS 484.1485)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.063 - "School zone" defined.

"School zone" means those sections of streets which are adjacent to school property. (Added to NRS by 1993, 2586)—(Substituted in revision for NRS 484.149)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.067 - "Taxicab stand" defined.

"Taxicab stand" means a fixed area in a highway parallel and adjacent to the curb or edge of the highway and set aside for taxicabs to stand for passengers. (Added to NRS by 1969, 1481)—(Substituted in revision for NRS 484.193)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.070 - "Temporary roadblock" defined.

"Temporary roadblock" means any structure, device or means used by police officers to control traffic at a place on a highway whereby vehicles may be slowed or stopped: 1. To identify the occupants of those vehicles; or 2. Because of the existence of an emergency. (Added to NRS by 1987, 1072)—(Substituted in revision for NRS 484.194)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.073 - "Two-directional highway" defined.

"Two-directional highway" means an undivided highway upon which vehicles are allowed to proceed in opposite directions. (Added to NRS by 1969, 1482; A 1973, 449)—(Substituted in revision for NRS 484.215)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.077 - "U-turn" defined.

"U-turn" means the turning of a vehicle upon a highway so as to proceed in the opposite direction, whether accomplished by one continuous movement or not. (Added to NRS by 1971, 1141)—(Substituted in revision for NRS 484.216)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.100 - Obedience to police officer.

It is a misdemeanor for any person willfully to fail or refuse to comply with any lawful order or direction of any police officer while the officer is performing the duties of the officer in the enforcement of chapters 484A to 484E, inclusive, of NRS. (Added to NRS by 1969, 1482; A 1973, 282; 2021, 3325)—(Substituted in revision for NRS 484.253)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.103 - Rights and duties of person riding animal or driving vehicle drawn by animal.

Every person riding an animal or driving any animal-drawn vehicle upon a highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle, except those provisions which by their nature can have no application. (Added to NRS by 1969, 1482)—(Substituted in revision for NRS 484.257)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.107 - Applicability of chapters 484A to 484E, inclusive, of NRS to person, motor vehicle or other equipment engaged in work upon highway.

1. Except for the provisions of chapter 484C of NRS and any provisions made applicable by specific statute, the provisions of this chapter and chapters 484A, 484D and 484E of NRS do not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a highway. 2. The provisions of chapters 484A to 484E, inclusive, of NRS apply to the persons, teams, motor vehicles and other equipment described in subsection 1 when traveling to or from such work. (Added to NRS by 1969, 1482; A 1973, 1323; 1983, 1068; 1999, 3415; 2005, 139)—(Substituted in revision for NRS 484.259)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.110 - Driving through safety zone prohibited.

No vehicle shall at any time be driven through or within a safety zone. (Added to NRS by 1957, 504)—(Substituted in revision for NRS 484.495)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.113 - Limitations on backing.

The driver of a vehicle: 1. Shall not back the vehicle unless such movement can be made with reasonable safety and without interfering with other traffic; 2. Shall not back into an intersection, on or over a crosswalk, or around a street corner; and 3. Shall in every case yield the right-of-way to moving traffic and pedestrians. (Added to NRS by 1969, 1498)—(Substituted in revision for NRS 484.449)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.117 - Driving upon sidewalk prohibited; penalty; exceptions.

1. Except as otherwise provided in subsection 2, the driver of a vehicle shall not drive upon or within any sidewalk area except at a permanent or temporary driveway or alley entrance. A person who violates this subsection is guilty of a misdemeanor. 2. The provisions of subsection 1 do not apply to a vehicle that is powered solely by electricity and designed to travel on three wheels when such a vehicle is operated: (a) As an authorized emergency vehicle; (b) By an officer or other authorized employee of a law enforcement agency, as that term is defined in NRS 239C.065, in the course of his or her official duties; or (c) By a security guard, as that term is defined in NRS 648.016, in the course of his or her official duties. (Added to NRS by 1969, 1507; A 2015, 213; 2021, 3325)—(Substituted in revision for NRS 484.451)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.120 - Driving on defiles, canyons or mountain highways.

The driver of a motor vehicle traveling through defiles or canyons or on mountain highways shall hold such motor vehicle under control and as near the right hand edge of the highway as reasonably possible. (Added to NRS by 1957, 504)—(Substituted in revision for NRS 484.457)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.123 - Coasting prohibited in certain circumstances.

1. The driver of any motor vehicle when traveling upon a downgrade shall not coast with the gears of such vehicle in neutral. 2. The driver of a commercial motor vehicle when traveling upon a downgrade shall not coast with the clutch disengaged. (Added to NRS by 1957, 504)—(Substituted in revision for NRS 484.459)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.127 - Following too closely.

1. The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway. 2. The driver of any truck or combination of vehicles 80 inches or more in overall width, which is following a truck, or combination of vehicles 80 inches or more in overall width, shall, whenever conditions permit, leave a space of 500 feet so that an overtaking vehicle may enter and occupy such space without danger, but this shall not prevent a truck or combination of vehicles from overtaking and passing any vehicle or combination of vehicles. This subsection does not apply to any vehicle or combination of vehicles while moving on a highway on which there are two or more lanes available for traffic moving in the same direction. 3. Motor vehicles being driven upon any highway outside of a business district in a caravan or motorcade, whether or not towing other vehicles, shall be operated to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle or combination of vehicles to enter and occupy such space without danger. 4. A person who violates this section is guilty of a misdemeanor. 5. This section does not apply to a vehicle which is using driver-assistive platooning technology, as defined in NRS 482A.032. (Added to NRS by 1969, 1489; A 2017, 4469;

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.130 - Double penalty for certain traffic violations committed in work zones; exception in certain temporary traffic control zones.

1. Except as otherwise provided in subsections 2 and 6, a person who is found to have committed a violation of a speed limit, or convicted of or found to have committed a violation of NRS 484B.150, 484B.163, 484B.165, 484B.200 to 484B.217, inclusive, 484B.223, 484B.227, 484B.300, 484B.303, 484B.317, 484B.320, 484B.327, 484B.330, 484B.403, 484B.587, 484B.600, 484B.603, 484B.650, 484B.653, 484B.657, 484C.110 or 484C.120, that occurred: (a) In an area designated as a temporary traffic control zone; and (b) At a time when the workers who are performing construction, maintenance or repair of the highway or other work are present, or when the effects of the act may be aggravated because of the condition of the highway caused by construction, maintenance or repair, including, without limitation, reduction in lane width, reduction in the number of lanes, shifting of lanes from the designated alignment and uneven or temporary surfaces, including, without limitation, modifications to road beds, cement-treated bases, chip seals and other similar conditions, shall, if the violation is a criminal offense, be punished by imprisonment or by a fine, or both, for a term or an amount equal to and in addition to the term of imprisonment or amount of the fine, or both, that the court imposes for the primary offense or shall, if the violation is a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, be punished by a civil penalty in an amount equal to and in addition to the civil penalty that the court imposes for the primary civil infraction. Any term of imprisonment imposed pursuant to this subsection runs consecutively with the sentence prescribed by the court for the crime. This subsection does not create a separate offense or civil infraction, but provides an additional penalty for the primary offense or civil infraction, whose imposition is contingent upon the finding of the prescribed fact. 2. If a violation described in subsection 1 is: (a) A criminal offense, the additional penalty imposed pursuant to subsection 1 must not exceed a total of \$1,000, 6 months of imprisonment or 120 hours of community service. (b) A civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, the additional penalty imposed pursuant to subsection 1 must not exceed a total of \$250. 3. Except as otherwise provided in subsection 5, a governmental entity that designates an area or authorizes the designation of an area as a temporary traffic control zone in which construction, maintenance or repair of a highway or other work is conducted, or the person with whom the governmental entity contracts to provide such service, shall cause to be erected: (a) A sign located before the beginning of such an area stating "DOUBLE PENALTIES IN WORK ZONES" to indicate a double penalty may be imposed pursuant to this section; (b) A sign to mark the beginning of the temporary traffic control zone; and (c) A sign to mark the end of the temporary traffic control zone. 4. A person who otherwise would be subject to an additional penalty pursuant to this section is not relieved of any criminal liability or liability for a civil infraction because signs are not erected as required by subsection 3 if the violation results in injury to any person performing highway construction or maintenance or other work in the temporary traffic control zone or in damage to property in an amount equal to \$1,000 or more. 5. The requirements of subsection 3 do not apply to an area designated as a temporary traffic control zone: (a) Pursuant to an emergency which results from a natural or other disaster and which threatens the health, safety or welfare of the public; or (b) On a public highway where the posted speed limit is 25 miles per hour or less and that provides access to or is appurtenant to a residential area. 6. A person who would otherwise be subject to an additional penalty pursuant to this section is not subject to an additional penalty if the violation occurred in a temporary traffic control zone for which signs are not erected pursuant to subsection 5, unless the violation results in injury to any person performing highway construction or maintenance or other work in the temporary traffic control zone or in damage to property in an amount equal to \$1,000 or more. (Added to NRS by 1997, 1481; A 2001 Special Session, 146; 2003, 3242; 2005, 78, 938; 2007, 2794; 2009, 681; 2011, 3648; 2021, 3326)—(Substituted in revision for NRS 484.3667)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.135 - Double penalty for certain traffic violations committed in pedestrian safety zones; exception in certain pedestrian safety zones.

1. Except as otherwise provided in subsections 2 and 4, a person who is found to have committed a violation of a speed limit, or convicted of or found to have committed a violation of NRS 484B.150, 484B.163, 484B.165, 484B.200 to 484B.217, inclusive, 484B.223, 484B.227, 484B.280, 484B.283, 484B.300, 484B.303, 484B.307, 484B.317, 484B.320, 484B.327, 484B.403, 484B.600, 484B.603, 484B.650, 484B.653, 484B.657, 484C.110 or 484C.120, that occurred in an area designated as a pedestrian safety zone may: (a) If the violation is a criminal offense, be punished by imprisonment or by a fine, or both, for a term or an amount equal to and in addition to the term of imprisonment or amount of the fine, or both, that the court imposes for the primary offense. (b) If the violation is a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, be punished by a civil penalty in an amount equal to and in addition to the civil penalty that the court imposes for the primary infraction. Any term of imprisonment imposed pursuant to this subsection runs consecutively with the sentence prescribed by the court for the crime. This subsection does not create a separate offense or civil infraction but provides an additional penalty for the primary offense or civil infraction, whose imposition is discretionary with the court and contingent upon the finding of the prescribed fact. 2. If a violation described in subsection 1 is: (a) A criminal offense, the additional penalty imposed pursuant to subsection 1 must not exceed a total of \$1,000, 6 months of imprisonment or 120 hours of community service. (b) A civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, the additional penalty imposed pursuant to subsection 1 must not exceed a total of \$250. 3. A governmental entity that designates a pedestrian safety zone shall cause to be erected: (a) A sign located before the beginning of the pedestrian safety zone which provides notice that higher fines and civil penalties may apply in pedestrian safety zones; (b) A sign to mark the beginning of the pedestrian safety zone; and (c) A sign to mark the end of the pedestrian safety zone. 4. A person who would

otherwise be subject to an additional penalty pursuant to this section is not subject to such an additional penalty if, with respect to the pedestrian safety zone in which the violation occurred: (a) A sign is not erected before the beginning of the pedestrian safety zone as required by paragraph (a) of subsection 3 to provide notice that higher fines and civil penalties may apply in pedestrian safety zones; or (b) Signs are not erected as required by paragraphs (b) and (c) of subsection 3 to mark the beginning and end of the pedestrian safety zone. 5. The governing body of a local government or the Department of Transportation may designate a pedestrian safety zone on a highway if the governing body or the Department of Transportation: (a) Makes findings as to the necessity and appropriateness of a pedestrian safety zone, including, without limitation, any circumstances on or near a highway which make an area of the highway dangerous for pedestrians; and (b) Complies with the requirements of subsection 3 and NRS 484A.430 and 484A.440. (Added to NRS by 2015, 1560; A 2021, 379, 3327)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.150 - Drinking alcoholic beverage while driving motor vehicle or open container of alcoholic beverage a misdemeanor; additional penalty for violation committed in work zone or pedestrian safety zone.

1. It is a misdemeanor for a person to drink an alcoholic beverage while the person is driving or in actual physical control of a motor vehicle upon a highway. 2. Except as otherwise provided in this subsection, it is a misdemeanor for a person to have an open container of an alcoholic beverage within the passenger area of a motor vehicle while the motor vehicle is upon a highway. This subsection does not apply to: (a) The passenger area of a motor vehicle which is designed, maintained or used primarily for the transportation of persons for compensation; or (b) The living quarters of a house coach or house trailer, but does apply to the driver of such a motor vehicle who is in possession or control of an open container of an alcoholic beverage. 3. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. 4. As used in this section: (a) "Alcoholic beverage" has the meaning ascribed to it in NRS 202.015. (b) "Open container" means a container which has been opened or the seal of which has been broken. (c) "Passenger area" means that area of a vehicle which is designed for the seating of the driver or a passenger. (Added to NRS by 1971, 315; A 1991, 838; 2003, 3246; 2013, 542; 2015, 1561; 2021, 3328)—(Substituted in revision for NRS 484.448)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.153 - Boarding or alighting from vehicle; opening door of vehicle.

1. A person shall not board or alight from any vehicle while it is in motion. 2. A person shall not open the door of or board or alight from the side of a vehicle which is closest to passing traffic in such a manner as to interfere with moving vehicular traffic. 3. A person shall not leave open a door on the side of a vehicle which is closest to passing traffic longer than is necessary for immediate loading or unloading of passengers or cargo. (Added to NRS by 1969, 1507; A 1985, 1040)—(Substituted in revision for NRS 484.475)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.157 - Child less than 6 years of age and less than 57 inches tall to be secured in child restraint system while being transported in motor vehicle; child less than 2 years of age to be secured in rear-facing child restraint system in back seat with certain exceptions; requirements for system; penalties; programs of training; waiver or reduction of penalty under certain circumstances; application of section; acceptance of gifts, grants and donations for purchase of child restraint systems.

1. Except as otherwise provided in subsection 7, any person who is transporting: (a) A child who is less than 6 years of age and less than 57 inches tall in a motor vehicle operated in this State which is equipped to carry passengers shall secure the child in a child restraint system which: (1) Has been approved by the United States Department of Transportation in accordance with the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. Part 571; (2) Is appropriate for the size and weight of the child; and (3) Is installed within and attached safely and securely to the motor vehicle: (I) In accordance with the instructions for installation and attachment provided by the manufacturer of the child restraint system; or (II) In another manner that is approved by the National Highway Traffic Safety Administration. (b) A child who is less than 2 years of age in a motor vehicle operated in this State which is equipped to carry passengers shall secure the child in a rear-facing child restraint system in the back seat of the motor vehicle in accordance with subparagraphs (1), (2) and (3) of paragraph (a) unless the child is secured in a rear-facing child restraint system on the passenger side of the front seat in accordance with subparagraphs (1), (2) and (3) of paragraph (a), the air bag on the passenger's side of the front seat, if any, is deactivated and: (1) Special health care needs of the child require the child to ride in the front seat of the motor vehicle and a written statement signed by a physician certifying the requirement is carried in the motor vehicle; (2) All back seats in the motor vehicle are in use by other children who are less than 2 years of age; or (3) The motor vehicle is not equipped with back seats. 2. A person who violates the provisions of subsection 1 is guilty of a misdemeanor and the court shall: (a) For a first offense, order the person to pay a fine of not less than \$100 or more than \$500 or order the person to perform not less than 10 hours or more than 50 hours of community service; (b) For a second offense, order the person to pay a fine of not less than \$500 or more than \$1,000 or order the person to perform not less than 50 hours or more than 100 hours of community service; and (c) For a third or subsequent offense, suspend the driver's license of the person for not less than 30 days or more than 180 days. 3. At the time of sentencing, the court shall provide the person who committed the offense with a list of persons and agencies approved by the Department of Public Safety to conduct programs of training and perform inspections of child restraint systems. The list must include, without limitation, an indication of the fee, if any, established by the person or agency pursuant to subsection 4. If, within

60 days after sentencing, the person provides the court with proof of satisfactory completion of a program of training provided for in this subsection, the court shall: (a) If the person was sentenced pursuant to paragraph (a) of subsection 2, waive the fine or community service previously imposed; or (b) If the person was sentenced pursuant to paragraph (b) of subsection 2, reduce by one-half the fine or community service previously imposed. A person is only eligible for a reduction of a fine or community service pursuant to paragraph (b) if the person has not had a fine or community service waived pursuant to paragraph (a). 4. A person or agency approved by the Department of Public Safety to conduct programs of training and perform inspections of child restraint systems may, in cooperation with the Department of Motor Vehicles, establish a fee to be paid by persons who are ordered to complete a program of training. The amount of the fee, if any: (a) Must be reasonable; and (b) May, if a person desires to acquire a child restraint system from such a person or agency, include the cost of a child restraint system provided by the person or agency to the defendant. A program of training may not be operated for profit. 5. For the purposes of NRS 483.473, a violation of this section is not a moving traffic violation. 6. A violation of this section may not be considered: (a) Negligence in any civil action; or (b) Negligence or reckless driving for the purposes of NRS 484B.653. 7. This section does not apply: (a) To a person who is transporting a child in a means of public transportation, including a taxi, school bus or emergency vehicle. (b) When a physician or an advanced practice registered nurse determines that the use of such a child restraint system for the particular child would be impractical or dangerous because of such factors as the child's weight, physical unfitness or medical condition. In this case, the person transporting the child shall carry in the vehicle the signed statement of the physician or advanced practice registered nurse to that effect. 8. The Department of Public Safety may accept gifts, grants and donations from any source for the purpose of the purchase or donation of child restraint systems for persons who are in financial need. 9. As used in this section, "child restraint system" means any device that is designed for use in a motor vehicle to restrain, seat or position children. The term includes, without limitation: (a) Booster seats and belt-positioning seats that are designed to elevate or otherwise position a child so as to allow the child to be secured with a safety belt; (b) Integrated child seats; and (c) Safety belts that are designed specifically to be adjusted to accommodate children. (Added to NRS by 1983, 1888; A 1985, 1170, 2293; 1995, 1528; 2003, 2079; 2005, 119; 2007, 1026; 2019, 499; 2021, 176, 3328)—(Substituted in revision for NRS 484.474)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.160 - Person riding upon bed of flatbed truck or within bed of pickup truck prohibited; exceptions; citation and penalty.

1. Except as otherwise provided in subsections 2 and 4, a driver shall not permit a person, with regard to a motor vehicle being operated on a paved highway, to ride upon or within any portion of the vehicle that is primarily designed or intended for carrying goods or other cargo or that is otherwise not designed or intended for the use of passengers, including, without limitation: (a) Upon the bed of a flatbed truck; or (b) Within the bed of a pickup truck. 2. A driver may permit a person to ride upon the bed of a flatbed truck or within the bed of a pickup truck if the person is: (a) Eighteen years of age or older; or (b) Under 18 years of age and the motor vehicle is: (1) Being used in the course of farming or ranching; or (2) Being driven in a parade authorized by a local authority. 3. A civil infraction citation must be issued pursuant to NRS 484A.7035 to a driver who permits a person to ride upon or within a vehicle in violation of subsection 1. A driver who is cited pursuant to this subsection shall be punished by a civil penalty of at least \$35 but not more than \$100. 4. The provisions of subsection 1 do not apply to the portion of the bed of a truck that is covered by a camper shell or slide-in camper. 5. A violation of this section: (a) Is not a moving traffic violation for the purposes of NRS 483.473; and (b) May not be considered as: (1) Negligence or causation in a civil action; or (2) Negligent or reckless driving for the purposes of NRS 484B.653. 6. As used in this section: (a) "Camper shell" has the meaning ascribed to it in NRS 361.017. (b) "Slide-in camper" has the meaning ascribed to it in NRS 482.113. (Added to NRS by 1969, 1507; A 2001, 1906; 2003, 3246; 2021, 3330)—(Substituted in revision for NRS 484.473)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.163 - Obstruction of or interference with driver's view; interference with driver's control over driving mechanism; vision of driver through required glass equipment; additional penalty for violation committed in work zone or pedestrian safety zone.

1. A person shall not drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle. 2. A passenger in a vehicle shall not ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with the driver's control over the driving mechanism of the vehicle. 3. Except as otherwise provided in NRS 484D.440, a vehicle must not be operated upon any highway unless the driver's vision through any required glass equipment is normal. 4. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1502; A 1993, 2434; 2003, 3246; 2015, 1562)—(Substituted in revision for NRS 484.453)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.165 - Using handheld wireless communications device to type or enter text, send or read data, engage in nonvoice communication or engage in voice communications without use of hands-free device prohibited; exceptions; penalty; additional penalty for violation in work zone or pedestrian safety zone.

1. Except as otherwise provided in this section, a person shall not, while operating a motor vehicle on a highway in this State: (a) Manually type or enter text into a cellular telephone or other handheld wireless communications device, or send or read data using

any such device to access or search the Internet or to engage in nonvoice communications with another person, including, without limitation, texting, electronic messaging and instant messaging. (b) Use a cellular telephone or other handheld wireless communications device to engage in voice communications with another person, unless the device is used with an accessory which allows the person to communicate without using his or her hands, other than to activate, deactivate or initiate a feature or function on the device. 2. The provisions of this section do not apply to: (a) A paid or volunteer firefighter, emergency medical technician, advanced emergency medical technician, paramedic, ambulance attendant or other person trained to provide emergency medical services who is acting within the course and scope of his or her employment. (b) A law enforcement officer or any person designated by a sheriff or chief of police or the Director of the Department of Public Safety who is acting within the course and scope of his or her employment. (c) A person who is reporting a medical emergency, a safety hazard or criminal activity or who is requesting assistance relating to a medical emergency, a safety hazard or criminal activity. (d) A person who is responding to a situation requiring immediate action to protect the health, welfare or safety of the driver or another person and stopping the vehicle would be inadvisable, impractical or dangerous. (e) A person who is licensed by the Federal Communications Commission as an amateur radio operator and who is providing a communication service in connection with an actual or impending disaster or emergency, participating in a drill, test, or other exercise in preparation for a disaster or emergency or otherwise communicating public information. (f) An employee or contractor of a public utility who uses a handheld wireless communications device: (1) That has been provided by the public utility; and (2) While responding to a dispatch by the public utility to respond to an emergency, including, without limitation, a response to a power outage or an interruption in utility service. 3. The provisions of this section do not prohibit the use of a voice-operated global positioning or navigation system that is affixed to the vehicle. 4. A person who violates any provision of subsection 1 is guilty of a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, and: (a) For the first violation within the immediately preceding 7 years, shall pay a civil penalty of \$50. (b) For the second violation within the immediately preceding 7 years, shall pay a civil penalty of \$100. (c) For the third or subsequent violation within the immediately preceding 7 years, shall pay a civil penalty of \$250. 5. A person who violates any provision of subsection 1 may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. 6. The Department of Motor Vehicles shall not treat a first violation of this section in the manner statutorily required for a moving traffic violation. 7. For the purposes of this section, a person shall be deemed not to be operating a motor vehicle if the motor vehicle is driven autonomously and the autonomous operation of the motor vehicle is authorized by law. 8. As used in this section: (a) "Handheld wireless communications device" means a handheld device for the transfer of information without the use of electrical conductors or wires and includes, without limitation, a cellular telephone, a personal digital assistant, a pager and a text messaging device. The term does not include a device used for two-way radio communications if: (1) The person using the device has a license to operate the device, if required; and (2) All the controls for operating the device, other than the microphone and a control to speak into the microphone, are located on a unit which is used to transmit and receive communications and which is separate from the microphone and is not intended to be held. (b) "Public utility" means a supplier of electricity or natural gas or a provider of telecommunications service for public use who is subject to regulation by the Public Utilities Commission of Nevada. (Added to NRS by 2011, 3647; A 2013, 959; 2015, 1562; 2017, 4469; 2021, 3330)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.167 - Riding in house trailer.

No person shall occupy a house trailer while it is being moved upon a public highway. (Added to NRS by 1957, 504)—(Substituted in revision for NRS 484.455)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.200 - Driving on right half of highway required; exceptions; additional penalty for violation committed in work zone or pedestrian safety zone.

1. Upon all highways of sufficient width a vehicle must be driven upon the right half of the highway, except as follows: (a) When overtaking and passing another vehicle proceeding in the same direction under the laws governing such movements; (b) When the right half of the highway is closed to traffic; (c) Upon a highway divided into three lanes for traffic under the laws applicable thereon; (d) Upon a highway designated and posted for one-way traffic; or (e) When the highway is not of sufficient width. 2. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1498; A 2003, 3238; 2015, 1563)—(Substituted in revision for NRS 484.291)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.203 - Duties of drivers passing vehicles proceeding in opposite directions; additional penalty for violation committed in work zone or pedestrian safety zone.

1. Drivers of vehicles proceeding in opposite directions shall pass each other keeping to the right, and upon highways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half of the paved portion of the highway as nearly as possible. 2. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1499; A 2003, 3238; 2015, 1564)—(Substituted in revision for NRS 484.293)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.207 - Overtaking vehicle on left side: Duties of drivers of overtaking and overtaken vehicle; additional penalty for violation committed in work zone or pedestrian safety zone.

1. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the highway until safely clear of the overtaken vehicle. 2. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle upon observing the overtaking vehicle or hearing a signal. The driver of an overtaken vehicle shall not increase the speed of the vehicle until completely passed by the overtaking vehicle. 3. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1499; A 1973, 1325; 2003, 3239; 2015, 1564)—(Substituted in revision for NRS 484.295)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.208 - Duty of driver to move out of left lane when traveling at a certain rate of speed: When required; exceptions.

1. Except as otherwise provided in subsection 2, on a controlled-access highway which has two or more clearly marked lanes for traveling in the same direction, a driver may not continue to operate a motor vehicle in the extreme left lane if the driver knows, or reasonably should know, that he or she is traveling at a rate of speed which is less than the posted speed limit for that portion of the controlled-access highway and is being overtaken in that lane from the rear by a motor vehicle traveling at a higher rate of speed. 2. The requirements of subsection 1 do not apply: (a) To a driver operating a motor vehicle that is: (1) Overtaking another vehicle proceeding in the same direction; (2) Preparing for a left turn at an intersection; (3) Traveling in a lane designated for the use of high-occupancy vehicles pursuant to NRS 484A.460, if the driver complies with the requirements to travel in such a lane; or (4) Engaged in the construction, maintenance or repair of the highway, including, without limitation, the removal of snow. (b) When traffic conditions, inclement weather, obstructions or hazards make it necessary to drive in the extreme left lane. (c) When compliance with an official traffic control device or the directions given by a peace officer makes it necessary to drive in the extreme left lane. (d) To the driver of an authorized emergency vehicle in the course of his or her official duties. (e) To a driver operating a motor vehicle within the geographical limits of a city or town. (Added to NRS by 2017, 628)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.210 - When overtaking on right side allowed; additional penalty for violation committed in work zone or pedestrian safety zone.

1. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions: (a) When the driver of the vehicle overtaken is making or signaling to make a left turn. (b) Upon a highway with unobstructed pavement which is not occupied by parked vehicles and which is of sufficient width for two or more lines of moving vehicles in each direction. (c) Upon a highway with unobstructed pavement which is not marked as a traffic lane and which is not occupied by parked vehicles, if the vehicle that is overtaking and passing another vehicle: (1) Except as otherwise provided in subsection 4, does not travel more than 200 feet in the section of pavement not marked as a traffic lane; or (2) While being driven in the section of pavement not marked as a traffic lane, does not travel through an intersection or past any private way that is used to enter or exit the highway. (d) Upon any highway on which traffic is restricted to one direction of movement, where the highway is free from obstructions and of sufficient width for two or more lines of moving vehicles. 2. The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. 3. The driver of a vehicle shall not overtake and pass another vehicle upon the right when such movement requires driving off the paved portion of the highway. 4. The provisions of subparagraph (1) of paragraph (c) of subsection 1 do not apply to: (a) An authorized emergency vehicle described in NRS 484A.480; (b) A vehicle which has been issued a permit to operate as an authorized emergency vehicle pursuant to NRS 484A.490; (c) A traffic incident management vehicle; (d) A tow car; (e) A coroner vehicle; or (f) A public transit motor bus, that is being driven on the paved shoulder of a highway where lawfully placed signage allows that vehicle to use the shoulder in that manner. 5. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. 6. As used in this section: (a) "Coroner vehicle" means an authorized vehicle used by a county coroner, medical examiner or medicolegal death investigator: (1) Responding to the scene of a death; or (2) Transporting a dead human body. (b) "Hazardous material vehicle" means a vehicle used by the Department of Transportation for the cleanup of a spill of hazardous or illicit material, solid waste or other environmental hazards on or adjacent to a highway or within the rights-of-way of the Department of Transportation. (c) "Public transit motor bus" means a vehicle used by a public transit system, designed for carrying more than 10 passengers and used for the transportation of persons for compensation. (d) "Public transit system" has the meaning ascribed to it in NRS 277A.120. (e) "Traffic incident" means any vehicle, person, condition or other traffic hazard which is located on or near a roadway and which poses a danger to the flow of traffic or to a person involved in, responding to or assisting with the traffic hazard. (f) "Traffic incident management vehicle" means an authorized vehicle used by the Department of Transportation to provide aid to motorists or to mitigate traffic incidents and which makes use of flashing amber warning lights that meet the requirements of subsection 1 of NRS 484D.185 and any standards approved by the Department of Public Safety. The term includes: (1) Vehicles operating as part of the Freeway Service Patrol of the Department of Transportation; and (2) Vehicles, including, without limitation, hazardous material vehicles, which respond to traffic incidents, motor vehicle crashes or other emergencies for purposes other than providing police, fire and emergency medical services. (Added to NRS by 1969, 1499; A 2003, 3239; 2009, 153; 2015, 1564; 2023, 650)—(Substituted in revision for NRS 484.297)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.213 - Limitations on overtaking on left side; additional penalty for violation committed in work zone or pedestrian safety zone.

1. A vehicle must not be driven to the left side of the center of a two-lane, two-directional highway and overtaking and passing another vehicle proceeding in the same direction, unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. 2. A vehicle must not be driven to the left side of the highway at any time: (a) When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction. (b) When approaching within 100 feet or traversing any intersection or railroad grade crossing. (c) When the view is obstructed upon approaching within 100 feet of any bridge, viaduct or tunnel. 3. Subsection 2 does not apply upon a one-way highway. 4. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1499; A 2003, 3239; 2015, 1565)—(Substituted in revision for NRS 484.299)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.217 - Zones in which overtaking on left side or making left-hand turn prohibited; exceptions; additional penalty for violation committed in work zone or pedestrian safety zone.

1. The Department of Transportation with respect to highways constructed under the authority of chapter 408 of NRS, and local authorities with respect to highways under their jurisdiction, may determine those zones of highways where overtaking and passing to the left or making a left-hand turn would be hazardous, and may by the erection of official traffic-control devices indicate such zones. When such devices are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof. 2. Except as otherwise provided in subsections 3 and 4, a driver shall not drive on the left side of the highway within such zone or drive across or on the left side of any pavement striping designed to mark such zone throughout its length. 3. A driver may drive across a pavement striping marking such zone to an adjoining highway if the driver has first given the appropriate turn signal and there will be no impediment to oncoming or following traffic. 4. Except where otherwise provided, a driver may drive across a pavement striping marking such a zone to make a left-hand turn if the driver has first given the appropriate turn signal in compliance with NRS 484B.413, if it is safe and if it would not be an impediment to oncoming or following traffic. 5. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1489; A 1973, 1325; 1979, 1804; 2003, 3240; 2015, 1565)—(Substituted in revision for NRS 484.301)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.220 - One-way highway; rotary traffic island.

1. Upon a highway designated and signposted for one-way traffic a vehicle shall be driven only in the direction designated. 2. A vehicle passing around a rotary traffic island shall be driven only to the right of such island. (Added to NRS by 1969, 1500)—(Substituted in revision for NRS 484.303)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.223 - Driving on highway having multiple marked lanes for traffic; additional penalty for violation committed in work zone or pedestrian safety zone.

1. If a highway has two or more clearly marked lanes for traffic traveling in one direction, vehicles must: (a) Be driven as nearly as practicable entirely within a single lane; and (b) Not be moved from that lane until the driver has given the appropriate turn signal and ascertained that such movement can be made with safety. 2. Upon a highway which has been divided into three clearly marked lanes, a vehicle must not be driven in the extreme left lane at any time. A vehicle on such a highway must not be driven in the center lane except: (a) When overtaking and passing another vehicle where the highway is clearly visible and the center lane is clear of traffic for a safe distance; (b) In preparation for a left turn; or (c) When the center lane is allocated exclusively to traffic moving in the direction in which the vehicle is proceeding and a sign is posted to give notice of such allocation. 3. If a highway has been designed to provide a single center lane to be used only for turning by traffic moving in both directions, the following rules apply: (a) A vehicle may be driven in the center turn lane only for the purpose of making a left-hand turn onto or from the highway. (b) A vehicle must not travel more than 200 feet in a center turn lane before making a left-hand turn from the highway. (c) A vehicle must not travel more than 50 feet in a center turn lane after making a left-hand turn onto the highway before merging with traffic. 4. If a highway has been designed to provide a single right lane to be used only for turning, a vehicle must: (a) Be driven in the right turn lane only for the purpose of making a right turn; and (b) While being driven in the right turn lane, not travel through an intersection. 5. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1500; A 1973, 1326; 1999, 1664; 2003, 3240; 2005, 309; 2015, 1566)—(Substituted in revision for NRS 484.305)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.227 - Driving on divided highway: Prohibited turns; additional penalty for violation committed in work zone or pedestrian safety zone.

1. Every vehicle driven upon a divided highway must be driven only upon the right-hand roadway and must not be driven over, across or within any dividing space, barrier or section or make any left turn, semicircular turn or U-turn, except through an opening in the barrier or dividing section or space or at a crossover or intersection established by a public authority. 2. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1500; A 1973, 449; 2003, 3241; 2015, 1566)—(Substituted in revision for NRS 484.309)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.250 - Vehicle approaching or entering intersection.

1. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway. 2. When two vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right. 3. When two vehicles enter an intersection at approximately the same time, one vehicle traveling on a highway which ends at the intersection and the other vehicle traveling on a through highway, the driver of the vehicle on the highway which ends at the intersection shall yield the right-of-way to the other vehicle. 4. When a vehicle enters an intersection controlled by a traffic-control signal which is installed and has its vehicular signals uncovered, but is inoperative at the time the vehicle enters the intersection, the driver of the vehicle shall proceed as if a stop sign had been erected at each entrance to the intersection and shall stop at a clearly marked stop line or, if there is none, before entering the crosswalk on the near side of the intersection or, if there is none, at the point nearest the intersection where the driver has a view of approaching traffic on the through highway. After making such a stop, the driver shall proceed cautiously, yielding to vehicles which have previously completed a stop or are within the intersection. 5. Except as otherwise provided in subsection 4, this section does not apply at intersections controlled by official traffic-control devices or to vehicles approaching each other from opposite directions, when the driver of one of the vehicles is intending to or is making a left turn. (Added to NRS by 1969, 1497; A 1981, 866; 1993, 33)—(Substituted in revision for NRS 484.315)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.253 - Vehicle turning left.

The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but such driver, having so yielded and having given a signal when and as required, may make such left turn and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn. (Added to NRS by 1969, 1497; A 1973, 1326)—(Substituted in revision for NRS 484.317)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.257 - Vehicle entering intersection marked stop or yield.

Except when traffic is being controlled by a police officer or a traffic-control signal: 1. When proper signs have been erected, the driver of a vehicle shall stop or yield at a clearly marked stop line or, if there is none, before entering the crosswalk on the near side of the intersection or, if there is none, then at the point nearest the intersection where the driver has a view of approaching traffic on the through highway. After having stopped or, in the event of a yield sign, slowed or stopped, the driver shall yield the right-of-way to other vehicles which have entered the intersection from such through highway or which are approaching so closely on such through highway as to constitute an immediate hazard during the time such driver is moving across or within the intersection. 2. The driver of a vehicle shall stop in obedience to a stop sign or yield in compliance with a yield sign, in compliance with the manner prescribed in subsection 1, prior to entering an intersection if a stop sign or a yield sign is erected at one or more entrances thereto although not a part of a through highway and shall proceed cautiously, yielding to vehicles not so obligated to stop or yield and which are within the intersection or approaching so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection. (Added to NRS by 1969, 1496; A 1973, 1326)—(Substituted in revision for NRS 484.319)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.260 - Vehicle entering highway from private way.

The driver of a vehicle about to enter or cross a highway from a private way shall yield the right-of-way to all vehicles approaching on such highway. (Added to NRS by 1969, 1497)—(Substituted in revision for NRS 484.321)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.263 - Vehicle entering or exiting controlled-access highway: Duty to yield right-of-way.

The driver of a vehicle about to enter or exit a controlled-access highway shall yield the right-of-way to all vehicles approaching on the highway whose proximity constitutes an immediate hazard and shall continue to yield the right-of-way to that traffic until the driver may proceed with reasonable safety. (Added to NRS by 1981, 863; A 1993, 1445; 2003, 350)—(Substituted in revision for NRS 484.322)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.267 - Operation of vehicle on approach of authorized emergency vehicle or official vehicle of regulatory agency; penalty.

1. Upon the immediate approach of an authorized emergency vehicle or an official vehicle of a regulatory agency, making use of flashing lights meeting the requirements of subsection 3 of NRS 484A.480, the driver of every other vehicle shall, except when otherwise directed by a law enforcement officer: (a) Yield the right-of-way. (b) Except as otherwise provided in this paragraph, immediately drive to a position parallel to, and as close as possible to, the right-hand edge or, if applicable, curb of a highway and clear of any intersection. The driver shall not drive to and stop in a position on a paved shoulder of a highway where lawfully placed signage allows a vehicle described in paragraphs (a) to (f), inclusive, of subsection 4 of NRS 484B.210 to drive on the shoulder. (c) Stop and remain in such position until the authorized emergency vehicle or official vehicle has passed. 2. Upon approaching an

authorized emergency vehicle or an official vehicle of a regulatory agency which is moving or preparing to move in any direction, including, without limitation, arriving at or leaving the scene of a crash or other incident, and making use of flashing lights meeting the requirements of subsection 3 of NRS 484A.480, the driver of any other vehicle shall, except when otherwise directed by a law enforcement officer: (a) Decrease the speed of his or her vehicle to a speed that is reasonable and proper, pursuant to the criteria set forth in subsection 1 of NRS 484B.600; (b) Proceed with caution; (c) Be prepared to stop; (d) If the authorized emergency vehicle or official vehicle of a regulatory agency is moving in the same direction of travel as the driver, not drive abreast of or overtake the authorized emergency vehicle or official vehicle of a regulatory agency; (e) If possible, drive in a lane that is not adjacent to the lane in which the authorized emergency vehicle or official vehicle of a regulatory agency is moving, unless roadway, traffic, weather or other conditions make doing so unsafe or impossible; and (f) If the authorized emergency vehicle or official vehicle of a regulatory agency: (1) Approaches the driver's vehicle, proceed as required pursuant to subsection 1; or (2) Stops, proceed as required pursuant to NRS 484B.607. 3. A person who violates this section is guilty of a misdemeanor. 4. As used in this section, "preparing to move" means any indication that is visible to an approaching driver that an authorized emergency vehicle or an official vehicle of a regulatory agency is about to move, including, without limitation: (a) A movement of the vehicle; or (b) The use of hand signals by the driver of the vehicle. (Added to NRS by 1969, 1495; A 1985, 26; 1993, 1445; 1995, 577; 2017, 1293; 2021, 3332; 2023, 652)—(Substituted in revision for NRS 484.323)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.270 - Vehicles, bicycles, electric bicycles, electric scooters and pedestrians: Driver's duty of due care; additional penalty if driver is proximate cause of collision with person riding bicycle, electric bicycle or electric scooter.

1. The driver of a motor vehicle shall not intentionally interfere with the movement of a person lawfully riding a bicycle, an electric bicycle or an electric scooter. 2. When overtaking or passing a bicycle, an electric bicycle or an electric scooter proceeding in the same direction, the driver of a motor vehicle shall exercise due care and: (a) If there is more than one lane for traffic proceeding in the same direction, move the vehicle to the lane to the immediate left, if the lane is available and moving into the lane is reasonably safe; or (b) If there is only one lane for traffic proceeding in the same direction, pass to the left of the bicycle, electric bicycle or electric scooter at a safe distance, which must be not less than 3 feet between any portion of the vehicle and the bicycle, electric bicycle or electric scooter, and shall not move again to the right side of the highway until the vehicle is safely clear of the overtaken bicycle, electric bicycle or electric scooter. Except as otherwise provided in NRS 484B.213 and 484B.217, when passing to the left of a bicycle, electric bicycle or electric scooter at a safe distance of not less than 3 feet between any portion of the vehicle and the bicycle, electric bicycle or electric scooter, this paragraph authorizes the driver, if it is safe, to pass: (1) To the left of the center of the highway. (2) In a no-passing zone. 3. The driver of a motor vehicle shall yield the right-of-way to any person riding a bicycle, an electric bicycle or an electric scooter or a pedestrian as provided in subsection 6 of NRS 484B.297 on the pathway or lane. The driver of a motor vehicle shall not enter, stop, stand, park or drive within a pathway or lane provided for bicycles, electric bicycles or electric scooters except: (a) When entering or exiting an alley or driveway; (b) When operating or parking a disabled vehicle; (c) To avoid conflict with other traffic; (d) In the performance of official duties; (e) In compliance with the directions of a police officer; or (f) In an emergency. 4. Except as otherwise provided in subsection 3, the driver of a motor vehicle shall not enter or proceed through an intersection while driving within a pathway or lane provided for bicycles, electric bicycles or electric scooters. 5. The driver of a motor vehicle shall: (a) Exercise due care to avoid a collision with a person riding a bicycle, an electric bicycle or an electric scooter; and (b) Give an audible warning with the horn of the vehicle if appropriate and when necessary to avoid such a collision. 6. If, while violating any provision of subsections 1 to 5, inclusive, the driver of a motor vehicle is the proximate cause of a collision with a person riding a bicycle, an electric bicycle or an electric scooter, the driver is subject to the additional penalty set forth in subsection 4 of NRS 484B.653. 7. The operator of a bicycle, an electric bicycle or an electric scooter shall not: (a) Intentionally interfere with the movement of a motor vehicle; or (b) Overtake and pass a motor vehicle unless the operator can do so safely without endangering himself or herself or the occupants of the motor vehicle. (Added to NRS by 1991, 2228; A 1997, 739; 1999, 1664; 2009, 398; 2011, 294, 1633; 2015, 1196; 2019, 1885; 2021, 1048)—(Substituted in revision for NRS 484.324)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.280 - Duties of driver of motor vehicle to pedestrian; additional penalty if driver is proximate cause of collision with pedestrian or if violation committed in pedestrian safety zone.

1. A driver of a motor vehicle shall: (a) Exercise due care to avoid a collision with a pedestrian; (b) Give an audible warning with the horn of the vehicle if appropriate and when necessary to avoid such a collision; and (c) Exercise proper caution upon observing a pedestrian: (1) On or near a highway, street or road; (2) At or near a bus stop or bench, shelter or transit stop for passengers of public mass transportation or in the act of boarding a bus or other public transportation vehicle; or (3) In or near a school zone or a school crossing zone marked in accordance with NRS 484B.363 or a marked or unmarked crosswalk. 2. If, while violating any provision of this section, the driver of a motor vehicle is the proximate cause of a collision with a pedestrian, the driver is subject to the additional penalty set forth in subsection 4 of NRS 484B.653. 3. A person who violates any provision of subsection 1 may be subject to the additional penalty set forth in NRS 484B.135. (Added to NRS by 1997, 739; A 2011, 1634; 2015, 1566)—(Substituted in revision for NRS 484.3245)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.283 - Right-of-way in crosswalk; impeding ability

of driver to yield prohibited; overtaking vehicle at crosswalk; obedience to signals and other devices for control of traffic; additional penalty if driver is proximate cause of collision with pedestrian or if violation committed in pedestrian safety zone.

1. Except as otherwise provided in NRS 484B.287, 484B.290 and 484B.350: (a) When official traffic-control devices are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be so to yield, to a pedestrian crossing the highway within a crosswalk when the pedestrian is upon the half of the highway upon which the vehicle is traveling or onto which the vehicle is turning, or when the pedestrian is approaching so closely from the opposite half of the highway as to be in danger. (b) A pedestrian shall not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. (c) Whenever a vehicle is stopped at a marked crosswalk or at an unmarked crosswalk at an intersection, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle until the driver has determined that the vehicle being overtaken was not stopped for the purpose of permitting a pedestrian to cross the highway. (d) Whenever signals exhibiting the words "Walk," "Don't Walk," "Wait" or similar symbols are in place, such signals indicate as follows: (1) While the "Walk" indication or walking person symbol is illuminated, pedestrians facing the signal may proceed across the highway in the direction of the signal and must be given the right-of-way by the drivers of all vehicles. (2) While the "Don't Walk" or "Wait" indication or an upraised hand symbol is illuminated, is flashing and is accompanied by a countdown timer, a pedestrian may proceed across the highway in the direction of the signal, but must complete the crossing before the countdown timer gets to zero. (3) While the "Don't Walk" or "Wait" indication or an upraised hand symbol is illuminated and flashing but is not accompanied by a countdown timer, a pedestrian may not proceed to cross the highway, but a pedestrian who entered the highway lawfully pursuant to subparagraph (1) may continue to cross the highway but must proceed to a curb, sidewalk, safety zone if one is provided or other place of safety before the "Don't Walk" or "Wait" indication or an upraised hand symbol is illuminated and steady. (4) While the "Don't Walk" or "Wait" indication or an upraised hand symbol is illuminated and steady a pedestrian may not proceed to cross the highway, but a pedestrian who entered the highway lawfully pursuant to subparagraph (1) or (2) may continue to cross the highway but must proceed to a curb, sidewalk, safety zone if one is provided or other place of safety as soon as possible. 2. If, while violating paragraph (a) or (c) of subsection 1, the driver of a motor vehicle is the proximate cause of a collision with a pedestrian, the driver is subject to the additional penalty set forth in subsection 4 of NRS 484B.653. 3. A person who violates any provision of subsection 1 may be subject to the additional penalty set forth in NRS 484B.135. 4. As used in this section, "half of the highway" means all traffic lanes of a highway which are designated for traffic traveling in one direction, and includes the entire highway in the case of a one-way highway. (Added to NRS by 1969, 1492; A 1981, 669, 1918; 2003, 364; 2011, 1634; 2015, 1567; 2019, 3100)—(Substituted in revision for NRS 484.325)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.287 - When pedestrian must yield right-of-way to vehicle; when crossing at crosswalk is required; crossing diagonally; penalty.

1. Except as provided in NRS 484B.290: (a) Every pedestrian crossing a highway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the highway. (b) Any pedestrian crossing a highway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the highway. (c) Between adjacent intersections at which official traffic-control devices are in operation pedestrians shall not cross at any place except in a marked crosswalk. (d) A pedestrian shall not cross an intersection diagonally unless authorized by official traffic-control devices. (e) When authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements. 2. A violation of this section: (a) Is not a misdemeanor; and (b) Is punishable by the imposition of a civil penalty of not more than \$100. (Added to NRS by 1969, 1493; A 1981, 670, 1919; 2015, 1568; 2021, 380)—(Substituted in revision for NRS 484.327)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.290 - Right-of-way of person who is blind; penalty.

A person who is blind and who is on foot and using a service animal or carrying a cane or walking stick white in color, or white tipped with red, has the right-of-way when entering or when on a highway, street or road of this State. Any driver of a vehicle who approaches or encounters such a person shall yield the right-of-way, come to a full stop, if necessary, and take precautions before proceeding to avoid a crash or injury to the person. A person who violates this section is guilty of a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive. (Added to NRS by 1981, 669; A 1995, 1993; 2005, 631; 2015, 1636; 2021, 3333)—(Substituted in revision for NRS 484.328)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.293 - Direction of movement on crosswalk.

Pedestrians shall move whenever practicable upon the right half of crosswalks. (Added to NRS by 1969, 1493)—(Substituted in revision for NRS 484.329)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.297 - Walking along and upon highways; solicitation of ride, business or contribution from driver or occupant of vehicle prohibited in certain circumstances; intoxicated pedestrian prohibited within traveled portion of highway; applicability to riders of animals; applicability where

sidewalk is obstructed; penalty.

1. Except as otherwise provided in subsection 6, where sidewalks are provided, it is unlawful for any pedestrian to walk along and upon an adjacent highway. 2. Except as otherwise provided in subsection 6, pedestrians walking along highways where sidewalks are not provided shall walk on the left side of those highways facing the approaching traffic. 3. A person shall not stand in a highway to solicit a ride or any business from the driver or any occupant of a vehicle. A person shall not, without a permit issued pursuant to NRS 244.3555 or 268.423, solicit any contribution from the driver or any occupant of a vehicle. 4. It is unlawful for any pedestrian who is under the influence of intoxicating liquors or any narcotic or stupefying drug to be within the traveled portion of any highway. 5. The provisions of this section apply to riders of animals, except that the provisions of subsections 1, 2 and 3 do not apply to a peace officer who rides an animal while performing his or her duties as a peace officer. 6. A pedestrian walking or otherwise traveling on a sidewalk who encounters an obstruction to his or her mobility on the sidewalk, including, without limitation, a short section of the sidewalk that is missing or impassable, may proceed with due care on the immediately adjacent highway to move around such an obstruction. Such a pedestrian: (a) Must walk or otherwise travel as far to the side of the highway near the sidewalk as possible; (b) May walk or otherwise travel on the highway in the direction he or she was walking or traveling on the sidewalk, regardless of the direction of traffic; (c) May walk or otherwise travel in a lane provided for bicycles, electric bicycles or electric scooters if the area between the lane and the sidewalk is impassable; and (d) Must return to the sidewalk as soon as practicable. 7. A person who violates the provisions of this section is guilty of a misdemeanor. (Added to NRS by 1969, 1493; A 1991, 143; 2001, 997; 2015, 1197; 2019, 1886)—(Substituted in revision for NRS 484.331)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.300 - Obedience to devices for control of traffic; exceptions; placement of devices; additional penalty for violation committed in work zone or pedestrian safety zone.

1. Except as otherwise provided in NRS 484B.307, it is unlawful for any driver to disobey the instructions of any official traffic-control device placed in accordance with the provisions of chapters 484A to 484E, inclusive, of NRS, unless at the time otherwise directed by a police officer. 2. No provision of chapters 484A to 484E, inclusive, of NRS for which such devices are required may be enforced against an alleged violator if at the time and place of the alleged violation the device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular provision of chapters 484A to 484E, inclusive, of NRS does not state that such devices are required, the provision is effective even though no devices are erected or in place. 3. Whenever devices are placed in position approximately conforming to the requirements of chapters 484A to 484E, inclusive, of NRS, such devices are presumed to have been so placed by the official act or direction of a public authority, unless the contrary is established by competent evidence. 4. Any device placed pursuant to the provisions of chapters 484A to 484E, inclusive, of NRS and purporting to conform to the lawful requirements pertaining to such devices is presumed to comply with the requirements of chapters 484A to 484E, inclusive, of NRS unless the contrary is established by competent evidence. 5. A person who violates any provision of subsection 1 may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1489; A 2003, 3237; 2013, 428; 2015, 1568)—(Substituted in revision for NRS 484.278)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.303 - Disobedience of directions of device for control of traffic unlawful; additional penalty for violation committed in work zone or pedestrian safety zone.

1. Whenever official traffic-control devices are erected indicating that no right or left turn is permitted, it is unlawful for any driver of a vehicle to disobey the directions of any such devices. 2. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1498; A 2003, 3241; 2015, 1569)—(Substituted in revision for NRS 484.335)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.307 - Traffic controlled by official traffic-control devices exhibiting different colored lights: Rights and duties of vehicular traffic and pedestrians depending upon particular signal displayed; exceptions for person driving motorcycle, moped or trimobile or riding bicycle, electric bicycle or electric scooter; signals placed over individual lanes; certain restrictions upon local authorities; additional penalty for violation committed in pedestrian safety zone.

1. Whenever traffic is controlled by official traffic-control devices exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination as declared in the manual and specifications adopted by the Department of Transportation, only the colors green, yellow and red may be used, except for special pedestrian-control devices carrying a word legend as provided in NRS 484B.283. The lights, arrows and combinations thereof indicate and apply to drivers of vehicles and pedestrians as provided in this section. 2. When the signal is circular green alone: (a) Vehicular traffic facing the signal may proceed straight through or turn right or left unless another device at the place prohibits either or both such turns. Such vehicular traffic, including vehicles turning right or left, must yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited. (b) Pedestrians facing such a signal may proceed across the highway within any marked or unmarked crosswalk, unless directed otherwise by another device as provided in NRS 484B.283. 3. Where the signal is circular green with a green turn arrow: (a) Vehicular traffic facing the signal may proceed to make the movement indicated by the green turn arrow or such other movement as is permitted by the circular green signal, but the traffic must yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection at the

time the signal is exhibited. Drivers turning in the direction of the arrow when displayed with the circular green are thereby advised that so long as a turn arrow is illuminated, oncoming or opposing traffic simultaneously faces a steady red signal. (b) Pedestrians facing such a signal may proceed across the highway within any marked or unmarked crosswalk, unless directed otherwise by another device as provided in NRS 484B.283. 4. Where the signal is a green turn arrow alone: (a) Vehicular traffic facing the signal may proceed only in the direction indicated by the arrow signal so long as the arrow is illuminated, but the traffic must yield the right-of-way to pedestrians lawfully within the adjacent crosswalk and to other traffic lawfully using the intersection. (b) Pedestrians facing such a signal shall not enter the highway until permitted to proceed by another device as provided in NRS 484B.283. 5. Where the signal is a green straight-through arrow alone: (a) Vehicular traffic facing the signal may proceed straight through, but must not turn right or left. Such vehicular traffic must yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited. (b) Pedestrians facing such a signal may proceed across the highway within the appropriate marked or unmarked crosswalk, unless directed otherwise by another device as provided in NRS 484B.283. 6. Where the signal is a steady yellow signal alone: (a) Vehicular traffic facing the signal is thereby warned that the related green movement is being terminated or that a steady red indication will be exhibited immediately thereafter, and such vehicular traffic must not enter the intersection when the red signal is exhibited. (b) Pedestrians facing such a signal, unless otherwise directed by another device as provided in NRS 484B.283, are thereby advised that there is insufficient time to cross the highway. 7. Where the signal is a flashing yellow turn arrow, displayed alone or in combination with another signal: (a) Vehicular traffic facing the signal is permitted to cautiously enter the intersection only to make the movement indicated by the arrow signal, or other such movement as is permitted by other signal indications displayed at the same time. Such vehicular traffic must yield the right-of-way to pedestrians lawfully within the intersection or an adjacent crosswalk and yield the right-of-way to other traffic lawfully within the intersection. (b) Pedestrians facing such a signal, unless otherwise directed by another device as provided in NRS 484B.283, are thereby advised that there may be insufficient time to cross the highway, but may proceed across the highway within the appropriate marked or unmarked crosswalk. 8. Where the signal is a steady red signal alone: (a) Vehicular traffic facing the signal must stop before entering the crosswalk on the nearest side of the intersection where the sign or pavement marking indicates where the stop must be made, or in the absence of any such crosswalk, sign or marking, then before entering the intersection, and, except as otherwise provided in paragraphs (c) and (d), must remain stopped or standing until the green signal is shown. (b) Pedestrians facing such a signal shall not enter the highway, unless permitted to proceed by another device as provided in NRS 484B.283. (c) After complying with the requirement to stop, vehicular traffic facing such a signal and situated on the extreme right of the highway may proceed into the intersection for a right turn only when the intersecting highway is two-directional or one-way to the right, or vehicular traffic facing such a signal and situated on the extreme left of a one-way highway may proceed into the intersection for a left turn only when the intersecting highway is one-way to the left, but must yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection. (d) After complying with the requirement to stop, a person driving a motorcycle, moped or trimobile or riding a bicycle, an electric bicycle or an electric scooter may proceed straight through or turn right or left if: (1) The person waits for two complete cycles of the lights or lighted arrows of the applicable official traffic-control device and the signal does not change because of a malfunction or because the signal failed to detect the presence of the motorcycle, moped, trimobile, bicycle, electric bicycle or electric scooter; (2) No other device at the place prohibits either or both such turns, if applicable; and (3) The person yields the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection. (e) Vehicular traffic facing the signal may not proceed on or through any private or public property to enter the intersecting street where traffic is not facing a red signal to avoid the red signal. 9. Where the signal is a steady red with a green turn arrow: (a) Except as otherwise provided in paragraph (b), vehicular traffic facing the signal may enter the intersection only to make the movement indicated by the green turn arrow, but must yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection. Drivers turning in the direction of the arrow are thereby advised that so long as the turn arrow is illuminated, oncoming or opposing traffic simultaneously faces a steady red signal. (b) A person driving a motorcycle, moped or trimobile or riding a bicycle, an electric bicycle or an electric scooter facing the signal may proceed straight through or turn in the direction opposite that indicated by the green turn arrow if: (1) The person stops before entering the crosswalk on the nearest side of the intersection where the sign or pavement marking indicates where the stop must be made or, in the absence of any such crosswalk, sign or marking, before entering the intersection; (2) The person waits for two complete cycles of the lights or lighted arrows of the applicable official traffic-control device and the signal does not change because of a malfunction or because the signal failed to detect the presence of the motorcycle, moped, trimobile, bicycle, electric bicycle or electric scooter; (3) No other device at the place prohibits the turn, if applicable; and (4) The person yields the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection. (c) Pedestrians facing such a signal shall not enter the highway, unless permitted to proceed by another device as provided in NRS 484B.283. 10. If a person violates paragraph (d) of subsection 8 or paragraph (b) of subsection 9 and that violation results in an injury to another person, the violation creates a rebuttable presumption of all facts necessary to impose civil liability for the injury. 11. If a signal is erected and maintained at a place other than an intersection, the provisions of this section are applicable except as to those provisions which by their nature can have no application. Any stop required must be made at a sign or pavement marking indicating where the stop must be made, but in the absence of any such device the stop must be made at the signal. 12. Whenever signals are placed over the individual lanes of a highway, the signals indicate, and apply to drivers of vehicles, as follows: (a) A downward-pointing green arrow means that a driver facing the signal may drive in any lane over which the green signal is shown. (b) A red "X" symbol means a driver facing the signal must not enter or drive in any lane over which the red signal is shown. 13. A

local authority shall not adopt an ordinance or regulation or take any other action that prohibits vehicular traffic from crossing an intersection when: (a) The red signal is exhibited; and (b) The vehicular traffic in question had already completely entered the intersection before the red signal was exhibited. For the purposes of this paragraph, a vehicle shall be considered to have "completely entered" an intersection when all portions of the vehicle have crossed the limit line or other point of demarcation behind which vehicular traffic must stop when a red signal is displayed. 14. A person who violates any provision of this section may be subject to the additional penalty set forth in NRS 484B.135. (Added to NRS by 1969, 1490; A 1973, 1323; 1979, 1802; 1981, 864; 2007, 665; 2013, 428; 2015, 1569; 2019, 1887)—(Substituted in revision for NRS 484.283)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.310 - Flashing signals.

Whenever an illuminated flashing red or yellow signal is used in conjunction with an official traffic-control device, it shall require obedience by vehicular traffic as follows: 1. When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk in an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a required stop. 2. When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed past such signal and through the intersection or other hazardous location only with caution. (Added to NRS by 1969, 1492)—(Substituted in revision for NRS 484.285)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.313 - Display of unauthorized signs, signals, markings or street banners; limitation on placement of commercial advertising; removal as public nuisance; exceptions; use of advertising revenues to repay bonds.

1. It is unlawful for any person to place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any such device, sign or signal, and except as otherwise provided in subsections 4 and 5, a person shall not place or maintain nor may any public authority permit upon any highway any sign, signal, marking or street banner bearing thereon any commercial advertising. 2. Every such prohibited sign, signal or marking is hereby declared to be a public nuisance, and the proper public authority may remove the same or cause it to be removed without notice. 3. This section does not prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official traffic-control devices. 4. A person may place and maintain commercial advertising in an airspace above a highway under the conditions specified pursuant to subsection 3 of NRS 405.110, and a public authority may permit commercial advertising that has been placed in an airspace above a highway under the conditions specified pursuant to subsection 3 of NRS 405.110. 5. The provisions of subsection 1 do not apply to any sign, signal, marking or street banner bearing thereon any commercial advertising that is located: (a) On a bench or shelter for passengers of public mass transportation built pursuant to a franchise granted pursuant to NRS 244.187 and 244.188, 268.081 and 268.083, 269.128 and 269.129, or 277A.310 and 277A.330; (b) On a monorail station; (c) On a touchdown structure if a public authority authorizes such advertising and the advertising is placed and maintained by a person who owns real property adjacent to the touchdown structure and who has: (1) Dedicated the touchdown structure to the public authority or has granted a fee or perpetual easement to the public authority for the construction or maintenance of the touchdown structure; and (2) Entered a written agreement with the public authority on terms and conditions acceptable to the public authority; or (d) On or over any highway before, during or after a special event, if: (1) A public authority authorizes the use and location of such advertising, and the advertising is placed and maintained by the organizer of a special event for itself or its sponsors or partners; (2) The organizer of a special event enters into a written agreement with the public authority on terms and conditions acceptable to the public authority; (3) The advertising does not constitute a hazard or prevent the safe use of the highway by the public; and (4) Such advertising is placed and maintained for not more than 14 consecutive days. 6. If a franchisee receives revenues from commercial advertising authorized by subsection 1 and the franchisee is obligated to repay a bond issued by the State of Nevada, the franchisee shall use all revenue generated by the advertising authorized by subsection 1 to meet its obligations to the State of Nevada as set forth in the financing agreement and bond indenture, including, without limitation, the payment of operations and maintenance obligations, the funding of reserves and the payment of debt service. To the extent that any surplus revenue remains after the payment of all such obligations, the surplus revenue must be used solely to repay the bond until the bond is repaid. 7. As used in this section: (a) "Monorail station" means: (1) A structure for the loading and unloading of passengers from a monorail for which a franchise has been granted pursuant to NRS 705.695 or an agreement has been entered into pursuant to NRS 705.695; and (2) Any facilities or appurtenances within such a structure. (b) "Special event" means a sporting event, concert, festival or other similar event which: (1) Will provide an anticipated economic impact of \$250,000,000 or more, as certified by the county fair and recreation board of the county in which the special event will occur; and (2) After the certification of the anticipated economic impact pursuant to subparagraph (1), is designated as a special event by the public authority with jurisdiction over a highway and is issued a permit as a special event by that public authority. (c) "Street banner" has the meaning ascribed to it in NRS 277A.130. (d) "Touchdown structure" means a structure, connected to a pedestrian bridge, which houses an elevator. (Added to NRS by 1969, 1492; A 1989, 996; 1999, 1261; 2001, 848; 2003, 3237; 2005, 2315; 2009, 869; 2017, 1421; 2023, 194)—(Substituted in revision for NRS 484.287)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.317 - Interference with official device for control of traffic or sign or signal for railroad unlawful; additional penalty for violation committed in work zone or pedestrian

safety zone.

1. A person shall not, without lawful authority, attempt to or alter, deface, injure, knock down or remove any official traffic-control device or any railroad sign or signal or any inscription, shield or insigne thereon, or any other part thereof. 2. A person who violates subsection 1: (a) Is guilty of a misdemeanor; and (b) May be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1492; A 2003, 3238; 2015, 1572; 2021, 3333)—(Substituted in revision for NRS 484.289)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.320 - Devices and mechanisms capable of interfering with or altering signal of traffic-control signal: General prohibition against operating and selling; seizure by police; presence in or on vehicle as prima facie evidence of violation; penalty; additional penalty for violation committed in work zone or pedestrian safety zone; exceptions for providers of mass transit and response agencies.

1. Except as otherwise provided in this section: (a) A person shall not operate a vehicle on the highways of this State if the vehicle is equipped with any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal. (b) A person shall not operate any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal. 2. Except as otherwise provided in this subsection, a person shall not in this State sell or offer for sale any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal. The provisions of this subsection do not prohibit a person from selling or offering for sale: (a) To a provider of mass transit, a signal prioritization device; or (b) To a response agency, a signal preemption device or a signal prioritization device, or both. 3. A police officer: (a) Shall, without a warrant, seize any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal; or (b) May, without a warrant, seize and take possession of a vehicle equipped with any device or mechanism that is capable of interfering with or altering the signal of a traffic-control signal, including, without limitation, a mobile transmitter, if the device or mechanism cannot be removed from the motor vehicle by the police officer, and may cause the vehicle to be towed and impounded until: (1) The device or mechanism is removed from the vehicle; and (2) The owner claims the vehicle by paying the cost of the towing and impoundment. 4. Neither the police officer nor the governmental entity which employs the officer is civilly liable for any damage to a vehicle seized pursuant to the provisions of paragraph (b) of subsection 3 that occurs after the vehicle is seized but before the towing process begins. 5. Except as otherwise provided in subsection 9, the presence of any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal in or on a vehicle on the highways of this State constitutes prima facie evidence of a violation of this section. The State need not prove that the device or mechanism in question was in an operative condition or being operated. 6. A person who violates the provisions of subsection 1 or 2 is guilty of a misdemeanor. 7. A person who violates any provision of subsection 1 or 2 may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. 8. A provider of mass transit shall not operate or cause to be operated a signal prioritization device in such a manner as to impede or interfere with the use by response agencies of signal preemption devices. 9. The provisions of this section do not: (a) Except as otherwise provided in subsection 8, prohibit a provider of mass transit from acquiring, possessing or operating a signal prioritization device. (b) Prohibit a response agency from acquiring, possessing or operating a signal preemption device or a signal prioritization device, or both. 10. As used in this section: (a) "Mobile transmitter" means a device or mechanism that is: (1) Portable, installed within a vehicle or capable of being installed within a vehicle; and (2) Designed to affect or alter, through the emission or transmission of sound, infrared light, strobe light or any other audible, visual or electronic method, the normal operation of a traffic-control signal. The term includes, without limitation, a signal preemption device and a signal prioritization device. (b) "Provider of mass transit" means a governmental entity or a contractor of a governmental entity which operates, in whole or in part: (1) A public transit system, as that term is defined in NRS 377A.016; or (2) A system of public transportation referred to in NRS 277A.270. (c) "Response agency" means an agency of this State or of a political subdivision of this State that provides services related to law enforcement, firefighting, emergency medical care or public safety. The term includes a nonprofit organization or private company that, as authorized pursuant to chapter 450B of NRS: (1) Provides ambulance service; or (2) Provides the level of medical care provided by an advanced emergency medical technician or paramedic to sick or injured persons at the scene of an emergency or while transporting those persons to a medical facility. (d) "Signal preemption device" means a mobile transmitter that, when activated and when a vehicle equipped with such a device approaches an intersection controlled by a traffic-control signal, causes: (1) The signal, in the direction of travel of the vehicle, to remain green if the signal is already displaying a green light; (2) The signal, in the direction of travel of the vehicle, to change from red to green if the signal is displaying a red light; (3) The signal, in other directions of travel, to remain red or change to red, as applicable, to prevent other vehicles from entering the intersection; and (4) The applicable functions described in subparagraphs (1), (2) and (3) to continue until such time as the vehicle equipped with the device is clear of the intersection. (e) "Signal prioritization device" means a mobile transmitter that, when activated and when a vehicle equipped with such a device approaches an intersection controlled by a traffic-control signal, causes: (1) The signal, in the direction of travel of the vehicle, to display a green light a few seconds sooner than the green light would otherwise be displayed; (2) The signal, in the direction of travel of the vehicle, to display a green light for a few seconds longer than the green light would otherwise be displayed; or (3) The functions described in both subparagraphs (1) and (2). (f) "Traffic-control signal" means a traffic-control signal, as defined in NRS 484A.290, which is capable of receiving and responding to an emission or transmission from a mobile transmitter. (Added to NRS by 2005, 936; A 2011, 88; 2013, 961; 2015, 1572)—(Substituted in revision for NRS

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.323 - Carpool lanes: Use of carpool lanes in conformance with established conditions and signs; penalty.

1. A person shall not operate a vehicle in a lane designated for the use of high-occupancy vehicles except in conformity with the established conditions which are placed and maintained on signs and other official traffic-control devices pursuant to subsection 2 of NRS 484A.460 or established by regulation. 2. A person who violates subsection 1 is guilty of a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, and shall be punished by a civil penalty of \$250 for each offense. 3. As used in this section, "high-occupancy vehicle" means: (a) A vehicle that is transporting more than one person; (b) A motorcycle, regardless of the number of passengers; (c) A bus, regardless of the number of passengers; and (d) Any other vehicle designated by regulation. (Added to NRS by 2005, 72; A 2021, 3333)—(Substituted in revision for part of NRS 484.312)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.327 - Unlawful to remove barriers and signs stating highway is closed to traffic; driving on such highway unlawful; additional penalty for violation committed in work zone or pedestrian safety zone.

1. It is unlawful for any person to remove any barrier or sign stating that a highway is closed to traffic. 2. It is unlawful to pass over a highway that is marked, signed or barricaded to indicate that it is closed to traffic. A person who violates any provision of this subsection may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. [14:166:1925; NCL § 4363]—(NRS A 1969, 1509; 2003, 3247; 2015, 1574)—(Substituted in revision for NRS 484.479)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.330 - Obedience to signal of authorized flagger; prosecution of violations; penalties.

1. It is unlawful for a driver of a vehicle to fail or refuse to comply with any signal of an authorized flagger serving in a traffic control capacity in a clearly marked area of highway construction or maintenance or any other area which has been designated as a temporary traffic control zone. 2. A district attorney shall prosecute all violations of subsection 1 which occur in his or her jurisdiction and which result in injury to any person performing highway construction or maintenance or performing other work within an area designated as a temporary traffic control zone unless the district attorney has good cause for not prosecuting the violation. In addition to any other penalty, if a driver violates any provision of subsection 1 and the violation results in injury to any person performing highway construction or maintenance or performing other work within an area designated as a temporary traffic control zone, or in damage to property in an amount of not less than \$1,000, the driver is guilty of a misdemeanor and shall be ordered to perform 120 hours of community service. 3. A person who violates any provision of subsection 1 may be subject to the additional penalty set forth in subsection 1 of NRS 484B.130. 4. As used in this section, "authorized flagger serving in a traffic control capacity" means: (a) An employee of the Department of Transportation or of a contractor performing highway construction or maintenance or performing other work within an area designated as a temporary traffic control zone for the Department of Transportation while the employee is carrying out the duties of his or her employment; (b) An employee of any other governmental entity or of a contractor performing highway construction or maintenance or performing other work within an area designated as a temporary traffic control zone for the governmental entity while the employee is carrying out the duties of his or her employment; or (c) Any other person employed by a private entity performing highway construction or maintenance or performing other work within an area designated as a temporary traffic control zone while the person is carrying out the duties of his or her employment if the person has satisfactorily completed training as a flagger approved or recognized by the Department of Transportation. (Added to NRS by 1975, 1024; A 1979, 1801; 2003, 3236; 2009, 680; 2021, 3333)—(Substituted in revision for NRS 484.254)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.350 - Stop required in obedience to direction or traffic-control signal of school crossing guard; penalty; additional penalty if driver is proximate cause of collision with pedestrian or person riding bicycle, electric bicycle or electric scooter.

1. The driver of a vehicle: (a) Shall stop in obedience to the direction or traffic-control signal of a school crossing guard; and (b) Shall not proceed until the highway is clear of all persons, including, without limitation, the school crossing guard. 2. A person who violates subsection 1 is guilty of a misdemeanor. 3. If, while violating subsection 1, the driver of a motor vehicle is the proximate cause of a collision with a pedestrian or a person riding a bicycle, an electric bicycle or an electric scooter, the driver is subject to the additional penalty set forth in subsection 4 of NRS 484B.653. 4. As used in this section, "school crossing guard" means a volunteer or paid employee of a local authority, local law enforcement agency or school district whose duties include assisting pupils to cross a highway. (Added to NRS by 2003, 364; A 2011, 1635; 2019, 1890)—(Substituted in revision for NRS 484.356)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.353 - Overtaking and passing school bus: Duties of driver; exceptions; penalties.

1. Except as otherwise provided in subsection 2, the driver of any vehicle, when meeting or overtaking, from either direction, any school bus, equipped with signs and signals required by law, which has stopped to receive or discharge any pupil and is displaying a flashing red light signal visible from the front and rear, shall bring the vehicle to an immediate stop and shall not attempt to overtake

or proceed past the school bus until the flashing red signal ceases operation. 2. The driver of a vehicle upon a divided highway need not stop upon meeting or passing a school bus which is positioned in the other roadway. The driver of a vehicle need not stop upon meeting or passing a school bus where traffic is controlled by a traffic officer. 3. Any person who violates any of the provisions of this section is guilty of a misdemeanor and: (a) For a third or any subsequent offense within 2 years after the most recent offense, shall be punished by a fine of not more than \$1,000 and the driver's license of the person must be suspended for not more than 1 year. (b) For a second offense within 1 year after the first offense, shall be punished by a fine of not less than \$250 nor more than \$500 and the driver's license of the person must be suspended for 6 months. (c) For a first offense or any subsequent offense for which a punishment is not provided for in paragraph (a) or (b), shall be punished by a fine of not less than \$250 nor more than \$500. (Added to NRS by 1969, 1506; A 1975, 825; 1991, 276; 1997, 3060; 2007, 15)—(Substituted in revision for NRS 484.357)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.357 - Report by driver of school bus of failure of driver of vehicle to stop; submission of report to school district and Department; provision of notice to owner of vehicle.

1. The driver of a school bus who observes a violation of NRS 484B.353 may prepare a report of the violation. The report must be signed by the driver and include: (a) The date, time and approximate location of the violation; (b) The number and state of issuance of the license plate of the vehicle whose driver committed the violation; and (c) An identification of the vehicle by type and color. 2. The driver of a school bus who prepares a report pursuant to subsection 1 shall, within 2 working days after the violation, send the report to the superintendent of the school district and a copy to the Department, which shall thereupon mail to the last known registered owner of the vehicle a notice containing: (a) The information included in the report; (b) The provisions of NRS 484B.353; and (c) An explanation that the notice is not a citation but a warning of the seriousness of the violation. (Added to NRS by 1997, 3060)—(Substituted in revision for NRS 484.358)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.360 - Maximum speed of school bus.

A school bus shall not exceed: 1. A speed of 55 miles per hour when transporting pupils to and from school; or 2. The speed limit posted by a public authority for the portion of highway being traversed when transporting pupils to and from any activity which is properly a part of a school program. (Added to NRS by 1969, 1486; A 1973, 1297; 1977, 407; 2015, 1351)—(Substituted in revision for NRS 484.365)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.363 - School zone or school crossing zone: Speed limit; designation; signs; U-turn and overtaking another vehicle prohibited; determination of hours in which speed limit is in effect; additional penalty if driver is proximate cause of collision with pedestrian or person riding bicycle, electric bicycle or electric scooter.

1. A person shall not drive a motor vehicle at a speed in excess of 15 miles per hour in an area designated as a school zone except: (a) On a day on which school is not in session; (b) During the period from a half hour after school is no longer in operation to a half hour before school is next in operation; (c) If the zone is designated by an operational speed limit beacon, during the hours when the pupils of the school are in class and the yellow lights of the speed limit beacon are not flashing in the manner which indicates that the speed limit is in effect; or (d) If the zone is not designated by an operational speed limit beacon, during the times when the sign designating the school zone indicates that the speed limit is not in effect. 2. A person shall not drive a motor vehicle at a speed in excess of 25 miles per hour in an area designated as a school crossing zone except: (a) On a day on which school is not in session; (b) During the period from a half hour after school is no longer in operation to a half hour before school is next in operation; (c) If the zone is designated by an operational speed limit beacon, during the hours when the pupils of the school are in class and the yellow lights of the speed limit beacon are not flashing in the manner which indicates that the speed limit is in effect; or (d) If the zone is not designated by an operational speed limit beacon, during the times when the sign designating the school zone indicates that the speed limit is not in effect. 3. The driver of a vehicle shall not make a U-turn in an area designated as a school zone or school crossing zone except: (a) When there are no children present; (b) On a day on which school is not in session; (c) During the period from a half hour after school is no longer in operation to a half hour before school is next in operation; (d) If the zone is designated by an operational speed limit beacon, during the hours when the pupils of the school are in class and the yellow lights of the speed limit beacon are not flashing in the manner which indicates that the speed limit is in effect; or (e) If the zone is not designated by an operational speed limit beacon, during the times when the sign designating the school zone or school crossing zone indicates that the speed limit is not in effect. 4. The driver of a vehicle shall not overtake and pass another vehicle traveling in the same direction in an area designated as a school zone or school crossing zone except: (a) On a day on which the school is not in session; (b) During the period from a half hour after school is no longer in operation to a half hour before school is next in operation; (c) If the zone is designated by an operational speed limit beacon, during the hours when the pupils of the school are in class and the yellow lights of the speed limit beacon are not flashing in the manner which indicates that the speed limit is in effect; or (d) If the zone is not designated by an operational speed limit beacon, during the times when the sign designating the school zone or school crossing zone indicates that the speed limit is not in effect. 5. The governing body of a local government or the Department of Transportation shall designate school zones and school crossing zones. An area must not be designated as a school zone if imposing a speed limit of 15 miles per hour would be unsafe because of higher speed limits in adjoining areas. 6. Each such governing body and the Department of Transportation shall provide signs to mark the beginning and end of each school zone and school crossing zone which it respectively designates. Each sign marking the beginning of such a zone must include a designation of the hours when

the speed limit is in effect or that the speed limit is in effect when children are present. 7. With respect to each school zone and school crossing zone in a school district, the superintendent of the school district or his or her designee, in conjunction with the Department of Transportation and the governing body of the local government that designated the school zone or school crossing zone and after consulting with the principal of the school and the agency that is responsible for enforcing the speed limit in the zone, shall determine the times when the speed limit is in effect. 8. If, while violating any provision of subsections 1 to 4, inclusive, the driver of a motor vehicle is the proximate cause of a collision with a pedestrian or a person riding a bicycle, an electric bicycle or an electric scooter, the driver is subject to the additional penalty set forth in subsection 4 of NRS 484B.653. 9. As used in this section, "speed limit beacon" means a device which is used in conjunction with a sign and equipped with two or more yellow lights that flash alternately to indicate when the speed limit in a school zone or school crossing zone is in effect. (Added to NRS by 1985, 640; A 1993, 2586; 1999, 2674; 2011, 1635; 2015, 1574; 2019, 1890)—(Substituted in revision for NRS 484.366)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.367 - School zone or school crossing zone: Requirements for signs; placement of portable signs.

1. Each permanent sign which designates a school zone or school crossing zone and the speed limit in that zone must be uniform in size and color and must clearly designate the hours during which the speed limit applies. 2. Each portable sign designating a school zone or school crossing zone and the speed limit in the zone must be uniform in size and color. A portable sign may be placed on or beside a roadway only during those hours when pupils are arriving at and leaving regularly scheduled school sessions. (Added to NRS by 1985, 640; A 2001, 955; 2003, 365)—(Substituted in revision for NRS 484.3665)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.400 - Required position and method of turning at intersections.

If the driver of a vehicle intends to turn at an intersection and: 1. The turn is a right turn, both the approach for the right turn and the right turn must be made from the right turn lane if the highway has a right turn lane as set forth in subsection 4 of NRS 484B.223, or must be made from the extreme right lane. 2. Both intersecting highways are two-directional: (a) The approach for a left turn must be made in that portion of the right half of the highway nearest the centerline thereof; (b) After entering the intersection, the left turn must be made so as to leave the intersection to the right of the centerline of the highway being entered; and (c) Except as otherwise directed by official traffic-control devices, simultaneous left turns by opposing traffic must be made in front of each other. 3. The turn is a left turn from a two-directional highway onto a one-way highway, the approach for the left turn must be made in that portion of the right half of the highway nearest the centerline thereof, and the turn must be made by turning from the right of the centerline where it enters the intersection as close as practicable to the left-hand curb of the one-way highway. 4. The turn is a left turn from a one-way highway onto a two-directional highway, the left turn must be made by passing to the right of the centerline of the highway being entered upon leaving the intersection, and the approach for the left turn must be made as close as practicable to the left-hand curb of the one-way highway. 5. The turn is a left turn where both intersecting highways are one-way, both the approach for the left turn and the left turn must be made as close as practicable to the left-hand curb or edge of the highway. (Added to NRS by 1969, 1497; A 1999, 1665)—(Substituted in revision for NRS 484.333)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.403 - When U-turns are authorized and prohibited; additional penalty for violation committed in work zone or pedestrian safety zone.

1. A U-turn may be made on any road where the turn can be made with safety, except as prohibited by this section and by the provisions of NRS 484B.227, 484B.363 and 484B.407. 2. If an official traffic-control device indicates that a U-turn is prohibited, the driver shall obey the directions of the device. 3. The driver of a vehicle shall not make a U-turn in a business district, except at an intersection or on a divided highway where an appropriate opening or crossing place exists. 4. Notwithstanding the foregoing provisions of this section, local authorities and the Department of Transportation may prohibit U-turns at any location within their respective jurisdictions. 5. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1498; A 1971, 1142; 1991, 247; 2003, 3241; 2015, 1576)—(Substituted in revision for NRS 484.337)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.407 - Turning on curve or crest of grade prohibited in certain circumstances.

A vehicle shall not be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet. (Added to NRS by 1969, 1489)—(Substituted in revision for NRS 484.339)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.410 - Starting parked vehicle.

A person, except when stopping, standing or parking where no parking is permitted, shall not start a vehicle which is stopped, standing or parked on a highway nor enter upon a highway unless and until such movement can be made with safety. (Added to NRS by 1969, 1498)—(Substituted in revision for NRS 484.341)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.413 - Requirements for turning on highway;

signal for stopping or decreasing speed.

1. A driver shall not turn a vehicle from a direct course upon a highway unless and until such movement can be made with reasonable safety, and then only after giving a clearly audible signal by sounding the horn if any pedestrian may be affected by such movement and after giving an appropriate signal if any other vehicle may be affected by such movement. 2. A signal of intention to turn right or left, or otherwise turn a vehicle from a direct course, shall be given continuously during not less than the last 100 feet traveled in a business or residential district and not less than the last 300 feet traveled in any other area prior to changing the course of a vehicle. This rule shall be observed, regardless of the weather. 3. A driver shall not stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to the driver of any vehicle immediately to the rear. (Added to NRS by 1969, 1494; A 1973, 1327)—(Substituted in revision for NRS 484.343)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.417 - Signal by hand and arm or signal lamp or device authorized.

Any signal required by chapters 484A to 484E, inclusive, of NRS to be made by a driver when making a turn or a stop must be given either by means of a hand and arm or by a signal lamp or signal device of a type approved by the department, except if a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of the vehicle, the signals must be given by a signal lamp or signal device. (Added to NRS by 1969, 1498; A 1985, 1946)—(Substituted in revision for NRS 484.345)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.420 - Methods of giving signals by hand and arm.

All signals given by hand and arm shall be given by hand and arm extended beyond the left side of the vehicle in the following manner, and shall indicate the turns that follow: 1. Left turn: Hand and arm extended horizontally. 2. Right turn: Hand and arm extended upward. 3. Stop or decrease speed: Hand and arm extended downward. 4. Reentering lane of traffic from parked position: Hand and arm extended horizontally. (Added to NRS by 1969, 1498)—(Substituted in revision for NRS 484.347)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.440 - Stopping, standing or parking outside of business or residence district.

1. Upon any highway outside of a business or residence district no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the highway when it is practicable to stop, park or so leave such vehicle off such part of the highway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicles shall be available from a distance of 200 feet in each direction upon such highway. 2. This section shall not apply to the driver of any vehicle which is disabled while on the paved or main-traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position. (Added to NRS by 1969, 1502)—(Substituted in revision for NRS 484.395)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.443 - Law enforcement officer authorized to remove certain vehicles and property; protocol for selection and use of towing services; duties and liability of person removing vehicle or property; responsibility for cost of removal.

1. Except as otherwise provided in subsection 2, whenever any law enforcement officer finds a vehicle standing upon a highway in violation of any of the provisions of chapters 484A to 484E, inclusive, of NRS, the officer may move the vehicle, or require the driver or person in charge of the vehicle to move it, to a position off the paved, improved or main-traveled part of the highway. 2. Whenever any law enforcement officer finds a vehicle, the cargo of a vehicle or other property unattended, disabled or spilled upon any highway, bridge or causeway, or in any tunnel, where the vehicle, cargo or property constitutes an obstruction to traffic, interferes with the normal flow of traffic or otherwise endangers public safety, the officer or the law enforcement agency employing the officer, in coordination with unified command, if applicable, may provide for the immediate removal of the vehicle, cargo or property to a position where the vehicle, cargo or property no longer constitutes an obstruction to traffic, interferes with the normal flow of traffic or otherwise endangers public safety. 3. Except as otherwise provided in subsection 2, any law enforcement officer may, subject to the requirements of subsection 4, remove any vehicle or part of a vehicle found on the highway, or cause it to be removed, to a garage or other place of safekeeping if: (a) The vehicle has been involved in a crash and is so disabled that its normal operation is impossible or impractical and the person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such an extent as to be unable to provide for its removal or custody, or are not in the immediate vicinity of the disabled vehicle; (b) The person driving or in actual physical control of the vehicle is arrested for any alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay; (c) The person driving or in actual physical control of the vehicle has been issued a citation for reckless driving pursuant to NRS 484B.653; or (d) The person in charge of the vehicle is unable to provide for its custody or removal within: (1) Twenty-four hours after abandoning the vehicle on any freeway, United States highway or other primary arterial highway. (2) Seventy-two hours after abandoning the vehicle on any other highway. 4. Unless a different course of action is necessary to preserve evidence of a criminal offense, a law enforcement officer who wishes to have a vehicle or part of a vehicle removed from a highway pursuant to subsection 3 shall, in accordance with any applicable protocol such as a rotational schedule regarding the selection and use of towing services, cause the

vehicle or part of a vehicle to be removed by a tow car operator. The tow car operator shall, to the extent practicable and using the shortest and most direct route, remove the vehicle or part of a vehicle to the garage of the tow car operator unless directed otherwise by the officer. The tow car operator is liable for any loss of or damage to the vehicle or its contents that occurs while the vehicle is in the possession or control of the tow car operator. 5. A person or entity, including a law enforcement officer, the law enforcement agency employing the law enforcement officer, unified command or a tow car operator who provides for the removal of a vehicle, the cargo of a vehicle or other property pursuant to subsection 2: (a) Is not liable for any loss of or damage to the vehicle, the contents of the vehicle, the cargo or the property that is removed; and (b) Must make a reasonable attempt, as soon as practicable, to notify the owner of the vehicle, cargo or property as to the location of the vehicle, cargo or property if the owner of the vehicle or property is not present at the time of removal and the owner of the vehicle, cargo or property is ascertainable by the officer. 6. All costs incurred under the provisions of subsection 2 must be borne by the owner of the vehicle, cargo or property. 7. As used in this section: (a) "Traffic incident" has the meaning ascribed to it in NRS 484B.607. (b) "Unified command" means a group of law enforcement officers or other persons organized to provide a coordinated response to a traffic incident which requires two or more responding entities within a jurisdiction or which requires responding entities from two or more jurisdictions. The responding entities may include, without limitation, police, fire or emergency medical personnel, a tow car operator, or a state or local governmental entity responsible for roadway or other infrastructure repair or maintenance. (Added to NRS by 1969, 1503; A 1975, 775; 1983, 849; 1997, 2798; 2003, 1962; 2015, 1636; 2017, 1294; 2023, 1288)—(Substituted in revision for NRS 484.397)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.447 - Preservation of criminal evidence when vehicle is removed from highway.

Whenever any law enforcement officer provides for the removal of any vehicle pursuant to NRS 484B.443 and has probable cause to believe that the vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or tends to show that a particular person has committed a criminal offense, the officer shall take such steps as may be required by law and reasonably necessary to preserve the evidence, including but not limited to safe storage, until the evidence is released to the owner or otherwise disposed of according to law. (Added to NRS by 1975, 776; A 2017, 1295)—(Substituted in revision for NRS 484.398)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.450 - Stopping, standing or parking prohibited in specified places; exceptions.

1. A person shall not stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic-control device, in any of the following places: (a) Except as otherwise provided in subsection 3, on a sidewalk; (b) In front of a public or private driveway; (c) Within an intersection; (d) Within 15 feet of a fire hydrant in a place where parallel parking is permitted, or within 20 feet of a fire hydrant if angle parking is permitted and a local ordinance requires the greater distance; (e) On a crosswalk; (f) Within 20 feet of a crosswalk; (g) Within 30 feet upon the approach to any official traffic-control signal located at the side of a highway; (h) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone; (i) Within 50 feet of the nearest rail of a railroad; (j) Within 20 feet of a driveway entrance to any fire station and, on the side of a highway opposite the entrance to any fire station, within 75 feet of that entrance; (k) Alongside or opposite any highway excavation or obstruction when stopping, standing or parking would obstruct traffic; (l) On the highway side of any vehicle stopped or parked at the edge of or curb of a highway; (m) Upon any bridge or other elevated structure or within a highway tunnel; (n) Except as otherwise provided in subsection 2, within 5 feet of a public or private driveway; and (o) At any place where official traffic-control devices prohibit stopping, standing or parking. 2. The provisions of paragraph (n) of subsection 1 do not apply to a person operating a vehicle of the United States Postal Service if the vehicle is being operated for the official business of the United States Postal Service. 3. A person may park a bicycle, an electric bicycle or an electric scooter on a sidewalk provided that the bicycle, electric bicycle or electric scooter does not impede the normal and reasonable movement of pedestrians on the sidewalk. 4. A person shall not move a vehicle not owned by the person into any prohibited area or away from a curb to a distance which is unlawful. 5. A local authority may place official traffic-control devices prohibiting or restricting the stopping, standing or parking of vehicles on any highway where in its opinion stopping, standing or parking is dangerous to those using the highway or where the vehicles which are stopping, standing or parking would unduly interfere with the free movement of traffic. It is unlawful for any person to stop, stand or park any vehicle in violation of the restrictions stated on those devices. (Added to NRS by 1969, 1501; A 1979, 35; 1993, 656; 2007, 356; 2019, 1892)—(Substituted in revision for NRS 484.399)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.453 - Prohibited parking in front of theaters, hotels and other buildings.

A person shall not park a vehicle at any time on any of the following parts of highways, sidewalks or sidewalk areas, where official traffic-control devices are erected giving notice thereof: 1. In front of a theater entrance. 2. In front of the entrance or exit of a hotel. 3. In front of the entrance to any building where any such device has been erected by a local authority. (Added to NRS by 1969, 1504)—(Substituted in revision for NRS 484.401)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.457 - Parallel and angle parking; stopping,

standing and parking on highways under jurisdiction of Department of Transportation.

1. Except as otherwise provided in this section, every vehicle stopped or parked upon a highway where there are adjacent curbs must be stopped or parked with the right-hand wheels of the vehicle parallel to and within 18 inches of the right-hand curb. 2. Local authorities may by ordinance permit parking of vehicles with the left-hand wheels adjacent to and within 18 inches of the left-hand curb of a one-way highway. 3. Local authorities may by ordinance permit angle parking on any highway, except that angle parking must not be permitted on any highway constructed and maintained by the Department of Transportation under the authority granted by chapter 408 of NRS unless the Department has determined that the highway is of sufficient width to permit angle parking without interfering with the free movement of traffic. 4. The Department of Transportation with respect to highways under its jurisdiction may place official traffic-control devices prohibiting or restricting the stopping, standing or parking of vehicles on any such highway where, in its opinion, such stopping, standing or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic thereon. It is unlawful for any person to stop, stand or park any vehicle in violation of the restrictions stated on those devices. (Added to NRS by 1969, 1500; A 1979, 1806)—(Substituted in revision for NRS 484.403)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.460 - Parking at angle designated by devices permitting angle parking.

Upon those highways which have official traffic-control devices permitting angle parking, a person shall not stop, stand or park a vehicle other than at the angle to the curb or edge of the highway indicated by such devices. (Added to NRS by 1969, 1500)—(Substituted in revision for NRS 484.405)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.463 - Special license plate or plates and special or temporary parking placards and stickers: Use; alternative use of special plate or plates issued to veteran with a disability; limitations. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the provisions of chapter 129, Statutes of Nevada 2015, at page 476.] Special license plate or plates and special or temporary parking placards and stickers: Use; alternative use of special plate or plates issued to veteran with a disability; limitations. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 129, Statutes of Nevada 2015, at page 476.]

1. Except as otherwise provided in subsection 3, an owner or operator of a motor vehicle displaying a special parking placard, a special parking sticker, a temporary parking placard, a temporary parking sticker or a special plate or plates issued pursuant to NRS 482.384, or a special plate or plates for a veteran with a disability issued pursuant to NRS 482.3765, 482.377, 482.3775, 482.378 or 482.3783, may park the motor vehicle for not more than 4 hours at any one time in a parking zone restricted as to the length of time parking is permitted, without penalty, removal or impoundment of the vehicle if the parking is otherwise consistent with public safety and is done by a person with a permanent disability, disability of moderate duration or temporary disability, a veteran with a disability or a person transporting any such person. 2. An owner or operator of a motor vehicle displaying a special plate or plates for a veteran with a disability issued pursuant to NRS 482.3765, 482.377, 482.3775, 482.378 or 482.3783 may, without displaying a special license plate, placard or sticker issued pursuant to NRS 482.384, park in a parking space designated for persons who are handicapped if: (a) The parking is done by a veteran with a disability; or (b) A veteran with a disability is a passenger in the motor vehicle being parked. 3. This section does not authorize the parking of a motor vehicle in any privately or municipally owned facility for parking off the highway without paying the required fee for the time during which the vehicle is so parked. (Added to NRS by 1969, 1501; A 1973, 82; 1975, 821; 1981, 784; 1985, 595; 1993, 1392; 1999, 2572; 2001, 1861; 2003, 381; 2005, 987; 2015, 259, 266)—(Substituted in revision for NRS 484.407) 1. Except as otherwise provided in subsection 4, an owner or operator of a motor vehicle displaying a special parking placard, a special parking sticker, a temporary parking placard, a temporary parking sticker or a special plate or plates issued pursuant to NRS 482.384, or a special plate or plates for a veteran with a disability issued pursuant to NRS 482.3765, 482.377, 482.3775, 482.378 or 482.3783, may park the motor vehicle for not more than 4 hours at any one time in a parking zone restricted as to the length of time parking is permitted, without penalty, removal or impoundment of the vehicle if the parking is otherwise consistent with public safety and is done by a person with a permanent disability, disability of moderate duration or temporary disability, a veteran with a disability or a person transporting any such person. 2. An owner or operator of a motor vehicle displaying a special plate or plates for a veteran with a disability issued pursuant to NRS 482.3765, 482.377, 482.3775, 482.378 or 482.3783 may, without displaying a special license plate, placard or sticker issued pursuant to NRS 482.384, park in a parking space designated for persons who are handicapped if: (a) The parking is done by a veteran with a disability; or (b) A veteran with a disability is a passenger in the motor vehicle being parked. 3. An owner or operator of a motor vehicle displaying a special license plate or plates, a special or temporary parking placard or a special or temporary parking sticker that has been issued pursuant to NRS 482.384 shall, if requested by a police officer or a volunteer appointed pursuant to NRS 484B.470, present the authorization letter issued pursuant to subsection 15 of NRS 482.384 so that the police officer or volunteer may view the photograph. 4. This section does not authorize the parking of a motor vehicle in any privately or municipally owned facility for parking off the highway without paying the required fee for the time during which the vehicle is so parked. (Added to

NRS by 1969, 1501; A 1973, 82; 1975, 821; 1981, 784; 1985, 595; 1993, 1392; 1999, 2572; 2001, 1861; 2003, 381; 2005, 987; 2015, 259, 266, 479, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 129, Statutes of Nevada 2015, at page 476)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.467 - Parking space designated for persons who are handicapped: Signs; required plates, stickers or placards for parking; prohibited acts; penalty. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the provisions of chapter 129, Statutes of Nevada 2015, at page 476.] Parking space designated for persons who are handicapped: Signs; required plates, stickers or placards for parking; prohibited acts; penalty. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 129, Statutes of Nevada 2015, at page 476.]

1. Any parking space designated for persons who are handicapped must be indicated by a sign: (a) Bearing the international symbol of access with or without the words "Parking," "Handicapped Parking," "Handicapped Parking Only" or "Reserved for the Handicapped," or any other word or combination of words indicating that the space is designated for persons who are handicapped; (b) Stating "Minimum fine of \$250 for use by others" or equivalent words; and (c) The bottom of which must be not less than 4 feet above the ground. 2. In addition to the requirements of subsection 1, a parking space designated for persons who are handicapped which: (a) Is designed for the exclusive use of a vehicle with a side-loading wheelchair lift; and (b) Is located in a parking lot with 60 or more parking spaces, must be indicated by a sign using a combination of words to state that the space is for the exclusive use of a vehicle with a side-loading wheelchair lift. 3. If a parking space is designed for the use of a vehicle with a side-loading wheelchair lift, the space which is immediately adjacent and intended for use in the loading and unloading of a wheelchair into or out of such a vehicle must be indicated by a sign: (a) Stating "No Parking" or similar words which indicate that parking in such a space is prohibited; (b) Stating "Minimum fine of \$250 for violation" or similar words indicating that the minimum fine for parking in such a space is \$250; and (c) The bottom of which must not be less than 4 feet above the ground. 4. An owner of private property upon which is located a parking space described in subsection 1, 2 or 3 shall erect and maintain or cause to be erected and maintained any sign required pursuant to subsection 1, 2 or 3, whichever is applicable. If a parking space described in subsection 1, 2 or 3 is located on public property, the governmental entity having control over that public property shall erect and maintain or cause to be erected and maintained any sign required pursuant to subsection 1, 2 or 3, whichever is applicable. 5. A person shall not park a vehicle in a space designated for persons who are handicapped by a sign that meets the requirements of subsection 1, whether on public or privately owned property, unless the person is eligible to do so and the vehicle displays: (a) A special license plate or plates issued pursuant to NRS 482.384; (b) A special or temporary parking placard issued pursuant to NRS 482.384; (c) A special or temporary parking sticker issued pursuant to NRS 482.384; (d) A special license plate or plates, a special or temporary parking sticker, or a special or temporary parking placard displaying the international symbol of access issued by another state or a foreign country; or (e) A special license plate or plates for a veteran with a disability issued pursuant to NRS 482.3765, 482.377, 482.3775, 482.378 or 482.3783. 6. Except as otherwise provided in this subsection, a person shall not park a vehicle in a space that is reserved for the exclusive use of a vehicle with a side-loading wheelchair lift and is designated for persons who are handicapped by a sign that meets the requirements of subsection 2, whether on public or privately owned property, unless: (a) The person is eligible to do so; (b) The vehicle displays the special license plate, plates or placard set forth in subsection 5; and (c) The vehicle is equipped with a side-loading wheelchair lift. A person who meets the requirements of paragraphs (a) and (b) may park a vehicle that is not equipped with a side-loading wheelchair lift in such a parking space if the space is in a parking lot with fewer than 60 parking spaces. 7. A person shall not park in a space which: (a) Is immediately adjacent to a space designed for use by a vehicle with a side-loading wheelchair lift; and (b) Is designated as a space in which parking is prohibited by a sign that meets the requirements of subsection 3, whether on public or privately owned property. 8. A person shall not use a plate, sticker or placard set forth in subsection 5 to park in a space designated for persons who are handicapped unless he or she is a person with a permanent disability, disability of moderate duration or temporary disability, a veteran with a disability or the driver of a vehicle in which any such person is a passenger. 9. A person with a permanent disability, disability of moderate duration or temporary disability to whom a: (a) Special license plate, or a special or temporary parking sticker, has been issued pursuant to NRS 482.384 shall not allow any other person to park the vehicle, motorcycle or moped displaying the special license plate or special or temporary parking sticker in a space designated for persons who are handicapped unless the person with the permanent disability, disability of moderate duration or temporary disability is a passenger in the vehicle or on the motorcycle or moped, or is being picked up or dropped off by the driver of the vehicle, motorcycle or moped, at the time that the vehicle, motorcycle or moped is parked in the space designated for persons who are handicapped. (b) Special or temporary parking placard has been issued pursuant to NRS 482.384 shall not allow any other person to park the vehicle which displays the special or temporary parking placard in a space designated for persons who are handicapped unless the person with the permanent disability, disability of moderate duration or temporary disability is a passenger in the vehicle, or is being picked up or dropped off by the driver of the vehicle, at the time that it is parked in the space designated for persons who are handicapped. 10. A person who violates any of the provisions of subsections 5 to 9, inclusive, is guilty of a misdemeanor and shall be punished: (a) Upon the first offense, by a fine of \$250. (b) Upon the second offense, by a fine of \$250 and not less than 8 hours, but not more than 50 hours, of community service. (c) Upon the third or subsequent offense, by a

fine of not less than \$500, but not more than \$1,000 and not less than 25 hours, but not more than 100 hours, of community service. (Added to NRS by 1981, 985; A 1985, 595, 1566; 1989, 1317; 1991, 1375; 1993, 1393; 1995, 569, 2762; 1999, 54, 1680, 2573; 2001, 189, 566, 1861; 2003, 381; 2005, 987, 1370; 2015, 260, 266, 1766)—(Substituted in revision for NRS 484.408) 1. Any parking space designated for persons who are handicapped must be indicated by a sign: (a) Bearing the international symbol of access with or without the words "Parking," "Handicapped Parking," "Handicapped Parking Only" or "Reserved for the Handicapped," or any other word or combination of words indicating that the space is designated for persons who are handicapped; (b) Stating "Minimum fine of \$250 for use by others" or equivalent words; and (c) The bottom of which must be not less than 4 feet above the ground. 2. In addition to the requirements of subsection 1, a parking space designated for persons who are handicapped which: (a) Is designed for the exclusive use of a vehicle with a side-loading wheelchair lift; and (b) Is located in a parking lot with 60 or more parking spaces, must be indicated by a sign using a combination of words to state that the space is for the exclusive use of a vehicle with a side-loading wheelchair lift. 3. If a parking space is designed for the use of a vehicle with a side-loading wheelchair lift, the space which is immediately adjacent and intended for use in the loading and unloading of a wheelchair into or out of such a vehicle must be indicated by a sign: (a) Stating "No Parking" or similar words which indicate that parking in such a space is prohibited; (b) Stating "Minimum fine of \$250 for violation" or similar words indicating that the minimum fine for parking in such a space is \$250; and (c) The bottom of which must not be less than 4 feet above the ground. 4. An owner of private property upon which is located a parking space described in subsection 1, 2 or 3 shall erect and maintain or cause to be erected and maintained any sign required pursuant to subsection 1, 2 or 3, whichever is applicable. If a parking space described in subsection 1, 2 or 3 is located on public property, the governmental entity having control over that public property shall erect and maintain or cause to be erected and maintained any sign required pursuant to subsection 1, 2 or 3, whichever is applicable. 5. A person shall not park a vehicle in a space designated for persons who are handicapped by a sign that meets the requirements of subsection 1, whether on public or privately owned property, unless the person is eligible to do so and the vehicle displays: (a) A special license plate or plates issued pursuant to NRS 482.384; (b) A special or temporary parking placard issued pursuant to NRS 482.384; (c) A special or temporary parking sticker issued pursuant to NRS 482.384; (d) A special license plate or plates, a special or temporary parking sticker, or a special or temporary parking placard displaying the international symbol of access issued by another state or a foreign country; or (e) A special license plate or plates for a veteran with a disability issued pursuant to NRS 482.3765, 482.377, 482.3775, 482.378 or 482.3783. 6. Except as otherwise provided in this subsection, a person shall not park a vehicle in a space that is reserved for the exclusive use of a vehicle with a side-loading wheelchair lift and is designated for persons who are handicapped by a sign that meets the requirements of subsection 2, whether on public or privately owned property, unless: (a) The person is eligible to do so; (b) The vehicle displays the special license plate, plates or placard set forth in subsection 5; and (c) The vehicle is equipped with a side-loading wheelchair lift. A person who meets the requirements of paragraphs (a) and (b) may park a vehicle that is not equipped with a side-loading wheelchair lift in such a parking space if the space is in a parking lot with fewer than 60 parking spaces. 7. A person shall not park in a space which: (a) Is immediately adjacent to a space designed for use by a vehicle with a side-loading wheelchair lift; and (b) Is designated as a space in which parking is prohibited by a sign that meets the requirements of subsection 3, whether on public or privately owned property. 8. A person shall not use a plate, sticker or placard set forth in subsection 5 to park in a space designated for persons who are handicapped unless he or she is a person with a permanent disability, disability of moderate duration or temporary disability, a veteran with a disability or the driver of a vehicle in which any such person is a passenger. 9. A person with a permanent disability, disability of moderate duration or temporary disability to whom a: (a) Special license plate, or a special or temporary parking sticker, has been issued pursuant to NRS 482.384 shall not allow any other person to park the vehicle, motorcycle or moped displaying the special license plate or special or temporary parking sticker in a space designated for persons who are handicapped unless the person with the permanent disability, disability of moderate duration or temporary disability is a passenger in the vehicle or on the motorcycle or moped, or is being picked up or dropped off by the driver of the vehicle, motorcycle or moped, at the time that the vehicle, motorcycle or moped is parked in the space designated for persons who are handicapped. (b) Special or temporary parking placard has been issued pursuant to NRS 482.384 shall not allow any other person to park the vehicle which displays the special or temporary parking placard in a space designated for persons who are handicapped unless the person with the permanent disability, disability of moderate duration or temporary disability is a passenger in the vehicle, or is being picked up or dropped off by the driver of the vehicle, at the time that it is parked in the space designated for persons who are handicapped. 10. An owner or operator of a motor vehicle displaying a special license plate or plates, a special or temporary parking placard or a special or temporary parking sticker that has been issued pursuant to NRS 482.384 shall, if requested by a police officer or a volunteer appointed pursuant to NRS 484B.470, present the authorization letter issued pursuant to subsection 15 of NRS 482.384 so that the police officer or volunteer may view the photograph. 11. A person who violates any of the provisions of subsections 5 to 9, inclusive, is guilty of a misdemeanor and shall be punished: (a) Upon the first offense, by a fine of \$250. (b) Upon the second offense, by a fine of \$250 and not less than 8 hours, but not more than 50 hours, of community service. (c) Upon the third or subsequent offense, by a fine of not less than \$500, but not more than \$1,000 and not less than 25 hours, but not more than 100 hours, of community service. (Added to NRS by 1981, 985; A 1985, 595, 1566; 1989, 1317; 1991, 1375; 1993, 1393; 1995, 569, 2762; 1999, 54, 1680, 2573; 2001, 189, 566, 1861; 2003, 381; 2005, 987, 1370; 2015, 260, 266, 480, 1766, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the provisions of chapter 129, Statutes of Nevada 2015, at page 476)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.468 - Parking space designated for charging electric or hybrid electric vehicles: Signs; prohibited acts; penalties.

1. A person shall not park a vehicle in a space designated for charging electric or hybrid electric vehicles by a sign or markings that meet the requirements of subsection 2, whether on public or privately owned property, if the vehicle is not connected to the charging station for the purpose of charging. 2. For the purpose of enforcing the provisions of subsection 1, a parking space designated for charging electric or hybrid electric vehicles must be indicated by a sign or markings that: (a) Are consistent with the manual and specifications for a uniform system of traffic-control devices adopted pursuant to NRS 484A.430; and (b) State "Minimum fine of \$100 for use by others" or equivalent words. 3. A person who violates the provisions of subsection 1 shall be punished: (a) Upon the first offense, by a fine of \$100. (b) Upon the second offense, by a fine of \$200. (c) Upon the third or subsequent offense, by a fine of not less than \$400, but not more than \$750. 4. A violation of this section is not a moving violation for the purposes of NRS 483.473. (Added to NRS by 2019, 1388)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.470 - Local law enforcement agency authorized to appoint volunteers to enforce certain laws concerning parking for persons who are handicapped.

1. A local law enforcement agency may appoint volunteers to issue citations, prepared manually or electronically, for the violation of the provisions of NRS 484B.467 or ordinances enacted by a local authority that govern parking for persons who are handicapped. 2. The local law enforcement agency appointing volunteers shall: (a) Establish minimum qualifications for the volunteers; (b) Provide training to the volunteers before authorizing them to issue citations; and (c) Provide the volunteers with appropriate equipment, including, but not limited to, uniforms or other identifying attire and traffic citations issued in books or electronic devices that may be used to issue citations. 3. A citation issued by a volunteer appointed pursuant to subsection 1 has the same force and effect as a citation issued by a peace officer. The volunteer shall file the original or a copy of the citation in the manner prescribed in NRS 484A.680. 4. For the purposes of this section, a person who volunteers to a local law enforcement agency to issue citations pursuant to subsection 1 shall be deemed an employee of a political subdivision of this State for the purposes of NRS 616A.160 if the person has successfully completed the training course for the issuance of such citations provided by the local law enforcement agency. 5. Local law enforcement agencies are not liable for the negligent acts or omissions of a person who volunteers to issue citations pursuant to subsection 1 unless: (a) The volunteer made a specific promise or representation to a natural person who relied upon the promise or representation to his or her detriment; or (b) The conduct of the volunteer affirmatively caused the harm. The provisions of this section are not intended to abrogate the principle of common law that the duty of governmental entities to provide services is a duty owed to the public, not to individual persons. 6. An owner of private property on which there are parking spaces designated for persons who are handicapped, or the owner or operator of a business establishment located on such property, is not liable for any acts or omissions resulting from the issuance of a citation by a volunteer pursuant to this section. (Added to NRS by 1997, 70; A 1999, 1145)—(Substituted in revision for NRS 484.4085)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.473 - Parked vehicle at nighttime: Reflectors; lights.

1. Except as otherwise provided by law, whenever a vehicle equipped with all reflectors required by law is lawfully parked at nighttime upon any highway, no lights need be displayed upon such parked vehicle. 2. Whenever lights are displayed upon a vehicle lawfully parked at nighttime upon any highway, such lights shall be depressed or dimmed, in the event cowl or parking lamps are not used. (Added to NRS by 1969, 1501)—(Substituted in revision for NRS 484.409)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.477 - Stopping, standing or parking in alley.

1. Unless otherwise provided by ordinance of the local authority having jurisdiction, a person shall not: (a) Stop, stand or park a vehicle within an alley in a business district except for the expeditious loading or unloading of goods. (b) Stop, stand or park a vehicle in any other alley in such a manner, or under such conditions as to leave available less than 10 feet of the width of the alley for the free movement of vehicular traffic. 2. A person shall not stop, stand or park a vehicle within an alley in such position as to block the driveway or entrance to any abutting property. (Added to NRS by 1969, 1502)—(Substituted in revision for NRS 484.411)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.480 - All-night parking.

Unless otherwise provided by ordinance of the local authority having jurisdiction, a person, except physicians or other persons on emergency calls, shall not park a vehicle on any highway which has an official traffic-control device prohibiting all-night parking for a period of time longer than 30 minutes between the hours of 2 a.m. and 5 a.m. of any day. (Added to NRS by 1969, 1503)—(Substituted in revision for NRS 484.413)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.483 - Parking for certain purposes prohibited.

No person may park a vehicle upon any highway for the principal purpose of: 1. Displaying the vehicle for sale. 2. Washing, greasing or repairing the vehicle, except repairs necessitated by an emergency. 3. Soliciting business. 4. Selling merchandise from the vehicle except in a duly established market place, or one so authorized or licensed by the local authority. 5. Storage, or as junkage or dead storage, for more than 72 hours. (Added to NRS by 1969, 1503; A 1987, 383)—(Substituted in revision for NRS

484.418)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.487 - Parking adjacent to school.

When official traffic-control devices are erected giving notice thereof, a person shall not park a vehicle upon either side of any highway adjacent to any school. (Added to NRS by 1969, 1503)—(Substituted in revision for NRS 484.421)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.490 - Parking on narrow highway.

When official traffic-control devices are erected prohibiting parking upon a narrow highway, a person shall not park a vehicle upon any such highway. (Added to NRS by 1969, 1503)—(Substituted in revision for NRS 484.423)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.493 - Standing or parking on one-way street.

When official traffic-control devices are erected giving notice thereof, a person shall not stand or park a vehicle upon the left-hand side of a one-way street. (Added to NRS by 1969, 1503)—(Substituted in revision for NRS 484.425)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.497 - Standing or parking on one-way roadway.

If a laned roadway is restricted to one direction, a person shall not stand or park a vehicle upon the left-hand side of such one-way roadway unless official traffic-control devices are erected permitting such standing or parking. (Added to NRS by 1969, 1503)—(Substituted in revision for NRS 484.427)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.500 - Stopping, standing or parking near hazardous or congested place.

When official traffic-control devices are erected at hazardous or congested places, a person shall not stop, stand or park a vehicle in any such designated place. (Added to NRS by 1969, 1503)—(Substituted in revision for NRS 484.429)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.503 - Stopping, standing or parking in zone for loading passengers at curb.

A person shall not stop, stand or park a vehicle for any purpose or period of time except for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such passenger curb loading zone are effective. (Added to NRS by 1969, 1503)—(Substituted in revision for NRS 484.431)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.507 - Stopping, standing or parking in zone for loading freight at curb.

1. A person shall not stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. 2. The driver of a vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers, when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter such zone. (Added to NRS by 1969, 1504)—(Substituted in revision for NRS 484.433)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.510 - Stopping, standing or parking in restricted parking zone.

A person shall not stop, stand or park a vehicle for any purpose or length of time in any restricted parking zone other than for the purpose to which parking in such zone is restricted, except that a driver of a passenger vehicle may stop temporarily in such zone for the purpose of and while actually engaged in loading or unloading of passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter the zone for the purpose of parking in accordance with the purpose to which parking is restricted. (Added to NRS by 1969, 1504)—(Substituted in revision for NRS 484.435)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.513 - Stopping, standing and parking of bus or taxicab.

The operator of a bus or taxicab shall not stop, stand or park upon any highway in any business district at any place other than a bus stop or taxicab stand, respectively, except that this provision does not prohibit the driver of any such vehicle from temporarily stopping in accordance with other stopping, standing or parking regulations at any place for the purpose of and while engaged in the expeditious unloading or loading of passengers. (Added to NRS by 1969, 1504)—(Substituted in revision for NRS 484.437)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.517 - Restricted use of bus and taxicab stands.

A person shall not stop, stand or park a vehicle other than a bus in a bus stop, or a taxicab in a taxicab stand, when such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop there and for the purpose of and while actually engaged in expeditiously loading or unloading of passengers when such stopping does not

interfere with any bus or taxicab waiting to enter or about to enter such zone. (Added to NRS by 1969, 1504)—(Substituted in revision for NRS 484.439)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.520 - Regulation of stopping, standing or parking by local authority.

1. A local authority may erect, pursuant to ordinance, official traffic-control devices regulating the stopping, standing or parking of vehicles on any highway under its jurisdiction. 2. When devices are erected giving notice thereof, it is unlawful for any person to stop, stand or park a vehicle for longer than the time designated by any such sign. (Added to NRS by 1969, 1504)—(Substituted in revision for NRS 484.441)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.523 - Stopping, standing or parking in metered parking zone; unlawful tampering with meter.

1. When parking meters are erected by any local authority pursuant to an adopted ordinance giving notice thereof, it is unlawful for any person to stop, stand or park a vehicle in any metered parking zone for a period of time longer than designated by such parking meters upon a deposit of a coin of United States currency of the designated denomination. 2. Every vehicle shall be parked wholly within the metered parking space for which the meter shows parking privilege has been granted. 3. It is unlawful for any unauthorized person to remove, deface, tamper with, open, willfully break, destroy or damage any parking meter, or willfully to manipulate any parking meter in such a manner that the indicator will fail to show the correct amount of unexpired time before a violation occurs. (Added to NRS by 1969, 1504; A 2011, 2876, 2877)—(Substituted in revision for NRS 484.443)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.527 - Local authority authorized to file notice of nonpayment with Department if registered owner of motor vehicle fails to pay certain penalties, fines or other charges; contents of notice; regulations.

1. If the registered owner of a motor vehicle fails to pay any civil penalty or criminal fine or any other charge imposed against the registered owner for a violation of: (a) The provisions of NRS 484B.440 to 484B.523, inclusive; or (b) An ordinance of a local authority authorized by chapters 484A to 484E, inclusive, of NRS which covers the same subject matter as the provisions of NRS 484B.440 to 484B.523, inclusive, the local authority which imposed that penalty, fine or charge may file a notice of nonpayment with the Department. 2. The notice must include: (a) The time, place and date of each violation; (b) The number of the license plate of the vehicle and the make and model year of the vehicle; (c) The amount of the fine and any other charge imposed for each violation; (d) The total amount of money owed to the local authority for those violations; and (e) Any other information the Department may require. 3. The Department shall adopt regulations which prescribe the form for the notice of nonpayment and any information which must be included in that notice. (Added to NRS by 1995, 2360; A 1997, 465)—(Substituted in revision for NRS 484.444)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.530 - Unattended motor vehicle: Stopping engine, locking ignition and removing key.

The person driving or in charge of any motor vehicle, except a commercial vehicle loading or unloading goods shall not permit it to stand unattended without first stopping the engine, locking the ignition and removing the key. (Added to NRS by 1969, 1502)—(Substituted in revision for NRS 484.445)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.533 - Unattended motor vehicle: Standing on grade.

A vehicle shall not be permitted to stand unattended upon any perceptible grade without stopping the engine and effectively setting the brake thereon and turning the front wheels to the curb or side of the highway. (Added to NRS by 1969, 1502)—(Substituted in revision for NRS 484.447)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.550 - Stop required upon signal of peace officer; manner in which signal must be given; penalties.

1. Except as otherwise provided in this section, the driver of a motor vehicle on a highway or premises to which the public has access who willfully fails or refuses to bring the vehicle to a stop, or who otherwise flees or attempts to elude a peace officer in a readily identifiable vehicle of any police department or regulatory agency, when given a signal to bring the vehicle to a stop is guilty of a misdemeanor. 2. The signal by the peace officer described in subsection 1 must be by flashing red lamp and siren. 3. Unless the provisions of NRS 484B.653 apply if, while violating the provisions of subsection 1, the driver of the motor vehicle: (a) Is the proximate cause of damage to the property of any other person; or (b) Operates the motor vehicle in a manner which endangers or is likely to endanger any other person or the property of any other person, the driver is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. 4. If, while violating the provisions of subsection 1, the driver of the motor vehicle is the proximate cause of the death of or bodily harm to any other person, the driver is guilty of a

category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years, or by a fine of not more than \$50,000, or by both fine and imprisonment. 5. If the driver of the motor vehicle is convicted of a violation of NRS 484C.110 or 484C.120 arising out of the same act or transaction as a violation of subsection 1, the driver is guilty of a category D felony and shall be punished as provided in NRS 193.130 for the violation of subsection 1. (Added to NRS by 1975, 320; A 1979, 1805; 1981, 533; 1983, 1014; 1985, 26; 1989, 1194; 1993, 524; 1995, 1297, 1725; 1997, 547; 2003, 487; 2007, 2728; 2009, 1866; 2019, 2653)—(Substituted in revision for NRS 484.348)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.553 - Obedience to signal indicating approach of railroad train or other on-track equipment.

1. Whenever any person driving a vehicle approaches a railroad grade crossing and a clearly visible official traffic-control or railroad device gives warning of the immediate approach of a train or other on-track equipment, the driver of such vehicle shall stop within 50 feet but not less than 15 feet from the nearest track of such railroad and shall not proceed until the driver can do so safely. The foregoing requirements shall apply when: (a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train or other on-track equipment. (b) A crossing gate is lowered or when a flagger gives or continues to give a signal of the approach or passage of a railroad train or other on-track equipment. (c) A railroad train or other on-track equipment approaching within approximately 1,500 feet of the highway crossing emits a signal audible from such distance and such railroad train or other on-track equipment, by reason of its speed or nearness to such crossing, is an immediate hazard. (d) An approaching railroad train or other on-track equipment is plainly visible and is in hazardous proximity to such crossing. 2. A person shall not drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. (Added to NRS by 1969, 1493; A 2019, 342)—(Substituted in revision for NRS 484.349)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.557 - Stop required at certain railroad grade crossings.

The Department of Transportation, and local authorities with the approval of the Department of Transportation, may designate dangerous highway grade crossings of railroads and erect official traffic-control devices at such crossings directing a stop. When such stop signs are erected the driver of any vehicle shall stop within 50 feet but not less than 15 feet from the nearest track of such a grade crossing and afterward may proceed only upon exercising due care. (Added to NRS by 1969, 1494; A 1979, 1804)—(Substituted in revision for NRS 484.351)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.560 - Certain vehicles required to stop at all railroad grade crossings; exceptions; certain commercial vehicles required to decrease speed and confirm tracks are clear at all railroad grade crossings; vehicles required to completely cross railroad grade crossings and obey traffic control devices and peace officers at railroad grade crossings.

1. Except as otherwise provided in subsection 4, the driver of a bus carrying passengers, or of any school bus carrying any school child, or of any vehicle carrying hazardous materials as that term is defined in 49 C.F.R. § 383.5, before crossing at grade any track or tracks of a railroad, shall stop that vehicle within 50 feet but not less than 15 feet from the nearest rail of the railroad and while so stopped shall listen and look in both directions along the track for any approaching train or other on-track equipment, and for signals indicating the approach of a train or other on-track equipment, and shall not proceed until the driver can do so safely. 2. After stopping as required in this section and upon proceeding when it is safe to do so, the driver of any such vehicle shall cross only in a gear of the vehicle that there will be no necessity for changing gears while traversing the crossing and the driver shall not shift gears while crossing the track or tracks. 3. When stopping is required at a railroad crossing the driver shall keep as far to the right of the highway as possible and shall not form two lanes of traffic unless the highway is marked for four or more lanes of traffic. 4. No such stop need be made at a railroad crossing: (a) Where a police officer or official traffic-control device controls the movement of traffic. (b) Which is marked with a device indicating that the crossing is abandoned. (c) Which is a streetcar crossing or is used exclusively for industrial switching purposes within an area designated as a business district. (d) Which is marked with a sign identifying it as an exempt crossing. Signs identifying a crossing as exempt may be erected only: (1) If the tracks are an industrial or spur line; (2) By or with the consent of the appropriate state or local authority which has jurisdiction over the road; and (3) After the State or the local authority has held a public hearing to determine whether the crossing should be designated an exempt crossing. 5. The driver of a commercial motor vehicle, as that term is defined in 49 C.F.R. § 383.5, who is not otherwise required to stop pursuant to subsection 1 shall, before crossing at grade any track or tracks of a railroad, decrease the speed of the commercial motor vehicle and confirm that the tracks are clear of any approaching train or other on-track equipment. 6. If the driver of any vehicle approaches a railroad crossing and the track or tracks of the railroad are not clear, the driver shall stop that vehicle within 50 feet but not less than 15 feet from the nearest rail of the railroad and shall not proceed until the driver can do so safely. 7. It is unlawful for the driver of any vehicle: (a) When crossing at grade any track or tracks of a railroad, to fail to completely cross the track or tracks without stopping due to insufficient: (1) Space for the vehicle on the opposite side of the railroad crossing; or (2) Undercarriage clearance of the vehicle; or (b) To fail to obey an official traffic-control device or the directions of a police officer at a railroad crossing. 8. As used in this section, "completely cross" means to travel across a railroad track or tracks in such a manner that the trailing end of the vehicle is 15 feet or more past the nearest rail of the railroad track or tracks. (Added to NRS by 1969, 1495; A

1979, 1117; 2015, 194; 2019, 342; 2023, 207)—(Substituted in revision for NRS 484.353)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.563 - Moving heavy equipment at railroad grade crossing.

1. It is unlawful for any person to operate or move any crawler-type tractor, power shovel, derrick, roller, or any vehicle, equipment or structure having a normal operating speed of 10 or less miles per hour or a vertical body or load clearance of less than one-half inch per foot of the distance between any two adjacent axles or in any event of less than 9 inches, measured above the level surface of a highway, upon or across any tracks at a railroad grade crossing without first complying with this section. 2. Before making any such crossing the person operating or moving any such vehicle or equipment shall first stop the same not less than 15 feet nor more than 50 feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment, and shall not proceed until the crossing can be made safely. 3. No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagger or otherwise of the immediate approach of a railroad train or car or other on-track equipment. If a flagger is provided by the railroad, movement over the crossing shall be under the direction of the flagger. (Added to NRS by 1969, 1494; A 2019, 343)—(Substituted in revision for NRS 484.355)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.570 - Administrative roadblock: Establishment; minimum requirements.

1. The police officers in this State may establish, in their respective jurisdictions, administrative roadblocks upon the highways of this State for any lawful purpose other than identifying the occupants of a vehicle or because of the existence of an emergency. 2. To warn and protect the traveling public, administrative roadblocks established by police officers must meet the following requirements: (a) The administrative roadblock must be established at a point on the highway clearly visible to approaching traffic at a distance of not less than 100 yards in either direction. (b) At the entrance to the administrative roadblock: (1) A sign must be placed near the centerline of the highway displaying the word "Stop" in letters of sufficient size and luminosity to be readable at a distance of not less than 50 yards in the direction affected by the administrative roadblock, either in daytime or darkness. (2) At least one red flashing or intermittent light, on and burning, must be placed at the side of the highway, clearly visible to the oncoming traffic at a distance of not less than 100 yards. (c) Warning signs must be placed at the side of the highway, containing any wording of sufficient size and luminosity to warn the oncoming traffic that a "police stop" lies ahead, and a burning beam light, flare or lantern must be placed near the signs to attract the attention of the traffic to the signs. The signs must be placed at a distance of not less than: (1) One-quarter of a mile from the entrance to the administrative roadblock if the portion of the highway containing the administrative roadblock is in a rural area. (2) Seven hundred feet from the entrance to the administrative roadblock if the portion of the highway containing the administrative roadblock is in an urban area. (Added to NRS by 1969, 1495; A 1987, 1073; 2011, 301)—(Substituted in revision for NRS 484.359)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.573 - Temporary roadblock: Establishment; minimum requirements.

1. The police officers in this State may establish, in their respective jurisdictions, or in other jurisdictions within this State, temporary roadblocks upon the highways of this State: (a) To apprehend persons known to be wanted for violation of the laws of this State, another state or the United States, and using the highways of this State for the purpose of escape; or (b) To control traffic at or near the scene of a potential or existing emergency or hazard. 2. To warn and protect the traveling public, temporary roadblocks established by police officers must meet the following requirements: (a) The temporary roadblock must be established at a point on the highway clearly visible at a distance of not less than 100 yards in either direction. (b) At the entrance to the temporary roadblock: (1) An authorized emergency vehicle, plainly and clearly marked as such and with its warning lights in operation, must be placed so as to be clearly visible to traffic affected by the temporary roadblock at a distance of not less than 100 yards. When so placed, at least one of the vehicle's flashing red lights must be visible to approaching traffic at a distance of not less than 100 yards. (2) Sufficient cones, reflectors, burning flares or similar devices must be in place to identify the entrance to the temporary roadblock and direct, as necessary, the path to be followed by a vehicle approaching the temporary roadblock. The devices, when in place, must be clearly visible to traffic affected by the temporary roadblock at a distance of not less than 100 yards. (c) At a point located not less than 200 yards, but not more than 400 yards, from the entrance to the temporary roadblock, cones, reflectors, burning flares or similar devices must be placed on both shoulders of the highway and near the centerline of the highway to warn traffic that a condition hazardous to traffic exists in the immediate vicinity. (Added to NRS by 1987, 1072; A 2011, 302)—(Substituted in revision for NRS 484.3591)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.574 - Flooding or water on roadway: Liability for expenses if person travels through temporary roadblock or is convicted of reckless driving; limitations on liability and expenses; immunity from liability.

1. Except as otherwise provided in subsections 4 and 5, a person who, as described in NRS 484B.580, unlawfully proceeds or travels through a temporary roadblock established pursuant to NRS 484B.573 because of flooding or water on the roadway, is liable for the

expenses of any emergency response that is required to: (a) Remove the driver or any passenger from the vehicle; (b) Move or remove the vehicle that becomes inoperable from the roadway or any area near the roadway where the vehicle creates a hazard; or (c) Both (a) and (b). 2. Except as otherwise provided in subsection 4, a person who is convicted of reckless driving pursuant to NRS 484B.653 for driving a vehicle into any area that is temporarily covered by a rise in water level as a result of flooding or any other cause, may be liable for the expenses of any emergency response that is required to: (a) Remove the driver or any passenger from the vehicle; (b) Move or remove the vehicle that becomes inoperable from the area; or (c) Both (a) and (b). 3. The liability imposed by this section is in addition to and does not limit any other liability that may be imposed in accordance with law. 4. A person's liability for the expenses of any emergency response pursuant to this section must not exceed \$2,000 for a single incident. 5. A person who violates subsection 1 as a result of making a good faith effort to assist a person who is or appears to be in danger because of flooding or water on the roadway is immune from the liability imposed by this section. 6. An insurance policy may exclude coverage for a person's liability for the expenses of any emergency response as described in this section. 7. The expenses of any emergency response pursuant to this section are a charge against the person liable for those expenses in accordance with this section. The charge constitutes a debt of that person and may be collected proportionately by the public entities, for profit entities or nonprofit entities that incurred the expenses. 8. As used in this section: (a) "Expenses of any emergency response" means all reasonable costs and expenses directly incurred by any entity making an appropriate emergency response and removing a person from a vehicle or moving or removing a vehicle pursuant to subsection 1 or 2. The term includes, without limitation: (1) The salary or wages of any person participating in the emergency response; (2) The deemed wages of any volunteer of a public entity participating in the emergency response; and (3) The costs for the use or operation of any equipment used in the emergency response, including, without limitation, the cost of fuel for the equipment. (b) The term does not include any fees or charges assessed for the use of an air ambulance or ambulance, as those terms are defined in NRS 450B.030 and 450B.040, respectively. (Added to NRS by 2015, 1122)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.577 - Authority of police officers not limited by provisions relating to roadblocks.

The provisions of NRS 484B.570 and 484B.573 do not limit the existing authority of police officers in the performance of their duties involving traffic control. (Added to NRS by 1987, 1073)—(Substituted in revision for NRS 484.3593)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.580 - Failure to stop at roadblock; penalties.

1. It is unlawful for a person to: (a) Proceed or travel through an administrative roadblock or a temporary roadblock without subjecting himself or herself to the traffic control established at the roadblock. (b) Disobey the lawful orders or directions of a police officer at an administrative roadblock or a temporary roadblock. 2. A person who unlawfully proceeds through an administrative roadblock or a temporary roadblock shall be punished: (a) If the person is the direct cause of a death or substantial bodily harm to any person, or damage to property in excess of \$1,000, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment. (b) If no death, substantial bodily harm or damage to property in excess of \$1,000 occurs, for a gross misdemeanor. (Added to NRS by 1987, 1073; A 1995, 1298)—(Substituted in revision for NRS 484.3595)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.587 - Obedience to signs relating to controlled-access highway; restrictions on driving on controlled-access highway; additional penalty for violation committed in work zone.

1. When official traffic-control devices are erected giving notice thereof, a person shall not drive a vehicle onto or from any controlled-access highway except at those entrances and exits which are indicated by such devices. 2. Except if required by an emergency or as otherwise authorized by subsection 3, a person shall not drive a vehicle on a controlled-access highway: (a) Upon any portion of the highway that lies outside of a marked traffic lane or marked entrance or exit lane; or (b) Across any solid white line that separates an entrance or exit lane from a marked traffic lane. 3. A person driving a vehicle described in paragraphs (a) to (f), inclusive, of subsection 4 of NRS 484B.210 may drive that vehicle on a paved shoulder of a controlled-access highway where lawfully placed signage allows that vehicle to use the shoulder in that manner. 4. A person who violates any provision of this section may be subject to the additional penalty set forth in NRS 484B.130. (Added to NRS by 1969, 1500; A 2003, 3241; 2009, 154; 2023, 653)—(Substituted in revision for NRS 484.311)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.590 - Heavy-vehicle lanes: Authority of Department of Transportation to erect advisory signs on controlled-access facilities.

1. The Department of Transportation may erect advisory signs at reasonable intervals on any controlled-access facility within its jurisdiction which has three or more lanes for traffic traveling in one direction to advise operators of vehicles with a declared gross weight in excess of 26,000 pounds in which lanes they should travel. 2. As used in this section, "controlled-access facility" means a highway or street especially designed for through traffic, and over, from or to which owners or occupants of abutting land or other persons have no right or easement, or only a controlled right or easement of access, light, air or view, by reason of the fact that their property abuts upon the controlled-access facility or for any other reason. (Added to NRS by 2007, 241)—(Substituted in revision

for NRS 484.3125)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.593 - Restrictions on use of controlled-access highway; penalty.

1. The Department of Transportation or a local authority, after considering the advice of the Nevada Bicycle and Pedestrian Advisory Board, may with respect to any controlled-access highway under its jurisdiction: (a) Require a permit for the use of the highway by pedestrians, bicycles or other nonmotorized traffic or by any person operating a power cycle; or (b) If it determines that the use of the highway for such a purpose would not be safe, prohibit the use of the highway by pedestrians, bicycles or other nonmotorized traffic. 2. Any person who violates any prohibition or restriction enacted pursuant to subsection 1 is guilty of a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive. (Added to NRS by 1969, 1500; A 1979, 1804; 1987, 1103; 1991, 2229; 2009, 398; 2021, 3334)—(Substituted in revision for NRS 484.313)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.600 - Basic rule; penalties; discretion of court to reduce violation in certain circumstances; maximum fine; unlawful act.

1. It is unlawful for any person to drive or operate a vehicle of any kind or character at: (a) A rate of speed greater than is reasonable or proper, having due regard for the traffic, surface and width of the highway, the weather and other highway conditions. (b) Such a rate of speed as to endanger the life, limb or property of any person. (c) A rate of speed greater than that posted by a public authority for the particular portion of highway being traversed. (d) A rate of speed that results in the injury of another person or of any property. (e) In any event, a rate of speed greater than 80 miles per hour. 2. If, while violating any provision of subsection 1, the driver of a motor vehicle is the proximate cause of a collision with a pedestrian or a person riding a bicycle, an electric bicycle or an electric scooter, the driver is subject to the additional penalty set forth in subsection 4 of NRS 484B.653. 3. A person who violates any provision of subsection 1 may be subject to the additional penalty set forth in NRS 484B.130 or 484B.135. 4. Except as otherwise provided by law, if a person is issued a traffic citation for a violation of any provision of subsection 1, the court may, in its discretion, reduce the violation from a moving traffic violation to a violation that is not a moving traffic violation. There is a presumption in favor of reducing the violation if the person pays the entire amount of the fine and all fees due before the date on which the person is first required to make an appearance relating to the citation, whether by personal appearance or through his or her counsel, but such a presumption may be overcome if the driving record of the person demonstrates a pattern of moving traffic violations. 5. Any fine imposed pursuant to paragraph (a), (b), (c) or (e) of subsection 1 must not exceed \$20 for each mile per hour a person travels above the posted speed limit or the proper rate of speed at which the person should be traveling, as applicable. The provisions of this subsection apply regardless of whether a person pays the entire amount of the fine and all fees due in accordance with subsection 4. 6. Except as otherwise provided in subsection 7, a person who commits a violation of any provision of this section that causes physical injury to a person or damage to property shall be punished by a civil penalty of not more than \$1,000. 7. A person who commits a violation of any provision of this section and, at the time the violation was committed, was operating a vehicle at a rate of speed that was 30 miles per hour or more over that posted by a public authority is guilty of a misdemeanor. (Added to NRS by 1969, 1486; A 1975, 754; 1987, 656; 1995, 2441, 2442; 2003, 3241; 2011, 1636; 2015, 308, 1576; 2019, 1893, 2281; 2021, 3334)—(Substituted in revision for NRS 484.361)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.603 - Duty of driver to decrease speed under certain circumstances; additional penalty for violation committed in work zone or pedestrian safety zone.

1. The fact that the speed of a vehicle is lower than the prescribed limits does not relieve a driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding highway, or when special hazards exist or may exist with respect to pedestrians or other traffic, or by reason of weather or other highway conditions, and speed must be decreased as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering a highway in compliance with legal requirements and the duty of all persons to use due care. 2. Any person who fails to use due care as required by subsection 1 may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1495; A 2003, 3242; 2015, 1576)—(Substituted in revision for NRS 484.363)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.607 - Duties of driver when approaching traffic incident; penalty.

1. Upon approaching any traffic incident, the driver of the approaching vehicle shall, in the absence of other direction given by a law enforcement officer: (a) Decrease the speed of the vehicle to a speed that is reasonable and proper, pursuant to the criteria set forth in subsection 1 of NRS 484B.600; (b) Proceed with caution; (c) Be prepared to stop; and (d) If possible, drive in a lane that is not adjacent to the lane or lanes where the traffic incident is located unless roadway, traffic, weather or other conditions make doing so unsafe or impossible. 2. A person who violates subsection 1 is guilty of a misdemeanor. 3. As used in this section, "traffic incident" means any vehicle, person, condition or other traffic hazard which is located on or near a roadway and which poses a danger to the flow of traffic or to a person involved in, responding to or assisting with the traffic hazard. The term includes, without limitation: (a) An authorized emergency vehicle which is stopped and is making use of flashing lights meeting the requirements of subsection 3 of

NRS 484A.480; (b) A tow car which is stopped and is making use of flashing amber warning lights meeting the requirements of NRS 484B.748 or lamps that emit nonflashing blue light meeting the requirements of NRS 484D.475, or both; (c) An authorized vehicle used by the Department of Transportation which is stopped or moving at a speed slower than the normal flow of traffic and which is making use of flashing amber warning lights meeting the requirements of subsection 1 of NRS 484D.185 or lamps that emit nonflashing blue light meeting the requirements of NRS 484D.200; (d) A vehicle, owned or operated by a person who contracts with the Department of Transportation to provide aid to motorists or to mitigate traffic incidents, which is stopped or moving at a speed slower than the normal flow of traffic and making use of lamps that emit nonflashing blue light meeting the requirements of NRS 484D.200; (e) A public utility vehicle which is stopped or moving at a speed slower than the normal flow of traffic and is making use of flashing amber warning lights meeting the requirements of NRS 484D.195; (f) An authorized vehicle of a local governmental agency which is stopped or moving at a speed slower than the normal flow of traffic and is making use of flashing amber warning lights meeting the requirements of NRS 484D.185 or lamps that emit nonflashing blue light meeting the requirements of NRS 484D.200; (g) A vehicle, owned or operated by a person who contracts with a local governmental agency to provide aid to motorists or to mitigate traffic incidents, which is stopped or moving at a speed slower than the normal flow of traffic and making use of lamps that emit nonflashing blue light meeting the requirements of NRS 484D.200; (h) Any vehicle which is stopped or moving at a speed slower than the normal flow of traffic and is making use of flashing amber warning lights meeting the requirements of NRS 484D.185; (i) A crash scene; (j) A stalled vehicle; (k) Debris on the roadway; or (l) A person who is out of his or her vehicle attending to a repair of the vehicle. (Added to NRS by 2003, 486; A 2009, 1096; 2017, 104, 1295; 2019, 1229; 2023, 55)—(Substituted in revision for NRS 484.364)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.610 - Speed limit in unincorporated town; penalties.

1. Except as otherwise provided in subsection 2 and pursuant to the power granted in NRS 269.185, the town board or board of county commissioners may, by ordinance, limit the speed of motor vehicles in any unincorporated town in the county as may be deemed proper. 2. The Department of Transportation may establish the speed limits for motor vehicles on highways within the boundaries of any unincorporated town which are constructed and maintained under the authority granted by chapter 408 of NRS. 3. A person who violates any speed limit established pursuant to this section may be subject to the additional penalty set forth in NRS 484B.130. 4. Except as otherwise provided in subsection 5, a person who violates any speed limit established pursuant to this section for the particular portion of the highway being traversed shall be punished by a civil penalty of not more than \$500. 5. A person who commits a violation of any provision of this section that causes physical injury to a person or damage to property shall be punished by a civil penalty of not more than \$1,000. (Added to NRS by 1969, 1486; A 1979, 1804; 1985, 301; 2003, 3243; 2021, 3335)—(Substituted in revision for NRS 484.367)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.613 - Speed limit: Establishment for vehicles on highways constructed and maintained by Department of Transportation; penalties.

1. The Department of Transportation may establish the speed limits for motor vehicles on highways which are constructed and maintained by the Department of Transportation under the authority granted to it by chapter 408 of NRS. 2. Except as otherwise provided by federal law, the Department of Transportation may establish a speed limit on such highways not to exceed 80 miles per hour and may establish a lower speed limit: (a) Where necessary to protect public health and safety. (b) For trucks, overweight and oversized vehicles, trailers drawn by motor vehicles and buses. 3. A person who violates any speed limit established pursuant to this section may be subject to the additional penalty set forth in NRS 484B.130. 4. Except as otherwise provided in subsection 5, a person who violates any speed limit established pursuant to this section for the particular portion of the highway being traversed shall be punished by a civil penalty of not more than \$500. 5. A person who commits a violation of any provision of this section that causes physical injury to a person or damage to property shall be punished by a civil penalty of not more than \$1,000. (Added to NRS by 1995, 2440; A 1997, 640; 2003, 3243; 2015, 309; 2021, 3335)—(Substituted in revision for NRS 484.368)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.617 - Certain violations of speed limit in rural areas: Penalties; violation not recorded on driver's record and not deemed moving traffic violation.

1. Except as otherwise provided in subsections 3 and 4, a person driving a motor vehicle during the hours of daylight at a speed in excess of the speed limit posted by a public authority for the portion of highway being traversed shall be punished by a civil penalty of \$25 if: (a) The posted speed limit is 60 miles per hour and the person is not exceeding a speed of 70 miles per hour. (b) The posted speed limit is 65 miles per hour and the person is not exceeding a speed of 75 miles per hour. (c) The posted speed limit is 70 miles per hour and the person is not exceeding a speed of 75 miles per hour. (d) The posted speed limit is 75 miles per hour and the person is not exceeding a speed of 80 miles per hour. (e) The posted speed limit is 80 miles per hour and the person is not exceeding a speed of 85 miles per hour. 2. A violation of the speed limit under any of the circumstances set forth in subsection 1 must not be recorded by the Department on a driver's record and shall not be deemed a moving traffic violation. 3. A person who commits a violation of any provision of this section that causes physical injury to a person or damage to property shall be punished by a civil penalty of not more than \$1,000. 4. The provisions of this section do not apply to a violation specified in subsection 1 that occurs in a county whose population is 100,000 or more if the portion of highway being traversed is in: (a) An urban area; or (b) An area which is adjacent to an urban area and which has been designated by the public authority that established the posted speed limit for

the portion of highway being traversed as an area that requires strict observance of the posted speed limit to protect public health and safety. (Added to NRS by 1997, 2524; A 1999, 572, 1711; 2015, 309; 2021, 3336)—(Substituted in revision for NRS 484.3685)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.620 - Establishment of speed zones and installation of signs; penalty.

1. The Department of Transportation may prescribe speed zones, and install appropriate speed signs controlling vehicular traffic on the state highway system as established in chapter 408 of NRS through hazardous areas, after necessary studies have been made to determine the need therefor, and to eliminate speed zones and remove the signs therefrom whenever the need therefor ceases to exist. 2. After the establishment of a speed zone and the installation of appropriate signs to control speed, it is unlawful for any person to drive a motor vehicle upon the road and in the speed zone in excess of the speed therein authorized. 3. A person who violates subsection 2 shall be punished by a civil penalty of not more than \$500. (Added to NRS by 1969, 1487; A 1979, 1805; 1985, 641; 2021, 3336)—(Substituted in revision for NRS 484.369)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.621 - Establishment of State Route 159 Safety Speed Zone; considerations when establishing maximum speed; adequate signage or other forms of notice required to be evaluated and installed to support maximum speed established.

1. The State Route 159 Safety Speed Zone is hereby established. 2. Within the State Route 159 Safety Speed Zone, the Department of Transportation, in cooperation with other governmental entities whose jurisdiction includes this area, shall ensure that: (a) The maximum speed that is allowed for vehicular traffic will be set by the Director of the Department of Transportation at a level which takes into consideration the safety and protection of the residents of and visitors to the Red Rock Canyon National Conservation Area. In setting that maximum speed, the Director of the Department of Transportation shall consider, without limitation, the following factors: (1) Activity of bicycles and pedestrians in the area. (2) Protection of the natural environment. (3) History of crashes in the area. (4) Recreational activities conducted in the area. (5) The evaluation and use of measures of traffic calming which will support the maximum speed that is set. (6) The ability of law enforcement agencies to enforce effectively the maximum speed that is set. (b) Adequate signage or other forms of notice are evaluated and installed to support and enhance the maximum speed that is set by the Director of the Department of Transportation, as described in paragraph (a). 3. The State Route 159 Safety Speed Zone consists of: (a) Any portion of State Route 159 that is within the Red Rock Canyon National Conservation Area; (b) Any portion of State Route 159 that abuts or is immediately adjacent to the Red Rock Canyon National Conservation Area; and (c) Any portion of State Route 159 that has been designated as a Scenic Byway or State Scenic Byway. 4. As used in this section: (a) "Scenic Byway" and "State Scenic Byway" have the meanings ascribed to them in the National Scenic Byways Program, as issued by the Federal Highway Administration in 60 Federal Register 26,759 on May 18, 1995. (b) "Traffic calming" means a combination of measures and techniques intended to: (1) Reduce vehicular speeds; (2) Promote safe and pleasant conditions for motorists, bicyclists, pedestrians and residents; (3) Improve the environment and usability of roadways; (4) Improve real and perceived safety for nonmotorized traffic; or (5) Any combination of subparagraphs (1) to (4), inclusive. (Added to NRS by 2009, 267; A 2015, 1637)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.623 - Slow driving; establishment of minimum speed limit.

1. A person shall not drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law. 2. Whenever a public authority determines on the basis of an engineering and traffic investigation that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, such authority may establish a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with law. 3. Such speed limit shall be in effect after the erection of appropriate signs. (Added to NRS by 1969, 1487)—(Substituted in revision for NRS 484.371)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.627 - Duties of driver or operator driving or operating motor vehicle at speed so slow as to impede forward movement of traffic; prohibition against stopping vehicle on roadway so as to impede or block normal and reasonable movement of traffic; exception.

1. If any driver or operator of a motor vehicle drives or operates a motor vehicle at a speed so slow as to impede the forward movement of traffic proceeding immediately behind the driver or operator, the driver or operator shall: (a) If the highway has one lane for traveling in each direction and the width of the paved portion permits, drive to the extreme right side of the highway and, if applicable, comply with the provisions of NRS 484B.630; (b) If the highway has two or more clearly marked lanes for traffic traveling in the direction in which the driver or operator is traveling, drive in the extreme right-hand lane except when necessary to pass other slowly moving vehicles; or (c) If the highway is a controlled-access highway, use alternate routes whenever possible. 2. A person shall not bring a vehicle to a complete stop upon a roadway so as to impede or block the normal and reasonable movement of traffic unless the stop is necessary for safe operation or in compliance with law. (Added to NRS by 1969, 1487; A 1983, 822; 1985, 339; 1995, 2441; 2001, 1506; 2021, 2221)—(Substituted in revision for NRS 484.373)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.630 - Circumstances in which driver or operator of slow-moving vehicle has duty to turn off roadway; penalty.

1. On a highway that has one lane for traveling in each direction, where passing is unsafe because of traffic traveling in the opposite direction or other conditions, the driver or operator of a slow-moving vehicle, behind which five or more vehicles are formed in a line, shall, to allow the vehicles following behind to proceed, turn off the roadway: (a) At the nearest place designated as a turnout by signs erected by the public authority having jurisdiction over the highway; or (b) In the absence of such a designated turnout, at the nearest place where: (1) Sufficient area for a safe turnout exists; and (2) The circumstances and conditions are such that the driver or operator is able to turn off the roadway in a safe manner. 2. A person who violates subsection 1 is guilty of a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive. 3. As used in this section, "slow-moving vehicle" means a vehicle that is traveling at a rate of speed which is less than the posted speed limit for the highway or portion of the highway upon which the vehicle is traveling. (Added to NRS by 2001, 1506; A 2021, 2222, 3337)—(Substituted in revision for NRS 484.374)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.633 - Special limitations on speed.

1. It is unlawful for any person to drive any vehicle equipped with solid rubber or cushion tires at a speed greater than 10 miles per hour. 2. It is unlawful for any person to drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to the bridge or structure, when such structure is signposted as provided in this section. 3. The Department of Transportation upon request from any local authority shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway constructed and maintained under the authority granted by chapter 408 of NRS, and if it thereupon finds that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under chapters 484A to 484E, inclusive, of NRS, the Department shall determine and declare the maximum speed of vehicles which such structure can safely withstand, and shall cause or permit suitable signs stating such maximum speed to be erected and maintained at a distance of 100 feet before each end of such structure. 4. Upon the trial of any person charged with a violation of this section, proof of the determination of the maximum speed by the Department and the existence of such signs constitutes conclusive evidence of the maximum speed which can be maintained with safety to the bridge or structure. (Added to NRS by 1969, 1487; A 1979, 1805)—(Substituted in revision for NRS 484.375)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.637 - "Low-speed vehicle" defined; highways upon which low-speed vehicles may be operated; exception.

1. As used in this section, "low-speed vehicle" means a motor vehicle: (a) That is 4-wheeled; (b) The speed of which that is attainable in 1 mile is more than 20 miles per hour and not more than 25 miles per hour on a paved level surface; (c) The gross vehicle weight rating of which is less than 3,000 pounds; and (d) That complies with the standards for safety of such a vehicle set forth in Federal Motor Safety Standard No. 500 at 49 C.F.R. § 571.500, unless an exemption from one or more provisions of that Standard has been granted for the vehicle by the National Highway Traffic Safety Administration. 2. Except as otherwise provided in subsection 3: (a) If registered, a low-speed vehicle may be operated upon a highway where the posted speed limit is 35 miles per hour or less. (b) A person shall not operate a low-speed vehicle upon a highway where the posted speed limit is greater than 35 miles per hour, except to cross such a highway at an intersection. 3. If registered, a neighborhood occupantless vehicle may operate on a highway where the posted speed limit is greater than 35 miles per hour but not more than 45 miles per hour. 4. As used in this section, "neighborhood occupantless vehicle" means a low-speed vehicle that is not designed, intended or marketed for human occupancy. (Added to NRS by 1999, 2572; A 2011, 5; 2021, 2222)—(Substituted in revision for NRS 484.527)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.650 - Acts constituting aggressive driving; penalties; additional penalty for violation committed in work zone or pedestrian safety zone.

1. A driver commits an offense of aggressive driving if, during any single, continuous period of driving within the course of 1 mile, the driver does all the following, in any sequence: (a) Commits one or more acts of speeding in violation of NRS 484B.363 or 484B.600. (b) Commits two or more of the following acts, in any combination, or commits any of the following acts more than once: (1) Failing to obey an official traffic-control device in violation of NRS 484B.300. (2) Overtaking and passing another vehicle upon the right by driving off the paved portion of the highway in violation of NRS 484B.210. (3) Improper or unsafe driving upon a highway that has marked lanes for traffic in violation of NRS 484B.223. (4) Following another vehicle too closely in violation of NRS 484B.127. (5) Failing to yield the right-of-way in violation of any provision of NRS 484B.250 to 484B.267, inclusive. (c) Creates an immediate hazard, regardless of its duration, to another vehicle or to another person, whether or not the other person is riding in or upon the vehicle of the driver or any other vehicle. 2. A driver may be prosecuted and convicted of an offense of aggressive driving in violation of subsection 1 whether or not the driver is issued a civil infraction citation pursuant to NRS 484A.7035 for committing, or is found to have committed, any of the acts described in paragraphs (a) and (b) of subsection 1 that are punishable as a civil infraction. 3. A driver who commits an offense of aggressive driving in violation of subsection 1 is guilty of a misdemeanor and: (a) For the first offense, shall be punished: (1) By a fine of not less than \$250 but not more than \$1,000; or (2) By both fine and imprisonment in the county jail for not more than 6 months. (b) For the second offense, shall be punished: (1) By a fine of not less than \$1,000 but not more than \$1,500; or (2) By both fine and imprisonment in the county jail for not more than 6 months. (c) For the third and each subsequent offense, shall be punished: (1) By a fine of not less than \$1,500 but not more than \$2,000; or (2) By both fine and imprisonment in the county jail for not more than 6 months. 4. In addition to any other penalty pursuant to subsection 3: (a) For the first offense within 2 years, the court shall order the driver to attend, at the driver's own

expense, a course of traffic safety approved by the Department and may issue an order suspending the driver's license of the driver for a period of not more than 30 days. (b) For a second or subsequent offense within 2 years, the court shall issue an order revoking the driver's license of the driver for a period of 1 year. 5. To determine whether the provisions of paragraph (a) or (b) of subsection 4 apply to one or more offenses of aggressive driving, the court shall use the date on which each offense of aggressive driving was committed. 6. If the driver is already the subject of any other order suspending or revoking his or her driver's license, the court shall order the additional period of suspension or revocation, as appropriate, to apply consecutively with the previous order. 7. If the court issues an order suspending or revoking the driver's license of the driver pursuant to this section, the court shall require the driver to surrender to the court all driver's licenses then held by the driver. The court shall, within 5 days after issuing the order, forward the driver's licenses and a copy of the order to the Department. 8. If the driver successfully completes a course of traffic safety ordered pursuant to this section, the Department shall cancel three demerit points from his or her driving record in accordance with NRS 483.448 or 483.475, as appropriate, unless the driver would not otherwise be entitled to have those demerit points cancelled pursuant to the provisions of that section. 9. This section does not preclude the suspension or revocation of the driver's license of the driver, or the suspension of the future driving privileges of a person, pursuant to any other provision of law. 10. A person who violates any provision of subsection 1 may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1999, 1385; A 2003, 1243, 3243; 2007, 2729; 2015, 1576; 2021, 3337)—(Substituted in revision for NRS 484.3765)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.653 - Reckless driving, organization of unauthorized speed contests and driving in or facilitating unauthorized trick driving displays prohibited; penalties; court to suspend driver's license of certain offenders; additional penalties for violation committed in work zone or pedestrian safety zone or if driver is proximate cause of collision with pedestrian or person riding bicycle; court may order impounding vehicle of certain offenders.

1. It is unlawful for a person to: (a) Drive a vehicle in willful or wanton disregard of the safety of persons or property on a highway or premises to which the public has access. (b) Drive a vehicle in an unauthorized speed contest on a highway or premises to which the public has access. (c) Organize an unauthorized speed contest on a highway or premises to which the public has access. (d) Drive a vehicle in an unauthorized trick driving display on a highway or premises to which the public has access. (e) Facilitate an unauthorized trick driving display on a highway or premises to which the public has access. A violation of paragraph (a), (b) or (d) of this subsection or subsection 1 of NRS 484B.550 constitutes reckless driving. 2. If, while violating the provisions of subsections 1 to 5, inclusive, of NRS 484B.270, NRS 484B.280, paragraph (a) or (c) of subsection 1 of NRS 484B.283, NRS 484B.350, subsections 1 to 4, inclusive, of NRS 484B.363 or subsection 1 of NRS 484B.600, the driver of a motor vehicle on a highway or premises to which the public has access is the proximate cause of a collision with a pedestrian or a person riding a bicycle, an electric bicycle or an electric scooter, the violation constitutes reckless driving. 3. A person who violates paragraph (a) of subsection 1 is guilty of a misdemeanor and: (a) For the first offense, shall be punished: (1) By a fine of not less than \$250 but not more than \$1,000; or (2) By both fine and imprisonment in the county jail for not more than 6 months. (b) For the second offense, shall be punished: (1) By a fine of not less than \$1,000 but not more than \$1,500; or (2) By both fine and imprisonment in the county jail for not more than 6 months. (c) For the third and each subsequent offense, shall be punished: (1) By a fine of not less than \$1,500 but not more than \$2,000; or (2) By both fine and imprisonment in the county jail for not more than 6 months. 4. A person who violates paragraph (b) or (c) of subsection 1 or commits a violation which constitutes reckless driving pursuant to subsection 2 is guilty of a misdemeanor and: (a) For the first offense: (1) Shall be punished by a fine of not less than \$250 but not more than \$1,000; (2) Shall perform not less than 50 hours, but not more than 99 hours, of community service; and (3) May be punished by imprisonment in the county jail for not more than 6 months. (b) For the second offense: (1) Shall be punished by a fine of not less than \$1,000 but not more than \$1,500; (2) Shall perform not less than 100 hours, but not more than 199 hours, of community service; and (3) May be punished by imprisonment in the county jail for not more than 6 months. (c) For the third and each subsequent offense: (1) Shall be punished by a fine of not less than \$1,500 but not more than \$2,000; (2) Shall perform 200 hours of community service; and (3) May be punished by imprisonment in the county jail for not more than 6 months. 5. In addition to any fine, community service and imprisonment imposed upon a person pursuant to subsection 4, the court: (a) Shall issue an order suspending the driver's license of the person for a period of not less than 6 months but not more than 2 years and requiring the person to surrender all driver's licenses then held by the person; (b) Within 5 days after issuing an order pursuant to paragraph (a), shall forward to the Department any licenses, together with a copy of the order; (c) For the first offense, may issue an order impounding, for a period of 15 days, any vehicle that is registered to the person who violates paragraph (b) or (c) of subsection 1 if the vehicle is used in the commission of the offense; and (d) For the second and each subsequent offense, shall issue an order impounding, for a period of 30 days, any vehicle that is registered to the person who violates paragraph (b) or (c) of subsection 1 if the vehicle is used in the commission of the offense. 6. A person who violates paragraph (d) of subsection 1 is guilty of a gross misdemeanor and: (a) For the first offense: (1) Shall be punished by a fine of not less than \$1,000 but not more than \$1,500; (2) Shall perform not less than 100 hours, but not more than 199 hours, of community service; and (3) May be punished by imprisonment in the county jail for not more than 364 days. (b) For the second offense and each subsequent offense: (1) Shall be punished by a fine of not less than \$1,500 but not more than \$2,000; (2) Shall perform 200 hours of community service; and (3) May be punished by imprisonment in the county jail for not more than 364 days. 7. A person who violates paragraph (e) of subsection 1 is guilty of: (a) For the first offense, a misdemeanor and: (1) Shall be punished by a fine of not more than \$1,000; (2) Shall perform not less than 50 hours, but not more than 99 hours, of community service; and (3) May be punished by imprisonment in the county jail for not more than 6 months. (b) For the second

offense and each subsequent offense, a gross misdemeanor and: (1) Shall be punished by a fine of not less than \$1,000 and not more than \$1,500; (2) Shall perform not less than 100 hours, but not more than 199 hours, of community service; and (3) May be punished by imprisonment in the county jail for not more than 364 days. 8. In addition to any fine, community service and imprisonment imposed upon a person pursuant to subsection 6 or 7, the court: (a) May issue an order suspending the driver's license of the person for a period of not less than 6 months but not more than 2 years and requiring the person to surrender all driver's licenses then held by the person; (b) Within 5 days after issuing an order pursuant to paragraph (a), shall forward to the Department any licenses, together with a copy of the order; and (c) May issue an order impounding, for a period of 30 days, any vehicle that is registered to the person if the vehicle is used in the commission of the offense. 9. Unless a greater penalty is provided pursuant to subsection 4 of NRS 484B.550, a person who does any act or neglects any duty imposed by law while driving or in actual physical control of any vehicle on a highway or premises to which the public has access in willful or wanton disregard of the safety of persons or property, if the act or neglect of duty proximately causes the death of or substantial bodily harm to another person, is guilty of a category B felony and shall be punished by imprisonment in the state prison for: (a) Except as otherwise provided in paragraph (b), a minimum term of not less than 1 year and a maximum term of not more than 6 years and by a fine of not less than \$2,000 but not more than \$5,000. (b) A minimum term of not less than 1 year and a maximum term of not more than 10 years and by a fine of not less than \$2,000 but not more than \$5,000 if: (1) The violation involves operating a vehicle at a rate of speed that is 50 miles per hour or more over the posted speed limit; or (2) The violation is committed in an area designated as a pedestrian safety zone or school zone or a school crossing zone. 10. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135 unless the person is subject to the penalty provided pursuant to subsection 4 of NRS 484B.550. 11. As used in this section: (a) "Facilitate" means to plan, schedule or promote, or assist in the planning, scheduling or promotion of, an unauthorized trick driving display or in any other way participate in an unauthorized trick driving display, including, without limitation: (1) Using a vehicle to divert, slow, impede or otherwise block traffic with the intent to enable or assist an unauthorized trick driving display; or (2) Filming or otherwise recording an unauthorized trick driving display with the intent to promote an unauthorized trick driving display. (b) "Organize" means to plan, schedule or promote, or assist in the planning, scheduling or promotion of, an unauthorized speed contest on a highway or premises to which the public has access, regardless of whether a fee is charged for attending the unauthorized speed contest. (c) "Trick driving display" means using a vehicle to perform tricks, stunts or other maneuvers on a highway, or premises to which the public has access, upon which traffic has been diverted, slowed, impeded or blocked to enable the performing of such tricks, stunts or maneuvers or having such tricks, stunts or maneuvers filmed or otherwise recorded. (Added to NRS by 1969, 1486; A 1981, 866; 1983, 1015; 1993, 524; 1995, 1298; 2003, 487, 3244; 2007, 2039; 2011, 1637; 2015, 1578; 2019, 684, 1893, 2654; 2023, 1290, 2669)—(Substituted in revision for NRS 484.377)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.657 - Vehicular manslaughter; penalty; additional penalty for violation committed in work zone or pedestrian safety zone.

1. A person who, while driving or in actual physical control of any vehicle on a highway or premises to which the public has access, proximately causes the death of another person through an act or omission that constitutes simple negligence is guilty of vehicular manslaughter and shall be punished for a misdemeanor. 2. A person who commits an offense of vehicular manslaughter may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. 3. Upon the conviction of a person for a violation of the provisions of subsection 1, the court shall notify the Department of the conviction. 4. Upon receipt of notification from a court pursuant to subsection 3, the Department shall cause an entry of the conviction to be made upon the driving record of the person so convicted. (Added to NRS by 2005, 78; A 2015, 1579; 2019, 2656)—(Substituted in revision for NRS 484.3775)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.700 - Privileges granted to driver of authorized emergency vehicle, official vehicle of regulatory agency or vehicle escorting funeral procession; application of privileges; limitation of privileges.

1. The driver of an authorized emergency vehicle or an official vehicle of a regulatory agency, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, or a vehicle escorting a funeral procession, may: (a) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation. (b) Exceed any speed limits so long as the driver does not endanger life or property, except that a vehicle escorting a funeral procession may not exceed the speed limit by more than 15 miles per hour to overtake the procession and direct traffic at the next intersection. (c) Disregard regulations governing direction of movement or turning in specified directions. The driver of a vehicle escorting a funeral procession may direct the movements of the vehicles in the procession in a similar manner and may direct the movements of other vehicles. 2. The privileges granted in subsection 1 apply only when the vehicle is making use of: (a) Audible and visual signals; or (b) Visual signals only, as required by law. 3. The driver of an authorized emergency vehicle or an official vehicle of a regulatory agency may park or stand without regard to the provisions of chapters 484A to 484E, inclusive, of NRS, if the driver makes use of a warning lamp. 4. The provisions of this section do not relieve the driver from the duty to drive with due regard for the safety of all persons and do not protect the driver from the consequences of the driver's reckless disregard for the safety of others. (Added to NRS by 1969, 1506; A 1985, 25, 944, 1040; 2001, 740)—(Substituted in revision for NRS 484.261)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.703 - Driving through funeral or other procession.

1. The operator of a motor vehicle shall not drive between the vehicles, persons or animals comprising a funeral or other authorized procession when those vehicles are properly identified by pennants or other authorized insignia and while the funeral or procession is in motion, except when otherwise directed by a police officer or by the driver of a vehicle escorting the funeral procession. 2. This section does not apply to authorized emergency vehicles. (Added to NRS by 1969, 1506; A 1985, 944)—(Substituted in revision for NRS 484.467)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.707 - Driving in procession.

1. All vehicles, persons or animals comprising a funeral or other procession shall follow the preceding vehicles, persons or animals in the procession as closely as is practicable and safe. 2. Each vehicle in a funeral procession must have its headlamps lighted. 3. The driver of a vehicle escorting a funeral procession may display flashing amber warning lights if the appropriate permit has been issued pursuant to NRS 484D.185. (Added to NRS by 1969, 1506; A 1985, 945)—(Substituted in revision for NRS 484.469)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.710 - Following fire apparatus prohibited.

The driver of any motor vehicle other than an authorized emergency vehicle on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or driving to or park such vehicle within 500 feet of fire apparatus which stopped in answer to a fire alarm. (Added to NRS by 1969, 1507)—(Substituted in revision for NRS 484.461)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.740 - Fusee: Limitation on color.

No fusee which produces other than red light shall be placed on the highway to warn of any stalled vehicle or other hazard to traffic. (Added to NRS by 1963, 1268)—(Substituted in revision for NRS 484.491)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.743 - Reflective material required for person directing or controlling traffic near school.

All flags, belts, apparel and devices issued to a pupil or any other person who is controlling or directing traffic near a school, when used during periods of darkness, must be made at least in part with reflective materials which are visible from 300 feet to approaching motorists using lawful lower beams of headlamps. (Added to NRS by 1985, 640)—(Substituted in revision for NRS 484.496)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.747 - Operator of tow car to place warning signs when rendering assistance to disabled vehicle on certain roadways.

The operator of a tow car used for the purpose of rendering assistance to other vehicles shall, when the rendering of assistance necessitates the obstruction of any portion of the roadway outside a business or residence district, place a highway warning sign 100 feet in advance of and 100 feet to the rear of the disabled vehicle. (Added to NRS by 1963, 1268)—(Substituted in revision for NRS 484.497)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.748 - Use of flashing amber warning lights or nonflashing blue lights on tow car at scene of traffic hazard; compliance with standards approved by Department.

1. A tow car which is equipped with flashing amber warning lights pursuant to NRS 484D.185 may display flashing amber warning lights to the front, sides or rear of the tow car when at the scene of a traffic hazard. 2. A tow car which is equipped with lamps that emit nonflashing blue light pursuant to NRS 484D.475 may display nonflashing blue light to the rear of the tow car when at the scene of a traffic hazard. 3. Any flashing amber warning light or lamps that emit nonflashing blue light used pursuant to this section must comply with the standards approved by the Department. (Added to NRS by 2009, 1095; A 2019, 1230)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.750 - Placement of red flares, red lanterns, warning lights or reflectors by tow car operator near warning signs when rendering assistance to disabled vehicle on highway in certain circumstances.

Where a motor vehicle is disabled on the highway, the tow car operator shall immediately upon arrival place warning signs upon the highway as prescribed in NRS 484B.747 and: 1. During darkness, shall, if it is safe to do so, place not less than one red flare, red lantern, warning light or reflector in close proximity to each warning sign. 2. During daylight, may place a red flare, red lantern, warning light or reflector in close proximity to each warning sign. (Added to NRS by 1963, 1268; A 2009, 1096)—(Substituted in revision for NRS 484.499)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.753 - When operator of tow car authorized to tow vehicle with person inside. [Effective until the date on which the Secretary of the United States Department of Transportation, or his or her authorized representative, rescinds that portion of the Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. § 571.208) which requires the installation of automatic restraints in new private passenger motor vehicles, unless the Secretary's decision to rescind is not based on the enactment or continued operation of section 1 of chapter 29,

Statutes of Nevada 2009.] When operator of tow car authorized to tow vehicle with person inside. [Effective on the date on which the Secretary of the United States Department of Transportation, or his or her authorized representative, rescinds that portion of the Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. § 571.208) which requires the installation of automatic restraints in new private passenger motor vehicles, unless the Secretary's decision to rescind is not based on the enactment or continued operation of section 1 of chapter 29, Statutes of Nevada 2009.]

When rendering assistance to a person with restricted mobility or to a person who is in a hazardous situation, an operator of a tow car may tow a vehicle with the person inside the vehicle to the nearest location that is safe if the person is properly restrained and, if applicable, wearing a safety belt as required pursuant to NRS 484D.495. (Added to NRS by 2009, 56) When rendering assistance to a person with restricted mobility or to a person who is in a hazardous situation, an operator of a tow car may tow a vehicle with the person inside the vehicle to the nearest location that is safe if the person is properly restrained. (Added to NRS by 2009, 56; A 2009, 56, effective on the date on which the Secretary of the United States Department of Transportation, or his or her authorized representative, rescinds that portion of the Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. § 571.208) which requires the installation of automatic restraints in new private passenger motor vehicles, unless the Secretary's decision to rescind is not based on the enactment or continued operation of section 1 of chapter 29, Statutes of Nevada 2009)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.757 - Use of flashing amber warning lights by private patrol officer.

A vehicle which is operated by a private patrol officer licensed pursuant to chapter 648 of NRS or his or her employee and which is equipped with flashing amber warning lights pursuant to NRS 484D.185 may display flashing amber warning lights to the front, sides or rear of the vehicle when: 1. The private patrol officer or his or her employee who operates the vehicle is engaged in the business for which the private patrol officer is licensed; and 2. The vehicle is: (a) On private property which the private patrol officer is authorized to protect; (b) On a public road and stopped adjacent to private property which the private patrol officer is authorized to protect; or (c) On a public road and moving at a speed slower than the normal flow of traffic. (Added to NRS by 2009, 1096)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.760 - Penalty for violation of provisions; responsibility of parent of child or guardian of ward; applicability of provisions to bicycles, electric bicycles and electric scooters.

1. It is a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, for any person to do any act forbidden or fail to perform any act required in NRS 484B.768 to 484B.790, inclusive. 2. The parent of any child and the guardian of any ward shall not authorize or knowingly permit the child or ward to violate any of the provisions of chapters 484A to 484E, inclusive, of NRS. 3. The provisions applicable to bicycles, electric bicycles and electric scooters apply whenever a bicycle, an electric bicycle or an electric scooter is operated upon any highway or upon any path set aside for the exclusive use of bicycles, electric bicycles and electric scooters subject to those exceptions stated herein. (Added to NRS by 1957, 505; A 2009, 113, 399; 2019, 1895; 2021, 3338; 2023, 942)—(Substituted in revision for NRS 484.501)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.763 - Application of traffic laws to person riding bicycle, electric bicycle or electric scooter.

Every person riding a bicycle, an electric bicycle or an electric scooter upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle except as otherwise provided in NRS 484B.767 to 484B.790, inclusive, and except as to those provisions of chapters 484A to 484E, inclusive, of NRS which by their nature can have no application. (Added to NRS by 1957, 504; A 1997, 1728; 2009, 113, 399; 2019, 1895)—(Substituted in revision for NRS 484.503)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.767 - Certain persons operating bicycle, electric bicycle or electric scooter while on duty not required to comply with laws in certain circumstances.

1. Except as otherwise provided in this section, a peace officer, a firefighter, an emergency medical technician, an advanced emergency medical technician or a paramedic certified pursuant to chapter 450B of NRS or authorized to practice in this State under the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact ratified by NRS 450B.145 or an employee of a pedestrian mall, who operates a bicycle, an electric bicycle or an electric scooter while on duty, is not required to comply with any provision of NRS or any ordinance of a local government relating to the operation of a bicycle, an electric bicycle or an electric scooter while on duty if he or she: (a) Is responding to an emergency call or the peace officer is in pursuit of a suspected violator of the law; or (b) Determines that noncompliance with any such provision is necessary to carry out his or her duties. 2. The provisions of this section do not: (a) Relieve a peace officer, firefighter, emergency medical technician, advanced emergency medical technician, paramedic or employee of a pedestrian mall from the duty to operate a bicycle, an electric bicycle or an electric scooter with due regard for the safety of others. (b) Protect such a person from the consequences of the person's disregard for the safety of others. 3. As used in this section, "pedestrian mall" has the meaning ascribed to it in NRS 268.811. (Added to NRS by 1997, 1728; A 2005, 315; 2009, 399; 2013, 963; 2019, 1895; 2023, 2294)—(Substituted in revision for NRS 484.504)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.768 - Required action of operator of bicycle, electric bicycle or electric scooter when turning from direct course; when signal not required.

1. Except as otherwise provided in subsection 2, an operator of a bicycle, an electric bicycle or an electric scooter upon a roadway shall not turn from a direct course unless the movement may be made with reasonable safety and the operator gives an appropriate signal. The operator shall give the appropriate signal at least one time but is not required to give the signal continuously. 2. An operator of a bicycle, an electric bicycle or an electric scooter is not required to give a signal if: (a) The bicycle, electric bicycle or electric scooter is in a designated turn lane; or (b) Safe operation of the bicycle, electric bicycle or electric scooter requires the operator to keep both hands on the bicycle, electric bicycle or electric scooter. (Added to NRS by 2009, 112; A 2019, 1895)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.769 - Signals required to be given by operator of bicycle, electric bicycle or electric scooter on roadway.

An operator of a bicycle, an electric bicycle or an electric scooter upon a roadway shall give all signals by hand and arm in the manner required by NRS 484B.420, except that the operator may give a signal for a right turn by extending his or her right hand and arm horizontally and to the right side of the bicycle, electric bicycle or electric scooter. (Added to NRS by 2009, 113; A 2019, 1896)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.770 - Person riding bicycle or electric bicycle must be on or astride seat; limitation on number of persons carried on bicycle, electric bicycle or electric scooter.

1. A person propelling a bicycle or an electric bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto. 2. No bicycle, electric bicycle or electric scooter shall be used to carry more persons at one time than the number for which it is designed and equipped. (Added to NRS by 1957, 504; A 2009, 399; 2019, 1896)—(Substituted in revision for NRS 484.505)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.773 - Attaching to vehicle upon roadway prohibited.

No person riding upon any bicycle, electric bicycle, electric scooter, coaster, roller skates, sled or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway. (Added to NRS by 1957, 504; A 2009, 399; 2019, 1896)—(Substituted in revision for NRS 484.507)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.777 - Operating bicycle, electric bicycle or electric scooter on roadway.

1. Every person operating a bicycle, an electric bicycle or an electric scooter upon a roadway shall, except: (a) When traveling at a lawful rate of speed commensurate with the speed of any nearby traffic; (b) When preparing to turn left; or (c) When doing so would not be safe, ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. 2. For purposes of paragraph (c) of subsection 1, the conditions under which it is not safe to operate a bicycle, an electric bicycle or an electric scooter as near to the right side of the roadway as practicable include, without limitation: (a) When fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals or surface hazards impede access to the right side of the roadway. (b) When a lane is too narrow for a bicycle and a vehicle to travel safely side by side within the lane. 3. Persons riding bicycles, electric bicycles or electric scooters upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles, electric bicycles and electric scooters. (Added to NRS by 1957, 504; A 1991, 2229; 2009, 400; 2019, 1896; 2021, 1049)—(Substituted in revision for NRS 484.509)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.780 - Carrying articles on bicycle, electric bicycle or electric scooter.

No person operating a bicycle, an electric bicycle or an electric scooter shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handle bars. (Added to NRS by 1957, 505; A 2009, 400; 2019, 1896)—(Substituted in revision for NRS 484.511)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.783 - Lamps, reflectors and brakes required on bicycles, electric bicycles and electric scooters.

1. Every bicycle, electric bicycle or electric scooter when in use at night must be equipped with: (a) A lamp on the front which emits a white light visible from a distance of at least 500 feet to the front; (b) A red reflector on the rear of a type approved by the Department which must be visible from 50 feet to 300 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle; and (c) Reflective material of a sufficient size and reflectivity to be visible from both sides of the bicycle for 600 feet when directly in front of the lawful lower beams of the headlamps of a motor vehicle, or in lieu of such material, a lighted lamp visible from both sides from a distance of at least 500 feet. 2. Every bicycle, electric bicycle or electric scooter must be equipped with a brake which will enable the operator to make the wheels skid on dry, level, clean pavement. (Added to NRS by 1957, 505; A 1961, 136; 1975, 30; 1985, 1464, 1952; 1991, 2229; 2009, 400; 2019, 1896)—(Substituted in revision for NRS 484.513)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.784 - Electric bicycle to be labeled by

manufacturer or distributor; contents of label; equipment, manufacturing and operational requirements of electric bicycles; certain modifications of electric bicycle prohibited unless label is updated.

1. On and after January 1, 2022, a manufacturer or distributor of electric bicycles in this State shall apply a label that is permanently affixed, in a prominent location, to each electric bicycle that it manufactures or distributes, as applicable. The label must: (a) Contain the classification number, maximum assisted speed and wattage of motor of the electric bicycle; and (b) Be printed in Arial font in at least 9-point type. 2. A new electric bicycle sold in this State on or after October 1, 2021, must comply with the equipment and manufacturing requirements adopted by the United States Consumer Product Safety Commission pursuant to 16 C.F.R. Part 1512. 3. An electric bicycle operated in this State must be equipped in such a manner that the electric motor is disengaged or ceases to function when: (a) The rider stops pedaling; or (b) The brakes are applied. 4. A person shall not tamper with or modify an electric bicycle in such a manner as to change the speed capability of the motor or the engagement of an electric bicycle unless the label indicating the classification required by subsection 1 is replaced after modification. 5. A class 3 electric bicycle must be equipped with a speedometer that displays the speed the electric bicycle is traveling in miles per hour. (Added to NRS by 2021, 1743)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.785 - Operation of electric scooter: Limitations on place and speed; applicability of laws; rights and duties of operator.

1. Except as otherwise provided in an ordinance enacted pursuant to NRS 484A.469, an electric scooter may be operated: (a) On a roadway, bicycle lane, path or route at a speed of not more than 15 miles per hour; and (b) On a sidewalk and other pedestrian areas at a speed that does not exceed the limit set in an ordinance enacted pursuant to NRS 484A.469, if any. 2. Except as otherwise provided in a specific statute or an ordinance enacted pursuant to NRS 484A.469: (a) An electric scooter is subject to all the provisions of law applicable to bicycles and electric bicycles except those provisions which by their nature can have no application; and (b) A person operating an electric scooter has the same rights and duties as a person operating a bicycle or an electric bicycle, except for those rights and duties which by their nature can have no application. (Added to NRS by 2019, 1885)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.787 - Personal delivery device: Limitations on operation; duties of operator; device has rights and duties of pedestrian; penalties.

1. A personal delivery device may only be operated: (a) At an institution within the Nevada System of Higher Education or upon a sidewalk or crosswalk directly adjacent to an institution within the Nevada System of Higher Education while servicing such an institution. (b) If: (1) The operator of the personal delivery device is capable of actively monitoring and remotely controlling the navigation and movement of the personal delivery device; (2) The personal delivery device is equipped with a braking device that enables the personal delivery device to come to a controlled stop; (3) The personal delivery device includes a unique identifying number and a means of identifying and contacting the personal delivery device operator; and (4) The personal delivery device is operated in accordance with any requirements imposed by this section. 2. A personal delivery device operator may not allow a personal delivery device to: (a) Operate on the highways of this State except when crossing at an intersection or within a crosswalk; (b) Fail to comply with any traffic-control signal or devices that a pedestrian is obligated to comply with; (c) Unreasonably interfere with pedestrians or vehicle traffic; (d) Transport hazardous material as that term is defined in NRS 459.7024; or (e) Transport a person. 3. A personal delivery device has all the rights and duties of a pedestrian except those which by their nature can have no application or as otherwise provided in this section. 4. A violation of this section: (a) Is not a misdemeanor; (b) Shall not be deemed a moving traffic violation; and (c) Is punishable by the imposition of a civil penalty of \$250. 5. As used in this section, "institution within the Nevada System of Higher Education" means any institution, branch, facility, department, office or housing of, or used by or for the benefit of, the Nevada System of Higher Education or students or faculty of the System. The term includes, without limitation, campuses, offices, facilities and housing for students or faculty, whether owned or not owned by the System, and property which is directly adjacent to property that is owned and managed by the System. (Added to NRS by 2023, 940)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.788 - Personal delivery device operator required to maintain insurance policy.

A personal delivery device operator shall maintain an insurance policy that provides general liability coverage of not less than \$500,000 for any damages arising from the combined operations of any personal delivery devices under the control of the personal delivery device operator. (Added to NRS by 2023, 941)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.790 - Mobile carrying device: Operation on sidewalks and crosswalks; limitations; duties of operator; device has rights and duties of pedestrian; penalties.

1. Except as otherwise provided in NRS 244.3565 or 268.41015, a mobile carrying device may be operated on a sidewalk or crosswalk provided that: (a) The operator of the mobile carrying device is actively monitoring the navigation and movement of the mobile carrying device; (b) The mobile carrying device is equipped with a braking device that enables the mobile carrying device to come to a controlled stop; and (c) The mobile carrying device is operated in accordance with any requirements imposed by this section. 2. The operator of a mobile carrying device may not allow a mobile carrying device to: (a) Operate on the highways of this State except when crossing within a crosswalk; (b) Fail to comply with any traffic-control signal or devices that a pedestrian is obligated to comply with; (c) Unreasonably interfere with pedestrians or vehicle traffic; (d) Transport hazardous material as that

term is defined in NRS 459.7024; or (e) Transport a person. 3. A mobile carrying device has all the rights and duties of a pedestrian except those which by their nature can have no application, except that the operator of a mobile carrying device must ensure that the mobile carrying device yields the right of way to a pedestrian on a sidewalk or in a crosswalk. 4. A violation of this section: (a) Is not a misdemeanor; (b) Shall not be deemed a moving traffic violation; and (c) Is punishable by the imposition of a civil penalty of \$250. (Added to NRS by 2019, 3099)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.800 - Definitions.

As used in NRS 484B.800 to 484B.847, inclusive, unless the context otherwise requires, the words and terms defined in NRS 484B.803 to 484B.827, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2021, 1965)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.803 - "Department" defined.

"Department" means the Department of Public Safety. (Added to NRS by 2021, 1965)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.807 - "Disability" defined.

"Disability" means, with respect to a person: 1. A physical or mental impairment that substantially limits one or more of the major life activities of the person; 2. A record of such an impairment; or 3. Being regarded as having such an impairment. (Added to NRS by 2021, 1965)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.810 - "Gender identity or expression" defined.

"Gender identity or expression" means a gender-related identity, appearance, expression or behavior of a person, regardless of the person's assigned sex at birth. (Added to NRS by 2021, 1965)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.813 - "Law enforcement agency" defined.

"Law enforcement agency" has the meaning ascribed to it in NRS 289.010. (Added to NRS by 2021, 1965)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.817 - "Law enforcement officer" defined.

"Law enforcement officer" means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive. (Added to NRS by 2021, 1965)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.820 - "Profiling" defined.

"Profiling" means the targeting of a person by a law enforcement agency or a law enforcement officer, on suspicion of the person having violated a provision of law, based solely on the person's real or perceived age, race, ethnicity, color, national origin, language, sex, gender identity or expression, sexual orientation, political affiliation, religion, homelessness or disability, unless the law enforcement agency or law enforcement officer is acting on a suspect description or information related to an identified or suspected violation of a provision of law. (Added to NRS by 2021, 1965)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.823 - "Sexual orientation" defined.

"Sexual orientation" means having or being perceived as having an orientation for heterosexuality, homosexuality or bisexuality. (Added to NRS by 2021, 1965)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.827 - "Traffic stop" defined.

"Traffic stop" means any occasion when the driver of a motor vehicle is halted by a law enforcement officer for an alleged traffic violation or infraction. (Added to NRS by 2021, 1965)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.830 - Standardized method to record in electronic traffic citation system: Development and implementation; information to be recorded; training and procedures; report; purpose.

1. Not later than January 1, 2022, the Department shall develop and implement a standardized method to be used by law enforcement officers to record information concerning traffic stops in an electronic traffic citation system. The standardized method must require the electronic traffic citation system to provide for the following information to be recorded for each stop: (a) The date and time of the stop; (b) The location of the stop; (c) The race, ethnicity, age and sex of the person stopped, based on the observations of the law enforcement officer responsible for reporting the stop; (d) The nature of, and the statutory citation for, the alleged violation that caused the stop to be made; and (e) The disposition of the stop, including, without limitation, whether: (1) A warning, citation or summons was issued; (2) A search was conducted and, if so: (I) The type of search conducted; and (II) Whether anything was found as a result of the search; and (3) An arrest was made. 2. Not later than January 1, 2022, the Department, in consultation with law enforcement agencies, shall develop and implement training and procedures to facilitate the collection of information concerning traffic stops for which citations are issued through an electronic traffic citation system pursuant to subsection 1. 3. During the period beginning on January 1, 2022, and ending on December 31, 2025, each law enforcement officer

that makes a traffic stop for which a citation is issued through an electronic traffic citation system shall record for each stop the information set forth in paragraphs (a) to (e), inclusive, of subsection 1, and each law enforcement agency shall retain such information. 4. Each law enforcement agency that engages in traffic stops for which citations are issued through an electronic traffic citation system shall report to the Department the information recorded for the previous calendar year pursuant to subsection 3 not later than February 1, 2023, and at least annually thereafter until February 1, 2026. 5. Information acquired pursuant to this section must be used by the Department only for statistical purposes and not for any other purpose. Any identifying information of a law enforcement officer who performed a traffic stop or a person who was stopped that is collected or held by the Department is confidential. (Added to NRS by 2021, 1966)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.833 - Standardized method to record for traffic stops for which written citations or warnings issued: Development and implementation; information to be recorded; training and procedures; forms; report; purpose.

1. Not later than January 1, 2024, the Department shall develop and implement a standardized method to be used by law enforcement officers to record information concerning traffic stops for which written citations or warnings are issued. The standardized method must require the information set forth in paragraphs (a) to (e), inclusive, of subsection 1 of NRS 484B.830 to be recorded for each stop. 2. Not later than January 1, 2024, the Department, in consultation with law enforcement agencies, shall: (a) Develop and implement training and procedures to facilitate the collection of information set forth in paragraphs (a) to (e), inclusive, of subsection 1 of NRS 484B.830 concerning traffic stops for which written citations or warnings are issued; and (b) Update written forms for traffic citations to accommodate the collection of information set forth in paragraphs (a) to (e), inclusive, of subsection 1 of NRS 484B.830. 3. During the period beginning on January 1, 2024, and ending on December 31, 2025, each law enforcement officer that makes a traffic stop for which a written citation or warning is issued shall record for each stop the information set forth in paragraphs (a) to (e), inclusive, of subsection 1 of NRS 484B.830, and each law enforcement agency shall retain such information. 4. Each law enforcement agency that engages in traffic stops for which written citations or warnings are issued shall report to the Department the information recorded for the previous calendar year pursuant to subsection 3 not later than February 1, 2025, for the 2024 calendar year and not later than February 1, 2026, for the 2025 calendar year. 5. Information acquired pursuant to this section must be used by the Department only for statistical purposes and not for any other purpose. Any identifying information of a law enforcement officer who performed a traffic stop or a person who was stopped that is collected or held by the Department is confidential. (Added to NRS by 2021, 1966)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.837 - Department may contract with third party to review information and conduct statistical analysis; report on results of analysis; Department shall seek gifts, grants and donations to enable contract with third party.

1. To the extent that money is available, the Department may contract with a third party to review all public information, including, without limitation, the prevalence and disposition of traffic stops reported by law enforcement agencies pursuant to NRS 484B.830 and 484B.833, and conduct a statistical analysis of the data for the purpose of identifying patterns or practices of profiling. 2. If a third party with whom the Department contracts pursuant to subsection 1 conducts a statistical analysis, the third party must, not later than December 31 of the year in which the statistical analysis is conducted, report the results of the analysis to the Governor, the Department, the Chair of the Senate Standing Committee on Judiciary and the Chair of the Assembly Standing Committee on Judiciary. 3. The Department shall seek any available gifts, grants or donations to assist in enabling the Department to contract with a third party pursuant to subsection 1. (Added to NRS by 2021, 1967)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.840 - Department: Review of reports from third party contractor; provision of advice and assistance to law enforcement agencies; presentation to Peace Officers' Standards and Training Commission.

1. The Department shall review any reports provided to the Department by the third party with whom the Department contracts pursuant to subsection 1 of NRS 484B.837. 2. After reviewing a report, the Department may provide advice or technical assistance to any law enforcement agency mentioned in the report. Any advice or technical assistance provided must be based on best practices in policing as determined by the Peace Officers' Standards and Training Commission. 3. Upon providing advice or technical assistance to a law enforcement agency pursuant to subsection 2, the Department shall, within a reasonable period, present to the Peace Officers' Standards and Training Commission a summary of the advice or technical assistance given. The presentation must be open to the public, feature live testimony by presenters and be held in accordance with chapter 241 of NRS. (Added to NRS by 2021, 1967)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.843 - Department: Duty to record information in a central repository and make recorded data available to public. [Effective October 1, 2021, if the Department of Public Safety is able to perform its duties under this section using existing resources, or on the date on which federal funding is obtained to carry out the provisions of NRS 484B.800 to 484B.847, inclusive, if the Department of Public Safety is not able to perform its duties under this section using existing resources.]

The Department shall: 1. Record information reported to the Department pursuant to subsection 4 of NRS 484B.830 and subsection 4 of NRS 484B.833, other than any identifying information of a law enforcement officer who performed a traffic stop or a person who was stopped that is confidential pursuant to subsection 5 of NRS 484B.830 or subsection 5 of NRS 484B.833, in a central repository created by the Department to track data electronically concerning traffic stops on a statewide basis; and 2. Make such recorded data available to the public for the purpose of allowing the inspection of statistical information concerning traffic stops, including, without limitation, the race and ethnicity of the driver with regard to all traffic stops made on all public roads other than those classified as local or minor rural roads. (Added to NRS by 2021, 1967, effective October 1, 2021, if the Department of Public Safety is able to perform its duties under this section using existing resources, or on the date on which federal funding is obtained to carry out the provisions of NRS 484B.800 to 484B.847, inclusive, if the Department of Public Safety is not able to perform its duties under this section using existing resources)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.847 - Regulations.

The Department may adopt any regulations necessary to carry out the provisions of NRS 484B.800 to 484B.847, inclusive. (Added to NRS by 2021, 1968)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.900 - Rental agency not liable for traffic violation by user of leased or rented vehicle under certain circumstances.

No automobile rental agency shall be liable for any traffic violation arising out of the use of a leased or rented motor vehicle during the period such motor vehicle is not in the possession of the agency. This section does not absolve any such agency from liability for any misdemeanor or civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive, committed by an officer, employee or agent of the agency. (Added to NRS by 1973, 1160; A 2021, 3339)—(Substituted in revision for NRS 484.262)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.903 - Putting glass or other injurious substance on highway prohibited.

1. No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon such highway. 2. Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed. 3. Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle. (Added to NRS by 1957, 504)—(Substituted in revision for NRS 484.465)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.907 - Violation of curfew by drivers who are 16 or 17 years of age; exception for scheduled events; violation does not constitute primary offense.

1. A person to whom a driver's license has been issued pursuant to NRS 483.2521 shall not operate a motor vehicle between the hours of 10 p.m. and 5 a.m. unless the person is operating the vehicle to drive to or from a scheduled event. A peace officer shall not issue a citation to a person for operating a vehicle in violation of this section if the person provides evidence satisfactory to the peace officer that the reason that the person is operating the vehicle between the hours of 10 p.m. and 5 a.m. is because the person is driving to or from a scheduled event. 2. A peace officer shall not stop a motor vehicle for the sole purpose of determining whether the driver of the vehicle is violating subsection 1. A citation may be issued for a violation of subsection 1 only if the violation is discovered when the vehicle is halted or its driver is arrested for another violation or offense. (Added to NRS by 1997, 1521; A 2005, 2309)—(Substituted in revision for NRS 484.466)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.910 - Motor must be shut off when supply tank being filled with fuel.

It shall be unlawful for the driver of any motor vehicle to leave the engine of the motor vehicle running while the supply tank of the vehicle is being filled with gasoline or other motor fuel. [11:166:1925; NCL § 4360]—(Substituted in revision for NRS 484.477)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.913 - Crossing fire hose.

A vehicle shall not be driven over any unprotected hose of a fire department when laid down on any highway or private way or place for use at any fire or alarm of fire or practice runs, without the consent of the fire department official in command. (Added to NRS by 1969, 1507)—(Substituted in revision for NRS 484.463)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.917 - Police officer to remove and destroy lights and sirens unlawfully installed or operated.

A police officer shall remove and destroy, or cause to be removed and destroyed, all red, blue or amber lights and all sirens unlawfully installed or operated. (Added to NRS by 1963, 1266; A 1985, 1041)—(Substituted in revision for NRS 484.493)

2024 Nevada Revised Statutes Chapter 484B - Rules of the Road NRS 484B.920 - Permits required for certain parades and processions, sound trucks and oversized or overweight vehicles or equipment; duties of Department of Transportation;

authority of cities and counties to provide recommendations and notice; regulations; penalty.

1. A procession, except a funeral procession, or parade, except the forces of the United States Armed Services, the military forces of this State and the forces of the police and fire departments, must not occupy, march or proceed along any highway except in accordance with the permit issued by the proper public authority. 2. A sound truck or other vehicle equipped with an amplifier or loudspeaker must not be driven upon any highway for the purpose of selling, offering for sale or advertising in any fashion except in accordance with a permit issued by the proper public authority. 3. An oversized or overweight vehicle or equipment must not be driven, occupy or proceed upon any highway except in accordance with a permit issued by the Department of Transportation. 4. The Department of Transportation, upon request, shall notify a city or county immediately after a permit has been issued for an oversized or overweight vehicle or equipment to be driven, occupy or proceed upon any highway under the jurisdiction of that city or county. 5. Nothing in chapters 484A to 484E, inclusive, of NRS prohibits a city or county affected by the issuance of permits pursuant to this section from: (a) Recommending to the Department of Transportation the establishment of certain routes by which oversized or overweight vehicles may proceed through the city or county and any modifications to those routes; or (b) Notifying the Department of Transportation if the issuance of a permit authorizing an oversized or overweight vehicle or equipment to be driven, occupy or proceed upon a certain highway would negatively impact traffic safety or flow of traffic due to unique conditions in the city or county. 6. The Department of Transportation shall adopt regulations regarding the issuance of permits for oversized or overweight vehicles or equipment to be driven, occupy or proceed upon any highway that is under the jurisdiction of a county whose population is less than 700,000, or a city in a county whose population is less than 700,000. The regulations may limit the movement of oversized or overweight vehicles to certain: (a) Routes; (b) Hours of the day; or (c) Days of the week, to ensure public safety. 7. Any person who violates any provision of this section is guilty of a misdemeanor. (Added to NRS by 1969, 1506; A 1985, 945; 1987, 1103; 2007, 2733; 2011, 1289)—(Substituted in revision for NRS 484.471)

Title: chapter-484c

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.010 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 484C.020 to 484C.105, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1969, 1202, 1476; A 1973, 448; 1975, 1076; 1981, 621; 1987, 1073; 1989, 291, 798; 1993, 1392, 1414, 2586; 1995, 568; 1999, 3415; 2003, 380; 2005, 21, 72; 2009, 397; 2015, 2535; 2021, 2454)—(Substituted in revision for part of NRS 484.013)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.020 - "Concentration of alcohol of 0.08 or more in his or her blood or breath" defined. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] "Concentration of alcohol of 0.10 or more in his or her blood or breath" defined. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

"Concentration of alcohol of 0.08 or more in his or her blood or breath" means 0.08 gram or more of alcohol per 100 milliliters of the blood of a person or per 210 liters of his or her breath. (Added to NRS by 1989, 291; A 1999, 2451; 2003, 2559)—(Substituted in revision for NRS 484.038) "Concentration of alcohol of 0.10 or more in his or her blood or breath" means 0.10 gram or more of alcohol per 100 milliliters of the blood of a person or per 210 liters of his or her breath. (Added to NRS by 1989, 291; A 1999, 2451; 2003, 2559, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.030 - "Concentration of alcohol of 0.18 or more in his or her blood or breath" defined.

"Concentration of alcohol of 0.18 or more in his or her blood or breath" means 0.18 gram or more of alcohol per 100 milliliters of the blood of a person or per 210 liters of his or her breath. (Added to NRS by 1989, 1737; A 1993, 2895; 1997, 3370; 1999, 2140; 2005, 151, 613, 2042; 2005, 22nd Special Session, 105; 2007, 100, 2805; 2009, 1867)—(Substituted in revision for part of NRS 484.3792)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.040 - "Concentration of alcohol of less than 0.18 in his or her blood or breath" defined.

"Concentration of alcohol of less than 0.18 in his or her blood or breath" means less than 0.18 gram of alcohol per 100 milliliters of the blood of a person or per 210 liters of his or her breath. (Added to NRS by 1989, 1737; A 1993, 2895; 1997, 3370; 1999, 2140; 2005, 151, 613, 2042; 2005, 22nd Special Session, 105; 2007, 100, 2805)—(Substituted in revision for part of NRS 484.3943)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.050 - "Evaluation center" defined.

"Evaluation center" means a facility which is approved by the Division of Public and Behavioral Health of the Department of Health and Human Services to provide an evaluation of an offender to a court to determine if the offender has an alcohol or other substance use disorder. The term includes a facility operated by a court or other governmental agency. (Added to NRS by 1993, 2890; A 1997, 1748; 1999, 1882; 2001, 435)—(Substituted in revision for part of NRS 484.3793)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.053 - "Ignition interlock device" defined.

"Ignition interlock device" means a mechanism that: 1. Tests a person's breath to determine the concentration of alcohol in his or her breath; and 2. If the results of the test indicate that the person has a concentration of alcohol of 0.02 or more in his or her breath, prevents the motor vehicle in which it is installed from starting. (Added to NRS by 2021, 2453)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.057 - "Ignition interlock privilege" defined.

"Ignition interlock privilege" means a license issued by the Department which authorizes the holder to operate a motor vehicle that has an ignition interlock device installed. (Added to NRS by 2021, 2453)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.060 - "License to drive a motor vehicle" defined.

"License to drive a motor vehicle" means any license or permit to drive a motor vehicle issued under the laws of this State, including: 1. Any temporary license or instruction permit. 2. The privilege of any person to drive a motor vehicle whether or not such person holds a valid license. 3. Any nonresident's driving privilege. (Added to NRS by 1969, 1478)—(Substituted in revision for NRS 484.077)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.070 - "Nonresident's driving privilege" defined.

"Nonresident's driving privilege" means the privilege conferred upon a nonresident by the laws of this State pertaining to the driving by such person of a motor vehicle, or the use of a vehicle owned by such person, in this State. (Added to NRS by 1969, 1479)—(Substituted in revision for NRS 484.087)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.080 - "Prohibited substance" defined.

"Prohibited substance" means any of the following substances if the person who uses the substance has not been issued a valid prescription to use the substance and the substance is classified in schedule I or II pursuant to NRS 453.166 or 453.176 when it is used: 1. Amphetamine. 2. Cocaine or cocaine metabolite. 3. Heroin or heroin metabolite (morphine or 6-monoacetyl morphine). 4. Lysergic acid diethylamide. 5. Marijuana or marijuana metabolite. 6. Methamphetamine. 7. Phencyclidine. (Added to NRS by 1999, 3414)—(Substituted in revision for NRS 484.1245)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.090 - "Revocation of driver's license" defined.

"Revocation of driver's license" means the termination by formal action of the Department of a person's license to drive a motor vehicle. (Added to NRS by 1969, 1480; A 1985, 1943)—(Substituted in revision for NRS 484.138)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.100 - "Treatment provider" defined.

"Treatment provider" has the meaning ascribed to it in NRS 458.010. (Added to NRS by 1993, 2890; A 1997, 1748; 1999, 1882; 2001, 435; 2015, 754)—(Substituted in revision for part of NRS 484.3793)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.105 - "Under the influence" defined.

"Under the influence" means impaired to a degree that renders a person incapable of safely driving or exercising actual physical control of a vehicle. (Added to NRS by 2015, 2535)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.109 - Person deemed not to be in actual physical control of vehicle in certain circumstances.

For the purposes of this chapter, a person shall be deemed not to be in actual physical control of a vehicle if: 1. The person is asleep inside the vehicle; 2. The person is not in the driver's seat of the vehicle; 3. The engine of the vehicle is not running; 4. The vehicle

is lawfully parked; and 5. Under the facts presented, it is evident that the person could not have driven the vehicle to the location while under the influence of intoxicating liquor, a controlled substance or a prohibited substance. (Added to NRS by 2015, 2535)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.110 - Unlawful acts relating to operation of vehicle; affirmative defense; additional penalty for violation committed in work zone or pedestrian safety zone. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Unlawful acts relating to operation of vehicle; affirmative defense; additional penalty for violation committed in work zone or pedestrian safety zone. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. It is unlawful for any person who: (a) Is under the influence of intoxicating liquor; (b) Has a concentration of alcohol of 0.08 or more in his or her blood or breath; or (c) Is found by measurement within 2 hours after driving or being in actual physical control of a vehicle to have a concentration of alcohol of 0.08 or more in his or her blood or breath, to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access. 2. It is unlawful for any person who: (a) Is under the influence of a controlled substance; (b) Is under the combined influence of intoxicating liquor and a controlled substance; or (c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a vehicle, to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access. The fact that any person charged with a violation of this subsection is or has been entitled to use that drug under the laws of this State is not a defense against any charge of violating this subsection. 3. It is unlawful for any person to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access with an amount of any of the following prohibited substances in his or her blood or urine that is equal to or greater than: Urine Blood Nanograms Nanograms Prohibited substance per milliliter per milliliter (a) Amphetamine 500 100 (b) Cocaine 150 50 (c) Cocaine metabolite 150 50 (d) Heroin 2,000 50 (e) Heroin metabolite: (1) Morphine 2,000 50 (2) 6-monoacetyl morphine 10 10 (f) Lysergic acid diethylamide 25 10 (g) Methamphetamine 500 100 (h) Phencyclidine 25 10 4. For any violation that is punishable pursuant to paragraph (c) of subsection 1 of NRS 484C.400, it is unlawful for any person to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access with an amount of any of the following prohibited substances in his or her blood that is equal to or greater than: Blood Nanograms Prohibited substance per milliliter (a) Marijuana (delta-9-tetrahydrocannabinol) 2 (b) Marijuana metabolite (11-OH-tetrahydrocannabinol) 5 5. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.08 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 6. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1485; A 1971, 2030; 1973, 587, 1277, 1501; 1975, 788; 1981, 1924; 1983, 1068; 1993, 539; 1999, 2451, 3415; 2001, 172; 2003, 2559, 3245; 2015, 1580; 2017, 303; 2021, 1460)—(Substituted in revision for NRS 484.379) 1. It is unlawful for any person who: (a) Is under the influence of intoxicating liquor; (b) Has a concentration of alcohol of 0.10 or more in his or her blood or breath; or (c) Is found by measurement within 2 hours after driving or being in actual physical control of a vehicle to have a concentration of alcohol of 0.10 or more in his or her blood or breath, to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access. 2. It is unlawful for any person who: (a) Is under the influence of a controlled substance; (b) Is under the combined influence of intoxicating liquor and a controlled substance; or (c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a vehicle, to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access. The fact that any person charged with a violation of this subsection is or has been entitled to use that drug under the laws of this State is not a defense against any charge of violating this subsection. 3. It is unlawful for any person to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access with an amount of any of the following prohibited substances in his or her blood or urine that is equal to or greater than: Urine Blood Nanograms Nanograms Prohibited substance per milliliter per milliliter (a) Amphetamine 500 100 (b) Cocaine 150 50 (c) Cocaine metabolite 150 50 (d) Heroin 2,000 50 (e) Heroin metabolite: (1) Morphine 2,000 50 (2) 6-monoacetyl morphine 10 10 (f) Lysergic acid diethylamide 25 10 (g) Methamphetamine 500 100 (h) Phencyclidine 25 10 4. For any violation that is punishable pursuant to paragraph (c) of subsection 1 of NRS 484C.400, it is unlawful for any person to drive or be in actual physical control of a vehicle on a highway or on premises to which the public has access with an amount of any of the following prohibited substances in his or her blood that is equal to or greater than: Blood Nanograms Prohibited substance per milliliter (a) Marijuana (delta-9-tetrahydrocannabinol) 2 (b) Marijuana metabolite (11-OH-tetrahydrocannabinol) 5 5. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of

0.10 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 6. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 484B.130 or 484B.135. (Added to NRS by 1969, 1485; A 1971, 2030; 1973, 587, 1277, 1501; 1975, 788; 1981, 1924; 1983, 1068; 1993, 539; 1999, 2451, 3415; 2001, 172; 2003, 2559, 3245; 2015, 1580; 2017, 303; 2021, 1460, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.120 - Unlawful acts relating to operation of commercial motor vehicle; affirmative defense; additional penalty for violation of out-of-service declaration or violation committed in work zone or pedestrian safety zone. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Unlawful acts relating to operation of commercial motor vehicle; affirmative defense; additional penalty for violation of out-of-service declaration or violation committed in work zone or pedestrian safety zone. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. It is unlawful for any person who: (a) Is under the influence of intoxicating liquor; (b) Has a concentration of alcohol of 0.04 or more but less than 0.08 in his or her blood or breath; or (c) Is found by measurement within 2 hours after driving or being in actual physical control of a commercial motor vehicle to have a concentration of alcohol of 0.04 or more but less than 0.08 in his or her blood or breath, to drive or be in actual physical control of a commercial motor vehicle on a highway or on premises to which the public has access. 2. It is unlawful for any person who: (a) Is under the influence of a controlled substance; (b) Is under the combined influence of intoxicating liquor and a controlled substance; or (c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a commercial motor vehicle, to drive or be in actual physical control of a commercial motor vehicle on a highway or on premises to which the public has access. The fact that any person charged with a violation of this subsection is or has been entitled to use that drug under the laws of this State is not a defense against any charge of violating this subsection. 3. It is unlawful for any person to drive or be in actual physical control of a commercial motor vehicle on a highway or on premises to which the public has access with any prohibited substance in his or her blood or urine. As used in this subsection, "prohibited substance" means any substance described in 21 C.F.R. § 1308.11. 4. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the commercial motor vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.04 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 5. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 483.939, 484B.130 or 484B.135. 6. As used in this section: (a) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: (1) Has a gross combination weight rating of 26,001 or more pounds which includes a towed unit with a gross vehicle weight rating of more than 10,000 pounds; (2) Has a gross vehicle weight rating of 26,001 or more pounds; (3) Is designed to transport 16 or more passengers, including the driver; or (4) Regardless of size, is used in the transportation of materials which are considered to be hazardous for the purposes of the federal Hazardous Materials Transportation Act, 49 U.S.C. §§ 5101 et seq., and for which the display of identifying placards is required pursuant to 49 C.F.R. Part 172, Subpart F. (b) The phrase "concentration of alcohol of 0.04 or more but less than 0.08 in his or her blood or breath" means 0.04 gram or more but less than 0.08 gram of alcohol per 100 milliliters of the blood of a person or per 210 liters of his or her breath. (Added to NRS by 2007, 2793; 2009, 1893; 2015, 1581; 2017, 304; 2021, 1462)—(Substituted in revision for NRS 484.379778) 1. It is unlawful for any person who: (a) Is under the influence of intoxicating liquor; (b) Has a concentration of alcohol of 0.04 or more but less than 0.10 in his or her blood or breath; or (c) Is found by measurement within 2 hours after driving or being in actual physical control of a commercial motor vehicle to have a concentration of alcohol of 0.04 or more but less than 0.10 in his or her blood or breath, to drive or be in actual physical control of a commercial motor vehicle on a highway or on premises to which the public has access. 2. It is unlawful for any person who: (a) Is under the influence of a controlled substance; (b) Is under the combined influence of intoxicating liquor and a controlled substance; or (c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a commercial motor vehicle, to drive or be in actual physical control of a commercial motor vehicle on a highway or on premises to which the public has access. The fact that any person charged with a violation of this subsection is or has been entitled to use that drug under the laws of this State is not a defense against any charge of violating this subsection. 3. It is unlawful for any person to drive or be in actual physical control of a commercial motor vehicle on a highway or on premises to which the public has access with any prohibited substance in his or her blood or urine. As used in this subsection, "prohibited substance" means any substance described in 21 C.F.R. § 1308.11. 4. If consumption is proven by a preponderance of

the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the commercial motor vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.04 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 5. A person who violates any provision of this section may be subject to any additional penalty set forth in NRS 483.939, 484B.130 or 484B.135. 6. As used in this section: (a) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: (1) Has a gross combination weight rating of 26,001 or more pounds which includes a towed unit with a gross vehicle weight rating of more than 10,000 pounds; (2) Has a gross vehicle weight rating of 26,001 or more pounds; (3) Is designed to transport 16 or more passengers, including the driver; or (4) Regardless of size, is used in the transportation of materials which are considered to be hazardous for the purposes of the federal Hazardous Materials Transportation Act, 49 U.S.C. §§ 5101 et seq., and for which the display of identifying placards is required pursuant to 49 C.F.R. Part 172, Subpart F. (b) The phrase "concentration of alcohol of 0.04 or more but less than 0.10 in his or her blood or breath" means 0.04 gram or more but less than 0.10 gram of alcohol per 100 milliliters of the blood of a person or per 210 liters of his or her breath. (Added to NRS by 2007, 2793; A 2007, 2812; 2009, 1893; 2015, 1581; 2017, 304; 2021, 1462, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.130 - Vehicular homicide; affirmative defense. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Vehicular homicide; affirmative defense. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. A person commits vehicular homicide if the person: (a) Drives or is in actual physical control of a vehicle on or off the highways of this State and: (1) Is under the influence of intoxicating liquor; (2) Has a concentration of alcohol of 0.08 or more in his or her blood or breath; (3) Is found by measurement within 2 hours after driving or being in actual physical control of a vehicle to have a concentration of alcohol of 0.08 or more in his or her blood or breath; (4) Is under the influence of a controlled substance or is under the combined influence of intoxicating liquor and a controlled substance; (5) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a vehicle; or (6) Has a prohibited substance in his or her blood or urine, as applicable, in an amount that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 484C.110; (b) Proximately causes the death of another person while driving or in actual physical control of a vehicle on or off the highways of this State; and (c) Has previously been convicted of at least three offenses. 2. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under subparagraph (3) of paragraph (a) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.08 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 3. As used in this section, "offense" means: (a) A violation of NRS 484C.110, 484C.120 or 484C.430; (b) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by this section or NRS 484C.110 or 484C.430; or (c) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a) or (b). (Added to NRS by 2005, 138; A 2007, 1454; 2009, 1873; 2017, 306)—(Substituted in revision for part of NRS 484.37955) 1. A person commits vehicular homicide if the person: (a) Drives or is in actual physical control of a vehicle on or off the highways of this State and: (1) Is under the influence of intoxicating liquor; (2) Has a concentration of alcohol of 0.10 or more in his or her blood or breath; (3) Is found by measurement within 2 hours after driving or being in actual physical control of a vehicle to have a concentration of alcohol of 0.10 or more in his or her blood or breath; (4) Is under the influence of a controlled substance or is under the combined influence of intoxicating liquor and a controlled substance; (5) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a vehicle; or (6) Has a prohibited substance in his or her blood or urine, as applicable, in an amount that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 484C.110; (b) Proximately causes the death of another person while driving or in actual physical control of a vehicle on or off the highways of this State; and (c) Has previously been convicted of at least three offenses. 2. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under subparagraph (3) of paragraph (a) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.10 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 3. As

used in this section, "offense" means: (a) A violation of NRS 484C.110, 484C.120 or 484C.430; (b) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by this section or NRS 484C.110 or 484C.430; or (c) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a) or (b). (Added to NRS by 2005, 138, 173; A 2007, 1454, 1455; 2009, 1873, 1874; 2017, 306, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.150 - Implied consent to preliminary test of person's breath; effect of failure to submit to test; prohibited use of test results in criminal action.

1. Any person who drives or is in actual physical control of a vehicle on a highway or on premises to which the public has access shall be deemed to have given his or her consent to a preliminary test of his or her breath to determine the concentration of alcohol in his or her breath when the test is administered at the request of a police officer at the scene of a vehicle crash or where the police officer stops a vehicle, if the officer has reasonable grounds to believe that the person to be tested was: (a) Driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance; or (b) Engaging in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130 or 484C.430. 2. If the person fails to submit to the test, the officer shall, if reasonable grounds otherwise exist, arrest the person and take him or her to a convenient place for the administration of a reasonably available evidentiary test under NRS 484C.160. 3. The result of the preliminary test must not be used in any criminal action, except to show there were reasonable grounds to make an arrest. (Added to NRS by 1983, 1066; A 1993, 2072; 1995, 1883; 1999, 2453, 3424; 2001, 172; 2005, 148; 2007, 2802; 2015, 1638, 2535; 2021, 2454)—(Substituted in revision for NRS 484.382)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.160 - Implied consent to evidentiary test; exemption from blood test; choice of test; when blood test may be requested; when other tests may be used; reasonable force authorized to obtain test in certain circumstances; notification of parent, guardian or custodian of minor requested to submit to test.

1. Except as otherwise provided in subsections 4 and 5, any person who drives or is in actual physical control of a vehicle on a highway or on premises to which the public has access shall be deemed to have given his or her consent to an evidentiary test of his or her blood, urine, breath or other bodily substance to determine the concentration of alcohol in his or her blood or breath or to determine whether a controlled substance, chemical, poison, organic solvent or another prohibited substance is present, if such a test is administered at the request of a police officer having reasonable grounds to believe that the person to be tested was: (a) Driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or with a prohibited substance in his or her blood or urine; or (b) Engaging in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130 or 484C.430. 2. A police officer who requests that a person submit to a test pursuant to subsection 1 shall inform the person that his or her license, permit or privilege to drive will be revoked if he or she fails to submit to the test. 3. If the person to be tested pursuant to subsection 1 is dead or unconscious, the officer shall direct that samples of blood from the person to be tested. 4. Any person who is afflicted with hemophilia or with a heart condition requiring the use of an anticoagulant as determined by a physician or an advanced practice registered nurse is exempt from any blood test which may be required pursuant to this section but must, when appropriate pursuant to the provisions of this section, be required to submit to a breath or urine test. 5. If the concentration of alcohol in the blood or breath of the person to be tested is in issue: (a) Except as otherwise provided in this section, the person may refuse to submit to a blood test if means are reasonably available to perform a breath test. (b) The person may request a blood test, but if means are reasonably available to perform a breath test when the blood test is requested, and the person is subsequently convicted, the person must pay for the cost of the blood test, including the fees and expenses of witnesses whose testimony in court or an administrative hearing is necessary because of the use of the blood test. The expenses of such a witness may be assessed at an hourly rate of not less than: (1) Fifty dollars for travel to and from the place of the proceeding; and (2) One hundred dollars for giving or waiting to give testimony. (c) Except as otherwise provided in NRS 484C.200, not more than three samples of the person's blood or breath may be taken during the 5-hour period immediately following the time of the initial arrest. 6. Except as otherwise provided in subsection 7, if the presence of a controlled substance, chemical, poison, organic solvent or another prohibited substance in the blood or urine of the person is in issue, the officer may request that the person submit to a blood or urine test, or both. 7. If the presence of marijuana in the blood of the person is in issue, the officer may request that the person submit to a blood test. 8. Except as otherwise provided in subsections 4 and 6, a police officer shall not request that a person submit to a urine test. 9. If a person to be tested fails to submit to a required test as requested by a police officer pursuant to this section and the officer has reasonable grounds to believe that the person to be tested was: (a) Driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or with a prohibited substance in his or her blood or urine; or (b) Engaging in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130 or 484C.430, the officer may apply for a warrant or court order directing that reasonable force be used to the extent necessary to obtain samples of blood from the person to be tested. 10. If a person who is less than 18 years of age is requested to submit to an evidentiary test pursuant to this section, the officer shall, before testing the person, make a reasonable attempt to notify the parent, guardian or custodian of the person, if known. (Added to NRS by 1969, 593; A 1973, 1502; 1975, 73; 1979, 1164; 1981, 1361; 1983, 18, 1074; 1985, 785; 1987, 1237; 1989, 2048; 1993, 117, 2073;

1995, 1883; 1997, 325, 3047; 1999, 633, 2453, 3434; 2001, 172; 2005, 149; 2007, 2802; 2015, 2535; 2017, 306; 2019, 501)—(Substituted in revision for NRS 484.383)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.170 - Analysis of blood of deceased victim of crash involving motor vehicle to determine presence and concentration of alcohol.

1. Any coroner, or other public official performing like duties, shall in all cases in which a death has occurred as a result of a crash involving a motor vehicle, whether the person killed is a driver, passenger or pedestrian, cause to be drawn from each decedent, within 8 hours of the crash, a blood sample to be analyzed for the presence and concentration of alcohol. 2. The findings of the examinations are a matter of public record and must be reported to the Department by the coroner or other public official within 30 days after the death. 3. Blood-alcohol analyses are acceptable only if made by laboratories licensed to perform this function. (Added to NRS by 1973, 893; A 1985, 1952; 1999, 2460; 2015, 1638)—(Substituted in revision for NRS 484.394)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.180 - Arrested person to be given opportunity to choose qualified person to administer test; substitution of test prohibited.

1. A person who is arrested for driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or for engaging in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130 or 484C.430 must be permitted, upon request and at the person's expense, reasonable opportunity to have a qualified person of his or her own choosing administer a chemical test or tests to determine: (a) The concentration of alcohol in his or her blood or breath; or (b) Whether a controlled substance, chemical, poison, organic solvent or another prohibited substance is present in his or her blood or urine. 2. The failure or inability to obtain such a test or tests by such a person does not preclude the admission of evidence relating to the refusal to submit to a test or relating to a test taken upon the request of a police officer. 3. A test obtained under the provisions of this section may not be substituted for or stand in lieu of the test required by NRS 484C.160. (Added to NRS by 1969, 594; A 1973, 1504; 1999, 2459, 3428; 2001, 172; 2005, 151; 2007, 2804)—(Substituted in revision for NRS 484.391)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.190 - Presumption that solution or gas used to calibrate or verify calibration of device for testing breath is properly prepared.

If: 1. A manufacturer or technician in a laboratory prepares a chemical solution or gas to be used in calibrating, or to verify the calibration of, a device for testing a person's breath to determine the concentration of alcohol in his or her breath; and 2. A person who is certified pursuant to NRS 484C.620 examines the solution or gas, confirms the concentration of alcohol contained in the solution or gas, and makes an affidavit or declaration that identifies the concentration of alcohol contained in the solution or gas and states that the solution or gas has the chemical composition that is necessary for use in accurately calibrating, or verifying the calibration of, the device, it is presumed that the solution or gas has been properly prepared and is suitable for use in calibrating, or verifying the calibration of, the device. (Added to NRS by 1983, 1913; A 1987, 686; 1993, 2076; 1999, 2460; 2013, 289)—(Substituted in revision for NRS 484.3935)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.200 - Requirements for evidentiary test of breath to determine concentration of alcohol in breath; refusal or failure to submit to test.

1. Except as otherwise provided in subsection 2, an evidentiary test of breath to determine the concentration of alcohol in a person's breath may be used to establish that concentration only if two consecutive samples of the person's breath are taken and: (a) The difference between the concentration of alcohol in the person's breath indicated by the two samples is less than or equal to 0.02; (b) If the provisions of paragraph (a) do not apply, a third evidentiary test of breath is administered and the difference between the concentration of alcohol in the person's breath indicated by the third sample and one of the first two samples is less than or equal to 0.02; or (c) If the provisions of paragraphs (a) and (b) do not apply, a fourth evidentiary test is administered. Except as otherwise provided in NRS 484C.160, the fourth evidentiary test must be a blood test. 2. If the person fails to provide the second or third consecutive sample, or to submit to the fourth evidentiary test, the results of the first test may be used alone as evidence of the concentration of alcohol in the person's breath. If for some other reason a second, third or fourth sample is not obtained, the results of the first test may be used with all other evidence presented to establish the concentration. 3. If a person refuses or otherwise fails to provide a second or third consecutive sample or submit to a fourth evidentiary test, such refusal or failure constitutes a failure to submit to a required test as provided in NRS 484C.160. (Added to NRS by 1985, 1226; A 1991, 957; 1993, 2074; 1995, 1886; 1999, 2457; 2015, 2537)—(Substituted in revision for NRS 484.386)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.210 - Revocation of license, permit or privilege to drive when person fails to submit to evidentiary test or when test shows concentration of alcohol of 0.08 or more in blood or breath or detectable amount of controlled or prohibited substance in blood or urine; installation of ignition interlock device in motor vehicle; issuance of restricted license in lieu of ignition

interlock device under certain circumstances; cancellation of revocation; periods of ineligibility to run consecutively. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Revocation of license, permit or privilege to drive when person fails to submit to evidentiary test or when test shows concentration of alcohol of 0.10 or more in blood or breath or detectable amount of controlled or prohibited substance in blood or urine; installation of ignition interlock device in motor vehicle; issuance of restricted license in lieu of ignition interlock device under certain circumstances; cancellation of revocation; periods of ineligibility to run consecutively. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. If a person fails to submit to an evidentiary test as requested by a police officer pursuant to NRS 484C.160, the license, permit or privilege to drive of the person must be revoked as provided in NRS 484C.220, and the person is not eligible for a license, permit or privilege to drive for a period of: (a) One year; or (b) Three years, if the license, permit or privilege to drive of the person has been revoked during the immediately preceding 7 years for failure to submit to an evidentiary test. 2. If the result of a test given under NRS 484C.150 or 484C.160 shows that a person had a concentration of alcohol of 0.08 or more in his or her blood or breath or a detectable amount of a controlled substance or prohibited substance in his or her blood or urine for which he or she did not have a valid prescription, as defined in NRS 453.128, or hold a valid registry identification card, as defined in NRS 678C.080, at the time of the test, the license, permit or privilege of the person to drive must be revoked as provided in NRS 484C.220 and the person is not eligible for a license, permit or privilege for a period of 185 days. 3. At any time while a person is not eligible for a license, permit or privilege to drive following a revocation under subsection 1 or 2, the person shall install, at his or her own expense, an ignition interlock device in any motor vehicle which the person operates as a condition to obtaining an ignition interlock privilege pursuant to NRS 483.490. 4. The Department may provide for an exception to the requirements of subsection 3 and issue a restricted license pursuant to subsection 1 of NRS 483.490 if the Department determines that the person is not a repeat intoxicated driver, as that term is defined in 23 C.F.R. § 1275.3(k), and: (a) The person is unable to provide a deep lung breath sample for analysis by an ignition interlock device, as certified in writing by a physician or an advanced practice registered nurse of the person; or (b) The person resides more than 100 miles from a manufacturer of an ignition interlock device or its agent. 5. If a revocation of a person's license, permit or privilege to drive under NRS 62E.640 or 483.460 follows a revocation under subsection 2 which was based on the person having a concentration of alcohol of 0.08 or more in his or her blood or breath, the Department shall cancel the revocation under that subsection and give the person credit for any period during which the person was not eligible for a license, permit or privilege. 6. If an order to install an ignition interlock device pursuant to NRS 62E.640 or 484C.460 follows the installation of an ignition interlock device pursuant to subsection 3, the court shall give the person day-for-day credit for any period during which the person can provide proof satisfactory to the court that he or she had an ignition interlock device installed as a condition to obtaining an ignition interlock privilege. 7. Periods of ineligibility for a license, permit or privilege to drive which are imposed pursuant to this section must run consecutively. (Added to NRS by 1983, 1066; A 1995, 1884, 1919; 1999, 2455; 2003, 1158, 2561; 2015, 2538; 2017, 4044; 2019, 3880; 2021, 2454)—(Substituted in revision for NRS 484.384) 1. If a person fails to submit to an evidentiary test as requested by a police officer pursuant to NRS 484C.160, the license, permit or privilege to drive of the person must be revoked as provided in NRS 484C.220, and the person is not eligible for a license, permit or privilege to drive for a period of: (a) One year; or (b) Three years, if the license, permit or privilege to drive of the person has been revoked during the immediately preceding 7 years for failure to submit to an evidentiary test. 2. If the result of a test given under NRS 484C.150 or 484C.160 shows that a person had a concentration of alcohol of 0.10 or more in his or her blood or breath or a detectable amount of a controlled substance or prohibited substance in his or her blood or urine for which he or she did not have a valid prescription, as defined in NRS 453.128, or hold a valid registry identification card, as defined in NRS 678C.080, at the time of the test, the license, permit or privilege of the person to drive must be revoked as provided in NRS 484C.220 and the person is not eligible for a license, permit or privilege for a period of 185 days. 3. At any time while a person is not eligible for a license, permit or privilege to drive following a revocation under subsection 1 or 2, the person shall install, at his or her own expense, an ignition interlock device in any motor vehicle which the person operates as a condition to obtaining an ignition interlock privilege pursuant to NRS 483.490. 4. The Department may provide for an exception to the requirements of subsection 3 and issue a restricted license pursuant to subsection 1 of NRS 483.490 if the Department determines that the person is not a repeat intoxicated driver, as that term is defined in 23 C.F.R. § 1275.3(k), and: (a) The person is unable to provide a deep lung breath sample for analysis by an ignition interlock device, as certified in writing by a physician or an advanced practice registered nurse of the person; or (b) The person resides more than 100 miles from a manufacturer of an ignition interlock device or its agent. 5. If a revocation of a person's license, permit or privilege to drive under NRS 62E.640 or 483.460 follows a revocation under subsection 2 which was based on the person having a concentration of alcohol of 0.10 or more in his or her blood or breath, the Department shall cancel the revocation under that subsection and give the person credit for any period during which the person was not eligible for a license, permit or privilege. 6. If an order to install an ignition interlock device pursuant to NRS 62E.640 or 484C.460 follows the installation of an ignition interlock device pursuant to subsection 3, the court shall give the person day-for-day credit for any period during which the person can provide proof satisfactory to the court that he or she had an ignition interlock device installed as a condition to obtaining an ignition interlock privilege. 7. Periods of ineligibility for a license, permit or privilege to drive which are imposed pursuant to this section must run consecutively. (Added to NRS by 1983, 1066; A 1995, 1884, 1919; 1999, 2455; 2003, 1158, 2561; 2015, 2538; 2017, 4044; 2019, 3880; 2021, 2454, effective

on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.220 - Seizure of license or permit; order of revocation; administrative and judicial review; temporary license; sufficiency of notice. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Seizure of license or permit; order of revocation; administrative and judicial review; temporary license; sufficiency of notice. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. As agent for the Department, the officer who requested that a test be given pursuant to NRS 484C.150 or 484C.160 or who obtained the result of a test given pursuant to NRS 484C.150 or 484C.160 shall immediately serve an order of revocation of the license, permit or privilege to drive on a person who failed to submit to a test requested by the police officer pursuant to NRS 484C.160 or who has a concentration of alcohol of 0.08 or more in his or her blood or breath or has a detectable amount of a controlled substance or prohibited substance in his or her blood or urine for which he or she did not have a valid prescription, as defined in NRS 453.128, or hold a valid registry identification card, as defined in NRS 678C.080, if that person is present, and shall seize the license or permit to drive of the person. The officer shall then, unless the information is expressly set forth in the order of revocation, advise the person of his or her right to administrative and judicial review of the revocation pursuant to NRS 484C.230 and, except as otherwise provided in this subsection, that the person has a right to request a temporary license. The officer shall also, unless the information is expressly set forth in the order of revocation, advise the person that he or she is required to install an ignition interlock device pursuant to NRS 484C.210. If the person currently is driving with a temporary license that was issued pursuant to this section or NRS 484C.230, the person is not entitled to request an additional temporary license pursuant to this section or NRS 484C.230, and the order of revocation issued by the officer must revoke the temporary license that was previously issued. If the person is entitled to request a temporary license, the officer shall issue the person a temporary license on a form approved by the Department if the person requests one, which is effective for only 7 days including the date of issuance. The officer shall immediately transmit the person's license or permit to the Department along with the written certificate required by subsection 2.

2. When a police officer has served an order of revocation of a driver's license, permit or privilege on a person pursuant to subsection 1, or later receives the result of an evidentiary test which indicates that a person, not then present, had a concentration of alcohol of 0.08 or more in his or her blood or breath or had a detectable amount of a controlled substance or prohibited substance in his or her blood or urine for which he or she did not have a valid prescription, as defined in NRS 453.128, or hold a valid registry identification card, as defined in NRS 678C.080, the officer shall immediately prepare and transmit to the Department, together with the seized license or permit and a copy of the result of the test, if any, a written certificate that the officer had reasonable grounds to believe that the person had been driving or in actual physical control of a vehicle: (a) With a concentration of alcohol of 0.08 or more in his or her blood or breath or with a detectable amount of a controlled substance or prohibited substance in his or her blood or urine for which he or she did not have a valid prescription, as defined in NRS 453.128, or hold a valid registry identification card, as defined in NRS 678C.080, as determined by a chemical test; or (b) While under the influence of intoxicating liquor or a controlled substance or with a prohibited substance in his or her blood or urine and the person refused to submit to a required evidentiary test. The certificate must also indicate whether the officer served an order of revocation on the person and whether the officer issued the person a temporary license.

3. The Department, upon receipt of such a certificate for which an order of revocation has not been served, after examining the certificate and copy of the result of the chemical test, if any, and finding that revocation is proper, shall issue an order revoking the person's license, permit or privilege to drive by mailing the order to the person at the person's last known address. The order must indicate the grounds for the revocation and the period during which the person is not eligible for a license, permit or privilege to drive and state that the person has a right to administrative and judicial review of the revocation and to have a temporary license. The order must also state whether the person is required to install an ignition interlock device pursuant to NRS 484C.210. The order of revocation becomes effective 5 days after mailing.

4. Notice of an order of revocation and notice of the affirmation of a prior order of revocation or the cancellation of a temporary license provided in NRS 484C.230 is sufficient if it is mailed to the person's last known address as shown by any application for a license. The date of mailing may be proved by the certificate of any officer or employee of the Department, specifying the time of mailing the notice. The notice is presumed to have been received upon the expiration of 5 days after it is deposited, postage prepaid, in the United States mail. (Added to NRS by 1969, 593; A 1973, 484, 1503; 1981, 1927; 1983, 1075; 1985, 1948; 1991, 1588; 1995, 1885; 1999, 2455, 3425; 2001, 172; 2003, 2562; 2007, 2046; 2015, 2538; 2017, 4044; 2019, 3881; 2021, 2455)—(Substituted in revision for NRS 484.385)

1. As agent for the Department, the officer who requested that a test be given pursuant to NRS 484C.150 or 484C.160 or who obtained the result of a test given pursuant to NRS 484C.150 or 484C.160 shall immediately serve an order of revocation of the license, permit or privilege to drive on a person who failed to submit to a test requested by the police officer pursuant to NRS 484C.160 or who has a concentration of alcohol of 0.10 or more in his or her blood or breath or has a detectable amount of a controlled substance or prohibited substance in his or her blood or urine for which he or she did not have a valid prescription, as defined in NRS 453.128, or hold a valid registry identification card, as defined in NRS 678C.080, if that person is present, and shall

seize the license or permit to drive of the person. The officer shall then, unless the information is expressly set forth in the order of revocation, advise the person of his or her right to administrative and judicial review of the revocation pursuant to NRS 484C.230 and, except as otherwise provided in this subsection, that the person has a right to request a temporary license. The officer shall also, unless the information is expressly set forth in the order of revocation, advise the person that he or she is required to install an ignition interlock device pursuant to NRS 484C.210. If the person currently is driving with a temporary license that was issued pursuant to this section or NRS 484C.230, the person is not entitled to request an additional temporary license pursuant to this section or NRS 484C.230, and the order of revocation issued by the officer must revoke the temporary license that was previously issued. If the person is entitled to request a temporary license, the officer shall issue the person a temporary license on a form approved by the Department if the person requests one, which is effective for only 7 days including the date of issuance. The officer shall immediately transmit the person's license or permit to the Department along with the written certificate required by subsection 2. 2. When a police officer has served an order of revocation of a driver's license, permit or privilege on a person pursuant to subsection 1, or later receives the result of an evidentiary test which indicates that a person, not then present, had a concentration of alcohol of 0.10 or more in his or her blood or breath or had a detectable amount of a controlled substance or prohibited substance in his or her blood or urine for which he or she did not have a valid prescription, as defined in NRS 453.128, or hold a valid registry identification card, as defined in NRS 678C.080, the officer shall immediately prepare and transmit to the Department, together with the seized license or permit and a copy of the result of the test, if any, a written certificate that the officer had reasonable grounds to believe that the person had been driving or in actual physical control of a vehicle: (a) With a concentration of alcohol of 0.10 or more in his or her blood or breath or with a detectable amount of a controlled substance or prohibited substance in his or her blood or urine for which he or she did not have a valid prescription, as defined in NRS 453.128, or hold a valid registry identification card, as defined in NRS 678C.080, as determined by a chemical test; or (b) While under the influence of intoxicating liquor or a controlled substance or with a prohibited substance in his or her blood or urine and the person refused to submit to a required evidentiary test. The certificate must also indicate whether the officer served an order of revocation on the person and whether the officer issued the person a temporary license. 3. The Department, upon receipt of such a certificate for which an order of revocation has not been served, after examining the certificate and copy of the result of the chemical test, if any, and finding that revocation is proper, shall issue an order revoking the person's license, permit or privilege to drive by mailing the order to the person at the person's last known address. The order must indicate the grounds for the revocation and the period during which the person is not eligible for a license, permit or privilege to drive and state that the person has a right to administrative and judicial review of the revocation and to have a temporary license. The order must also state whether the person is required to install an ignition interlock device pursuant to NRS 484C.210. The order of revocation becomes effective 5 days after mailing. 4. Notice of an order of revocation and notice of the affirmation of a prior order of revocation or the cancellation of a temporary license provided in NRS 484C.230 is sufficient if it is mailed to the person's last known address as shown by any application for a license. The date of mailing may be proved by the certificate of any officer or employee of the Department, specifying the time of mailing the notice. The notice is presumed to have been received upon the expiration of 5 days after it is deposited, postage prepaid, in the United States mail. (Added to NRS by 1969, 593; A 1973, 484, 1503; 1981, 1927; 1983, 1075; 1985, 1948; 1991, 1588; 1995, 1885; 1999, 2455, 3425; 2001, 172; 2003, 2562; 2007, 2046, 2047; 2015, 2538; 2017, 4044; 2019, 3881; 2021, 2455, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.230 - Hearing by Department; additional temporary license; judicial review; cancellation of temporary license. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Hearing by Department; additional temporary license; judicial review; cancellation of temporary license. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. At any time while a person is not eligible for a license, permit or privilege to drive following an order of revocation issued pursuant to NRS 484C.220, the person may request in writing a hearing by the Department to review the order of revocation, but the person is only entitled to one hearing. The hearing must be conducted as soon as is practicable at any location, if the hearing officer permits each party and witness to attend the hearing by telephone, videoconference or other electronic means. The Director or agent of the Director may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a reexamination of the requester. Unless the person is ineligible for a temporary license pursuant to NRS 484C.220, the Department shall issue an additional temporary license for a period which is sufficient to complete the administrative review. A person who is issued a temporary license is not subject to and is exempt during the period of the administrative review from the requirement to install an ignition interlock device pursuant to NRS 484C.210. 2. The scope of the hearing must be limited to the issue of whether the person: (a) Failed to submit to a required test provided for in NRS 484C.160; or (b) At the time of the test, had a concentration of alcohol of 0.08 or more in his or her blood or breath or a detectable amount of a controlled substance or prohibited substance in his or her blood or urine for which he or she did not have a valid prescription, as defined in NRS 453.128, or hold a valid registry identification card, as defined in NRS 678C.080. Upon an affirmative finding on either issue, the Department

shall affirm the order of revocation. Otherwise, the order of revocation must be rescinded. 3. If, after the hearing, the order of revocation is affirmed, the person whose license, permit or privilege to drive has been revoked shall, if not previously installed, install an ignition interlock device pursuant to NRS 484C.210. 4. If, after the hearing, the order of revocation is affirmed, the person whose license, privilege or permit has been revoked is entitled to a review of the same issues in district court in the same manner as provided by chapter 233B of NRS. The court shall notify the Department upon the issuance of a stay, and the Department shall issue an additional temporary license for a period which is sufficient to complete the review. A person who is issued a temporary license is not subject to and is exempt during the period of the judicial review from the requirement to install an ignition interlock device pursuant to NRS 484C.210. 5. If a hearing officer grants a continuance of a hearing at the request of the person whose license was revoked, or a court does so after issuing a stay of the revocation, the officer or court shall notify the Department, and the Department shall cancel the temporary license and notify the holder by mailing the order of cancellation to the person's last known address. (Added to NRS by 1969, 594; A 1971, 83; 1973, 485, 1504; 1975, 1463; 1981, 85; 1983, 1077; 1985, 1949; 1987, 1456; 1989, 1655; 1991, 1590; 1995, 1887; 1999, 2457, 3427; 2001, 172; 2003, 2562; 2007, 2048; 2015, 2539; 2017, 4046; 2019, 3882; 2021, 2457)—(Substituted in revision for NRS 484.387) 1. At any time while a person is not eligible for a license, permit or privilege to drive following an order of revocation issued pursuant to NRS 484C.220, the person may request in writing a hearing by the Department to review the order of revocation, but the person is only entitled to one hearing. The hearing must be conducted as soon as is practicable at any location, if the hearing officer permits each party and witness to attend the hearing by telephone, videoconference or other electronic means. The Director or agent of the Director may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a reexamination of the requester. Unless the person is ineligible for a temporary license pursuant to NRS 484C.220, the Department shall issue an additional temporary license for a period which is sufficient to complete the administrative review. A person who is issued a temporary license is not subject to and is exempt during the period of the administrative review from the requirement to install an ignition interlock device pursuant to NRS 484C.210. 2. The scope of the hearing must be limited to the issue of whether the person: (a) Failed to submit to a required test provided for in NRS 484C.160; or (b) At the time of the test, had a concentration of alcohol of 0.10 or more in his or her blood or breath or a detectable amount of a controlled substance or prohibited substance in his or her blood or urine for which he or she did not have a valid prescription, as defined in NRS 453.128, or hold a valid registry identification card, as defined in NRS 678C.080. Upon an affirmative finding on either issue, the Department shall affirm the order of revocation. Otherwise, the order of revocation must be rescinded. 3. If, after the hearing, the order of revocation is affirmed, the person whose license, permit or privilege to drive has been revoked shall, if not previously installed, install an ignition interlock device pursuant to NRS 484C.210. 4. If, after the hearing, the order of revocation is affirmed, the person whose license, privilege or permit has been revoked is entitled to a review of the same issues in district court in the same manner as provided by chapter 233B of NRS. The court shall notify the Department upon the issuance of a stay, and the Department shall issue an additional temporary license for a period which is sufficient to complete the review. A person who is issued a temporary license is not subject to and is exempt during the period of the judicial review from the requirement to install an ignition interlock device pursuant to NRS 484C.210. 5. If a hearing officer grants a continuance of a hearing at the request of the person whose license was revoked, or a court does so after issuing a stay of the revocation, the officer or court shall notify the Department, and the Department shall cancel the temporary license and notify the holder by mailing the order of cancellation to the person's last known address. (Added to NRS by 1969, 594; A 1971, 83; 1973, 485, 1504; 1975, 1463; 1981, 85; 1983, 1077; 1985, 1949; 1987, 1456; 1989, 1655; 1991, 1590; 1995, 1887; 1999, 2457, 3427; 2001, 172; 2003, 2562; 2007, 2048, 2049; 2015, 2539; 2017, 4046; 2019, 3882; 2021, 2457, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.240 - Admissibility of evidence of refusal to submit to evidentiary test; availability of results of test; admissibility of evidence from test.

1. If a person refuses to submit to a required chemical test provided for in NRS 484C.150 or 484C.160, evidence of that refusal is admissible in any criminal or administrative action arising out of acts alleged to have been committed while the person was: (a) Driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or with a prohibited substance in his or her blood or urine; or (b) Engaging in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130 or 484C.430. 2. Except as otherwise provided in subsection 3 of NRS 484C.150, a court or hearing officer may not exclude evidence of a required test or failure to submit to such a test if the police officer or other person substantially complied with the provisions of NRS 484C.150 to 484C.250, inclusive, and 484C.600 to 484C.640, inclusive. 3. If a person submits to a chemical test provided for in NRS 484C.150 or 484C.160, full information concerning that test must be made available, upon request of the person, to the person or his or her attorney. 4. Evidence of a required test is not admissible in a criminal or administrative proceeding unless it is shown by documentary or other evidence that the law enforcement agency calibrated the breath-testing device and otherwise maintained it as required by the regulations of the Committee on Testing for Intoxication. (Added to NRS by 1969, 594; A 1973, 1504; 1983, 1078, 1914; 1993, 2076; 1995, 1888; 1999, 3428; 2005, 150; 2007, 2804; 2015, 2540)—(Substituted in revision for NRS 484.389)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS

484C.250 - Admissibility of results of blood test in hearing or criminal action; immunity from liability for person administering blood test in certain circumstances.

1. The results of any blood test administered under the provisions of NRS 484C.160 or 484C.180 are not admissible in any hearing or criminal action arising out of acts alleged to have been committed by a person who was driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or with a prohibited substance in his or her blood or urine or who was engaging in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130 or 484C.430 unless: (a) The blood tested was withdrawn by a person, other than an arresting officer, who: (1) Is a physician, physician assistant licensed pursuant to chapter 630 or 633 of NRS, registered nurse, licensed practical nurse, advanced emergency medical technician, paramedic or a phlebotomist, technician, technologist or assistant employed in a medical laboratory; or (2) Has special knowledge, skill, experience, training and education in withdrawing blood in a medically acceptable manner, including, without limitation, a person qualified as an expert on that subject in a court of competent jurisdiction or a person who has completed a course of instruction that qualifies him or her to take an examination in phlebotomy that is administered by the American Medical Technologists or the American Society for Clinical Pathology; and (b) The test was performed on whole blood, except if the sample was clotted when it was received by the laboratory, the test may be performed on blood serum or plasma. 2. The limitation contained in paragraph (a) of subsection 1 does not apply to the taking of a chemical test of the urine, breath or other bodily substance. 3. No person listed in paragraph (a) of subsection 1 incurs any civil or criminal liability as a result of the administering of a blood test when requested by a police officer or the person to be tested to administer the test. (Added to NRS by 1969, 595; A 1973, 1505; 1981, 1362; 1983, 1078, 1914; 1987, 1154; 1999, 3429; 2001, 791; 2005, 151, 2041; 2007, 1868, 2804; 2013, 105, 963; 2015, 2541)—(Substituted in revision for NRS 484.393)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.300 - Evaluation of certain offenders before sentencing; persons qualified to conduct evaluation; results of evaluation to be forwarded to Director of Department of Corrections or court with jurisdiction over offender.

1. Before sentencing an offender for a violation of NRS 484C.110 or 484C.120 that is punishable as a felony pursuant to NRS 484C.400 or 484C.410, other than an offender who has been evaluated pursuant to NRS 484C.340, or a violation of NRS 484C.130 or 484C.430, the court shall require that the offender be evaluated to determine whether the offender has an alcohol or other substance use disorder and whether the offender can be treated successfully for the condition. 2. The evaluation must be conducted by: (a) An alcohol and drug counselor who is licensed or certified, or a clinical alcohol and drug counselor who is licensed, pursuant to chapter 641C of NRS, to make such an evaluation; (b) A physician who is certified to make such an evaluation by the Board of Medical Examiners; (c) An advanced practice registered nurse who is certified to make such an evaluation by the State Board of Nursing; or (d) A psychologist who is certified to make such an evaluation by the Board of Psychological Examiners. 3. The alcohol and drug counselor, clinical alcohol and drug counselor, physician, advanced practice registered nurse or psychologist who conducts the evaluation shall immediately forward the results of the evaluation to the Director of the Department of Corrections or, if the offender is assigned to any specialty court or diversionary program, to the court having jurisdiction over the offender. (Added to NRS by 1991, 784; A 1993, 1643, 2016; 1999, 1886, 3074; 2001 Special Session, 245; 2005, 146, 613; 2007, 1064, 2800, 3092; 2019, 502; 2021, 2458)—(Substituted in revision for NRS 484.3796)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.310 - Standards for approval of evaluation center.

The State Board of Health shall adopt by regulation the standards to be used for approving the operation of a facility as an evaluation center for the purposes of NRS 484C.310 to 484C.360, inclusive. (Added to NRS by 1993, 2890; A 1997, 1748; 1999, 1882; 2001, 435)—(Substituted in revision for NRS 484.37935)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.320 - Application by first-time offender to undergo program of treatment; hearing under certain circumstances; sentencing of offender and conditional suspension of sentence; administration of program; notice to Department.

1. An offender who is found guilty of a violation of NRS 484C.110 or 484C.120 that is punishable pursuant to paragraph (a) of subsection 1 of NRS 484C.400, other than an offender who is found to have a concentration of alcohol of 0.18 or more in his or her blood or breath, may, at that time or any time before the offender is sentenced, apply to the court to undergo a program of treatment for an alcohol or other substance use disorder for at least 6 months. The court shall authorize that treatment if: (a) The offender is diagnosed as a person with an alcohol or other substance use disorder by: (1) An alcohol and drug counselor who is licensed or certified, or a clinical alcohol and drug counselor who is licensed, pursuant to chapter 641C of NRS, to make that diagnosis; (2) A physician who is certified to make that diagnosis by the Board of Medical Examiners; or (3) An advanced practice registered nurse who is certified to make that diagnosis by the State Board of Nursing; (b) The offender agrees to pay the cost of the treatment to the extent of his or her financial resources; and (c) The offender has served or will serve a term of imprisonment in jail of not less than 1 day, or has performed or will perform 24 hours of community service. 2. A prosecuting attorney may, within 10 days after receiving notice of an application for treatment pursuant to this section, request a hearing on the question of whether the offender is eligible to undergo a program of treatment for an alcohol or other substance use disorder. The court shall order a hearing on the application

upon the request of the prosecuting attorney or may order a hearing on its own motion. The hearing must be limited to the question of whether the offender is eligible to undergo such a program of treatment. 3. At the hearing on the application for treatment, the prosecuting attorney may present the court with any relevant evidence on the matter. If a hearing is not held, the court shall decide the matter upon affidavits and other information before the court. 4. If the court grants an application for treatment, the court shall: (a) Immediately sentence the offender and enter judgment accordingly. (b) Suspend the sentence of the offender for not more than 3 years upon the condition that the offender be accepted for treatment by a treatment provider that is approved by the court, that the offender complete the treatment satisfactorily and that the offender comply with any other condition ordered by the court. If the court has a specialty court program for the supervision and monitoring of the person, the treatment provider must comply with the requirements of the specialty court, including, without limitation, any requirement to submit progress reports to the specialty court. (c) Advise the offender that: (1) He or she may be placed under the supervision of a treatment provider for a period not to exceed 3 years. (2) The court may order the offender to be admitted to a residential treatment facility or to be provided with outpatient treatment in the community. (3) If the offender fails to complete the program of treatment satisfactorily, the offender shall serve the sentence imposed by the court. Any sentence of imprisonment must be reduced by a time equal to that which the offender served before beginning treatment. (4) If the offender completes the treatment satisfactorily, the offender's sentence will be reduced to a term of imprisonment which is not less than 1 day and a fine of not more than the minimum fine provided for the offense in NRS 484C.400, but the conviction must remain on the record of criminal history of the offender for the period prescribed by law. 5. The court shall administer the program of treatment pursuant to the procedures provided in NRS 176A.230 to 176A.245, inclusive, except that the court: (a) Shall not defer the sentence, set aside the conviction or impose conditions upon the election of treatment except as otherwise provided in this section. (b) May immediately revoke the suspension of sentence for a violation of any condition of the suspension. 6. The court shall notify the Department, on a form approved by the Department, upon granting the application of the offender for treatment and his or her failure to be accepted for or complete treatment. (Added to NRS by 1997, 1744; A 1999, 1882, 3070, 3418; 2001, 127, 133, 435, 1886; 2001 Special Session, 149; 2003, 448; 2005, 141, 609; 2007, 3089; 2009, 1870; 2015, 754; 2019, 502, 4480; 2021, 2458)—(Substituted in revision for NRS 484.37937)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.330 - Application by second-time offender to undergo program of treatment; hearing under certain circumstances; sentencing of offender and conditional suspension of sentence; administration of program; notice to Department.

1. An offender who is found guilty of a violation of NRS 484C.110 or 484C.120 that is punishable pursuant to paragraph (b) of subsection 1 of NRS 484C.400 may, at that time or any time before the offender is sentenced, apply to the court to undergo a program of treatment for an alcohol or other substance use disorder for at least 1 year. The court shall authorize that treatment if: (a) The offender is diagnosed as a person with an alcohol or other substance use disorder by: (1) An alcohol and drug counselor who is licensed or certified, or a clinical alcohol and drug counselor who is licensed, pursuant to chapter 641C of NRS, to make that diagnosis; (2) A physician who is certified to make that diagnosis by the Board of Medical Examiners; or (3) An advanced practice registered nurse who is certified to make that diagnosis by the State Board of Nursing; (b) The offender agrees to pay the costs of the treatment to the extent of his or her financial resources; and (c) The offender has served or will serve a term of imprisonment in jail of not less than 5 days and, if required pursuant to NRS 484C.400, has performed or will perform not less than one-half of the hours of community service. 2. A prosecuting attorney may, within 10 days after receiving notice of an application for treatment pursuant to this section, request a hearing on the matter. The court shall order a hearing on the application upon the request of the prosecuting attorney or may order a hearing on its own motion. 3. At the hearing on the application for treatment, the prosecuting attorney may present the court with any relevant evidence on the matter. If a hearing is not held, the court shall decide the matter upon affidavits and other information before the court. 4. If the court grants an application for treatment, the court shall: (a) Immediately sentence the offender and enter judgment accordingly. (b) Suspend the sentence of the offender for not more than 3 years upon the condition that the offender be accepted for treatment by a treatment provider that is approved by the court, that the offender complete the treatment satisfactorily and that the offender comply with any other condition ordered by the court. If the court has a specialty court program for the supervision and monitoring of the person, the treatment provider must comply with the requirements of the specialty court, including, without limitation, any requirement to submit progress reports to the specialty court. (c) Advise the offender that: (1) He or she may be placed under the supervision of the treatment provider for a period not to exceed 3 years. (2) The court may order the offender to be admitted to a residential treatment facility or to be provided with outpatient treatment in the community. (3) If the offender fails to complete the program of treatment satisfactorily, the offender shall serve the sentence imposed by the court. Any sentence of imprisonment must be reduced by a time equal to that which the offender served before beginning treatment. (4) If the offender completes the treatment satisfactorily, the offender's sentence will be reduced to a term of imprisonment which is not less than 5 days and a fine of not more than the minimum provided for the offense in NRS 484C.400, but the conviction must remain on the record of criminal history of the offender for the period prescribed by law. 5. The court shall administer the program of treatment pursuant to the procedures provided in NRS 176A.230 to 176A.245, inclusive, except that the court: (a) Shall not defer the sentence, set aside the conviction or impose conditions upon the election of treatment except as otherwise provided in this section. (b) May immediately revoke the suspension of sentence for a violation of a condition of the suspension. 6. The court shall notify the Department, on a form approved by the Department, upon granting the application of the offender for treatment and his or her failure to be accepted for or complete treatment. (Added to NRS by 1983, 1072; A 1987, 719, 964; 1989, 197; 1993, 1642, 2264, 2894; 1995, 579; 1997, 40, 153, 1748; 1999, 1884, 3071, 3420; 2001, 127, 133, 436; 2001

Special Session, 150; 2003, 449; 2005, 142, 611; 2007, 2798, 3090; 2015, 755; 2019, 504, 4481; 2021, 2460)—(Substituted in revision for NRS 484.3794)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.340 - Application by third-time offender to undergo program of treatment; hearing under certain circumstances; sentencing of offender and conditional suspension of proceedings; administration of program; requirements to participate in program; certain previous convictions preclude offender from participating in program; requirements for offender placed under active electronic monitoring; unlawful to intentionally remove or disable or attempt to remove or disable electronic monitoring device.

1. An offender who enters a plea of guilty or nolo contendere to a violation of NRS 484C.110 or 484C.120 that is punishable pursuant to paragraph (c) of subsection 1 of NRS 484C.400 may, at the time the offender enters a plea, apply to the court to undergo a program of treatment for an alcohol or other substance use disorder for at least 3 years. The court may authorize that treatment if: (a) The offender is diagnosed as a person with an alcohol or other substance use disorder by: (1) An alcohol and drug counselor who is licensed or certified, or a clinical alcohol and drug counselor who is licensed, pursuant to chapter 641C of NRS, to make that diagnosis; (2) A physician who is certified to make that diagnosis by the Board of Medical Examiners; (3) An advanced practice registered nurse who is certified to make that diagnosis by the State Board of Nursing; and (b) The offender agrees to pay the costs of the treatment to the extent of his or her financial resources. An alcohol and drug counselor, a clinical alcohol and drug counselor, a physician or an advanced practice registered nurse who diagnoses an offender as a person with an alcohol or other substance use disorder shall make a report and recommendation to the court concerning the length and type of treatment required for the offender.

2. A prosecuting attorney may, within 10 days after receiving notice of an application for treatment pursuant to this section, request a hearing on the matter. The court shall order a hearing on the application upon the request of the prosecuting attorney or may order a hearing on its own motion.

3. At the hearing on the application for treatment, the prosecuting attorney may present the court with any relevant evidence on the matter. If a hearing is not held, the court shall decide the matter and other information before the court.

4. If the court determines that an application for treatment should be granted, the court shall: (a) Immediately, without entering a judgment of conviction and with the consent of the offender, suspend further proceedings and place the offender on probation for not more than 5 years. (b) Order the offender to complete a program of treatment for an alcohol or other substance use disorder with a treatment provider approved by the court. If the court has a specialty court program for the supervision and monitoring of the person, the treatment provider must comply with the requirements of the specialty court, including, without limitation, any requirement to submit progress reports to the specialty court. (c) Advise the offender that: (1) He or she may be placed under the supervision of a treatment provider for not more than 5 years. (2) The court may order the offender to be admitted to a residential treatment facility. (3) The court will enter a judgment of conviction for a violation of paragraph (c) of subsection 1 of NRS 484C.400 if a treatment provider fails to accept the offender for a program of treatment for an alcohol or other substance use disorder or if the offender fails to complete the program of treatment satisfactorily. Any sentence of imprisonment may be reduced by a time equal to that which the offender served before beginning treatment. (4) If the offender completes the treatment satisfactorily, the court will enter a judgment of conviction for a violation of paragraph (b) of subsection 1 of NRS 484C.400. (5) The provisions of NRS 483.460 requiring the revocation of the license, permit or privilege of the offender to drive do not apply.

5. The court shall administer the program of treatment pursuant to the procedures provided in NRS 176A.230 to 176A.245, inclusive, except that the court: (a) Shall not defer the sentence or set aside the conviction upon the election of treatment, except as otherwise provided in this section; and (b) May enter a judgment of conviction and proceed as provided in paragraph (c) of subsection 1 of NRS 484C.400 for a violation of a condition ordered by the court.

6. To participate in a program of treatment, the offender must: (a) Serve not less than 6 months of residential confinement; (b) Be placed under a system of active electronic monitoring, through the Division, that is capable of identifying the offender's location and producing, upon request, reports or records of the offender's presence near or within, or departure from, a specified geographic location and pay any costs associated with the offender's participation under the system of active electronic monitoring; (c) Install, at his or her own expense, an ignition interlock device for not less than 12 months; (d) Not drive any vehicle unless it is equipped with an ignition interlock device; (e) Agree to be subject to periodic testing for the use of alcohol or controlled substances while participating in a program of treatment; and (f) Agree to any other conditions that the court deems necessary.

7. An offender may not apply to the court to undergo a program of treatment for an alcohol or other substance use disorder pursuant to this section if the offender has previously applied to receive treatment pursuant to this section or if the offender has previously been convicted of: (a) A violation of NRS 484C.430; (b) A violation of NRS 484C.130; (c) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430; (d) A violation of paragraph (c) of subsection 1 of NRS 484C.400; (e) A violation of NRS 484C.410; or (f) A violation of law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a), (b), (c) or (d).

8. An offender placed under a system of active electronic monitoring pursuant to paragraph (b) of subsection 6 shall: (a) Follow the instructions provided by the Division to maintain the electronic monitoring device in working order. (b) Report any incidental damage or defacement of the electronic monitoring device to the Division within 2 hours after the occurrence of the damage or defacement. (c) Abide by any other conditions set forth by the court or the Division with regard to the offender's participation under the system of active electronic monitoring.

9. Except as otherwise provided in this subsection, a person who intentionally removes or disables or attempts to remove or disable an electronic monitoring device placed on an offender pursuant to this section is guilty of a gross

misdeemeanor. The provisions of this subsection do not prohibit a person authorized by the Division from performing maintenance or repairs to an electronic monitoring device. 10. As used in this section, "Division" means the Division of Parole and Probation of the Department of Public Safety. (Added to NRS by 2007, 1058; A 2009, 422, 1891; 2015, 757; 2019, 505, 4482; 2021, 2461)—(Substituted in revision for NRS 484.37941)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.350 - Required evaluation of first-time offender with a concentration of alcohol of 0.18 or more in his or her blood or breath, second-time offenders and offenders convicted of possessing 1 ounce or less of marijuana; required evaluation of certain offenders under 21 years of age; requirements of evaluation; out-of-state evaluation; offender to pay cost of evaluation.

1. If an offender is found guilty of a violation of NRS 484C.110 that is punishable pursuant to paragraph (a) of subsection 1 of NRS 484C.400 and if the concentration of alcohol in the offender's blood or breath at the time of the offense was 0.18 or more, if an offender is found guilty of a violation of NRS 484C.110 or 484C.120 that is punishable pursuant to paragraph (b) of subsection 1 of NRS 484C.400 or if an offender is found guilty of a violation of subsection 4 of NRS 453.336, the court shall, before sentencing the offender, require an evaluation of the offender pursuant to subsection 3, 4, 5 or 6 to determine whether the offender has an alcohol or other substance use disorder. 2. If an offender is convicted of a violation of NRS 484C.110 or 484C.120 that is punishable pursuant to paragraph (a) of subsection 1 of NRS 484C.400 and if the offender is under 21 years of age at the time of the violation or if the offender is convicted of a violation of subsection 1 or 2 of NRS 202.020, subsection 1 of NRS 202.040 or subsection 4 of NRS 678D.310, the court shall, before sentencing the offender, require an evaluation of the offender pursuant to subsection 3, 4, 5 or 6 to determine whether the offender has an alcohol or other substance use disorder. 3. Except as otherwise provided in subsection 4, 5 or 6, the evaluation of an offender pursuant to this section must be conducted at an evaluation center by: (a) An alcohol and drug counselor who is licensed or certified, or a clinical alcohol and drug counselor who is licensed, pursuant to chapter 641C of NRS, to make that evaluation; (b) A physician who is certified to make that evaluation by the Board of Medical Examiners; or (c) An advanced practice registered nurse who is certified to make that diagnosis by the State Board of Nursing, who shall report to the court the results of the evaluation and make a recommendation to the court concerning the length and type of treatment required for the offender. 4. The evaluation of an offender who resides more than 30 miles from an evaluation center may be conducted outside an evaluation center by a person who has the qualifications set forth in subsection 3. The person who conducts the evaluation shall report to the court the results of the evaluation and make a recommendation to the court concerning the length and type of treatment required for the offender. 5. The evaluation of an offender who resides in another state may, upon approval of the court, be conducted in the state where the offender resides by a physician, advanced practice registered nurse or other person who is authorized by the appropriate governmental agency in that state to conduct such an evaluation. The offender shall ensure that the results of the evaluation and the recommendation concerning the length and type of treatment for the offender are reported to the court. 6. The evaluation of an offender who resides in this State may, upon approval of the court, be conducted in another state by a physician, advanced practice registered nurse or other person who is authorized by the appropriate governmental agency in that state to conduct such an evaluation if the location of the physician, advanced practice registered nurse or other person in the other state is closer to the residence of the offender than the nearest location in this State at which an evaluation may be conducted. The offender shall ensure that the results of the evaluation and the recommendation concerning the length and type of treatment for the offender are reported to the court. 7. An offender who is evaluated pursuant to this section shall pay the cost of the evaluation. An evaluation center or a person who conducts an evaluation in this State outside an evaluation center shall not charge an offender more than \$100 for the evaluation. (Added to NRS by 1993, 2890; A 1995, 420; 1997, 134; 1999, 1885, 2451, 3073; 2001, 172; 2005, 33, 612; 2007, 3091; 2009, 1872; 2019, 507; 2021, 858)—(Substituted in revision for NRS 484.37943)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.360 - Placement of offender under clinical supervision of treatment provider; monthly progress reports; payment of charges for treatment; liability of provider limited.

1. When a program of treatment is ordered pursuant to NRS 484C.340 or subsection 1 of NRS 484C.400, the court shall place the offender under the clinical supervision of a treatment provider for treatment in accordance with the report submitted to the court pursuant to NRS 484C.340 or subsection 3, 4, 5 or 6 of NRS 484C.350, as appropriate. The court shall: (a) Order the offender to be placed under the supervision of a treatment provider, then release the offender for supervised aftercare in the community; or (b) Release the offender for treatment in the community, for the period of supervision ordered by the court. 2. The court shall: (a) Require the treatment provider to submit monthly progress reports on the treatment of an offender pursuant to this section; and (b) Order the offender, to the extent of his or her financial resources, to pay any charges for treatment pursuant to this section. If the offender does not have the financial resources to pay all those charges, the court shall, to the extent possible, arrange for the offender to obtain the treatment from a treatment provider that receives a sufficient amount of federal or state money to offset the remainder of the charges. 3. A treatment provider is not liable for any damages to person or property caused by a person who: (a) Drives, operates or is in actual physical control of a vehicle, a power-driven vessel or a sailing vessel under way while under the influence of intoxicating liquor or a controlled substance; or (b) Engages in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130, 484C.430, subsection 2 of NRS 488.400, NRS 488.410, 488.420 or 488.425 or a law of any other jurisdiction that prohibits the same or similar conduct, after the treatment provider has certified that the offender has successfully completed a

program of treatment ordered pursuant to NRS 484C.340 or subsection 1 of NRS 484C.400. (Added to NRS by 1993, 2891; A 1995, 421; 1997, 135; 1999, 3421; 2001, 1887, 2394; 2003, 106; 2005, 34, 144; 2007, 1063, 2799; 2015, 759; 2021, 2463; 2023, 534)—(Substituted in revision for NRS 484.37945)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.365 - Placement of offender under clinical supervision of treatment provider in another jurisdiction authorized.

1. If a court places a person under the supervision of a treatment provider to receive treatment for an alcohol or other substance use disorder pursuant to NRS 484C.320, 484C.330, 484C.340 or 484C.360, the court may authorize the person to complete any period of treatment remaining under the supervision of a treatment provider in another jurisdiction if the court determines that: (a) The person is eligible to receive treatment under a program of treatment in the other jurisdiction; and (b) The program of treatment in the other jurisdiction is substantially similar to the program of treatment to which the person is assigned in this State. 2. As used in this section, "treatment provider in another jurisdiction" means a person or a public or private agency, residential treatment center, facility for the treatment of alcohol and other substance use disorders, or voluntary organization which holds a license, certificate or other credential issued by a regulatory agency. (Added to NRS by 2015, 754)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.370 - Evaluation or treatment by private company authorized.

The provisions of NRS 484C.340, 484C.350 or 484C.360 do not prohibit a court from: 1. Requiring an evaluation pursuant to NRS 484C.350 to be conducted by an evaluation center that is administered by a private company if the company meets the standards of the State Board of Health pursuant to NRS 484C.310; or 2. Ordering the offender to attend a program of treatment that is administered by a private company. (Added to NRS by 1993, 2892; A 1999, 1886; 2001, 438; 2007, 1063)—(Substituted in revision for NRS 484.37947)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.372 - Short title.

NRS 484C.372 to 484C.397, inclusive, may be cited as the Nevada 24/7 Sobriety and Drug Monitoring Program Act. (Added to NRS by 2019, 2748)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.373 - Legislative declarations.

1. The Legislature hereby declares that driving in this State is a privilege, not a right, and a driver who wishes to enjoy the benefits of such a privilege must accept the corresponding responsibilities. 2. The Legislature further declares that the purpose of NRS 484C.372 to 484C.397, inclusive, is to: (a) Protect the public health and welfare by reducing the number of people on the highways of this State who drive under the influence of intoxicating liquor or a prohibited substance; and (b) Strengthen the options available to courts and prosecuting attorneys in responding to offenders who repeatedly drive under the influence of intoxicating liquor or a prohibited substance. (Added to NRS by 2019, 2748)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.374 - Definitions.

As used in NRS 484C.372 to 484C.397, inclusive, unless the context otherwise requires, the words and terms defined in NRS 484C.376 to 484C.390, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2019, 2748)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.376 - "Core components" defined.

"Core components" means the elements of the program that analysis demonstrates are most likely to account for positive outcomes. (Added to NRS by 2019, 2748)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.378 - "Designated law enforcement agency" defined.

"Designated law enforcement agency" means a law enforcement agency designated to enforce the program pursuant to NRS 484C.393. (Added to NRS by 2019, 2748)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.380 - "Immediate sanction" defined.

"Immediate sanction" means a sanction that is able to be applied within minutes after the results of testing indicate the presence of alcohol or a prohibited substance in a program participant's system. (Added to NRS by 2019, 2748)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS

484C.383 - "Political subdivision" defined.

"Political subdivision" includes, without limitation, any county, city, other local government, court or entity that administers alternative sentencing. (Added to NRS by 2019, 2748)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.385 - "Program" defined.

"Program" means the statewide sobriety and drug monitoring program established pursuant to NRS 484C.392. (Added to NRS by 2019, 2748)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.386 - "Program participant" defined.

"Program participant" means a person who is assigned by a court to the program. (Added to NRS by 2019, 2748)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.388 - "Testing" defined.

"Testing" means any procedure approved by the Committee on Testing for Intoxication for determining the concentration of alcohol or the amount of a prohibited substance in a person's system that is provided for in the applicable guidelines adopted pursuant to NRS 484C.396. (Added to NRS by 2019, 2748)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.390 - "Timely sanction" defined.

"Timely sanction" means a sanction that is able to be applied as soon as possible after the results of testing indicate the presence of alcohol or a prohibited substance in a program participant's system. (Added to NRS by 2019, 2749; A 2021, 2464)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.392 - Sobriety and drug monitoring program: Establishment; political subdivision may participate; requirements.

1. There is hereby established a statewide sobriety and drug monitoring program in which any political subdivision in this State may elect to participate. 2. The program established pursuant to subsection 1 must meet the federal definition of "24-7 sobriety program" in 23 C.F.R. § 1300.23(b). 3. Any person who is assigned to the program: (a) Must abstain from alcohol and prohibited substances while assigned to the program. (b) Must be subject to: (1) Testing to determine the presence of alcohol in his or her system: (I) At least twice each day at a testing location established by a designated law enforcement agency pursuant to NRS 484C.393; or (II) By using any other approved method set forth in the federal definition of "24-7 sobriety program" in 23 C.F.R. § 1300.23(b). (2) If appropriate, random testing to determine the presence of a prohibited substance in his or her system at least two times each week, using any approved method set forth in the federal definition of "24-7 sobriety program" in 23 C.F.R. § 1300.23(b). (c) Must be subject to lawful and consistent sanctions for using alcohol or a prohibited substance while assigned to the program or for failing or refusing to undergo required testing, including, without limitation, incarceration. Any such sanction must be an immediate sanction or, if the approved testing method being used pursuant to paragraph (b) does not allow for the imposition of an immediate sanction, a timely sanction. (d) Is eligible for a restricted driver's license pursuant to subsection 2 of NRS 483.490 while participating in and complying with the requirements of the program if the driver's license of the person is suspended or revoked. (Added to NRS by 2019, 2749; A 2021, 2464)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.393 - Sobriety and drug monitoring program: Department of Public Safety may assist political subdivision; political subdivision to designate law enforcement agency to enforce program; powers and duties of law enforcement agency.

If a political subdivision elects to participate in the program: 1. The Department of Public Safety may assist the political subdivision in the establishment and administration of the program in the manner provided in NRS 484C.372 to 484C.397, inclusive, and in determining alternatives to incarceration. 2. The political subdivision shall designate a law enforcement agency to enforce the program. 3. A designated law enforcement agency: (a) May designate an entity to provide testing services or to take any other action required or authorized to be provided by the law enforcement agency pursuant to NRS 484C.372 to 484C.397, inclusive, but such a designated entity may not determine whether to participate in the program. (b) Shall establish one or more testing locations that provide at least two available testing times each day. If only two testing times are made available, the testing times must be approximately 12 hours apart. (Added to NRS by 2019, 2749)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.394 - Court may assign offender to program; duties and powers of court; notices required to offender and Department of Motor Vehicles; eligibility for restricted driver's license; regulations.

1. A court may, as a condition of pretrial release, a sentence, a suspension of sentence or probation, assign an offender who is arrested for or found guilty of, as applicable, a violation of NRS 484C.110 or 484C.120 that is punishable pursuant to paragraph (a),

(b) or (c) of subsection 1 of NRS 484C.400 to the program established pursuant to NRS 484C.392. 2. If the court assigns an offender to the program who is found guilty of a violation of NRS 484C.110 or 484C.120 that is punishable pursuant to paragraph (a) of subsection 1 of NRS 484C.400, the court: (a) Shall immediately sentence the offender in accordance with NRS 484C.400 and enter judgment accordingly. (b) Shall suspend the sentence of the offender upon the condition that the offender participate in the program for not less than 90 days. (c) Shall advise the offender that: (1) If the offender fails to participate in the program for the period determined by the court or fails to comply with the requirements of the program, the court will require the offender to serve the sentence imposed by the court. The sentence of imprisonment must be reduced by a time equal to that which the offender served before participating in the program. (2) If the offender participates in the program for the period determined by the court and complies with the requirements of the program, the sentencing conditions, including, without limitation, the mandatory period of imprisonment or community service, will be reduced, but the conviction must remain on the record of criminal history of the offender for the period prescribed by law. (3) The offender is eligible for a restricted driver's license pursuant to subsection 2 of NRS 483.490 while participating in and complying with the requirements of the program. (d) May immediately revoke the suspension of sentence for a violation of a condition of suspension. 3. If the court assigns an offender to the program who is found guilty of a violation of NRS 484C.110 or 484C.120 that is punishable pursuant to paragraph (b) of subsection 1 of NRS 484C.400, the court: (a) Shall immediately sentence the offender in accordance with NRS 484C.400 and enter judgment accordingly. (b) Shall suspend the sentence of the offender upon the condition that the offender participate in the program for not less than 1 year and require that the offender receive an assessment of whether the offender has an alcohol or other substance use disorder and any appropriate treatment. (c) Shall advise the offender that: (1) If the offender fails to participate in the program for the period determined by the court or fails to comply with the requirements of the program, the court will require the offender to serve the sentence imposed by the court. The sentence of imprisonment must be reduced by a time equal to that which the offender served before participating in the program. (2) Except as otherwise provided in subparagraph (2) of paragraph (c) of subsection 4, if the offender participates in the program for the period determined by the court and complies with the requirements of the program, the offender's sentence will be reduced, but the minimum mandatory term of imprisonment must not be less than 5 days, and the conviction must remain on the record of criminal history of the offender for the period prescribed by law. (3) The offender is eligible for a restricted driver's license pursuant to subsection 2 of NRS 483.490 while participating in and complying with the requirements of the program. (d) Shall not defer the sentence, set aside the conviction or impose conditions upon participation in the program except as otherwise provided in this section. (e) May immediately revoke the suspension of sentence for a violation of a condition of the suspension. 4. If the court assigns an offender to the program who is found guilty of a violation of NRS 484C.110 or 484C.120 that is punishable pursuant to paragraph (c) of subsection 1 of NRS 484C.400, the court: (a) Shall immediately, without entering a judgment of conviction and with the consent of the offender, suspend further proceedings and place the offender on probation. (b) Shall order the offender to participate in the program for not less than 18 months and require that the offender receive an assessment of whether the offender has an alcohol or other substance use disorder and any appropriate treatment. (c) Shall advise the offender that: (1) The court will enter a judgment of conviction for a violation of paragraph (c) of subsection 1 of NRS 484C.400 if the offender fails to participate in the program for the period determined by the court or fails to comply with the requirements of the program. Any sentence of imprisonment may be reduced by a time equal to that which the offender served before participating in the program. (2) If the offender participates in the program for the period determined by the court and complies with the requirements of the program, the court will enter a judgment of conviction for a violation of paragraph (b) of subsection 1 of NRS 484C.400 and sentence the offender accordingly, but the minimum mandatory term of imprisonment must not be less than 10 days, and the conviction must remain on the record of criminal history of the offender for the period prescribed by law. (3) The provisions of NRS 483.460 requiring the revocation of the license, permit or privilege of the offender to drive do not apply and the offender is eligible for a restricted driver's license pursuant to subsection 2 of NRS 483.490 while participating in and complying with the requirements of the program. (d) Shall not defer the sentence or set aside the conviction upon participation in the program, except as otherwise provided in this section. (e) May enter a judgment of conviction and proceed as provided in paragraph (c) of subsection 1 of NRS 484C.400 for a violation of a condition ordered by the court. 5. If the court assigns an offender to the program as a condition of pretrial release after his or her arrest for a violation of NRS 484C.110 or 484C.120 that is punishable pursuant to paragraph (a) of subsection 1 of NRS 484C.400, the court shall advise the offender that: (a) If the offender fails to participate in the program, the court may remand the offender to custody and require bond or other conditions. (b) The offender is eligible for a restricted driver's license pursuant to subsection 2 of NRS 483.490 while participating in and complying with the requirements of the program. 6. If a court assigns a person to the program pursuant to this section, the court shall notify the Department of Motor Vehicles that as a participant in the program, the person is eligible for a restricted driver's license pursuant to subsection 2 of NRS 483.490. If the person fails to comply with the requirements of the program, the court may notify the Department of Motor Vehicles of the person's noncompliance and direct the Department of Motor Vehicles to revoke the restricted license. 7. The Department of Motor Vehicles may adopt any regulations necessary to provide for the issuance of a restricted driver's license to a person assigned to the program. 8. As used in this section, "imprisonment" means confinement in jail or an inpatient rehabilitation or treatment center or other facility or under house arrest with electronic monitoring, provided the person under confinement or house arrest is in fact being detained. (Added to NRS by 2019, 2749; A 2021, 2465)

Each political subdivision that elects to participate in the program established pursuant to NRS 484C.392 shall adopt guidelines consistent with NRS 484C.372 to 484C.397, inclusive. Such guidelines must: 1. Provide for the nature and manner of testing and the testing procedures and devices to be used. 2. Establish the requirements for compliance with the program, including, without limitation, the immediate sanctions and timely sanctions that may be imposed against a program participant. 3. Establish reasonable participant and testing fees for the program, including, without limitation, fees to pay the cost of installation, monitoring and deactivation of any testing device, and provide for the establishment and use of a local program account for the deposit of any fees collected. The established fees must be as low as possible, but the total amount of the fees and other funds credited to the local program account must defray the entire expense of the program to ensure program sustainability. 4. Provide that a political subdivision may accept gifts, grants, donations and any other form of financial assistance from any source for the purpose of enabling the political subdivision to participate in the program and carry out the provisions of NRS 484C.372 to 484C.397, inclusive. 5. Establish a process for the determination and management of program participants who are indigent. 6. Require and provide for the approval of a program data management technology plan to be used to manage testing, data access, fees, fee payments and any required reports. 7. Require a program participant to sign an agreement: (a) Acknowledging his or her understanding of the program rules and expectations, including without limitation, the prohibition against using alcohol or a prohibited substance while assigned to the program, and the sanctions that may be imposed; (b) Agreeing to abide by the program rules and expectations; and (c) Authorizing his or her records relating to participation in the program to be used for assessment purposes. 8. Require that program participants who meet certain standards of compliance be given positive feedback and rewarded when appropriate, except that such a reward cannot include undergoing less frequent testing than that which is required pursuant to subsection 3 of NRS 484C.392. (Added to NRS by 2019, 2751; A 2021, 2467)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.397 - Designated law enforcement agency to collect fees; disposition of fees.

1. A designated law enforcement agency shall collect any fees required by any guidelines adopted pursuant to NRS 484C.396 and deposit such fees into the applicable local program account established by a political subdivision pursuant to such guidelines. 2. In accordance with the provisions of NRS 484C.372 to 484C.397, inclusive, and the guidelines adopted pursuant to NRS 484C.396, all fees deposited into a local program account must be used by the applicable designated law enforcement agency or, in accordance with the terms determined by the designated law enforcement agency, any entity designated by the law enforcement agency pursuant to NRS 484C.393. 3. Each designated law enforcement agency shall distribute a portion of the fees to any entity designated by the law enforcement agency pursuant to NRS 484C.393 in accordance with any agreement entered into with such a designated entity. The remainder of the fees is for the use of the law enforcement agency and may be used only for the purpose of administering and operating the program. (Added to NRS by 2019, 2752)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.400 - Penalties for first, second and third offenses; segregation of offender; intermittent confinement; consecutive sentences; aggravating factor.

1. Unless a greater penalty is provided pursuant to NRS 484C.430 or 484C.440, and except as otherwise provided in NRS 484C.394 or 484C.410, a person who violates the provisions of NRS 484C.110 or 484C.120: (a) For the first offense within 7 years, is guilty of a misdemeanor. Unless the person is allowed to undergo treatment as provided in NRS 484C.320, the court shall: (1) Except as otherwise provided in subparagraph (4) of this paragraph or subsection 3 of NRS 484C.420, order the person to pay tuition for an educational course on alcohol or other substance use disorders approved by the Department and complete the course within the time specified in the order, and the court shall notify the Department if the person fails to complete the course within the specified time; (2) Unless the sentence is reduced pursuant to NRS 484C.320: (I) Sentence the person to imprisonment for not less than 2 days nor more than 6 months in jail or residential confinement for not less than 2 days nor more than 6 months, in the manner provided in NRS 4.376 to 4.3766, inclusive, or 5.0755 to 5.078, inclusive; or (II) Order the person to perform not less than 48 hours, but not more than 96 hours, of community service; (3) Fine the person not less than \$400 nor more than \$1,000; and (4) If the person is found to have a concentration of alcohol of 0.18 or more in his or her blood or breath, order the person to attend a program of treatment for an alcohol or other substance use disorder pursuant to the provisions of NRS 484C.360. (b) For a second offense within 7 years, is guilty of a misdemeanor. Unless the sentence is reduced pursuant to NRS 484C.330, the court shall: (1) Sentence the person to: (I) Imprisonment for not less than 10 days nor more than 6 months in jail; or (II) Residential confinement for not less than 10 days nor more than 6 months, in the manner provided in NRS 4.376 to 4.3766, inclusive, or 5.0755 to 5.078, inclusive; (2) Fine the person not less than \$750 nor more than \$1,000, or order the person to perform an equivalent number of hours of community service; and (3) Order the person to attend a program of treatment for an alcohol or other substance use disorder pursuant to the provisions of NRS 484C.360. A person who willfully fails or refuses to complete successfully a term of residential confinement or a program of treatment ordered pursuant to this paragraph is guilty of a misdemeanor. (c) Except as otherwise provided in NRS 484C.340, for a third offense within 7 years, is guilty of a category B felony and the court: (1) Shall: (I) Sentence the person to imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years; and (II) Fine the person not less than \$2,000 nor more than \$5,000; and (2) May order the person to attend a program of treatment for an alcohol or other substance use disorder pursuant to the provisions of NRS 484C.360 if the results of an evaluation conducted pursuant to NRS 484C.300 indicate that the person has an alcohol or other substance use disorder and that the person can

be treated successfully for his or her condition. An offender who is imprisoned pursuant to the provisions of this paragraph must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security. 2. An offense that occurred within 7 years immediately preceding the date of the principal offense or after the principal offense constitutes a prior offense for the purposes of this section: (a) When evidenced by a conviction; or (b) If the offense is conditionally dismissed or the judgment of conviction is set aside pursuant to NRS 176A.240, 176A.260 or 176A.290 or dismissed in connection with successful completion of a diversionary program or specialty court program, without regard to the sequence of the offenses and convictions. The facts concerning a prior offense must be alleged in the complaint, indictment or information, must not be read to the jury or proved at trial but must be proved at the time of sentencing and, if the principal offense is alleged to be a felony, must also be shown at the preliminary examination or presented to the grand jury. 3. A term of confinement imposed pursuant to the provisions of this section may be served intermittently at the discretion of the judge or justice of the peace, except that a person who is convicted of a second or subsequent offense within 7 years must be confined for at least one segment of not less than 48 consecutive hours. This discretion must be exercised after considering all the circumstances surrounding the offense, and the family and employment of the offender, but any sentence of 30 days or less must be served within 6 months after the date of conviction or, if the offender was sentenced pursuant to NRS 484C.320 or 484C.330 and the suspension of his or her sentence was revoked, within 6 months after the date of revocation. Any time for which the offender is confined must consist of not less than 24 consecutive hours. 4. Jail sentences simultaneously imposed pursuant to this section and NRS 482.456, 483.560, 484C.410 or 485.330 must run consecutively. 5. If the defendant was transporting a person who is less than 15 years of age in the motor vehicle at the time of the violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant. 6. For the purpose of determining whether one offense occurs within 7 years of another offense, any period of time between the two offenses during which, for any such offense, the offender is imprisoned, serving a term of residential confinement, placed under the supervision of a treatment provider, on parole or on probation must be excluded. 7. As used in this section, unless the context otherwise requires, "offense" means: (a) A violation of NRS 484C.110, 484C.120 or 484C.430; (b) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430; or (c) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a) or (b). (Added to NRS by 1983, 1070; A 1985, 1946; 1987, 907, 1136; 1989, 195, 2046; 1991, 218, 836; 1993, 2262, 2892; 1995, 1298, 2471; 1997, 38, 642, 1746; 1999, 52, 2138, 3110, 3416, 3438; 2001, 220, 223, 1884, 2392; 2001 Special Session, 147; 2003, 277, 446, 1490; 2005, 139, 607, 2039; 2005, 22nd Special Session, 102; 2007, 1060, 1450, 2795; 2009, 1867; 2015, 759; 2017, 3028; 2019, 2752; 2021, 2468; 2023, 699)—(Substituted in revision for part of NRS 484.3792)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.410 - Penalties when offender previously convicted of certain felonious conduct or homicide; segregation of offender; intermittent confinement; consecutive sentences; aggravating factor.

1. Unless a greater penalty is provided in NRS 484C.440, a person who has previously been convicted of: (a) A violation of NRS 484C.110 or 484C.120 that is punishable as a felony pursuant to paragraph (c) of subsection 1 of NRS 484C.400; (b) A violation of NRS 484C.430; (c) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430; (d) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a), (b) or (c); or (e) A violation of NRS 484C.110 or 484C.120 that is punishable pursuant to paragraph (b) of subsection 1 of NRS 484C.400 that was reduced from a felony pursuant to NRS 484C.340, and who violates the provisions of NRS 484C.110 or 484C.120 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and shall be further punished by a fine of not less than \$2,000 nor more than \$5,000. An offender so imprisoned must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security. 2. An offense which is listed in paragraphs (a) to (e), inclusive, of subsection 1 that occurred on any date preceding the date of the principal offense or after the principal offense constitutes a prior offense for the purposes of this section when evidenced by a conviction, without regard for the sequence of the offenses and convictions. The facts concerning a prior offense must be alleged in the complaint, indictment or information, must not be read to the jury or proved at trial but must be proved at the time of sentencing and, if the principal offense is alleged to be a felony, must also be shown at the preliminary examination or presented to the grand jury. 3. A term of confinement imposed pursuant to the provisions of this section may be served intermittently at the discretion of the judge or justice of the peace, except that a person who is convicted of a second or subsequent offense within 7 years must be confined for at least one segment of not less than 48 consecutive hours. This discretion must be exercised after considering all the circumstances surrounding the offense, and the family and employment of the offender, but any sentence of 30 days or less must be served within 6 months after the date of conviction or, if the offender was sentenced pursuant to NRS 484C.320 or 484C.330 and the suspension of offender's sentence was revoked, within 6 months after the date of revocation. Any time for which the offender is confined must consist of not less than 24 consecutive hours. 4. Jail sentences simultaneously imposed pursuant to this section and NRS 482.456, 483.560, 484C.400 or 485.330 must run consecutively. 5. If the defendant was transporting a person who is less than 15 years of age in the motor vehicle at the time of the violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant. 6. For the purpose of determining whether one offense occurs within 7 years of another offense, any period of time between the two

offenses during which, for any such offense, the offender is imprisoned, serving a term of residential confinement, placed under the supervision of a treatment provider, on parole or on probation must be excluded. 7. As used in this section, unless the context otherwise requires, "offense" means: (a) A violation of NRS 484C.110, 484C.120 or 484C.430; (b) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430; or (c) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a) or (b). (Added to NRS by 1983, 1070; A 1985, 1946; 1987, 907, 1136; 1989, 195, 2046; 1991, 218, 836; 1993, 2262, 2892; 1995, 1298, 2471; 1997, 38, 642, 1746; 1999, 52, 2138, 3110, 3416, 3438; 2001, 220, 223, 1884, 2392; 2001 Special Session, 147; 2003, 277, 446, 1490; 2005, 139, 607, 2039; 2005, 22nd Special Session, 102; 2007, 1060, 1450, 2795; 2009, 1867; 2015, 761)—(Substituted in revision for part of NRS 484.3792)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.420 - Probation prohibited; suspension of sentence and plea bargaining restricted; exception; mandatory orders when person is nonresident.

1. Except as otherwise provided in subsection 2, a person convicted of violating the provisions of NRS 484C.110 or 484C.120 must not be released on probation, and a sentence imposed for violating those provisions must not be suspended except, as provided in NRS 4.373, 5.055, 484C.320, 484C.330 and 484C.340, that portion of the sentence imposed that exceeds the mandatory minimum. A prosecuting attorney shall not dismiss a charge of violating the provisions of NRS 484C.110 or 484C.120 in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. 2. The court may grant probation to or suspend the sentence of a person to assign the person to a program for the treatment of veterans and members of the military pursuant to NRS 176A.290 if the charge is for a first violation of the provisions of NRS 484C.110 or 484C.120 that is punishable as a misdemeanor. 3. If the person who violated the provisions of NRS 484C.110 or 484C.120 possesses a driver's license issued by a state other than the State of Nevada and does not reside in the State of Nevada, in carrying out the provisions of subparagraph (1) of paragraph (a) of subsection 1 of NRS 484C.400, the court shall: (a) Order the person to pay tuition for and submit evidence of completion of an educational course on alcohol and other substance use disorders approved by a governmental agency of the state of the person's residence within the time specified in the order; or (b) Order the person to complete an educational course by correspondence on alcohol and other substance use disorders approved by the Department within the time specified in the order, and the court shall notify the Department if the person fails to complete the assigned course within the specified time. (Added to NRS by 1983, 1070; A 1985, 1946; 1987, 907, 1136; 1989, 195, 2046; 1991, 218, 836; 1993, 2262, 2892; 1995, 1298, 2471; 1997, 38, 642, 1746; 1999, 52, 2138, 3110, 3416, 3438; 2001, 220, 223, 1884, 2392; 2001 Special Session, 147; 2003, 277, 446, 1490; 2005, 139, 607, 2039; 2005, 22nd Special Session, 102; 2007, 1060, 1450, 2795; 2009, 1867; 2017, 3030)—(Substituted in revision for part of NRS 484.3792)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.430 - Penalty if death or substantial bodily harm results; exception; segregation of offender; plea bargaining restricted; suspension of sentence and probation prohibited; affirmative defense; exception; aggravating factor. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Penalty if death or substantial bodily harm results; exception; segregation of offender; plea bargaining restricted; suspension of sentence and probation prohibited; affirmative defense; exception; aggravating factor. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. Unless a greater penalty is provided pursuant to NRS 484C.440, a person who: (a) Is under the influence of intoxicating liquor; (b) Has a concentration of alcohol of 0.08 or more in his or her blood or breath; (c) Is found by measurement within 2 hours after driving or being in actual physical control of a vehicle to have a concentration of alcohol of 0.08 or more in his or her blood or breath; (d) Is under the influence of a controlled substance or is under the combined influence of intoxicating liquor and a controlled substance; (e) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a vehicle; or (f) Has a prohibited substance in his or her blood or urine, as applicable, in an amount that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 484C.110, and does any act or neglects any duty imposed by law while driving or in actual physical control of any vehicle on or off the highways of this State, if the act or neglect of duty proximately causes the death of, or substantial bodily harm to, another person, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and must be further punished by a fine of not less than \$2,000 nor more than \$5,000. A person so imprisoned must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security. 2. A prosecuting attorney shall not dismiss a charge of violating the provisions of subsection 1 in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. A sentence imposed pursuant to subsection 1 may not be

suspended nor may probation be granted. 3. Except as otherwise provided in subsection 4, if consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.08 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 4. If the defendant is also charged with violating the provisions of NRS 484E.010, 484E.020 or 484E.030, the defendant may not offer the affirmative defense set forth in subsection 3. 5. If the defendant was transporting a person who is less than 15 years of age in the motor vehicle at the time of the violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant. (Added to NRS by 1973, 447; A 1979, 1484; 1981, 1926; 1983, 1073; 1985, 818, 1015; 1989, 1111; 1991, 220, 489, 498, 837; 1995, 312, 1300, 2473; 1997, 644; 1999, 2452, 3422; 2001, 172; 2003, 1492, 2560; 2005, 144; 2007, 1453; 2015, 1364; 2017, 308)—(Substituted in revision for NRS 484.3795) 1. Unless a greater penalty is provided pursuant to NRS 484C.440, a person who: (a) Is under the influence of intoxicating liquor; (b) Has a concentration of alcohol of 0.10 or more in his or her blood or breath; (c) Is found by measurement within 2 hours after driving or being in actual physical control of a vehicle to have a concentration of alcohol of 0.10 or more in his or her blood or breath; (d) Is under the influence of a controlled substance or is under the combined influence of intoxicating liquor and a controlled substance; (e) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely driving or exercising actual physical control of a vehicle; or (f) Has a prohibited substance in his or her blood or urine, as applicable, in an amount that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 484C.110, and does any act or neglects any duty imposed by law while driving or in actual physical control of any vehicle on or off the highways of this State, if the act or neglect of duty proximately causes the death of, or substantial bodily harm to, another person, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and must be further punished by a fine of not less than \$2,000 nor more than \$5,000. A person so imprisoned must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security. 2. A prosecuting attorney shall not dismiss a charge of violating the provisions of subsection 1 in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. A sentence imposed pursuant to subsection 1 may not be suspended nor may probation be granted. 3. Except as otherwise provided in subsection 4, if consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.10 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 4. If the defendant is also charged with violating the provisions of NRS 484E.010, 484E.020 or 484E.030, the defendant may not offer the affirmative defense set forth in subsection 3. 5. If the defendant was transporting a person who is less than 15 years of age in the motor vehicle at the time of the violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant. (Added to NRS by 1973, 447; A 1979, 1484; 1981, 1926; 1983, 1073; 1985, 818, 1015; 1989, 1111; 1991, 220, 489, 498, 837; 1995, 312, 1300, 2473; 1997, 644; 1999, 2452, 3422; 2001, 172; 2003, 1492, 2560; 2005, 144, 145; 2007, 1453; 2015, 1364; 2017, 308, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.440 - Penalties for vehicular homicide; segregation of offender; plea bargaining restricted; suspension of sentence and probation prohibited; aggravating factor.

1. A person who commits vehicular homicide pursuant to NRS 484C.130 is guilty of a category A felony and shall be punished by imprisonment in the state prison: (a) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or (b) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served. 2. A person imprisoned pursuant to subsection 1 must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security. 3. A prosecuting attorney shall not dismiss a charge of vehicular homicide in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. A sentence imposed pursuant to subsection 1 may not be suspended nor may probation be granted. 4. If the defendant was transporting a person who is less than 15 years of age in the vehicle at the time of the violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant. (Added to NRS by 2005, 138; A 2007, 1454; 2009, 1873)—(Substituted in revision for part of NRS 484.37955)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.454 - Ignition Interlock Program: Establishment; rules and regulations; contracts for services; creation of Account for

the Ignition Interlock Program; use of money in Account; administration of Account; fees.

1. The Director of the Department of Public Safety shall: (a) Establish the Ignition Interlock Program; and (b) Adopt rules and regulations which are necessary to carry out the Program. 2. The Director may contract for the provision of services necessary for the Program. 3. The Account for the Ignition Interlock Program is hereby created as a special account in the State Highway Fund. The Director, or his or her designee, shall administer the Account. 4. The Account must be funded through the fees established by regulation pursuant to subsection 7. The money in the Account may only be used to pay the expenses of the Program, including, without limitation: (a) Enforcement activities relating to driving under the influence of alcohol or a prohibited substance; (b) The creation and maintenance of a case management statistical tracking system; (c) An on-site audit program; (d) Treatment assistance; (e) Educational programs and training for law enforcement officers; and (f) Outreach programs. 5. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account. 6. Any money remaining in the Account at the end of each fiscal year does not revert to the State Highway Fund but must be carried over into the next fiscal year. 7. The Department of Public Safety shall adopt regulations to establish a fee schedule that includes reasonable fees for: (a) The certification of manufacturers and vendors of ignition interlock devices; (b) The annual recertification of manufacturers and vendors of ignition interlock devices; (c) The reinstatement of the certification of manufacturers and vendors of ignition interlock devices; (d) The installation of an ignition interlock device by manufacturers and vendors of ignition interlock devices; and (e) Repeat violations relating to an ignition interlock device. (Added to NRS by 2021, 2453)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.460 - When court is required to order installation of ignition interlock device; exceptions; installation and inspection; tolling of period for which ignition interlock device required.

1. Except as otherwise provided in subsections 2 and 5, a court shall order a person to install, at his or her own expense, an ignition interlock device in any motor vehicle which the person operates as a condition to obtaining an ignition interlock privilege pursuant to NRS 483.490 to reinstate the driving privilege of the person: (a) For a period of 185 days if the person is convicted of a first violation within 7 years of NRS 484C.110. (b) For a period of 1 year if the person is convicted of a second violation within 7 years of NRS 484C.110. (c) For a period of 3 years if the person is convicted of: (1) A violation of NRS 484C.110 or 484C.120 that is punishable as a felony pursuant to NRS 484C.400 or 484C.410; or (2) A violation of NRS 484C.130 or 484C.430. 2. A court may provide for an exception to the provisions of subsection 1 for a person who is convicted of a violation of NRS 484C.110 that is punishable pursuant to paragraph (a) of subsection 1 of NRS 484C.400, if the court determines that: (a) The person is unable to provide a deep lung breath sample for analysis by an ignition interlock device, as certified in writing by a physician or an advanced practice registered nurse of the person; or (b) The person resides more than 100 miles from a manufacturer of an ignition interlock device or its agent. 3. If the court orders a person to install an ignition interlock device pursuant to subsection 1: (a) The court shall immediately prepare and transmit a copy of its order to the Director. The order must include a statement that an ignition interlock device is required and the specific period for which it is required. The Director shall cause this information to be incorporated into the records of the Department and noted on the person's ignition interlock privilege. (b) The person who is required to install the ignition interlock device shall provide proof of compliance to the Department before the person may receive an ignition interlock privilege. Each model of an ignition interlock device installed pursuant to this section must have been certified by the Department of Public Safety. 4. A person who obtains an ignition interlock privilege pursuant to this section or NRS 483.490 shall have the ignition interlock device inspected, calibrated, monitored and maintained by the manufacturer of the ignition interlock device or its agent at least one time each 90 days during the period in which the person is required to use the ignition interlock device to determine whether the ignition interlock device is operating properly. Any inspection, calibration, monitoring or maintenance required pursuant to this subsection must be conducted in accordance with regulations adopted pursuant to NRS 484C.480. The manufacturer or its agent shall submit a report to the Director of the Department of Public Safety indicating whether any of the incidents listed in subsection 1 of NRS 484C.470 have occurred and whether the ignition interlock device has been tampered with. Before the court imposes a penalty pursuant to subsection 3 of NRS 484C.470, the court shall afford any interested party an opportunity for a hearing after reasonable notice. 5. If a person is required to operate a motor vehicle in the course and scope of his or her employment and the motor vehicle is owned by the person's employer, the person may operate that vehicle without the installation of an ignition interlock device, if: (a) The employee notifies his or her employer that the employee has been issued an ignition interlock privilege; and (b) The employee has proof of that notification in his or her possession or the notice, or a facsimile copy thereof, is with the motor vehicle. This exemption does not apply to a motor vehicle owned by a business which is all or partly owned or controlled by the person otherwise subject to this section. 6. The running of the period during which a person is required to have an ignition interlock device installed pursuant to this section commences when the Department issues an ignition interlock privilege to the person and is tolled whenever and for as long as the person is, with regard to a violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430, imprisoned, serving a term of residential confinement, placed under the supervision of a treatment provider, on parole or on probation. (Added to NRS by 1989, 1737; A 1993, 2895; 1997, 3370; 1999, 2140; 2005, 151, 613, 2042; 2005, 22nd Special Session, 105; 2007, 100, 2805; 2015, 762; 2017, 4047; 2019, 508, 2754, 3101; 2021, 2470)—(Substituted in revision for part of NRS 484.3943)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.470 - Extension of order to install ignition interlock device; penalties for tampering with or driving without ignition

interlock device; probation and suspension of sentence prohibited; plea bargaining restricted.

1. The court may extend the order of a person who is required to install an ignition interlock device pursuant to NRS 484C.210 or 484C.460, to one-half of the period during which the person is required to have an ignition interlock device installed, if the court receives from the Director of the Department of Public Safety or the manufacturer of the ignition interlock device or its agent a report that 4 consecutive months prior to the date of release any of the following incidents occurred: (a) Any attempt by the person to start the vehicle with a concentration of alcohol of 0.04 or more in his or her breath unless a subsequent test performed within 10 minutes registers a concentration of alcohol lower than 0.04 and the digital image confirms the same person provided both samples; (b) Failure of the person to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the person at the time of the missed test; (c) Failure of the person to pass any random retest with a concentration of alcohol of 0.025 or lower in his or her breath unless a subsequent test performed within 10 minutes registers a concentration of alcohol lower than 0.025, and the digital image confirms the same person provided both samples; (d) Failure of the person to have the ignition interlock device inspected, calibrated, monitored and maintained by the manufacturer or its agent pursuant to subsection 4 of NRS 484C.460; or (e) Any attempt by the person to operate a motor vehicle without an ignition interlock device or tamper with the ignition interlock device. 2. A person required to install an ignition interlock device pursuant to NRS 484C.210 or 484C.460 shall not operate a motor vehicle without an ignition interlock device or tamper with the ignition interlock device. 3. A person who violates any provision of subsection 2: (a) Must have his or her driving privilege revoked in the manner set forth in paragraph (c) or (d) of subsection 1 of NRS 483.460, as applicable; and (b) Is guilty of a misdemeanor and shall be: (1) Punished by imprisonment in jail for not less than 30 days nor more than 6 months; or (2) Sentenced to a term of not less than 60 days in residential confinement nor more than 6 months, and by a fine of not less than \$500 nor more than \$1,000. No person who is punished pursuant to this section may be granted probation, and no sentence imposed for such a violation may be suspended. No prosecutor may dismiss a charge of such a violation in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless, in the judgment of the attorney, the charge is not supported by probable cause or cannot be proved at trial. (Added to NRS by 1989, 1738; A 1997, 3371; 2003, 1495; 2007, 1458; 2017, 4049; 2019, 3103; 2021, 2472, 3339)—(Substituted in revision for NRS 484.3945)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.475 - Penalty for person providing sample of breath for ignition interlock device of another person.

Any person who provides a sample of breath for an ignition interlock device, with the intent to start a motor vehicle of another and for the purpose of allowing a person required to install an ignition interlock device pursuant to NRS 484C.210 or 484C.460 to avoid providing a sample of his or her breath, is guilty of a misdemeanor. (Added to NRS by 2017, 4043; A 2021, 2472)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.480 - Regulations.

1. The Department of Public Safety shall adopt regulations which: (a) Provide for the certification of manufacturers and vendors of ignition interlock devices to allow such manufacturers and vendors to conduct business in this State. (b) Prescribe the form and content of records respecting the calibration of ignition interlock devices, which must be kept by the manufacturer of the ignition interlock device or its agent, and other records respecting the installation, removal, inspection, maintenance and operation of the ignition interlock devices which it finds should be kept by the manufacturer or its agent. (c) Prescribe standards and procedures for the proper installation, removal, inspection, calibration, maintenance and operation of an ignition interlock device installed by the manufacturer or its agent. (d) Require the manufacturer or its agent to waive the cost of installing or removing the ignition interlock device and adjust the fee to lease, calibrate or monitor the ignition interlock device, if the person required to install an ignition interlock device pursuant to NRS 484C.210 or 484C.460: (1) Has an income which is at or below 100 percent of the federally designated level signifying poverty, to 50 percent of the fee; or (2) Receives supplemental nutritional assistance, as defined in NRS 422A.072, was determined indigent pursuant to NRS 171.188 or has an income which is at or below 149 percent of the federally designated level signifying poverty, to 75 percent of the fee. 2. The Department of Public Safety shall establish its own standards and procedures for evaluating the models of the ignition interlock devices and obtain evaluations of those models from the Director or the manufacturer of the ignition interlock device or its agent. 3. If a model of an ignition interlock device has been certified by the Department of Public Safety to be accurate and reliable pursuant to subsection 1, it is presumed that, as designed and manufactured, each ignition interlock device of that model is accurate and reliable to test a person's breath to determine the concentration of alcohol in the person's breath and, if the results of the test indicate that the person has a concentration of alcohol of 0.02 or more in his or her breath, will prevent the motor vehicle in which it is installed from starting. (Added to NRS by 1989, 1738; A 1997, 3372; 1999, 2460; 2017, 4050; 2021, 2473)—(Substituted in revision for NRS 484.3947)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.500 - Civil penalty; cancellation of reinstated license upon conviction for violation of NRS 484C.110 or 484C.120; notice.

1. In addition to any other penalty provided by law, a person convicted of a violation of NRS 484C.110 or 484C.120 is liable to the State for a civil penalty of \$35, payable to the Department. 2. The Department shall not issue any license to drive a motor vehicle to

a person convicted of a violation of NRS 484C.110 or 484C.120 until the civil penalty is paid. 3. If the Department receives notice that a person whose license to drive a motor vehicle has already been reinstated has been subsequently convicted of a violation of NRS 484C.110 or 484C.120, the Department shall cancel the license unless the civil penalty is paid within 30 days after the date on which the Department provides notice to the person that the license will be cancelled unless the civil penalty is paid. 4. Any money received by the Department pursuant to subsection 1 must be deposited with the State Treasurer for credit to the Fund for the Compensation of Victims of Crime. (Added to NRS by 1987, 2273; A 2007, 2795; 2011, 713)—(Substituted in revision for NRS 484.3791)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.510 - Fee for chemical analysis.

1. If a defendant pleads guilty or guilty but mentally ill to, or is found guilty or guilty but mentally ill of, any violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430 and a chemical analysis of his or her blood, urine, breath or other bodily substance was conducted, the court shall, in addition to any penalty provided by law, order the defendant to pay the sum of \$60 as a fee for the chemical analysis. Except as otherwise provided in this subsection, any money collected for the chemical analysis must not be deducted from, and is in addition to, any fine otherwise imposed by the court and must be: (a) Collected from the defendant before or at the same time that the fine is collected. (b) Stated separately in the judgment of the court or on the court's docket. 2. All money collected pursuant to subsection 1 must be paid by the clerk of the court to the county or city treasurer, as appropriate, on or before the fifth day of each month for the preceding month. 3. The treasurer shall deposit all money received by the treasurer pursuant to subsection 2 in the county or city treasury, as appropriate, for credit to the fund for forensic services created pursuant to NRS 453.575. The money must be accounted for separately within the fund. 4. Except as otherwise provided in subsection 5, each month the treasurer shall, from the money credited to the fund pursuant to subsection 3, pay any amount owed for forensic services and deposit any remaining money in the county or city general fund, as appropriate. 5. In counties that do not receive forensic services under a contract with the State, the money credited to the fund pursuant to subsection 3: (a) Except as otherwise provided in paragraph (b), must be: (1) Expended to pay for the chemical analyses performed within the county; (2) Expended to purchase and maintain equipment to conduct such analyses; (3) Expended for the training and continuing education of the employees who conduct such analyses; and (4) Paid to law enforcement agencies which conduct such analyses to be used by those agencies in the manner provided in this subsection. (b) May only be expended to cover the costs of chemical analyses conducted by, equipment used by or training for employees of an analytical laboratory that is approved by the Committee on Testing for Intoxication created in NRS 484C.600. (Added to NRS by 1991, 271; A 1993, 2463; 1995, 2475; 2003, 1494; 2005, 148; 2007, 1457, 2801)—(Substituted in revision for NRS 484.3798)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.520 - Mandatory suspension of registration of each motor vehicle registered to person convicted of second or subsequent violation or convicted of vehicular homicide; duration of suspension; court to forward copy of order to Department; contents of order; limited exceptions.

1. If a person is convicted of a second or subsequent violation of NRS 484C.110, 484C.120 or 484C.430 within 7 years or a violation of NRS 484C.130, the court shall issue an order directing the Department to suspend the registration of each motor vehicle that is registered to or owned by the person for 5 days. 2. If a court issues an order directing the Department to suspend the registration of a motor vehicle pursuant to subsection 1, the court shall forward a copy of the order to the Department within 5 days after issuing the order. The order must include, without limitation, information concerning each motor vehicle that is registered to or owned by the person, including, without limitation, the registration number of the motor vehicle, if such information is available. 3. A court shall provide for limited exceptions to the provisions of subsection 1 on an individual basis to avoid undue hardship to a person other than the person to whom that provision applies. Such an exception must be provided if the court determines that: (a) A member of the immediate family of the person whose registration is suspended needs to use the motor vehicle: (1) To travel to or from work or in the course and scope of his or her employment; (2) To obtain medicine, food or other necessities or to obtain health care services for the person or another member of the person's immediate family; or (3) To transport the person or another member of the person's immediate family to or from school; or (b) An alternative means of transportation is not available to a member of the immediate family of the person whose registration is suspended. (Added to NRS by 1999, 2138; A 2005, 147; 2007, 2801)—(Substituted in revision for NRS 484.37975)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.530 - Offender to attend meeting of panel of victims and provide proof of attendance to court.

1. The judge or judges in each judicial district shall cause the preparation and maintenance of a list of the panels of persons who: (a) Have been injured or had members of their families or close friends injured or killed by a person who was driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or who was engaging in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130 or 484C.430 or a law of any other jurisdiction that prohibits the same or similar conduct; and (b) Have, by contacting the judge or judges in the district, expressed their willingness to discuss collectively the personal effect of those crimes. The list must include the name and telephone number of the person to be contacted regarding each such panel and a schedule of times and locations of the meetings of each such panel. The judge or judges shall

establish, in cooperation with representatives of the members of the panels, a fee, if any, to be paid by defendants who are ordered to attend a meeting of the panel. The amount of the fee, if any, must be reasonable. The panel may not be operated for profit. 2. Except as otherwise provided in this subsection, if a defendant pleads guilty or guilty but mentally ill to, or is found guilty or guilty but mentally ill of, any violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430, the court shall, in addition to imposing any other penalties provided by law, order the defendant to: (a) Attend in person, at the defendant's expense, a live meeting of a panel of persons who have been injured or had members of their families or close friends injured or killed by a person who was driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or who was engaging in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130 or 484C.430 or a law of any other jurisdiction that prohibits the same or similar conduct, in order to have the defendant understand the effect such a crime has on other persons; and (b) Pay the fee, if any, established by the court pursuant to subsection 1. The court may, but is not required to, order the defendant to attend such a meeting if one is not available within 60 miles of the defendant's residence. 3. A person ordered to attend a meeting pursuant to subsection 2 shall, after attending the meeting, present evidence or other documentation satisfactory to the court that the person attended the meeting and remained for its entirety. (Added to NRS by 1993, 250; A 1995, 2474; 1999, 3423; 2003, 1493; 2005, 146; 2007, 1457, 2800; 2009, 371)—(Substituted in revision for NRS 484.3797)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.600 - Creation; appointment and qualifications of members; meetings; quorum; appeal from decision of Committee.

1. There is hereby created the Committee on Testing for Intoxication, consisting of five members. 2. The Director of the Department of Public Safety or his or her delegate is the Chair of the Committee. The remaining members of the Committee are appointed by the Director and serve at the pleasure of the Director. At least three of the members appointed by the Director must be technically qualified in fields related to testing for intoxication. Not more than three members of the Committee may be from any one county. 3. The Committee shall meet at the call of the Director of the Department of Public Safety and as frequently as the Committee deems necessary. Three members of the Committee constitute a quorum. If a member is unable to attend a meeting, the member may be represented by an alternate approved by the Director. 4. Any person who is aggrieved by a decision of the Committee may appeal in writing to a hearing officer of the Department of Public Safety. (Added to NRS by 1983, 1911; A 1985, 432, 1950; 2005, 58)—(Substituted in revision for NRS 484.388)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.610 - Certification of breath-testing devices; creation and maintenance of list of such devices; presumption of accuracy and reliability of device; other evidence of concentration of alcohol in breath not precluded.

1. The Committee on Testing for Intoxication shall: (a) In the manner set forth in subsection 2, certify a device that the Committee determines is designed and manufactured to be accurate and reliable for the purpose of testing a person's breath to determine the concentration of alcohol in the person's breath; and (b) Create, maintain and make available to the public, free of charge, a list of those devices certified by the Committee, described by manufacturer and type. 2. To determine whether a device is designed and manufactured to be accurate and reliable for the purpose of testing a person's breath to determine the concentration of alcohol in the person's breath, the Committee may: (a) Use the list of qualified products meeting the requirements for evidential breath-testing devices of the National Highway Traffic Safety Administration; or (b) Establish its own standards and procedures for evaluating those devices and obtain evaluations of the devices from the Director of the Department of Public Safety or the agent of the Director. 3. If such a device has been certified by the Committee to be accurate and reliable pursuant to this section, it is presumed that, as designed and manufactured, the device is accurate and reliable for the purpose of testing a person's breath to determine the concentration of alcohol in the person's breath. 4. This section does not preclude the admission of evidence of the concentration of alcohol in a person's breath where the information is obtained through the use of a device other than one of a type certified by the Committee. (Added to NRS by 1983, 1912; A 1985, 1950; 1993, 2074; 1999, 1033, 2458; 2005, 58)—(Substituted in revision for NRS 484.3882)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.620 - Adoption of regulations to prescribe standards and procedures to calibrate breath-testing devices; issuance of certificates by Director of Department of Public Safety.

1. The Committee on Testing for Intoxication shall adopt regulations which: (a) Prescribe standards and procedures for calibrating devices used for testing a person's breath to determine the concentration of alcohol in the person's breath. The regulations must specify the period within which a law enforcement agency that uses such a device must calibrate it or have it calibrated by the Director of the Department of Public Safety or the agent of the Director. (b) Establish methods for ascertaining the competence of persons to calibrate such devices and provide for the examination and certification of those persons by the Department of Public Safety. A certificate issued by the Department may not be made effective for longer than 3 years. (c) Prescribe the form and contents of records respecting the calibration of such devices which must be kept by a law enforcement agency and any other records respecting the maintenance or operation of those devices which it finds should be kept by such an agency. 2. The Director of the Department of Public Safety shall issue a certificate to any person who is found competent to calibrate such a device or examine others on their competence in that calibration. (Added to NRS by 1983, 1912; A 1985, 1950; 1993, 2075; 1999, 2458; 2005, 59)—(Substituted in revision for NRS 484.3884)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.630 - Adoption of regulations for certification of persons to operate device to test concentration in breath; judicial notice; presumption of proper operation; evidence of test performed by others not precluded.

1. The Committee on Testing for Intoxication shall adopt regulations which: (a) Establish methods for ascertaining the competence of persons to: (1) Operate devices for testing a person's breath to determine the concentration of alcohol in the person's breath. (2) Examine prospective operators and determine their competence. (b) Provide for certification of operators and examiners by the Department of Public Safety. A certificate issued by the Department may not be made effective for longer than 3 years. A person who is certified as an examiner is presumed to be certified as an operator. 2. The Director of the Department of Public Safety shall issue a certificate to any person who is found competent to operate such a device or examine others on their competence in that operation. 3. A court shall take judicial notice of the certification of a person to operate devices of one of the certified types. If a test to determine the concentration of alcohol in a person's breath has been performed with a certified type of device by a person who is certified pursuant to this section, it is presumed that the person operated the device properly. 4. This section does not preclude the admission of evidence of a test of a person's breath where the test has been performed by a person other than one who is certified pursuant to this section. (Added to NRS by 1983, 1913; A 1985, 1951; 1993, 2075; 1999, 2459; 2005, 59)—(Substituted in revision for NRS 484.3886)

2024 Nevada Revised Statutes Chapter 484C - Driving Under the Influence of Alcohol or a Prohibited Substance NRS 484C.640 - Certification of devices and methods to test blood, urine or other sample; adoption of regulations for calibration or verification of devices and methods to test blood, urine or other sample and certification of persons who calibrate, verify or operate devices or methods or who examine operators; adoption of regulations concerning operation of devices to test blood, urine or other sample; presumption of accuracy and reliability of device or method; admission of evidence obtained from uncertified device or method.

1. The Committee on Testing for Intoxication may: (a) Study and make recommendations to the Director of the Department of Public Safety regarding the best practices, technologies and methods of detecting and determining the concentration of alcohol or the presence of a controlled substance or another prohibited substance and the effect of driving under the influence of alcohol, a controlled substance or another prohibited substance; (b) Determine and certify whether a device or method is accurate and reliable for the purpose of testing a person's blood, urine or other sample to determine the concentration of alcohol or the presence of a controlled substance or another prohibited substance; (c) Create, maintain and make available to the public, free of charge, a list of those devices or methods certified by the Committee; and (d) Adopt regulations that: (1) Require the calibration or verification of devices or methods which are used to test a person's blood, urine or other sample to determine the concentration of alcohol or the presence of a controlled substance or another prohibited substance in the person's blood, urine or other sample; (2) Require the certification of persons who make those calibrations or verifications; (3) Require the certification of persons who operate devices or methods for testing a person's blood, urine or other sample to determine the concentration of alcohol or presence of a controlled substance or another prohibited substance in the person's blood, urine or other sample; (4) Require the certification of persons who examine those operators; and (5) Prescribe the essential procedures for the proper operation of the various types of devices or methods to test a person's blood, urine or other sample to determine the concentration of alcohol or the presence of a controlled substance or another prohibited substance in the person's blood, urine or other sample. 2. If a device or method has been certified by the Committee to be accurate and reliable pursuant to this section, it is presumed that the device or method is accurate and reliable for the purpose of testing a person's blood, urine or other sample to determine the concentration of alcohol or the presence of a controlled substance or another prohibited substance. 3. This section does not preclude the admission of evidence of the concentration of alcohol or the presence of a controlled substance or another prohibited substance in a person's blood, urine or other sample where the information is obtained through the use of a device or method other than one certified by the Committee. (Added to NRS by 1993, 2072; A 1999, 2459, 3428; 2001, 172; 2023, 3263)—(Substituted in revision for NRS 484.3888)

Title: chapter-484d

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.010 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 484D.015 to 484D.055, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1969, 1202, 1476; A 1973, 448; 1975, 1076; 1981, 621; 1987, 1073; 1989, 291, 798; 1993, 1392, 1414, 2586; 1995, 568; 1999, 3415; 2003, 380; 2005, 21, 72; 2009, 397)—(Substituted in revision in part for NRS 484.013)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.015 - "Farm tractor" defined.

"Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry. (Added to NRS by 1969, 1477)—(Substituted in revision for NRS 484.059)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.020 -

"Implement of husbandry" defined.

1. "Implement of husbandry" means a vehicle manufactured, designed or reconstructed exclusively for agricultural operations and primarily designed for off-highway use. An implement of husbandry is not subject to registration if used upon the highways of this State. 2. The term includes: (a) A farm vehicle that is used by a farmer or rancher exclusively for agricultural purposes on the farm or ranch of the farmer or rancher; (b) A farm tractor; (c) A self-propelled application-type vehicle, including a combine, self-propelled forage harvester or self-propelled fertilizer application implement; (d) A farm wagon, farm trailer or trailer adapted to tow or pull another implement of husbandry; (e) Any vehicle used by a farmer or rancher exclusively to feed or water livestock; and (f) Any other equipment substantially similar to the equipment described in paragraphs (a) to (e), inclusive, and used to transport agricultural products necessary for agricultural production. 3. The term does not include: (a) Except as otherwise provided in paragraph (a) of subsection 2, a farm vehicle; (b) A truck tractor, motor truck or any vehicle designed for use on a controlled access highway; (c) Any vehicle used in the operation of a common motor carrier or contract motor carrier; (d) Any vehicle used for both personal purposes and agricultural purposes; (e) Any feed or water truck used even incidentally for purposes other than agricultural purposes; or (f) Any vehicle which is registered for operation interstate pursuant to chapter 706 of NRS. 4. As used in this section, "farm vehicle" has the meaning ascribed to it in NRS 482.036. (Added to NRS by 1969, 1203; A 2015, 1119)—(Substituted in revision for NRS 484.071)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.025 - "Interstate highway" defined.

"Interstate highway" means a portion of the Dwight D. Eisenhower National System of Interstate and Defense Highways located within this State as officially designated pursuant to the provisions of Title 23 of the United States Code. (Added to NRS by 2005, 71)—(Substituted in revision for NRS 484.074)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.030 - "Mobile home" defined.

1. "Mobile home" means a vehicular structure which is built on a chassis or frame, is designed to be used with or without a permanent foundation, is capable of being drawn by a motor vehicle and may be used as a dwelling when connected to utilities. 2. "Mobile home" includes a vehicular structure as described in subsection 1 which is used permanently or temporarily for the advertising, display, promotion or sale of merchandise or services. (Added to NRS by 1973, 448)—(Substituted in revision for NRS 484.0795)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.035 - "Recreational vehicle" defined.

"Recreational vehicle" has the meaning ascribed to it in NRS 482.101. (Added to NRS by 2005, 21)—(Substituted in revision for NRS 484.1342)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.040 - "Security agreement" defined.

"Security agreement" means a written agreement which reserves or creates a security interest. (Added to NRS by 1969, 1480)—(Substituted in revision for NRS 484.157)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.045 - "Security interest" defined.

"Security interest" means an interest in a vehicle reserved or created by agreement and which secures payment or performance of an obligation. The term includes the interest of a lessor under a lease intended as security. A security interest is perfected when it is valid against third parties generally, subject only to specific statutory exceptions. (Added to NRS by 1969, 1480)—(Substituted in revision for NRS 484.159)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.050 - "Tandem axle" defined.

"Tandem axle" means any two or more consecutive axles whose centers are more than 40 inches, but not more than 96 inches apart and are individually attached to or articulated from a common attachment to the vehicle including a connecting mechanism designed to equalize the load between axles. (Added to NRS by 1993, 1414)—(Substituted in revision for NRS 484.1905)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.055 - "Towable tools or equipment" defined.

1. "Towable tools or equipment" means all tools or equipment: (a) Mounted on wheels; (b) Whose body does not exceed 70 inches in width; (c) Designed for towing by a motor vehicle; and (d) Which is not designed or used primarily for the transportation of persons or property, but is only incidentally operated or moved upon a highway. 2. The term includes without limitation air

compressors, concrete mixers, arc welders, tarpots, engine hoists, concrete pumps, plaster mixers, mortar mixers, grout pumps, portable conveyors, generators, log splitters, brush chippers, spray rigs, tree spades, scissor lifts, light towers, pumps, steam cleaners, sand blasters, welders, stump grinders, radial arm saws, sod cutters, aerators, pavement rollers, and scaffolding. (Added to NRS by 1981, 620)—(Substituted in revision for NRS 484.202)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.090 - Inapplicability of certain equipment requirements to fully autonomous vehicles.

1. The provisions of subsection 3 of NRS 484D.210 and NRS 484D.430 and 484D.445 do not apply to a fully autonomous vehicle that is operated exclusively by an automated driving system. 2. The provisions of NRS 484D.415 do not apply to a fully autonomous vehicle that is operated exclusively by an automated driving system unless the fully autonomous vehicle is equipped with an internal combustion engine. (Added to NRS by 2021, 2223)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.100 - When lighted lamps are required. [Effective through June 30, 2028.] When lighted lamps are required; when daytime running lamps or lighted lamps required. [Effective July 1, 2028.]

1. Every vehicle upon a highway of this State, subject to exceptions with respect to parked vehicles as stated in chapters 484A to 484E, inclusive, of NRS, must display lighted lamps and illuminating devices as respectively required in this chapter for different classes of vehicles: (a) At any time from one-half hour after sunset to one-half hour before sunrise; (b) At any other time when, because of insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead; and (c) When directed by an official traffic control device. 2. Every vehicle upon a highway must be equipped with stop lights, turn signals and other signaling devices to be lighted in the manner prescribed for the use of such devices. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1211; 2001, 1507)—(Substituted in revision for NRS 484.545) 1. Every vehicle upon a highway of this State, subject to exceptions with respect to parked vehicles as stated in chapters 484A to 484E, inclusive, of NRS, must display lighted lamps and illuminating devices as respectively required in this chapter for different classes of vehicles: (a) At any time from one-half hour after sunset to one-half hour before sunrise; (b) At any other time when, because of insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead; and (c) When directed by an official traffic control device. 2. During a time or condition to which subsection 1 is not applicable, every vehicle upon a highway of this State that has one lane for traveling in each direction, except for a street, must display daytime running lamps or lighted lamps and illuminating devices while operating on such a highway. 3. Every vehicle upon a highway must be equipped with stop lights, turn signals and other signaling devices to be lighted in the manner prescribed for the use of such devices. 4. As used in this section, "daytime running lamps" has the meaning ascribed to it in 49 C.F.R. § 571.108. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1211; 2001, 1507; 2023, 2415, effective July 1, 2028)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.105 - Distance of visibility and mounted height of lamps. [Effective through June 30, 2028.] Distance of visibility and mounted height of lamps. [Effective July 1, 2028.]

1. Whenever there is a requirement as to distance from which lighted lamps and illuminating devices shall be visible, such requirements shall apply during the times and conditions specified in NRS 484D.100 and measured as though the vehicle were unloaded and upon a straight, level, unlighted highway under normal atmospheric conditions, unless a different time or condition is specified. 2. Whenever there is a requirement as to the mounted height of such lamps or devices, such height shall be measured from the center of the lamp or device to the level ground upon which the vehicle stands when the vehicle is unloaded. (Added to NRS by 1969, 1204)—(Substituted in revision for NRS 484.547) 1. Whenever there is a requirement as to distance from which lighted lamps and illuminating devices shall be visible, such requirements shall apply during the times and conditions specified in subsection 1 of NRS 484D.100 and measured as though the vehicle were unloaded and upon a straight, level, unlighted highway under normal atmospheric conditions, unless a different time or condition is specified. 2. Whenever there is a requirement as to the mounted height of such lamps or devices, such height shall be measured from the center of the lamp or device to the level ground upon which the vehicle stands when the vehicle is unloaded. (Added to NRS by 1969, 1204; A 2023, 2416, effective July 1, 2028)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.110 - Headlamps on motor vehicles and special mobile equipment.

1. Every motor vehicle, other than a motorcycle or moped, shall be equipped with at least two headlamps with at least one on each side of the front of the motor vehicle, which headlamps shall comply with the requirements and limitations set forth in this chapter. 2. Every headlamp upon every motor vehicle shall be located at a height, measured from the center of the headlamp, of not more than 54 inches nor less than 24 inches to be measured in the manner set forth in NRS 484D.105. 3. Snow removal equipment used in clearing snow from highways and other special mobile equipment which by the nature of its design makes it impracticable to comply with the requirements of subsection 2 may have such headlamps located at a height higher than 54 inches. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1211; 1971, 1472; 1975, 1077)—(Substituted in revision for NRS 484.549)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.115 - Tail lamps.

1. Except as otherwise provided in chapters 484A to 484E, inclusive, of NRS and NRS 486.261, every motor vehicle, trailer, semitrailer and any vehicle which is being drawn at the end of a train of vehicles must be equipped with at least two tail lamps mounted on the rear, which, when lighted as required by this chapter, emit a red light plainly visible from a distance of 500 feet to the rear, except that vehicles manufactured before July 1, 1969, must have at least one tail lamp if they were originally equipped with only one tail lamp. 2. Only the tail lamp on the rearmost vehicle of a train of vehicles need actually be seen from the distance specified. 3. On vehicles equipped with more than one tail lamp, the lamps must be mounted on the same level, as widely spaced laterally as practicable and at a height of not more than 72 inches nor less than 15 inches. 4. Every passenger car, bus and truck under 80 inches in overall width must be equipped with a lamp so constructed and placed as to illuminate with a white light the rear registration or license plate and render it clearly legible from a distance of 50 feet to the rear. 5. All such lamps must be wired to be lighted whenever the headlamps or auxiliary driving lamps are lighted. 6. The provisions of this section do not apply to towable tools or equipment which is being towed during the hours of daylight. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1211; 1981, 621; 2003, 401)—(Substituted in revision for NRS 484.551)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.120 - Reflectors.

1. Except as provided in subsection 3, every motor vehicle, trailer, semitrailer and pole trailer must carry on the rear, either as a part of the tail lamps or separately, two or more red reflectors meeting the requirements of this section, except that vehicles of the types mentioned in NRS 484D.460 must be equipped with reflectors meeting the requirements of NRS 484D.150 and subsection 1 of NRS 484D.155. 2. Every such reflector must be mounted on the vehicle at a height not less than 15 inches nor more than 60 inches measured as set forth in NRS 484D.105, and must be of such size and characteristics and so mounted as to be visible at night from all distances within 600 feet to 100 feet from the vehicle when directly in front of lawful lower beams of headlamps, except that reflectors on vehicles manufactured or assembled before January 1, 1970, must be visible at night from all distances within 350 feet to 100 feet when directly in front of lawful upper beams of headlamps. 3. The provisions of this section do not apply to towable tools or equipment. (Added to NRS by 1969, 1204; A 1981, 621)—(Substituted in revision for NRS 484.553)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.125 - Stop lamps.

1. Except as provided in subsection 5, every motor vehicle, trailer and semitrailer, and any vehicle which is being drawn at the end of a train of vehicles must be equipped with two or more stop lamps, except that any vehicle manufactured before July 1, 1969, must have at least one stop lamp if the vehicle was originally equipped with only one stop lamp. 2. Except as otherwise provided in chapters 484A to 484E, inclusive, of NRS, the stop lamp or lamps must: (a) Be on the rear of the vehicle, and if there are two or more than two must be as widely spaced laterally as practicable; (b) Display a red, amber or yellow light visible from a distance of not less than 300 feet to the rear in normal sunlight; and (c) Be activated upon application of the brake. 3. On a combination of vehicles, stop lamps on the rearmost vehicle only are required. 4. A stop lamp may be incorporated with a tail lamp. 5. The provisions of this section do not apply to towable tools or equipment. (Added to NRS by 1969, 1204; A 1981, 622; 1987, 1343)—(Substituted in revision for NRS 484.555)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.130 - Turn signals.

1. Except as provided in subsection 6, every motor vehicle, trailer, semitrailer and any vehicle which is being drawn at the end of a train of vehicles must be equipped with electric turn signal lamps, except that vehicles less than 80 inches in overall width not originally equipped with electric turn signal lamps and manufactured before July 1, 1969, are not required to be equipped with such lamps. 2. Such lamps must be located on the front and rear of any such vehicle or combination of vehicles and must indicate an intention to turn by flashing lights in the direction toward which the turn is to be made. 3. The lamps showing to the front must be mounted on the same level and as widely spaced laterally as practicable and, when signaling, must emit white or amber light, or any shade of light between white and amber. 4. The lamps showing to the rear must be mounted on the same level and as widely spaced laterally as practicable, and, when signaling, must emit red or amber light, or any shade of light between red and amber. 5. The lamps must be visible in normal sunlight from a distance of not less than 500 feet. 6. The provisions of this section do not apply to: (a) Mopeds; (b) Special mobile equipment, except when such equipment is being towed at the end of a train of vehicles; (c) Motorcycles propelled by a motor producing not more than 5 brake horsepower measured at the crankshaft and having a maximum speed not exceeding 30 miles per hour upon maximum acceleration from a standing start for 1 mile on a level surface; or (d) Towable tools or equipment. (Added to NRS by 1969, 1204; A 1975, 1077; 1977, 1355; 1981, 622)—(Substituted in revision for NRS 484.557)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.135 - Requirements for pole trailer.

The requirements of this chapter with respect to reflectors, stop lamps, turn signal lamps and tail lamps for pole trailers may be met by displaying such reflectors or lamps on the rearmost portion of the load. (Added to NRS by 1969, 1205)—(Substituted in revision for NRS 484.559)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.140 - Additional equipment for lighting required on certain vehicles.

1. In addition to other equipment required in chapters 484A to 484E, inclusive, of NRS, the following vehicles shall be equipped as stated in this section. 2. On every bus or truck 80 inches or more in overall width manufactured after January 1, 1970, there shall be the following: (a) On the front, two clearance lamps, one at each side, and three identification lamps meeting the requirements of subsection 8. (b) On the rear, two clearance lamps, one at each side, and three identification lamps meeting the requirements of subsection 8. (c) On each side, two side marker lamps, one at or near the front and one at or near the rear. (d) On each side, two reflectors, one at or near the front and one at or near the rear. 3. On every trailer or semitrailer 80 inches or more in overall width, there shall be the following: (a) On the front, two clearance lamps, one at each side. (b) On the rear, two clearance lamps, and three identification lamps meeting the requirements of subsection 8. (c) On each side, two side marker lamps, one at or near the front and one at or near the rear. (d) On each side, two reflectors, one at or near the front and one at or near the rear. 4. For the purposes of this section, "converter dolly" means a vehicle with a fifth wheel lower half or equivalent mechanism, the attachment of which converts a semitrailer to a full trailer. Each such dolly, when towed singly by another vehicle, and not as part of a full trailer, shall be equipped with one stop lamp, one tail lamp and two reflectors on the rear. No lighting devices or reflectors are required on the front or sides of any such dolly. 5. In addition to the requirements of subsection 3, on every trailer and semitrailer 30 feet or more in overall length, there shall be, on each side, one amber side marker lamp and one amber reflector, centrally located with respect to the length of the trailer and semitrailer. 6. On the front of every truck-tractor, there shall be two cab clearance lamps, one at each side, and if the truck-tractor is manufactured after January 1, 1970, three identification lamps meeting the requirements of subsection 8. 7. On every pole trailer, there shall be the following: (a) On each side, one amber side marker lamp at or near the front of the load. (b) On each side, one amber reflector at or near the front of the load. (c) On the rearmost part of the load or the rearmost support for the load, one combination marker lamp showing amber to the front and red to the rear and side, mounted to indicate the maximum width of the pole trailer. 8. Identification lamps shall be grouped in a horizontal row, with lamp centers spaced not less than 6 nor more than 12 inches apart, and mounted on the permanent structure of the vehicle as close as practicable to the vertical centerline, except that where the cab of a vehicle is not more than 42 inches wide at the front roofline, a single identification lamp at the center of the cab shall be sufficient to comply with the requirements for front identification lamps. 9. On trailers designed to carry boats, front and rear clearance lamps may be located on each side of the trailer at or near the mid-point of the trailer between the front and rear of the trailer to indicate the extreme width of the trailer. 10. The provisions of this section shall not apply to a mobile home. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1212; 1975, 35)—(Substituted in revision for NRS 484.561)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.145 - Colors of certain lamps, lights and reflectors.

1. Front clearance lamps, identification lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle must display or reflect an amber color. 2. Rear clearance lamps, identification lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle must display or reflect a red color. 3. All lighting devices and reflectors mounted on the rear of any vehicle must display or reflect a red color, except that: (a) The stoplight or other signal device may be red, amber or yellow. (b) The light illuminating the license plate must be white. (c) The light emitted by a backup lamp must be white or amber. (d) The tail lamp on a motorcycle may contain a blue insert as authorized in NRS 486.261. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1214; 2003, 402)—(Substituted in revision for NRS 484.563)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.150 - Mounting of reflectors, clearance lamps and side marker lamps.

1. Reflectors required in NRS 484D.145 shall be mounted at a height not less than 15 inches and not higher than 60 inches above the ground on which the vehicle stands, except that if the highest part of the permanent structure of the vehicle is less than 15 inches the reflector at such point shall be mounted as high as that part of the permanent structure will permit. 2. Any required red reflector on the rear of such vehicle may be incorporated with the tail lamp, but such reflector shall meet all the other reflector requirements of this chapter. 3. Except as provided in subsections 4 and 5, clearance lamps shall be mounted on the permanent structure of the vehicle in such a manner as to indicate its extreme width and as near the top thereof as practicable. Clearance lamps and side marker lamps may be mounted in combination provided illumination is given as required in this chapter with reference to both. 4. When rear identification lamps are mounted at the extreme height of the vehicle, rear clearance lamps may be mounted at optional height. 5. When mounting of front clearance lamps at the highest point of a trailer results in such lamps failing to mark the extreme width of a trailer, such lamps shall be mounted at a height to indicate the extreme width of the trailer. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1214)—(Substituted in revision for NRS 484.565)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.155 - Visibility requirements for reflectors, clearance lamps, identification lamps and marker lamps.

1. Every reflector required by NRS 484D.140 shall be of such size and characteristics and so maintained as to be readily visible at nighttime from all distances within 600 feet to 100 feet from the vehicle when directly in front of lawful lower beams of headlamps. 2. Every front and rear clearance lamp and identification lamp required by NRS 484D.140 shall be capable of being seen and distinguished under normal atmospheric conditions at the times lighted lamps are required at all distances between 500 feet to 50 feet from the front and rear, respectively, of the vehicle on which mounted. 3. Every side marker lamp required by NRS 484D.140 shall be capable of being seen and distinguished under normal atmospheric conditions at the times lighted lamps are required at all distances between 500 and 50 feet from the side of the vehicle on which mounted. (Added to NRS by 1969, 1205; A 1975, 30)—(Substituted in revision for NRS 484.567)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.160 - Obstructed lights.

Whenever motor vehicles and other vehicles are operated in combination during the time that lights are required, any lamp (except tail lamps) need not be lighted which by reason of its location on a vehicle of the combination would be obscured by another vehicle of the combination, but this shall not affect the requirement that lighted clearance lamps be displayed on the front of the foremost vehicle required to have clearance lamps or that all lights required on the rear of the rearmost vehicle of any combination shall be lighted. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(Substituted in revision for NRS 484.569)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.165 - Lamps on parked vehicle. [Effective through June 30, 2028.] Lamps on parked vehicle. [Effective July 1, 2028.]

1. Every vehicle shall be equipped with one or more lamps which, when lighted, shall display a white or amber light visible from a distance of 500 feet to the front of the vehicle, and one or more lamps which, when lighted, shall display a red light visible from a distance of 500 feet to the rear of the vehicle. The location of such lamps shall be such that at least one such lamp is installed as near as practicable to the side of the vehicle which is closest to passing traffic. 2. Whenever a vehicle is parked upon the traveled portion of a highway during the times mentioned in NRS 484D.100 and there is sufficient light to reveal any person or object within a distance of 1,000 feet upon such highway, no lights need be displayed upon such parked vehicle. 3. Whenever a vehicle is parked or stopped upon the traveled portion of a highway or shoulder adjacent thereto, whether attended or unattended during the times mentioned in NRS 484D.100, and there is insufficient light to reveal any person or object within a distance of 1,000 feet upon such highway or roadway, such vehicle shall display lighted lamps meeting the requirements of subsection 1. 4. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1960, 60; 1969, 1215)—(Substituted in revision for NRS 484.571) 1. Every vehicle shall be equipped with one or more lamps which, when lighted, shall display a white or amber light visible from a distance of 500 feet to the front of the vehicle, and one or more lamps which, when lighted, shall display a red light visible from a distance of 500 feet to the rear of the vehicle. The location of such lamps shall be such that at least one such lamp is installed as near as practicable to the side of the vehicle which is closest to passing traffic. 2. Whenever a vehicle is parked upon the traveled portion of a highway during the times and conditions specified in subsection 1 of NRS 484D.100 and there is sufficient light to reveal any person or object within a distance of 1,000 feet upon such highway, no lights need be displayed upon such parked vehicle. 3. Whenever a vehicle is parked or stopped upon the traveled portion of a highway or shoulder adjacent thereto, whether attended or unattended during the times and conditions specified in subsection 1 of NRS 484D.100, and there is insufficient light to reveal any person or object within a distance of 1,000 feet upon such highway or roadway, such vehicle shall display lighted lamps meeting the requirements of subsection 1. 4. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1960, 60; 1969, 1215; 2023, 2416, effective July 1, 2028)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.170 - Lamps and reflectors on implements of husbandry. [Effective through June 30, 2028.] Lamps and reflectors on implements of husbandry. [Effective July 1, 2028.]

1. Every implement of husbandry manufactured after January 1, 1970, shall be equipped with vehicular hazard-warning lamps of a type described in NRS 484D.205, visible from a distance of not less than 1,000 feet to the front and rear in normal sunlight, which shall be displayed whenever any such vehicle is operated upon a highway. 2. Every implement of husbandry manufactured after January 1, 1970, shall at all times, and every other such vehicle shall, during the times mentioned in NRS 484D.100, be equipped with lamps and reflectors as follows: (a) At least two headlamps meeting the requirements of NRS 484D.210. (b) At least one red lamp visible when lighted from a distance of not less than 1,000 feet to the rear, mounted as far to the left of the center of the vehicle as practicable. (c) At least two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of headlamps. 3. Every combination of farm tractor and towed implement of husbandry shall at all times mentioned in NRS 484D.100 be equipped with lamps and reflectors as follows: (a) The farm tractor shall be equipped as required in subsections 1 and 2. (b) If the towed unit extends more than 4 feet to the rear of the tractor or obscures any lamp on the tractor, such unit shall be equipped on the rear with at least two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of headlamps. (c) If the towed unit extends more than 4 feet to the left of the centerline of the tractor, such unit shall be equipped on the front with an amber reflector visible from all distances within 600 feet to 100 feet to the front when directly in front of lawful beams of headlamps. Such reflector shall be so positioned as to indicate, as nearly as

practicable, the extreme left projection of the towed unit. 4. The two red reflectors required by subsection 3 shall be so positioned as to show from the rear, as nearly as practicable, the extreme width of the vehicle or combination carrying them. (Added to NRS by 1969, 1206; A 2015, 1120)—(Substituted in revision for NRS 484.573) 1. Every implement of husbandry manufactured after January 1, 1970, shall be equipped with vehicular hazard-warning lamps of a type described in NRS 484D.205, visible from a distance of not less than 1,000 feet to the front and rear in normal sunlight, which shall be displayed whenever any such vehicle is operated upon a highway. 2. Every implement of husbandry manufactured after January 1, 1970, shall at all times, and every other such vehicle shall, during the times and conditions specified in subsection 1 of NRS 484D.100, be equipped with lamps and reflectors as follows: (a) At least two headlamps meeting the requirements of NRS 484D.210. (b) At least one red lamp visible when lighted from a distance of not less than 1,000 feet to the rear, mounted as far to the left of the center of the vehicle as practicable. (c) At least two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of headlamps. 3. Every combination of farm tractor and towed implement of husbandry shall at all times and conditions specified in subsection 1 of NRS 484D.100 be equipped with lamps and reflectors as follows: (a) The farm tractor shall be equipped as required in subsections 1 and 2. (b) If the towed unit extends more than 4 feet to the rear of the tractor or obscures any lamp on the tractor, such unit shall be equipped on the rear with at least two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of headlamps. (c) If the towed unit extends more than 4 feet to the left of the centerline of the tractor, such unit shall be equipped on the front with an amber reflector visible from all distances within 600 feet to 100 feet to the front when directly in front of lawful beams of headlamps. Such reflector shall be so positioned as to indicate, as nearly as practicable, the extreme left projection of the towed unit. 4. The two red reflectors required by subsection 3 shall be so positioned as to show from the rear, as nearly as practicable, the extreme width of the vehicle or combination carrying them. (Added to NRS by 1969, 1206; A 2015, 1120; 2023, 2416, effective July 1, 2028)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.175 - Lamps and reflectors on other vehicles. [Effective through June 30, 2028.] Lamps and reflectors on other vehicles. [Effective July 1, 2028.]

All vehicles including animal-drawn vehicles not otherwise specifically required to be equipped with lamps, shall at all times specified in NRS 484D.100 be equipped with at least one lamp displaying a white light visible from a distance of not less than 500 feet to the front of the vehicle and two lamps displaying a red light visible from a distance of not less than 500 feet to the rear of the vehicle or one lamp displaying a red light visible from a distance of not less than 500 feet to the rear and two red reflectors visible from all distances of 600 to 100 feet to the rear when illuminated by the lawful lower beams of headlamps. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1215; 1975, 31)—(Substituted in revision for NRS 484.575) All vehicles including animal-drawn vehicles not otherwise specifically required to be equipped with lamps, shall at all times and conditions specified in subsection 1 of NRS 484D.100 be equipped with at least one lamp displaying a white light visible from a distance of not less than 500 feet to the front of the vehicle and two lamps displaying a red light visible from a distance of not less than 500 feet to the rear of the vehicle or one lamp displaying a red light visible from a distance of not less than 500 feet to the rear and two red reflectors visible from all distances of 600 to 100 feet to the rear when illuminated by the lawful lower beams of headlamps. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1215; 1975, 31; 2023, 2417, effective July 1, 2028)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.180 - Spot lamps, auxiliary lamps and lamps for fog.

1. Any motor vehicle may be equipped with not to exceed two spot lamps and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high-intensity portion of the beam will strike the windshield, or any windows, mirror or occupant of a vehicle in use. 2. Any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height not less than 16 inches nor more than 42 inches above the level surface upon which the vehicle stands. The provisions of NRS 484D.210 apply to any combination of headlamps and auxiliary driving lamps. 3. Any motor vehicle may be equipped with not to exceed two auxiliary passing lamps mounted on the front at a height of not less than 24 inches nor more than 42 inches above the level surface upon which the vehicle stands. The provisions of NRS 484D.210 apply to any combination of headlamps and auxiliary passing lamps. 4. Any motor vehicle may be equipped with not to exceed two fog lamps mounted on the front at a height not less than 12 inches nor more than 30 inches above the level surface upon which the vehicle stands and so aimed that when the vehicle is not loaded none of the high-intensity portion of the light to the left of center of the vehicle shall at a distance of 25 feet ahead project higher than a level of 4 inches below the level of the center of the lamp from which it comes. Such lighted fog lamps may be used with lower headlamp beams as provided in NRS 484D.210. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1215)—(Substituted in revision for NRS 484.577)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.185 - Flashing amber warning light: Limitations on operation and display; permit to mount on certain vehicles; fee.

1. It is unlawful to operate or display a flashing amber warning light on a vehicle except when an unusual traffic hazard exists or as authorized in NRS 484B.748, 484B.757 or 484D.190. This subsection does not prohibit the use of amber lights in electric signals for making turns. 2. It is unlawful for any person to mount flashing amber warning lights permanently on a vehicle without a permit from the Nevada Highway Patrol. 3. The Nevada Highway Patrol, upon written application, shall issue a permit to mount a flashing

amber light on: (a) Vehicles of public utilities. (b) Tow cars. (c) Vehicles engaged in activities which create a public hazard upon the streets or highways. (d) Vehicles of coroners and their deputies. (e) Vehicles of Civil Air Patrol rescue units. (f) Vehicles of authorized sheriffs' jeep squadrons. (g) Vehicles which escort funeral processions. (h) Vehicles operated by vendors of food or beverages, as provided in NRS 484D.190. (i) Vehicles operated by private patrol officers licensed pursuant to chapter 648 of NRS or their employees. 4. Those permits expire on June 30 of each calendar year. 5. The Nevada Highway Patrol shall charge and collect the following fees for the issuance of a permit for the mounting of a flashing amber light: (a) Permit for a single vehicle..... \$2 (b) Blanket permit for more than 5 but less than 15 vehicles..... 12 (c) Blanket permit for 15 vehicles or more..... 24 6. Subsections 1 and 2 do not apply to an agency of any state or political subdivision thereof, or to an agency of the Federal Government. 7. All fees collected by the Nevada Highway Patrol pursuant to this section must be deposited with the State Treasurer for credit to the State Highway Fund. (Added to NRS by 1963, 1267; A 1975, 586; 1981, 129; 1985, 945, 1465; 2005, 677; 2009, 1096)—(Substituted in revision for NRS 484.579)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.190 - Display of flashing amber warning light and signs by certain vehicles used to sell food or beverage.

1. Any vendor of food or beverages who operates on public streets a vehicle which moves at a speed slower than the normal flow of traffic and which stops or stands on the street or adjacent to the curb so that customers may be served from the vehicle shall, upon obtaining a permit pursuant to NRS 484D.185, mount a flashing or rotating amber warning light on the roof of that vehicle and shall display warning signs on the vehicle pursuant to subsection 3. 2. The amber light must be in operation when the vehicle is: (a) Moving down a street soliciting customers at a speed of less than 15 miles per hour; or (b) Stopped or standing on the street or adjacent to a curb to serve customers. 3. The warning signs displayed on the vehicle must advise drivers of other vehicles of the danger of the presence of children around the vehicle. These signs must substantially conform to the color and style of print used on the warning signs displayed on public school buses in this State. (Added to NRS by 1985, 1464)—(Substituted in revision for NRS 484.582)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.195 - Display of flashing amber warning light by vehicle of public utility.

Public utility vehicles actually engaged in the construction, removal, maintenance or inspection of utility facilities may display flashing amber warning lights to the front, sides or rear when necessarily parked other than adjacent to the curb in a highway, or when moving at a speed slower than the normal flow of traffic. (Added to NRS by 1963, 1267)—(Substituted in revision for NRS 484.583)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.200 - Use and display of blue tail lamps by certain vehicles of or associated with Department of Transportation or local governmental agency; conditions.

1. An authorized vehicle used by the Department of Transportation or a local governmental agency for the construction, maintenance or repair of highways, or a vehicle owned or operated by a person who contracts with the Department or a local governmental agency to aid motorists or mitigate traffic incidents, may be equipped with lamps located toward the rear of the vehicle that emit nonflashing blue light. The nonflashing blue light may be used: (a) For vehicles that perform construction, maintenance or repair of highways, including, without limitation, vehicles used for the removal of snow, when the vehicle is engaged in such construction, maintenance or repair; (b) For other authorized vehicles of the Department of Transportation or a local governmental agency used in the construction, maintenance or repair of highways: (1) In an area designated as a temporary traffic control zone in which construction, maintenance or repair of a highway is conducted; and (2) At a time when the workers who are performing the construction, maintenance or repair of the highway are present; and (c) For a vehicle owned or operated by a person who contracts with the Department of Transportation or a local governmental agency to aid motorists or mitigate traffic incidents, at a time when the vehicles or the workers who are performing the aid or mitigation are present. 2. As used in this section, "traffic incident" has the meaning ascribed to it in NRS 484B.607. (Added to NRS by 2003, 3236; A 2017, 104; 2019, 1230; 2023, 56)—(Substituted in revision for NRS 484.584)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.205 - Additional equipment for lighting.

1. Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare. 2. Any motor vehicle may be equipped with not more than one running-board courtesy lamp on each side of the vehicle which shall emit a white or amber light without glare. 3. Any motor vehicle may be equipped with inside door-mounted red lamps or red reflectorizing devices or material visible to the rear of the vehicle when the doors are open. 4. Any motor vehicle may be equipped with one or more backup lamps either separately or in combination with other lamps. Backup lamps shall not be lighted when the vehicle is in forward motion. 5. Any vehicle may be equipped with lamps which may be used for the purpose of warning the drivers of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching,

overtaking or passing, and when so equipped may display such warning in addition to any other warning signals required by this chapter. The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. Whenever a vehicle has been equipped with such lamps they shall be kept in good operating condition. These warning lamps shall be visible from a distance of not less than 500 feet in normal sunlight. 6. Any motor vehicle may be equipped with not more than two lamps designed and of sufficient intensity for the purpose of revealing objects only in the direction of the turn while the vehicle is turning or while the turn signal lamps are operating to signal an intention to turn. The lamps shall be designed so that no glaring light is projected into the eyes of an approaching driver. 7. Any vehicle 80 inches or more in overall width, if not otherwise required by NRS 484D.140, may be equipped with not more than three identification lamps showing to the front, which shall emit an amber light without glare, and not more than three identification lamps showing to the rear, which shall emit a red light without glare. Such lamps shall be mounted in the manner provided in NRS 484D.140. 8. Every motor vehicle, trailer, semitrailer and pole trailer 80 inches or more in overall width or 30 feet or more in overall length manufactured after January 1, 1970, shall be equipped with hazardous warning lamps meeting the requirements of subsection 5. (Added to NRS by 1969, 1207)—(Substituted in revision for NRS 484.585)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.210 - Equipment for lighting road with multiple beams.

Except as hereinafter provided, the headlamps or the auxiliary driving lamp or the auxiliary passing lamp, or combination thereof, on motor vehicles other than motorcycles or mopeds shall be so arranged that the driver may select at will between distributions of light projected to different elevations, and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations: 1. There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading. 2. There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead; and on a straight, level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver. 3. Every new motor vehicle, other than a motorcycle or moped, registered in this State after January 1, 1956, which has multiple-beam road lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the headlamps is in use, and shall not otherwise be lighted. The indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1971, 1472; 1975, 1078)—(Substituted in revision for NRS 484.587)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.215 - Use of equipment for lighting road with multiple beams. [Effective through June 30, 2028.] Use of equipment for lighting road with multiple beams. [Effective July 1, 2028.]

Whenever a motor vehicle is being operated on the traveled portion of the highway, or shoulder adjacent thereto, during the times specified in NRS 484D.100, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations: 1. Whenever a driver of a vehicle approaches an oncoming vehicle within 500 feet, the driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, or composite beam, specified in subsection 2 of NRS 484D.210 shall be deemed to avoid glare at all times, regardless of road contour and loading. 2. Whenever the driver of a vehicle follows another vehicle within 300 feet to the rear, the driver shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in subsection 1 of NRS 484D.210. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1216; 1985, 1041)—(Substituted in revision for NRS 484.589) Whenever a motor vehicle is being operated on the traveled portion of the highway, or shoulder adjacent thereto, during the times and conditions specified in subsection 1 of NRS 484D.100, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations: 1. Whenever a driver of a vehicle approaches an oncoming vehicle within 500 feet, the driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, or composite beam, specified in subsection 2 of NRS 484D.210 shall be deemed to avoid glare at all times, regardless of road contour and loading. 2. Whenever the driver of a vehicle follows another vehicle within 300 feet to the rear, the driver shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in subsection 1 of NRS 484D.210. [Part 6:166:1925; A 1939, 316; 1945, 268; 1955, 40]—(NRS A 1969, 1216; 1985, 1041; 2023, 2417, effective July 1, 2028)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.220 - Number and intensity of lamps on front of vehicle; limit on correlated color temperature of high-intensity discharge lamps. [Effective through June 30, 2028.] Number and intensity of lamps on front of vehicle; limit on correlated color temperature of high-intensity discharge lamps. [Effective July 1, 2028.]

1. At all times specified in NRS 484D.100, a lighted headlamp or headlamps meeting the requirements of NRS 484D.110 shall be displayed on a motor vehicle except when the vehicle is parked. 2. Whenever a motor vehicle equipped with headlamps is also equipped with any auxiliary lamps, spot lamp or any other lamp on the front projecting a beam of intensity greater than 300 candle power, not more than a total of four of any such lamps may be lighted at one time when upon a highway. 3. A motor vehicle may be equipped with headlamps that are high-intensity discharge lamps if such headlamps have a correlated color temperature of not less than 5,000 kelvins and not more than 6,000 kelvins. 4. The provisions of subsection 3 do not apply to the extent preempted by federal law. 5. As used in this section, "high-intensity discharge lamp" has the meaning ascribed to it in 10 C.F.R. § 431.282. (Added to NRS by 1969, 1207; A 1975, 118; 2015, 299)—(Substituted in revision for NRS 484.591) 1. At all times and conditions specified in subsection 1 of NRS 484D.100, a lighted headlamp or headlamps meeting the requirements of NRS 484D.110 shall be displayed on a motor vehicle except when the vehicle is parked. 2. Whenever a motor vehicle equipped with headlamps is also equipped with any auxiliary lamps, spot lamp or any other lamp on the front projecting a beam of intensity greater than 300 candle power, not more than a total of four of any such lamps may be lighted at one time when upon a highway. 3. A motor vehicle may be equipped with headlamps that are high-intensity discharge lamps if such headlamps have a correlated color temperature of not less than 5,000 kelvins and not more than 6,000 kelvins. 4. The provisions of subsection 3 do not apply to the extent preempted by federal law. 5. As used in this section, "high-intensity discharge lamp" has the meaning ascribed to it in 10 C.F.R. § 431.282. (Added to NRS by 1969, 1207; A 1975, 118; 2015, 299; 2023, 2417, effective July 1, 2028)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.230 - Vehicles in unsafe condition or lacking certain equipment prohibited on highway; prohibited acts related to equipment.

1. A person shall not drive, move, stop or park any vehicle, or cause or knowingly permit any vehicle to be driven, moved, stopped or parked, except for purposes of repair, on any highway if such vehicle: (a) Is in such unsafe condition as to endanger any person or property. (b) Is not equipped with lamps, reflectors, brakes, horn and other warning and signaling devices, windows, windshield, mirrors, safety glass, mufflers, fenders and tires, and other parts and equipment in the position, condition and adjustment required by the laws of this State as to such parts and equipment of a vehicle on the highways of the State at the time, under the conditions and for the purposes provided in such laws. 2. With respect to any vehicle being driven, moved, stopped or parked on any highway, it is unlawful for any person to do any act forbidden, or fail to perform any act required, by the laws of this State relating to the lamps, brakes, fenders and other parts and equipment, size, weight and load as to such vehicle on the highways. 3. This section does not prohibit an authorized emergency vehicle from being equipped with and displaying flashing lights which do not indicate a right or left turn. (Added to NRS by 1969, 1203, 1507)—(Substituted in revision for NRS 484.541)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.250 - Equipment required.

1. Every motor vehicle, trailer, semitrailer, house trailer and pole trailer, and any combination of those vehicles operating upon a highway must be equipped with brakes in compliance with the requirements of this chapter. 2. Every such vehicle and combination of vehicles, except: (a) Special mobile equipment towed by a motor vehicle at a speed of 20 miles per hour or less; (b) Trailers, semitrailers and house trailers having a gross weight of 3,000 pounds or less, except as provided in subsection 6; and (c) Pole dollies when used in the transportation of poles at a speed of 20 miles per hour or less by a public utility or agency engaged in the business of supplying electricity or telephone service, when the transportation is between storage yards or between a storage yard and a job location where the poles are to be used, must be equipped with service brakes complying with the performance requirements of NRS 484D.255 and adequate to control the movement of and to stop and hold that vehicle under all conditions of loading, and on any grade incident to its operation. 3. Every such vehicle and combination of vehicles, except motorcycles or mopeds, must be equipped with parking brakes adequate to hold the vehicle or combination of vehicles on any grade on which it is operated, under all conditions of loading, on a surface free from snow, ice or loose material. The parking brakes must be capable of being applied in conformance with the foregoing requirements by the driver's muscular effort or by spring action or by equivalent means. Their operation may be assisted by the service brakes or other source of power, provided that failure of the service brake actuation system or other power-assisting mechanism will not prevent the parking brakes from being applied in conformance with the foregoing requirements. The parking brakes must be so designed that when once applied they remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes and lining assemblies, brake-shoe anchors and mechanical brake-shoe actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brakes. If the means of applying the parking brakes and the service brakes are connected in any way, they must be so constructed that failure of any one part will not leave the vehicle without operative brakes. 4. Every vehicle must be equipped with brakes acting on all wheels except: (a) Trailers, semitrailers, house trailers or pole trailers, manufactured or assembled before July 1, 1975, having a gross weight of 3,000 pounds or less. (b) Any vehicle being towed in driveaway or towaway operations, provided the combination of vehicles is capable of complying with the performance requirements of NRS 484D.255. (c) Trucks and truck-tractors having three or more axles, which need not have brakes on the front wheels, except that when those vehicles are equipped with at least two steerable axles, the wheels of one steerable axle need not have brakes. However, those trucks and truck-tractors must be capable of complying with the performance requirements of NRS 484D.255. (d) Special mobile equipment. (e) Any vehicle with three wheels in contact with the ground, two of which are equipped with brakes if the vehicle is capable of complying with the performance requirements of NRS 484D.255. 5. Every trailer, semitrailer, house trailer

and pole trailer equipped with air- or vacuum-actuated brakes and every trailer, semitrailer, house trailer and pole trailer with a gross weight in excess of 3,000 pounds, manufactured or assembled after July 1, 1969, must be equipped with brakes acting on all wheels and of such character as to be applied automatically and promptly, and remain applied for at least 15 minutes, upon breakaway from the towing vehicle. 6. Every trailer, semitrailer, house trailer or pole trailer of 3,000 pounds or more gross weight or equaling more than 40 percent of the towing vehicle, manufactured or assembled before July 1, 1975, must be equipped with brakes on at least two wheels. 7. Except as otherwise provided by law, every motor vehicle used to tow a trailer, semitrailer, house trailer or pole trailer equipped with brakes must be equipped with means for providing that, in case of breakaway of the towed vehicle, the towing vehicle will be capable of being stopped by the use of its service brakes. 8. Air brake systems installed on trailers must be so designed that the supply reservoir used to provide air for the brakes is safeguarded against backflow of air from the reservoir through the supply line. 9. Every motor vehicle, trailer, semitrailer, house trailer or pole trailer, manufactured or assembled after July 1, 1975, and operating upon a highway must be equipped with service brakes on all wheels of every vehicle, except: (a) A trailer, semitrailer, house trailer or pole trailer of less than 1,500 pounds gross weight need not be equipped with brakes; and (b) Three-axle trucks, trucks and truck-tractors need only be equipped with brakes on all wheels of the two rear axles. [Part 6 1/2:166:1925; added 1939, 316; A 1953, 152]—(NRS A 1965, 167; 1969, 1216; 1971, 1472; 1975, 130, 1078; 1979, 854)—(Substituted in revision for NRS 484.593)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.255 - Requirements for performance.

1. Every motor vehicle and combination of vehicles, at all times and under all conditions of loading, upon application of the service brake, shall be capable of: (a) Developing a braking force that is not less than the percentage of its gross weight tabulated in subsection 2 for its classification; (b) Decelerating to a stop from not more than 20 miles per hour at not less than the feet per second per second tabulated in subsection 2 for its classification; and (c) Stopping from a speed of 20 miles per hour, in not more than the distance tabulated in subsection 2 for its classification, such distance to be measured from the point at which movement of the service brake pedal or control begins. 2. The required braking forces, decelerations and braking distances are tabulated as follows:

Classification	Braking force as a percentage of gross weight	Deceleration in feet per second squared	Stopping distance in feet from 20 m.p.h.
Passenger vehicles with a seating capacity of 10 people or less including driver, not having manufacturer's gross vehicle weight rating of 10,000 pounds or less	52.8%	17	25
All motorcycles and mopeds	43.5%	14	30
Single-unit vehicles with manufacturer's gross vehicle weight rating of 10,000 pounds or less	43.5%	14	30
Single-unit vehicles with manufacturer's gross weight rating of more than 10,000 pounds	43.5%	14	40
Combination of a two-axle towing vehicle and trailer with a gross trailer weight of 3,000 pounds or less	43.5%	14	40
Buses, regardless of the number of axles, not having a manufacturer's gross weight rating of 10,000 pounds or less	43.5%	14	40
All combinations of vehicles in driveaway-towaway operations	43.5%	14	40
All other vehicles and combinations of vehicles	43.5%	14	50

3. Tests for deceleration and stopping distance shall be made on a substantially level (not to exceed plus or minus 1-percent grade), dry, smooth, hard surface that is free from loose material. [Part 6 1/2:166:1925; added 1939, 316; A 1953, 152]—(NRS A 1969, 1219; 1975, 1080; 2009, 400)—(Substituted in revision for NRS 484.595)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.260 - Maintenance.

All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle. [Part 6 1/2:166:1925; added 1939, 316; A 1953, 152]—(Substituted in revision for NRS 484.597)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.265 - Equipment for towing vehicle.

1. Every towing vehicle, when used to tow another vehicle equipped with air-controlled brakes, in other than driveaway or towaway operations, shall be equipped with two means for emergency application of the trailer brakes. One of these means shall apply the brakes automatically in the event of a reduction of the towing vehicle air supply to a fixed pressure, which shall be not lower than 20 pounds per square inch nor higher than 45 pounds per square inch. The other means shall be a manually controlled device for applying and releasing the brakes, readily operable by a person seated in the driving seat, and its emergency position or method of operation shall be clearly indicated. In no instance may the manual means be so arranged as to permit its use to prevent operation of the automatic means. The automatic and the manual means required by this section may be, but are not required to be, separate. 2. Every towing vehicle used to tow other vehicles equipped with vacuum brakes, in operations other than driveaway or towaway operations, shall have, in addition to the single-control device required by NRS 484D.270, a second control device which can be used to operate the brakes on towed vehicles in emergencies. The second control shall be independent of brake air, hydraulic and other pressure, and independent of other controls, unless the braking system is so arranged that failure of the pressure upon which the second control depends will cause the towed vehicle brakes to be applied automatically. The second control is not required to provide modulated braking. (Added to NRS by 1969, 1209)—(Substituted in revision for NRS 484.599)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.270 -

Arrangement of system; device for control.

Every motor vehicle, trailer, semitrailer, house trailer and pole trailer, and every combination of such vehicles, except motorcycles and mopeds, equipped with brakes shall have the braking system so arranged that one control device can be used to operate all service brakes. The braking system on the towed vehicle may be surge actuated brakes. This requirement does not prohibit vehicles from being equipped with an additional control device to be used to operate brakes on the towed vehicles. This regulation does not apply to driveaway or towaway operations unless the brakes on the individual vehicles are designed to be operated by a single control on the towing vehicle. (Added to NRS by 1969, 1210; A 1975, 131, 1081; 2009, 401)—(Substituted in revision for NRS 484.601)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.275 - Reservoirs.

1. Every bus, truck or truck-tractor with air-operated brakes shall be equipped with at least one reservoir sufficient to insure that, when fully charged to the maximum pressure as regulated by the air compressor governor cutout setting, a full service brake application may be made without lowering such reservoir pressure by more than 30 percent. Each reservoir shall be provided with means for readily draining accumulated oil or water. 2. Every truck with three or more axles equipped with vacuum-assistor type brakes and every truck-tractor and truck used for towing a vehicle equipped with vacuum brakes shall be equipped with a reserve capacity or a vacuum reservoir sufficient to insure that, with the reserve capacity or reservoir fully charged and with the engine stopped, a full service brake application may be made without depleting the vacuum supply by more than 30 percent. 3. All motor vehicles, trailers, semitrailers and pole trailers, when equipped with air or vacuum reservoirs or reserve capacity as required by this section, shall have such reservoirs or reserve capacity so safeguarded by a check valve or equivalent device that in the event of failure or leakage in its connection to the source of compressed air or vacuum, the stored air or vacuum shall not be depleted by the leak or failure. (Added to NRS by 1969, 1210)—(Substituted in revision for NRS 484.603)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.280 - Warning signals and devices for certain buses, trucks and truck-tractors.

1. Every bus, truck or truck-tractor using compressed air for the operation of its own brakes or the brakes on any towed vehicle shall be provided with a warning signal, other than a pressure gauge, readily audible or visible to the driver, which will operate at any time the air reservoir pressure of the vehicle is below 50 percent of the air compressor governor cutout pressure. In addition, each such vehicle shall be equipped with a pressure gauge visible to the driver, which indicates in pounds per square inch the pressure available for braking. 2. Every truck-tractor and truck used for towing a vehicle equipped with vacuum-operated brakes and every truck with three or more axles using vacuum in the operation of its brakes, except those in driveaway or towaway operations, shall be equipped with a warning signal, other than a gauge indicating vacuum, readily audible or visible to the driver, which will operate at any time the vacuum in the vehicle's supply reservoir or reserve capacity is less than 8 inches of mercury. 3. When a vehicle required to be equipped with a warning device is equipped with both air and vacuum power for the operation of its own brakes or the brakes on a towed vehicle, the warning devices may be, but are not required to be, combined into a single device which will serve both purposes. A gauge or gauges indicating pressure or vacuum shall not be deemed to be an adequate means of satisfying this requirement. (Added to NRS by 1969, 1210)—(Substituted in revision for NRS 484.605)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.285 - Conditions for use of compression brakes; penalty.

1. The driver of a vehicle which is equipped with a device for braking that uses the compression of the engine of the vehicle shall not use the device at any time unless: (a) The device is equipped with an operational muffler; or (b) The driver reasonably believes that an emergency requires the use of the device to protect the physical safety of a person or others from an immediate threat of physical injury or to protect against an immediate threat of damage to property. 2. A person who violates the provisions of this section is guilty of a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive. (Added to NRS by 2003, 403; A 2021, 3340)—(Substituted in revision for NRS 484.6055)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.300 - Definitions.

As used in NRS 484D.300 to 484D.345, inclusive, unless the context otherwise requires: 1. "Odometer" means an instrument for measuring and recording the total distance which a motor vehicle travels while in operation. The term does not include any auxiliary odometer designed to be reset by the operator of the motor vehicle. 2. "Repair and replacement" means restoration to a sound working condition by replacing the odometer or any part thereof, or by correcting what is inoperative. 3. "Transfer" means to change ownership by purchase, gift or any other means. (Added to NRS by 1973, 372; A 1995, 155)—(Substituted in revision for NRS 484.606)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.305 - Unlawful devices.

1. It is unlawful for any person to display or advertise for sale, to sell, to use, to install or to have installed any device which causes an odometer to register any mileage other than the true mileage driven. 2. For purposes of this section, the true mileage driven is that mileage traveled by the vehicle, as registered by the odometer, within the manufacturer's designed tolerance for such odometer. (Added to NRS by 1973, 372; A 2007, 3223)—(Substituted in revision for NRS 484.6061)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.310 - Unlawful change of mileage.

It is unlawful for any person or his or her agent to disconnect, reset or alter the odometer of any motor vehicle with the intent to change the number of miles indicated thereon. (Added to NRS by 1973, 373)—(Substituted in revision for NRS 484.6062)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.315 - Operation of, or causing or allowing to be operated, with intent to defraud, motor vehicle that has disconnected, nonfunctional or altered odometer.

It is unlawful for any person, with the intent to defraud, to operate, or to cause or allow to be operated, a motor vehicle on any highway of this State knowing that the odometer of such vehicle is disconnected or nonfunctional or has been altered to no longer reflect the true mileage driven. (Added to NRS by 1973, 373; A 2007, 3223)—(Substituted in revision for NRS 484.6063)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.320 - Conspiracy.

It is unlawful for any person to conspire with any other person to violate NRS 484D.300 to 484D.345, inclusive. (Added to NRS by 1973, 373)—(Substituted in revision for NRS 484.6064)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.325 - Lawful service, repair or replacement; notice to be attached to vehicle when odometer adjusted to read zero.

1. NRS 484D.300 to 484D.345, inclusive, do not prevent the service, repair or replacement of an odometer, if the mileage indicated on such odometer remains the same as before the service, repair or replacement. 2. Where the odometer is incapable of registering the same mileage as before such service, repair or replacement, the odometer shall be adjusted to read zero and a notice in writing shall be attached to the left door frame of the vehicle by the owner or agent of the owner, specifying the mileage prior to repair or replacement of the odometer and the date on which it was repaired or replaced. Any such notice shall not be removed or altered. (Added to NRS by 1973, 373)—(Substituted in revision for NRS 484.6065)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.330 - Department to enforce provisions of federal law relating to disclosure of odometer reading of motor vehicle and certain other information.

The Department shall enforce the provisions of 49 U.S.C. §§ 32701 et seq. and the regulations adopted pursuant thereto. (Added to NRS by 1995, 155)—(Substituted in revision for NRS 484.60665)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.335 - Criminal penalties.

1. A person is guilty of a category C felony and shall be punished as provided in NRS 193.130 if the person knowingly sells a motor vehicle whose odometer has been altered for the purpose of fraud. 2. Except as otherwise provided in subsection 1, any person who violates the provisions of NRS 484D.300 to 484D.345, inclusive, is guilty of a misdemeanor. (Added to NRS by 1973, 373; A 1979, 1390; 2007, 3223; 2019, 4484)—(Substituted in revision for NRS 484.6067)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.340 - Civil penalties.

Any person who, with an intent to defraud, violates any requirement imposed by NRS 484D.300 to 484D.345, inclusive, is liable to the person harmed by such act or acts, in an amount equal to the sum of: 1. Three times the amount of actual damages sustained by the person harmed or \$2,500, whichever is greater; and 2. If the action of the person harmed is successful in enforcing the liability imposed by subsection 1, the costs of the action together with reasonable attorney's fees, as determined by the court. (Added to NRS by 1973, 373; A 2007, 3223)—(Substituted in revision for NRS 484.6068)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.345 - Injunctive relief.

The Attorney General or the district attorney of the proper county may bring an action in the district courts of this State to enjoin a violation of NRS 484D.300 to 484D.345, inclusive. (Added to NRS by 1973, 373)—(Substituted in revision for NRS 484.6069)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.400 -

Horns and other warning devices.

1. Every motor vehicle when operated upon a highway must be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but the horn or other warning device must not emit an unreasonably loud or harsh sound or a whistle. 2. A person driving a motor vehicle shall, when reasonably necessary to ensure safe operation, give audible warning with the horn, but shall not otherwise use the horn when upon a highway. 3. A vehicle must not be equipped with, and a person shall not use upon a vehicle, a siren, whistle or bell, except as otherwise provided in this chapter. 4. It is permissible, but not required, to equip a vehicle with a theft alarm which is arranged so that it cannot be used by the driver as an ordinary warning signal. 5. An authorized emergency vehicle may be equipped with a siren, whistle or bell, capable of emitting sound audible under normal conditions from a distance of not less than 500 feet, but the siren must not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which event the driver of the vehicle may sound the siren to warn pedestrians and other drivers of his or her approach. A driver of an emergency vehicle may operate the vehicle's warning lamps without sounding the siren. 6. A driver of an emergency vehicle who operates the vehicle's warning lamps without sounding the siren shall be deemed to have adequately warned pedestrians and other drivers of his or her approach for the purpose of determining whether the driver met the duty to drive with due regard for the safety of all persons pursuant to NRS 484B.700. [8:166:1925; A 1939, 316; 1931 NCL § 4357]—(NRS A 1987, 1343; 2001, 740)—(Substituted in revision for NRS 484.607)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.405 - Unlawful to operate out-of-state or foreign privately owned motor vehicle equipped with red light or siren; exception; penalty.

1. It is unlawful for any person to operate or cause to be operated upon the public highways of the State of Nevada any out-of-state or foreign privately owned motor vehicle equipped with a red light or siren attached thereto as a part of the equipment of the vehicle. 2. This section is not intended to repeal, amend or in any manner change the existing law insofar as it applies to domestic and foreign motor vehicles except in the particular instance set out in subsection 1 and this section does not apply to motor vehicles registered in foreign states having reciprocal arrangements made with the Department in relation to the use of red lights and sirens upon out-of-state motor vehicles. 3. A violation of the provisions of this section is punishable by a civil penalty of not more than \$250. [1:118:1951] + [2:118:1951] + [3:118:1951]—(NRS A 1957, 615; 1967, 595; 1985, 1952; 2021, 3340)—(Substituted in revision for NRS 484.609)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.410 - Standards and regulations for noise emission; compliance.

1. Not later than January 1, 1972, the Department shall adopt rules and regulations: (a) Governing total maximum noise emissions for vehicles operating on the highways of this State. (b) Governing maximum noise emission standards for new motor vehicles sold in this State. 2. Rules and regulations adopted pursuant to this section shall: (a) Take into consideration all facts and circumstances bearing upon the technical and economic feasibility of and the reasonableness of compliance with such rules and regulations. (b) Be consistent with any standards adopted by any federal agency governing noise emissions for vehicles in use or applying to the manufacturer of vehicles. 3. Rules and regulations adopted pursuant to this section shall also prescribe testing procedures and instrumentation to be used, taking into consideration the testing procedures of SAE International. 4. The Department shall, from time to time, after initial adoption of rules and regulations and, as new facts concerning the control of vehicle noise become available, make such amendments to the rules and regulations as is required to maintain the highest level of vehicle noise emission control consistent with the provisions of subsection 2. 5. On and after the effective date of the rules and regulations adopted pursuant to this section it shall be unlawful to operate on the highways of this State any vehicle or to sell or offer for sale in this State any vehicle which fails to comply with the emission levels established by such rules and regulations. (Added to NRS by 1971, 921)—(Substituted in revision for NRS 484.6101)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.415 - Mufflers: Prevention of emissions.

1. Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent emissions greater than those allowed by rules and regulations established by the Department. No person shall use a muffler cutout, bypass or similar device upon a motor vehicle on a highway. 2. The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke. (Added to NRS by 1969, 1208; A 1971, 921)—(Substituted in revision for NRS 484.611)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.420 - Mudguards.

Every truck, truck-tractor, trailer, semitrailer or combination of those vehicles having a manufacturer's gross vehicle weight rating of 26,000 pounds or more, when operated upon a highway, must be equipped with mudguards suspended behind its rear wheels. (Added to NRS by 1987, 437)—(Substituted in revision for NRS 484.612)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.425 - Mirrors on trucks.

Every truck using the highways of this State, having a body of such width or height that obscures a view of the road to the rear, shall be equipped with a mirror carried in such position that the driver of the truck shall be able to see reflected in the mirror traffic approaching from the rear. [20:166:1925; NCL § 4370]—(Substituted in revision for NRS 484.613)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.430 - Mirrors on all motor vehicles.

On and after January 1, 1970, every motor vehicle, operated singly or when towing any other vehicle, shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such motor vehicle. (Added to NRS by 1969, 1208)—(Substituted in revision for NRS 484.617)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.435 - Windshield and windows must be unobstructed.

1. A person shall not drive any motor vehicle with any sign, poster or other nontransparent material upon the front windshield, side wings or side or rear windows of such vehicle which obstructs the driver's clear view of the highway or any intersecting highway. 2. This section shall not apply to any sign, poster or other material displayed in the 6-inch square area of the lower corner of the windshield farthest removed from the driver or to any other material required to be displayed on a windshield or window by federal or state law. (Added to NRS by 1969, 1208)—(Substituted in revision for NRS 484.619)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.440 - Restrictions on tinting of windshield or side or rear window.

1. As used in this section, unless the context otherwise requires, "light transmission" means the ratio of the amount of light which is allowed to pass through a product or material to the amount of light which falls on it. 2. Except as otherwise provided in subsections 3, 4 and 5 a person shall not: (a) Place, install, affix or apply upon the windshield or any side or rear window of a motor vehicle which is required to be registered in this State; or (b) Operate on any highway a motor vehicle required to be registered in this State on which there has been placed, installed, affixed or applied upon the windshield or any side or rear window of the motor vehicle, any transparent material which alters the color or reduces the light transmission of the windshield or side or rear window. 3. The prohibition set forth in subsection 2 does not apply to: (a) A window that is to the immediate right or left of the driver if the window is: (1) Nonreflective; and (2) Has a total light transmission through the combination, if any, of transparent material and safety glazing of not less than 35 percent with a tolerance of 7 percent. (b) A side window that is to the rear of the driver, or a rear window, if the vehicle has outside mirrors on each side that are located so as to reflect to the driver a view of the highway through each mirror for a distance of not less than 200 feet to the rear of the vehicle. (c) Any transparent material that is installed, affixed or applied to the topmost portion of the windshield if: (1) The bottom edge of the material is not less than 29 inches above the undepressed driver's seat when measured from a point 5 inches in front of the bottom of the backrest with the driver's seat in its rearmost and lowermost position with the vehicle on a level surface; and (2) The material is not red or amber in color. 4. The prohibition set forth in paragraph (b) of subsection 2 does not apply to a motor vehicle with a model year of 1993 or older, if transparent material was placed, installed, affixed or applied upon the windshield or any side or rear window of the motor vehicle before July 1, 1993. 5. This section does not prohibit the operation or sale of a motor vehicle which has a windshield or windows that are covered by or treated with any material, if the vehicle was sold when new or could have been sold when new with such material as standard or optional equipment without violating any federal statute or regulation governing the sale at the time of manufacture. 6. The Director may, by regulation, provide for exemptions and exceptions from the provisions of subsection 2. 7. For the purposes of NRS 483.473, a violation of subsection 2 is not a moving traffic violation. (Added to NRS by 1993, 2433)—(Substituted in revision for NRS 484.6195)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.445 - Windshield wipers.

1. Every motor vehicle, except motorcycles or mopeds, equipped with a windshield shall be equipped with a self-operating windshield wiper system which shall be so constructed as to be controlled by the driver. 2. The windshield wiper system with which the vehicle is equipped shall be maintained in good operating condition and capable of effectively clearing the windshield so as to provide clear vision through the windshield for the driver under all ordinary conditions of rain, snow or other moisture. 3. The wiper system shall be operated while the vehicle is being driven during conditions of rain, snow or other moisture which obstruct or reduce the driver's clear view through the windshield. 4. Subsection 1 does not apply to highway maintenance vehicles, special mobile equipment, implements of husbandry, or vehicles manufactured before July 1, 1935, with adequate manually operated windshield wipers. (Added to NRS by 1969, 1209; A 1971, 1474; 1975, 205, 1081)—(Substituted in revision for NRS 484.621)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.450 - Safety glazing material in motor vehicles and campers.

1. It is unlawful for any person to sell, offer for sale or drive any motor vehicle manufactured after January 1, 1970, unless the vehicle is equipped with safety glazing material wherever glazing materials are used in the vehicle for partitions, doors, windows, windshields or wind deflectors. 2. It is unlawful for any person to sell or offer for sale any camper manufactured after January 1, 1970, or for any person to drive such a motor vehicle registered in this State which is equipped with a camper, unless the camper is equipped with safety glazing materials wherever glazing materials are used in outside windows and doors. As used in this subsection, "camper" means any structure designed to be loaded onto, or affixed to, a motor vehicle to provide temporary living quarters for recreation, travel or other use. 3. As used in this section, "safety glazing materials" means glazing materials so constructed, treated or combined with other materials as to reduce substantially, in comparison with ordinary sheet glass, the likelihood of injury to persons by objects from exterior sources or by the safety glazing materials when they may be cracked or broken. 4. The Department shall establish specifications or requirements for approved safety glazing material which must not be lower in standard than those specifications or requirements for safety glazing material established by the American National Standards Institute Safety Code Z26.1-1950, and shall maintain a list of approved safety glazing material. (Added to NRS by 1969, 1208; A 1975, 33; 1985, 1953)—(Substituted in revision for NRS 484.623)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.455 - Replacement of glazing materials.

It is unlawful for any person to replace glazing materials used in partitions, doors, windows, windshields or wind deflectors in any motor vehicle, or in the outside windows or doors of any camper, as defined in NRS 484D.450, with any glazing material other than safety glazing material, as defined in NRS 484D.450. (Added to NRS by 1969, 1209)—(Substituted in revision for NRS 484.625)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.460 - Certain vehicles to carry pot torches, lanterns or reflectors; display of devices when vehicle is disabled. [Effective through June 30, 2028.] Certain vehicles to carry pot torches, lanterns or reflectors; display of devices when vehicle is disabled. [Effective July 1, 2028.]

1. Every bus, truck and truck-tractor and every combination of vehicles 80 inches or more in overall width, except implements of husbandry, shall be equipped with at least three pot torches, three red electric lanterns or three red emergency reflectors. 2. Except as otherwise provided in subsections 3, 4 and 5, when any such vehicle is disabled on any portion of the traveled portion of a highway during any time specified in NRS 484D.100, such torches, lanterns or reflectors shall be placed as soon as possible as follows: (a) One at the traffic side of the vehicle, not more than 10 feet to the front or rear thereof; (b) One at a distance of approximately 100 feet to the rear of the disabled vehicle in the center of the traffic lane occupied by such vehicle; and (c) One at a distance of approximately 100 feet to the front of the vehicle in the center of the traffic lane occupied by such vehicle. 3. If the vehicle is disabled within 500 feet of a curve, crest of a hill or other obstruction to view, the torch, lantern or reflector to be placed in that direction shall be placed so as to afford ample warning to other users of the highway, but not less than 100 feet or more than 500 feet from the vehicle. 4. When any such vehicle is disabled on any portion of the traveled portion of a one-way highway with two or more traffic lanes during any time specified in NRS 484D.100, such torches, lanterns or reflectors shall be placed as soon as possible as provided in subsection 2, except that the torch, lantern or reflector to be placed at the front of the vehicle shall be placed 200 feet to the rear of the vehicle. 5. When any such vehicle is disabled or parked off the traveled portion of a highway, but within 10 feet of such portion, during any time specified in NRS 484D.100, such torches, lanterns or reflectors shall be placed as soon as possible as follows: (a) One at the traffic side of the vehicle not more than 10 feet to the rear of the vehicle; (b) One at a distance of approximately 100 feet to the rear of the vehicle; and (c) One at a distance of approximately 200 feet to the rear of the vehicle. 6. When any such vehicle is equipped with front turn signals which flash simultaneously and rear turn signals which flash simultaneously or with fusees, such turn signals shall be immediately operated or such fusees shall be placed as provided in this section for the placing of torches, lanterns or reflectors until such torches, lanterns or reflectors have been placed. (Added to NRS by 1969, 1205)—(Substituted in revision for NRS 484.627)

1. Every bus, truck and truck-tractor and every combination of vehicles 80 inches or more in overall width, except implements of husbandry, shall be equipped with at least three pot torches, three red electric lanterns or three red emergency reflectors. 2. Except as otherwise provided in subsections 3, 4 and 5, when any such vehicle is disabled on any portion of the traveled portion of a highway during any time or condition specified in subsection 1 of NRS 484D.100, such torches, lanterns or reflectors shall be placed as soon as possible as follows: (a) One at the traffic side of the vehicle, not more than 10 feet to the front or rear thereof; (b) One at a distance of approximately 100 feet to the rear of the disabled vehicle in the center of the traffic lane occupied by such vehicle; and (c) One at a distance of approximately 100 feet to the front of the vehicle in the center of the traffic lane occupied by such vehicle. 3. If the vehicle is disabled within 500 feet of a curve, crest of a hill or other obstruction to view, the torch, lantern or reflector to be placed in that direction shall be placed so as to afford ample warning to other users of the highway, but not less than 100 feet or more than 500 feet from the vehicle. 4. When any such vehicle is disabled on any portion of the traveled portion of a one-way highway with two or more traffic lanes during any time or condition specified in subsection 1 of NRS 484D.100, such torches, lanterns or reflectors shall be placed as soon as possible as provided in subsection 2, except that the torch, lantern or reflector to be placed at the front of the vehicle shall be placed 200 feet to the rear of the vehicle. 5. When any such vehicle is disabled or parked off the traveled portion of a highway, but within 10 feet of such portion, during any time or condition specified in subsection 1 of NRS 484D.100, such torches, lanterns or reflectors shall be placed as soon as possible as follows: (a) One at the traffic side of the vehicle not more than 10 feet to the rear of the vehicle; (b) One at a distance of

approximately 100 feet to the rear of the vehicle; and (c) One at a distance of approximately 200 feet to the rear of the vehicle. 6. When any such vehicle is equipped with front turn signals which flash simultaneously and rear turn signals which flash simultaneously or with fusees, such turn signals shall be immediately operated or such fusees shall be placed as provided in this section for the placing of torches, lanterns or reflectors until such torches, lanterns or reflectors have been placed. (Added to NRS by 1969, 1205; A 2023, 2418, effective July 1, 2028)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.465 - Display of warning devices by vehicle of public utility parked at site of work.

When utility or public utility vehicles are parked, stopped or standing at the site of work as described in NRS 484D.195, warning devices shall be displayed as follows: 1. During daylight, warning devices shall consist of either: (a) A warning flag or barricade striping on the front and rear of the vehicle. (b) A warning flag, sign or barrier on the highway not more than 50 feet in advance of the vehicle and not more than 50 feet to the rear thereof, except that in zones where the speed limit is in excess of 25 miles per hour the 50-foot distance may be increased up to 500 feet from the vehicle as circumstances may warrant. 2. During darkness, the warning devices shall consist of either: (a) One or more flashing amber warning lights on the vehicle giving warning to approaching traffic from each direction; or (b) A warning light, flare, fusee or reflector on the highway not more than 50 feet in advance of the vehicle and not more than 50 feet to the rear thereof, except that in zones where the speed limit is in excess of 25 miles per hour the 50-foot distance may be increased up to 500 feet from the vehicle where circumstances may warrant. 3. The provisions of subsection 1 or 2 do not prevent the display of both types of the warning devices during daylight or darkness. 4. During either daylight or darkness, no warning device is necessary if the vehicle is equipped with the flashing warning lights visible to approaching traffic from each direction as provided in subsection 2. (Added to NRS by 1963, 1267)—(Substituted in revision for NRS 484.629)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.470 - Tow cars required to be equipped with broom, shovel and fire extinguisher; duties of driver; failure to perform duties.

1. Tow cars must be equipped with: (a) One or more brooms, and the driver of the tow car engaged to remove a disabled vehicle from the scene of a crash shall remove all glass and debris deposited upon the roadway by the disabled vehicle which is to be towed. (b) A shovel, and whenever practical the driver of the tow car engaged to remove any disabled vehicle shall spread dirt upon any portion of the roadway where oil or grease has been deposited by the disabled vehicle. (c) At least one fire extinguisher of the dry chemical or carbon dioxide type, with minimum effective chemicals of no less than 5 pounds, with an aggregate rating of at least 10-B, C units, which must bear the approval of a laboratory nationally recognized as properly equipped to grant such approval. 2. A citation may be issued to any driver of a tow car who violates any provision of paragraph (a) of subsection 1. The peace officer who issues the citation shall report the violation to the Nevada Highway Patrol or the sheriff of the county or the chief of police of the city in which the roadway is located. If necessary, the Nevada Highway Patrol, sheriff or chief of police shall cause the roadway to be cleaned and shall bill the owner or operator of the tow car for the costs of the cleaning. If the owner or operator does not pay those costs within 30 days after receiving the bill therefor, the Nevada Highway Patrol, sheriff or chief of police shall report such information to the Nevada Transportation Authority, which may take disciplinary action in accordance with the provisions of NRS 706.449. (Added to NRS by 1963, 1267; A 1981, 866; 1991, 246; 1997, 2009; 2015, 1638)—(Substituted in revision for NRS 484.631)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.475 - Equipment for tow car: Flashing amber warning lamp; nonflashing blue lamps; flares, lanterns, lights or reflectors.

1. Tow cars used to tow disabled vehicles must be equipped with: (a) Flashing amber warning lamps which must be displayed as may be advisable to warn approaching drivers during the period of preparation at the location from which a disabled vehicle is to be towed. A flashing amber warning lamp upon a tow car may be displayed to the rear when the tow car is towing a vehicle and moving at a speed slower than the normal flow of traffic. (b) At least two red flares, two red lanterns or two warning lights or reflectors which may be used in conjunction with the flashing amber warning lamps or lamps that emit nonflashing blue light, or both, or in place of those lamps if the lamps are obstructed or damaged at the location from which a disabled vehicle is to be towed. 2. A tow car used to tow disabled vehicles may be equipped with rear facing lamps that emit nonflashing blue light. Lamps that emit nonflashing blue light to the rear of the tow car may only be displayed when the tow car is at the scene of a traffic hazard or during the period of preparation at the location from which a disabled vehicle is to be towed, and must not be displayed when the tow car is being operated on a highway. (Added to NRS by 1963, 1268; A 1985, 1041; 2019, 1231)—(Substituted in revision for NRS 484.633)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.480 - Equipment for tow car: Rear and stop lamps; portable electric extension cord.

1. Tow cars used to tow vehicles shall be equipped with and carry a rear lamp, a stop lamp and a portable electric extension cord for use in displaying the lamp on the rear of the disabled vehicle. 2. Whenever a disabled vehicle is towed, the tow car operator shall connect and display such lamps, or a combination of them, on the rear of the disabled vehicle by means of the extension cord. (Added to NRS by 1963, 1268; A 1975, 129)—(Substituted in revision for NRS 484.637)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.485 - Event recording device: Disclosure by manufacturer of new motor vehicle in owner's manual; downloading or retrieval of data; subscription services; penalty.

1. A manufacturer of a new motor vehicle which is sold or leased in this State and which is equipped with an event recording device shall disclose that fact in the owner's manual for the vehicle. The disclosure must include, if applicable, a statement that the event recording device: (a) Records the direction and rate of speed at which the motor vehicle travels; (b) Records a history of where the motor vehicle travels; (c) Records steering performance; (d) Records brake performance, including, without limitation, whether the brakes were applied before a crash; (e) Records the status of the driver's safety belt; and (f) If a crash involving the motor vehicle occurs, is able to transmit information concerning the crash to a central communications system. 2. Except as otherwise provided in this section, data recorded by an event recording device may not be downloaded or otherwise retrieved by a person other than the registered owner of the vehicle. Data recorded by an event recording device may be downloaded or otherwise retrieved by a person other than the registered owner of the vehicle: (a) If the registered owner of the vehicle consents to the retrieval of the data. (b) Pursuant to the order of a court of competent jurisdiction. (c) If the data is retrieved for the purpose of conducting research to improve motor vehicle safety, including, without limitation, conducting medical research to determine the reaction of a human body to motor vehicle crashes, provided that the identity of the registered owner or driver is not disclosed in connection with the retrieval of that data. The disclosure of a vehicle identification number pursuant to this paragraph does not constitute the disclosure of the identity of the registered owner or driver of the vehicle. (d) If the data is retrieved by a new vehicle dealer or a garage operator to diagnose, service or repair the motor vehicle. (e) Pursuant to an agreement for subscription services for which disclosure required by subsection 4 has been made. 3. A person who retrieves data from an event recording device pursuant to paragraph (c) of subsection 2 shall not disclose that data to any person other than a person who is conducting research specified in that paragraph. 4. If a motor vehicle is equipped with an event recording device that is able to record or transmit any information described in subparagraph (2) or (6) of paragraph (a) of subsection 6 and that ability is part of a subscription service for the motor vehicle, the fact that the information may be recorded or transmitted must be disclosed in the agreement for the subscription service. 5. Any person who violates the provisions of this section is guilty of a misdemeanor. 6. As used in this section: (a) "Event recording device" means a device which is installed by the manufacturer of a motor vehicle and which, for the purposes of retrieving data after a crash involving the motor vehicle: (1) Records the direction and rate of speed at which the motor vehicle travels; (2) Records a history of where the motor vehicle travels; (3) Records steering performance; (4) Records brake performance, including, without limitation, whether the brakes were applied before a crash; (5) Records the status of the driver's safety belt; or (6) If a crash involving the motor vehicle occurs, is able to transmit information concerning the crash to a central communications system. (b) "Garage operator" has the meaning ascribed to it in NRS 487.545. (c) "New vehicle dealer" has the meaning ascribed to it NRS 482.078. (d) "Owner" means: (1) A person having all the incidents of ownership, including the legal title of the motor vehicle, whether or not the person lends, rents or creates a security interest in the motor vehicle; (2) A person entitled to possession of the motor vehicle as the purchaser under a security agreement; or (3) A person entitled to possession of the motor vehicle as a lessee pursuant to a lease agreement if the term of the lease is more than 3 months. (Added to NRS by 2005, 1358; A 2015, 1639)—(Substituted in revision for NRS 484.638)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.490 - Television-type receiving equipment.

1. A person shall not drive any motor vehicle equipped with television-type receiving equipment so located that the viewer or screen is visible from the driver's seat. 2. This section does not prohibit the use of television-type receiving equipment used exclusively for traffic safety, law enforcement or the navigation of a motor vehicle. (Added to NRS by 1969, 1208; A 1995, 10)—(Substituted in revision for NRS 484.639)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.493 - Dynamic display: Management system required; exceptions.

1. Except as otherwise provided in subsection 2, a person shall not operate upon the highways of this State any motor vehicle that is equipped with a dynamic display unless the motor vehicle is equipped with a display management system which is configured to prevent the image or content displayed on the dynamic display from changing when the motor vehicle is moving at a speed of 55 miles per hour or more. 2. This section does not prohibit the use of a dynamic display that is operated without a display management system if the dynamic display is being used exclusively for purposes other than advertisement, including, without limitation: (a) For purposes that are personal and noncommercial in nature; (b) For purposes of traffic control; (c) For purposes of law enforcement or emergency response; (d) As a warning device for a utility or utility vehicle, as described in NRS 484D.465; or (e) To display the name, route number or destination of a bus or other vehicle of mass transit. 3. As used in this section: (a) "Display management system" means equipment or software that is designed to operate a dynamic display, including, without limitation, periodically changing the image, information or content being shown on the dynamic display. (b) "Dynamic display" means equipment which is attached to a motor vehicle and which consists of at least one monitor, screen or viewer that, without limitation: (1) Is designed to display various images, information or other content, including, without limitation, advertisements, which change periodically; (2) Is intended to be visible to the drivers of other vehicles on the highway and to persons who are near the highway; and (3) May be

visible to the operator of the motor vehicle. (Added to NRS by 2013, 2141; A 2017, 3840)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.495 - Safety belts and shoulder harness assembly; requirements for driver, child and other passenger; penalties; exemptions.

[Effective until the date the Federal Government rescinds the requirement for the installation of automatic restraints in new private passenger motor vehicles, if that action is based upon the enactment or continued operation of certain amendatory and transitory provisions contained in chapter 480, Statutes of Nevada 1987.] Safety belts and shoulder harness assembly. [Effective on the date the Federal Government rescinds the requirement for the installation of automatic restraints in new private passenger motor vehicles, if that action is based upon the enactment or continued operation of certain amendatory and transitory provisions contained in chapter 480, Statutes of Nevada 1987.]

1. It is unlawful to drive a passenger car manufactured after: (a) January 1, 1968, on a highway unless it is equipped with at least two lap-type safety belt assemblies for use in the front seating positions. (b) January 1, 1970, on a highway unless it is equipped with a lap-type safety belt assembly for each permanent seating position for passengers. This requirement does not apply to the rear seats of vehicles operated by a police department or sheriff's office. (c) January 1, 1970, unless it is equipped with at least two shoulder-harness-type safety belt assemblies for use in the front seating positions. 2. Any person driving, and any passenger who: (a) Is 6 years of age or older; or (b) Is 57 inches tall or more, regardless of age, who rides in the front or back seat of any vehicle described in subsection 1, having an unladen weight of less than 10,000 pounds, on any highway, road or street in this State shall wear a safety belt if one is available for the seating position of the person or passenger. 3. A civil infraction citation must be issued pursuant to NRS 484A.7035 to any driver or to any adult passenger who fails to wear a safety belt as required by subsection 2. If the passenger is a child who: (a) Is 6 years of age or older but less than 18 years of age, regardless of height; or (b) Is less than 6 years of age but is 57 inches tall or more, a civil infraction citation must be issued pursuant to NRS 484A.7035 to the driver for failing to require that child to wear the safety belt, but if both the driver and that child are not wearing safety belts, only one civil infraction citation may be issued to the driver for both violations. A civil infraction citation may be issued pursuant to NRS 484A.7035 only if the violation is discovered when the vehicle is halted or its driver arrested for another alleged violation or offense. Any person who violates the provisions of subsection 2 shall be punished by a civil penalty of not more than \$25 or by a sentence to perform a certain number of hours of community service. 4. A violation of subsection 2: (a) Is not a moving traffic violation under NRS 483.473. (b) May not be considered as negligence or as causation in any civil action or as negligent or reckless driving under NRS 484B.653. (c) May not be considered as misuse or abuse of a product or as causation in any action brought to recover damages for injury to a person or property resulting from the manufacture, distribution, sale or use of a product. 5. The Department shall exempt those types of motor vehicles or seating positions from the requirements of subsection 1 when compliance would be impractical. 6. The provisions of subsections 2 and 3 do not apply: (a) To a driver or passenger who possesses a written statement by a physician or an advanced practice registered nurse certifying that the driver or passenger is unable to wear a safety belt for medical or physical reasons; (b) If the vehicle is not required by federal law to be equipped with safety belts; (c) To an employee of the United States Postal Service while delivering mail in the rural areas of this State; (d) If the vehicle is stopping frequently, the speed of that vehicle does not exceed 15 miles per hour between stops and the driver or passenger is frequently leaving the vehicle or delivering property from the vehicle; or (e) Except as otherwise provided in NRS 484D.500, to a passenger riding in a means of public transportation, including a school bus or emergency vehicle. 7. It is unlawful for any person to distribute, have for sale, offer for sale or sell any safety belt or shoulder harness assembly for use in a motor vehicle unless it meets current minimum standards and specifications of the United States Department of Transportation. (Added to NRS by 1969, 1209; A 1985, 1953, 2294; 1987, 1106; 2001 Special Session, 151; 2003, 274, 506, 2080; 2019, 510; 2021, 178, 3340)—(Substituted in revision for NRS 484.641) 1. It is unlawful to drive a passenger car manufactured after January 1, 1968, on a highway unless it is equipped with at least two lap-type safety belt assemblies for use in the front seat positions. 2. It is unlawful to drive a passenger car manufactured after January 1, 1970, on a highway, unless it is equipped with a lap-type safety belt assembly for each permanent passenger-seating position. This requirement does not apply to the rear seats of vehicles operated by a police department or sheriff's office. 3. It is unlawful to drive a passenger car manufactured after January 1, 1970, unless it is equipped with at least two shoulder-harness-type safety belt assemblies for use in the front seating positions. 4. The Department shall exempt those types of motor vehicles or seating positions from the requirements of this section when compliance would be impractical. 5. It is unlawful for any person to distribute, have for sale, offer for sale or sell any safety belt or shoulder harness assembly for use in a motor vehicle unless it meets current minimum standards and specifications of the United States Department of Transportation. (Added to NRS by 1969, 1209; A 1985, 1953, 2294; 1987, 1106; 2001 Special Session, 151; 2003, 274, 506, 2080; 2019, 510; 2021, 178, 3340, effective on the date the Federal Government rescinds the requirement for the installation of automatic restraints in new private passenger motor vehicles, if that action is based upon the enactment or continued operation of certain amendatory and transitory provisions contained in chapter 480, Statutes of Nevada 1987)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.500 - Use of safety belts within taxicabs; penalty; posting of sign within taxicab.

1. Any passenger 18 years of age or older who rides in the front or back seat of any taxicab on any highway, road or street in this State shall wear a safety belt if one is available for the seating position of the passenger, except that this subsection does not apply: (a) To a passenger who possesses a written statement by a physician or an advanced practice registered nurse certifying that the

passenger is unable to wear a safety belt for medical or physical reasons; or (b) If the taxicab was not required by federal law at the time of initial sale to be equipped with safety belts. 2. A citation must be issued to any passenger who violates the provisions of subsection 1. A citation may be issued pursuant to this subsection only if the violation is discovered when the vehicle is halted or its driver arrested for another alleged violation or offense. Any person who violates the provisions of subsection 1 shall be punished by a fine of not more than \$25 or by a sentence to perform a certain number of hours of community service. 3. A violation of subsection 1: (a) Is not a moving traffic violation under NRS 483.473. (b) May be considered as negligence or as causation in any civil action or as negligent or reckless driving under NRS 484B.653. (c) May be considered as misuse or abuse of a product or as causation in any action brought to recover damages for injury to a person or property resulting from the manufacture, distribution, sale or use of a product. 4. An owner or operator of a taxicab shall post a sign within each of his or her taxicabs advising passengers that they must wear safety belts while being transported by the taxicab. Such a sign must be placed within the taxicab so as to be visible to and easily readable by passengers, except that this subsection does not apply if the taxicab was not required by federal law at the time of initial sale to be equipped with safety belts. (Added to NRS by 2003, 505; A 2015, 1375; 2019, 511)—(Substituted in revision for NRS 484.6415)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.505 - Pneumatic tires: Standards; sale or use of nonconforming tire prohibited.

1. The Director, after a hearing, may adopt rules and regulations relating to pneumatic vehicle tires as the Director determines necessary to provide for public safety. (a) In adopting these regulations, the Department shall consider, as evidence of generally accepted standards, the rules and regulations of the Federal Highway Administration, the National Highway Traffic Safety Administration and publications of the Rubber Manufacturers Association. (b) Adopted rules and regulations shall specify: (1) Minimum tread depth of tires being operated on the highways; and (2) Prohibitions on the use of recut or regrooved tires. 2. After adoption of such rules and regulations, no dealer or person holding a retail seller's license shall sell, offer for sale, expose for sale or install on a vehicle for use on a highway a pneumatic tire which is not in compliance with such rules and regulations. 3. After adoption of such rules and regulations, no person shall use on a highway a pneumatic tire which is not in conformance with the rules and regulations. (Added to NRS by 1973, 219)—(Substituted in revision for NRS 484.642)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.510 - Use of certain cleated or studded tires prohibited; exceptions.

1. Except as otherwise provided in subsection 2, a person shall not operate any motor vehicle equipped with tires which have on the periphery any block, flange, cleat, ridge, bead or any other protuberance of metal or wood which projects beyond the thread of the traction surface of the tire. 2. This section does not prohibit: (a) Tire chains or traction devices approved by the Director. (b) Pneumatic tires which have embedded therein wire not exceeding 0.075 inch in diameter and which are so constructed that under no conditions will the percentage of metal in contact with the roadway exceed 5 percent of the total tire area in contact with the roadway, except that during the first 1,000 miles of use, the metal in contact with the roadway may exceed 5 percent of the tire area in contact with the roadway but must not exceed 20 percent of that area. (c) Pneumatic tires containing metal-type studs of tungsten carbide or other suitable material which are so inserted or constructed that under no conditions will the percentage of metal in contact with the roadway exceed 3 percent of the total tire area in contact with the roadway, but such tires may only be used between October 1 and April 30. (d) Pneumatic tires containing metal-type studs of tungsten carbide or other suitable material that are retractable, in which case the tires may be used any time of the year, but the studs may only be engaged or extended between October 1 and April 30. (e) The operation of vehicles upon unimproved roadways when necessary in the construction or repair of highways. (f) The operation of traction engines or tractors under conditions of a permit first obtained from the Department of Transportation with respect to highways under its jurisdiction or the governing body of a city or county with respect to roads under its jurisdiction. (Added to NRS by 1975, 176; A 1979, 858, 1806; 1989, 1050; 2007, 1135)—(Substituted in revision for NRS 484.6425)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.515 - Traction devices, tire chains or snow tires: Use required where highway marked or posted.

1. It is unlawful for any person to operate a motor vehicle, whether it is an emergency vehicle or otherwise, without traction devices, tire chains or snow tires upon any street or highway, under icy or snowy conditions, when the highway is marked or posted with signs for the requirement of traction devices, chains or snow tires. 2. The Director shall adopt regulations defining "traction device," "tire chain" and "snow tire." The Director shall consider regulations of the Federal Highway Administration and the National Highway Traffic Safety Administration and publications of the Rubber Manufacturers Association. The regulations must specify minimum standards for patterns of tread on snow tires which will provide adequate traction in mud and snow. [1.6:166:1925; added 1955, 630]—(NRS A 1957, 336; 1981, 866; 1985, 643; 1987, 1344; 1989, 1051)—(Substituted in revision for NRS 484.643)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.520 - Traction devices, tire chains or snow tires: Requirements under certain circumstances.

1. If a highway in this State is marked or posted with signs requiring the use of traction devices, tire chains or snow tires, a motor

vehicle or combination of vehicles must be equipped with: (a) Traction devices, tire chains or snow tires if it has a gross weight or combined gross weight of 10,000 pounds or less. (b) Tire chains if it has a gross weight or combined gross weight of more than 10,000 pounds. 2. If a highway in this State is marked or posted with signs requiring the use of traction devices or tire chains on all motor vehicles except vehicles with 4-wheel drive and snow tires on all wheels, all such motor vehicles must be equipped with traction devices or tire chains. (Added to NRS by 1987, 1342; A 1989, 1051)—(Substituted in revision for NRS 484.6432)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.525 - Installation and mounting of traction devices, tire chains or snow tires.

If a motor vehicle is required to be equipped with traction devices, tire chains or snow tires, the devices or chains must be installed or the tires must be mounted on at least two: 1. Driving wheels of the motor vehicle; and 2. Braking wheels of any trailing vehicle in a combination of vehicles if that trailing vehicle is equipped or required to be equipped with brakes. (Added to NRS by 1987, 1343; A 1989, 1052)—(Substituted in revision for NRS 484.6434)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.530 - Mechanical device to provide traction.

If mechanical devices are mounted on both sides of a motor vehicle which, when activated by the driver, provide traction by deploying a chain of metal cross members under a tire while the vehicle is in motion, the: 1. Cross members must extend across at least 85 percent of the width of the tire; and 2. Devices may be used only upon the drive axles of the vehicle. (Added to NRS by 1987, 1343)—(Substituted in revision for NRS 484.6436)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.535 - Device for control of pollution: Use required; disconnection or alteration prohibited; exceptions.

1. Except as provided in subsection 2, a person shall not operate or leave standing on any highway any motor vehicle which is required by state or federal law to be equipped with a device for the control of pollution from motor vehicles unless the device is correctly installed and in operating condition. A person shall not disconnect, alter or modify any such required device. 2. The provisions of this section do not apply to: (a) An alteration or modification found by the State Environmental Commission not to reduce the effectiveness of the required device. (b) Motor vehicles which have been licensed by the Department as experimental vehicles. (c) Any vehicle which has been granted a waiver or exemption from the regulations for the control of emissions from motor vehicles. (Added to NRS by 1971, 1203; A 1973, 5, 1705; 1979, 568, 1034; 1985, 340, 1954)—(Substituted in revision for NRS 484.644)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.540 - Device for control of pollution: Penalty; proof of conformity may be required.

Violation of the provisions of NRS 484D.535 is a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive. Whenever any motor vehicle is found by any peace officer to be in violation of the provisions of NRS 484D.535, and a civil infraction citation is issued pursuant to NRS 484A.7035, the citation may require that the person named therein shall produce in court proof that such vehicle or its equipment has been made to conform to the provisions of NRS 484D.535. (Added to NRS by 1971, 1203; A 2021, 3341)—(Substituted in revision for NRS 484.6441)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.545 - Emblem for slow-moving vehicle displayed on certain vehicles; standards.

1. After September 15, 1975, when any vehicle or combination of vehicles designed for and is operated at speeds of 25 miles per hour or less is moved on a highway, whether pulled, towed or self-propelled in daytime or nighttime, the vehicle or combination must have displayed an emblem for slow-moving vehicles, except as provided in subsection 3. 2. Use of such an emblem is restricted to the type of vehicle or combination specified in subsection 1, and the use of the emblem on any other type of vehicle or any stationary object on or beside a highway is unlawful. 3. A vehicle or combination of vehicles of the type specified in subsection 1 is not required to have displayed such an emblem if the vehicle or combination is moved only on a highway not open to public use or is guarded by flaggers or flares. 4. The requirement for such an emblem is in addition to any lights or warning flags required by chapters 484A to 484E, inclusive, of NRS. 5. The Department shall adopt standards for emblems for slow-moving vehicles which conform to standards adopted by the American Society of Agricultural Engineers. 6. The emblem must be mounted, with a point up, on a plane perpendicular to the direction of travel, and located on the rear of the vehicle. (Added to NRS by 1975, 277; A 1985, 1954)—(Substituted in revision for NRS 484.646)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.560 - Inspection by peace officer or inspector; citation or notice of violation; centers for inspection; standards for tires and brakes.

1. Peace officers and inspectors of the Department, in pursuance of assigned duty, having reasonable cause to believe that any vehicle or combination of vehicles is not equipped as required by this chapter or is in such unsafe condition as to endanger the driver or other occupant or any person upon a public highway or does not comply with any standards for tires or brakes adopted pursuant

to subsection 4, may require the driver thereof to stop and submit the vehicle or combination of vehicles to an inspection of the mechanical condition or equipment thereof and such tests with reference thereto as may be appropriate. 2. If a vehicle or combination of vehicles is found to be in an unsafe mechanical condition or is not equipped as required by this chapter or does not comply with any standards for tires or brakes adopted pursuant to subsection 4, the peace officer or inspector causing the inspection to be made may give the owner of the vehicle a citation or notice of violation and further require the owner of the vehicle to produce in court or the office of the peace officer or inspector satisfactory evidence that the vehicle or its equipment has been made to conform with the requirements of this chapter and regulations adopted pursuant thereto. 3. The Director may establish centers for the inspection of motor vehicles for safety at the branch offices of the Department for the purpose of inspecting vehicles intended to be registered in the State of Nevada. Inspections at these centers are limited to examination of tires and brakes on motor vehicles which have a declared gross weight of less than 10,000 pounds and which were manufactured more than 2 years before the date of inspection. 4. The Director shall adopt regulations prescribing the standards for tires and brakes. [Part 21 1/2:166:1925; added 1951, 466]—(NRS A 1975, 1068; 1981, 867; 1985, 1839, 1955; 1999, 1146)—(Substituted in revision for NRS 484.695)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.570 - Operation of vehicle without required equipment or in unsafe condition prohibited; exceptions.

1. Except as otherwise provided in subsection 2 and NRS 484A.805 and 706.235: (a) A person shall not operate any vehicle after notice of an unsafe condition or that the vehicle is not equipped as required by this chapter, unless it is necessary to return the vehicle to the residence or place of business of the owner or driver or to a garage and operation of the vehicle is not further limited by NRS 706.246. (b) If any peace officer or vehicle safety inspector finds that any vehicle is unsafe to a degree that continued operation would endanger the driver, any other occupant or any person on a public highway, the officer or inspector may require that the driver cease operation of the vehicle or that the vehicle be taken to the nearest garage or other safe place. 2. Except as otherwise provided in NRS 484A.805, if the vehicle is transporting wet concrete or other perishable cargo and does not pose an immediate threat to the life of the driver or any other person upon a public highway, and if the destination of the vehicle is within a distance of not more than 15 miles, the peace officer or vehicle safety inspector shall permit the vehicle to proceed to its destination and unload its cargo. Upon the arrival of the vehicle at its destination, the officer or inspector may order that the vehicle be taken, after the cargo of the vehicle has been unloaded, to the nearest garage or other place where the vehicle may be safely repaired. [Part 21 1/2:166:1925; added 1951, 466]—(NRS A 1975, 1068; 1985, 340, 871; 1993, 2748; 2017, 981)—(Substituted in revision for NRS 484.697)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.580 - Penalty for failure or refusal to stop and submit to inspection or test.

Whenever the driver of a vehicle is directed by a peace officer or vehicle safety inspector in pursuance of assigned duty, to stop and submit the mechanical condition of the vehicle or its equipment to an inspection or test under conditions stated in NRS 484D.560, such driver shall stop and submit to such inspection or test. A failure or refusal so to do or to cease operation when required is a misdemeanor. [Part 21 1/2:166:1925; added 1951, 466]—(NRS A 1975, 1069)—(Substituted in revision for NRS 484.701)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.600 - Prohibited acts concerning size or weight of vehicle; special permit; emergencies; exceptions.

1. Except as otherwise provided in this section, a person shall not drive, move, stop or park any vehicle or combination of vehicles, and an owner shall not cause or knowingly permit any vehicle or combination of vehicles to be driven, moved, stopped or parked, on any highway if the vehicle or combination of vehicles exceeds in size or weight or gross loaded weight the maximum limitation specified by law for that size, weight and gross loaded weight unless the person or owner is authorized to drive, move, stop or park the vehicle or combination of vehicles by a special permit issued by the proper public authority. 2. If the Department of Transportation or a local law enforcement agency determines that an emergency exists, the Department or the local law enforcement agency may authorize a person to drive, move, stop or park a vehicle or combination of vehicles without obtaining a special permit pursuant to subsection 1. Such an authorization may be given orally and may, if requested by a local law enforcement agency or a public safety agency, include driving or moving the vehicle or combination of vehicles to and from the site of the emergency. If a person receives such an authorization, the person shall, on the next business day after receiving the authorization, obtain a special permit pursuant to subsection 1. 3. This section does not apply to: (a) Fire apparatus, highway machinery, snowplows or other emergency vehicles temporarily moved upon a highway. (b) An implement of husbandry temporarily moved upon a highway other than an interstate highway or a controlled-access highway. (c) A covered heavy-duty tow and recovery vehicle moved upon a highway to remove a disabled heavy vehicle from the highway or the shoulder of the highway to the nearest appropriate repair facility or other safe location where the load may be divided. 4. As used in this section: (a) "Covered heavy-duty tow and recovery vehicle" has the meaning ascribed to it in 23 U.S.C. § 127. (b) "Emergency vehicle" has the meaning ascribed to it in 23 U.S.C. § 127. (Added to NRS by 1969, 1507; A 2001, 1507; 2005, 72; 2015, 1120; 2019, 292)—(Substituted in revision for NRS 484.737)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.605 - Height of vehicle: Maximum heights with load; exception; unlawful acts.

1. Except as otherwise provided in subsections 2, 3 and 4, a vehicle must not be operated on any highway of this State if its height, including any load, exceeds 14 feet measured from the surface on which the vehicle stands. 2. The maximum permissible height of a load of baled hay is 15 feet measured from the surface on which the vehicle carrying the load stands. 3. The Department of Transportation shall issue a continuing permit, upon application, to the operator of a vehicle whose height without load exceeds the limit imposed by subsection 1 if the vehicle was registered and in operation on the highways of this State on April 15, 1973. Any such permit must provide only for the operation of the vehicle over those portions of the highways of this State over which it was customarily operated on April 15, 1973, and until it is replaced by another vehicle. 4. It is unlawful to operate a vehicle governed by any of the provisions of subsection 1, 2 or 3 over any portion of a highway where the free clearance of any structure or encroachment is less than the actual height of the vehicle and load. (Added to NRS by 1973, 441; A 1979, 1807; 2021, 37)—(Substituted in revision for NRS 484.738)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.610 - Height of vehicle: Maximum ground clearance; exceptions.

1. A motor vehicle must not be operated on any highway of this State if the lowest portion of its body, as measured from the surface on which the vehicle stands, exceeds, for passenger cars, 24 inches, and for a truck or other motor vehicle having manufacturer's gross vehicle weight rating: (a) Of 4,500 pounds or less, 28 inches. (b) Of more than 4,500 pounds but less than 7,501 pounds, 30 inches. (c) Of 7,501 pounds but less than 10,001 pounds, 32 inches. 2. The measurement taken to determine compliance with this section must be taken from level ground to a portion of the body or parts attached to the body which have not been added or altered from the manufacturer's original body design. 3. This section does not apply to a motor vehicle which: (a) Was manufactured before 1935; or (b) Has a manufacturer's gross vehicle weight rating of 10,001 pounds or more. (Added to NRS by 1987, 1472)—(Substituted in revision for NRS 484.7385)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.615 - Length of vehicle: Restrictions; special permit; exceptions.

1. Except as otherwise provided in subsection 2, the length of a bus may not exceed 45 feet and the length of a motor truck may not exceed 40 feet. 2. A passenger bus which has three or more axles and two sections joined together by an articulated joint with a trailer which is equipped with a mechanically steered rear axle may not exceed a length of 65 feet. 3. Except as otherwise provided in subsections 4, 7 and 9, no combination of vehicles, including any attachments thereto coupled together, may exceed a length of 70 feet. 4. The Department of Transportation, by regulation, shall provide for the operation of combinations of vehicles in excess of 70 feet in length. The regulations must establish standards for the operation of such vehicles which must be consistent with their safe operation upon the public highways and with the provisions of 23 C.F.R. § 658.23. Such standards must include: (a) Types and number of vehicles to be permitted in combination; (b) Horsepower of a motor truck; (c) Operating speeds; (d) Braking ability; and (e) Driver qualifications. The operation of such vehicles is not permitted on highways where, in the opinion of the Department of Transportation, their use would be inconsistent with the public safety because of a narrow roadway, excessive grades, extreme curvature or vehicular congestion. 5. Combinations of vehicles operated under the provisions of subsection 4 may, after obtaining a special permit issued at the discretion of, and in accordance with procedures established by, the Department of Transportation, carry loads not to exceed the values set forth in the following formula: $W=500 [LN/(N-1) + 12N + 36]$, wherein: (a) W equals the maximum load in pounds carried on any group of two or more consecutive axles computed to the nearest 500 pounds; (b) L equals the distance in feet between the extremes of any group of two or more consecutive axles; and (c) N equals the number of axles in the group under consideration. The distance between axles must be measured to the nearest foot. If a fraction is exactly one-half foot, the next largest whole number must be used. The permits may be restricted in such manner as the Department of Transportation considers necessary and may, at the option of the Department, be cancelled without notice. No such permits may be issued for operation on any highway where that operation would prevent this State from receiving federal money for highway purposes. 6. Upon approving an application for a permit to operate combinations of vehicles pursuant to subsection 5, the Department of Transportation shall withhold issuance of the permit until the applicant has furnished proof of compliance with the provisions of NRS 706.531. 7. The load upon any motor vehicle operated alone, or the load upon any combination of vehicles, must not extend beyond the front or the rear of the vehicle or combination of vehicles for a distance of more than 10 feet, or a total of 10 feet both to the front or the rear, and a combination of vehicles and load thereon may not exceed a total of 75 feet without having secured a permit pursuant to subsection 4 or NRS 484D.600. The provisions of this subsection do not apply to the booms or masts of shovels, cranes or water well drilling and servicing equipment carried upon a vehicle if: (a) The booms or masts do not extend by a distance greater than two-thirds of the wheelbase beyond the front tires of the vehicle. (b) The projecting structure or attachments thereto are securely held in place to prevent dropping or swaying. (c) No part of the structure which extends beyond the front tires is less than 7 feet from the roadway. (d) The driver's vision is not impaired by the projecting or supporting structure. 8. Lights and other warning devices which are required to be mounted on a vehicle pursuant to this chapter must not be included in determining the length of a vehicle or combination of vehicles and the load thereon. 9. This section does not apply to: (a) Vehicles used by a public utility for the transportation of poles; (b) A combination of vehicles consisting of a truck-tractor drawing a semitrailer that does not exceed 53 feet in length; (c) A combination of vehicles consisting of a truck-tractor drawing a semitrailer and a trailer, neither of which exceeds 28 1/2 feet in length; (d) A driveaway saddle mount with full mount vehicle transporter combination that does not exceed 97 feet in length; or (e) A towaway trailer transporter combination that does not exceed: (1) Eighty-two feet in length; and (2)

Twenty-six thousand pounds in weight. 10. As used in this section: (a) "Driveaway saddle mount with full mount vehicle transporter combination" means a vehicle combination designed and specifically used to tow up to three trucks or truck-tractors, each connected by a saddle to the frame or fifth wheel of the forward vehicle of the truck-tractor in front of it. (b) "Motortruck" has the meaning ascribed to it in NRS 482.073. (c) "Towaway trailer transporter combination" has the meaning ascribed to it in 49 U.S.C. § 31111. (Added to NRS by 1967, 975; A 1969, 636; 1971, 723; 1973, 441; 1979, 1807; 1985, 659; 1989, 269; 1993, 1200; 1997, 100; 2003, 404; 2005, 73; 2007, 317; 2019, 293)—(Substituted in revision for NRS 484.739)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.620 - Length of vehicle: Penalty.

Any person operating or moving any vehicle or equipment over any highway who violates any length limitation in this chapter is guilty of a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive. (Added to NRS by 1967, 976; A 1969, 1508; 2021, 3342)—(Substituted in revision for NRS 484.741)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.625 - Authorized movement of vehicle on public highway in excess of limits on size and weight; permit; fee.

1. The Board of Directors of the Department of Transportation may by resolution authorize the movement of vehicles upon the public highways, including without limitation motor vehicles, tractors, trailers, semitrailers and combinations thereof, of a size and weight in excess of the limits prescribed by this chapter, to such extent as may be authorized by any legislation enacted by the Congress of the United States permitting such increases without forfeiture of this State's eligibility for federal aid in highway construction and maintenance. 2. The Board of Directors of the Department of Transportation may by resolution establish a reasonable fee or fees to be charged by the Department for the issuance of permits authorizing the operation of oversize or overweight vehicles as provided in this chapter. The fee or fees so established must be in an amount set so that the aggregate amounts received from the fee or fees do not exceed the estimated costs of administering the permit system. (Added to NRS by 1965, 1145; A 1975, 206; 1979, 1808; 1987, 1794; 1989, 1313)—(Substituted in revision for NRS 484.743)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.630 - Operation of motor vehicle exceeding its declared gross weight unlawful.

It is unlawful for any person to operate a motor vehicle or combination of vehicles over any highway if the vehicle or combination exceeds its declared gross weight, as that term is defined in NRS 482.023. (Added to NRS by 1985, 1838)—(Substituted in revision for NRS 484.744)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.635 - Maximum weight of vehicle on any axle or per tire; exceptions.

1. Except as otherwise provided in this section and NRS 484D.600, 484D.625, 484D.640, 484D.645 and 484D.660, a vehicle may be operated or moved upon any public highway if: (a) The maximum weight on any single axle does not exceed 20,000 pounds. (b) The maximum weight on any tandem axle does not exceed 34,000 pounds. (c) The maximum weight per tire, measured by pounds per inch of tire width, does not exceed 600 pounds per inch for a steering axle and 500 pounds per inch for all other axles. (d) Except for a steering axle and axles that weigh less than 10,000 pounds, each axle has at least four tires if the tire width of each tire on the axle is less than or equal to 14 inches. If the maximum weight per tire does not exceed 500 pounds per inch of tire width, an axle may be equipped with tires that have a width of more than 14 inches. (e) Except as otherwise provided in subsection 2, the maximum overall gross weight on any group of two or more consecutive axles does not exceed the values set forth in the following formula: $W=500 [LN/(N-1) + 12N + 36]$ wherein: (1) W equals the maximum load in pounds carried on any group of two or more consecutive axles computed to the nearest 500 pounds; (2) L equals the distance in feet between the extremes of any group of two or more consecutive axles; and (3) N equals the number of axles in the group under consideration. 2. Two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the distance between the first and last axles of the consecutive sets of axles is 36 feet or more. 3. To the extent authorized by federal law, a vehicle: (a) Powered primarily by one or more electric motors or by an engine fueled primarily by natural gas may exceed the limits of this section by not more than 2,000 pounds. (b) Equipped with idle reduction technology, including, without limitation, an auxiliary power unit, may exceed the limits of this section by not more than 550 pounds. 4. As used in this section: (a) "Auxiliary power unit" has the meaning ascribed to it in 42 U.S.C. § 16104. (b) "Idle reduction technology" has the meaning ascribed to it in 42 U.S.C. § 16104. (c) "Tire width" means the width set by the manufacturer of the tire and inscribed on the sidewall of the tire. [Part 23:122:1925; A 1929, 349; 1931, 136; 1947, 532; 1951, 263; 1953, 628; 1955, 45]—(NRS A 1975, 291; 1979, 1809; 1981, 219; 1991, 1693; 1993, 1415; 2003, 405, 1413; 2005, 74; 2019, 295)—(Substituted in revision for NRS 484.745)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.640 - Limitations on weight for vehicle used by licensed hauler of garbage and refuse.

1. Except as otherwise provided in subsection 2, a vehicle used by a licensed hauler of garbage and refuse may be operated or moved upon a public highway, if the weight of the vehicle does not exceed: (a) On a single axle, 22,000 pounds; or (b) On a tandem

axle, 40,000 pounds. 2. A vehicle must not be operated or moved upon a highway within the designated interstate system, if the weight of the vehicle exceeds: (a) On a single axle, 20,000 pounds; (b) On a tandem axle, 34,000 pounds; or (c) On any group of two or more consecutive axles, the values set forth in the following formula: $W=500 [LN/(N-1) + 12N + 36]$ wherein: (1) W equals the maximum load in pounds carried on any group of two or more consecutive axles computed to the nearest 500 pounds; (2) L equals the distance in feet between the extremes of any group of two or more consecutive axles; and (3) N equals the number of axles in the group under consideration. 3. As used in this section, "licensed hauler of garbage and refuse" means a person who holds the licenses and permits required to operate a business of collecting and disposing of garbage and refuse. The term includes a person who is licensed to operate a business of collecting recyclable materials. (Added to NRS by 1991, 1693; A 1993, 1415; 2005, 75)—(Substituted in revision for NRS 484.748)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.645 - Limitations on weight for vehicle used by regional transportation commission or its contractor to provide public mass transportation; exception for certain vehicles used as part of demonstration project; definitions.

1. Except as otherwise provided in subsection 2, a vehicle that is used by a regional transportation commission or its contractor to provide public mass transportation may be operated or moved upon a public highway, other than a highway within the designated interstate system, if the maximum weight does not exceed, on a single axle with: (a) Single tires, 20,000 pounds; or (b) Dual tires, 25,000 pounds. 2. A vehicle with a maximum weight on a single axle with single tires of more than 20,000 pounds but not more than 29,000 pounds that is used by a regional transportation commission or its contractor to provide public mass transportation as part of a demonstration project may be operated or moved upon a public highway, other than a highway within the designated interstate system, if the tires are not less than 20 inches in width and the Department of Transportation, after conducting an evaluation of the vehicle: (a) Determines that such operation or movement of the vehicle is in the best interest of the Department; and (b) In its discretion, issues a permit authorizing such operation or movement of the vehicle. 3. As used in this section: (a) "Contractor" means any person or governmental entity that has entered into a contract with a regional transportation commission to provide services related to the provision of public mass transportation, but only during the period in which the contract remains legally effective. (b) "Regional transportation commission" means any regional transportation commission created and organized in accordance with chapter 277A of NRS, and which provides or sponsors public mass transportation services. (Added to NRS by 1993, 1414; A 2001, 747)—(Substituted in revision for NRS 484.7485)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.650 - Measurement of distance between axles.

The distance between axles must be measured to the nearest whole foot. When a fraction is exactly one-half foot the next larger whole number must be used. [Part 23:122:1925; A 1929, 349; 1931, 136; 1947, 532; 1951, 263; 1953, 628; 1955, 45]—(NRS A 2005, 75)—(Substituted in revision for NRS 484.751)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.655 - Reduction of maximum weight limits: Authority and duties of Director of Department of Transportation; factors to be considered by Department of Transportation before reduction.

1. The Director of the Department of Transportation: (a) May, pursuant to paragraph (a) of subsection 1 of NRS 408.210, reduce the maximum weight limits as prescribed in NRS 484D.635, 484D.640 and 484D.645 on a highway under the jurisdiction of the Department of Transportation, including, without limitation, a bridge located on the highway, for a period of not more than 180 days. (b) Shall provide an informational report to the Board of Directors of the Department of Transportation that describes any reduction to the maximum weight limits made pursuant to paragraph (a) within 60 days after the Director of the Department of Transportation makes the reduction. 2. Except as otherwise provided in subsection 1 and NRS 484D.660, before the Department of Transportation reduces the maximum weight limits as prescribed in NRS 484D.635, 484D.640 and 484D.645 on a highway or a portion of a highway under its jurisdiction, the Department of Transportation shall: (a) Consider: (1) The average number of vehicles traveling on the highway each day; (2) The number of vehicles that have a declared gross weight in excess of 26,000 pounds that are included in the average number pursuant to subparagraph (1); (3) The availability of alternate routes to the highway; (4) The impact on each alternate route of increased traffic consisting of vehicles that have a declared gross weight in excess of 26,000 pounds; (5) The number of traffic crashes involving a vehicle that has a declared gross weight in excess of 26,000 pounds on the highway in the past 5 years; (6) Any projected adverse economic or environmental impact resulting from reducing the maximum weight limits on the highway; and (7) Any other factors the Department of Transportation deems appropriate; and (b) Present such considerations to the Board of Directors of the Department of Transportation to receive the Board's approval to reduce the maximum weight limits pursuant to this section. (Added to NRS by 2007, 2628; A 2013, 90; 2015, 1640)—(Substituted in revision for NRS 484.7515)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.660 - Applicability of limits on weight to federal highways; reduction of limits by Department of Transportation or governing body of city or county.

1. The provisions of NRS 484D.635, 484D.640 and 484D.645 do not apply to any highway that is a part of the Federal-Aid Primary System, Federal-Aid Urban System, Federal-Aid Secondary System or Interstate System if their application would prevent this State from receiving any federal funds for highway purposes under section 127 of Title 23, U.S.C. 2. The Department of Transportation, with respect to highways under its jurisdiction, and the governing bodies of cities and counties, with respect to roads and streets under their jurisdiction, after determining that use by vehicles otherwise conforming with the maximum weight limits prescribed in NRS 484D.635, 484D.640 and 484D.645 is likely to cause substantial stress to any highway, road, street, or portion or structure thereof, may, by proper notice, fix a reduced maximum weight limit for vehicles which may pass over any such highway, road, street, or portion or structure thereof. (Added to NRS by 1981, 219; A 2003, 406; 2005, 75)—(Substituted in revision for NRS 484.752)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.665 - Certain larger vehicles prohibited from traveling on State Route 159; duty of Department of Transportation to erect certain markers; exceptions.

1. Except as otherwise provided in subsection 3, it is unlawful for an operator or driver of any vehicle which: (a) Is registered pursuant to the provisions of NRS 706.801 to 706.861, inclusive; or (b) Has a declared gross weight in excess of 26,000 pounds, and which does not have a point of origin or destination on State Route 159 from mile post 0.0 to mile post 14.0 to travel on such Route. 2. The Department of Transportation shall erect suitable markers along State Route 159 and may locate them at such points as the Department of Transportation deems appropriate. 3. This section does not apply to: (a) An authorized emergency vehicle; (b) A vehicle being used in the service of a public utility as defined in NRS 704.020; (c) A vehicle being used by a licensed hauler of garbage and refuse as defined in NRS 484D.640; (d) A school bus; or (e) A charter bus. (Added to NRS by 2007, 2627)—(Substituted in revision for NRS 484.7525)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.670 - Exemption for traction engine and tractor; circular metal band required.

1. The provisions of NRS 484D.630 to 484D.680, inclusive, shall not apply to traction engines or tractors, the propulsive power of which is exerted, not through wheels resting upon the ground but by means of a flexible band or chain known as a movable track, when the portions of the movable tracks in contact with the surface of the highway present plane surfaces. 2. No traction engine or tractor having lugs, grousers or other mechanical contrivances on its wheels or tracks designed to give tractive effect shall be operated on any highway in this State unless a circular metal band of a width of not less than 3 inches is placed entirely around the periphery of such wheels or tracks, such band to serve as a protection against the tearing up or marring of the surface of the highway. [Part 23:122:1925; A 1929, 349; 1931, 136; 1947, 532; 1951, 263; 1953, 628; 1955, 45]—(Substituted in revision for NRS 484.753)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.675 - Enforcement by law enforcement agencies; weighing; requiring removal of excess load; penalty.

1. Authority for the enforcement of the provisions of NRS 484D.630 to 484D.680, inclusive, is vested in certain law enforcement agencies in this State. 2. Any category I peace officer, officer of the Nevada Highway Patrol or inspector acting within his or her jurisdiction who has reasonable suspicion that the weight of a vehicle and load is unlawful may require the driver to stop and submit to a weighing of the vehicle either by means of portable or stationary scales and may require that the vehicle be driven to the nearest public scales, if they are within 5 miles. Reasonable suspicion is not required before use of any device that weighs a vehicle without requiring the driver to stop the vehicle or leave the roadway. 3. An officer of the Nevada Highway Patrol, a category I peace officer or an inspector upon weighing a vehicle and load as provided in subsection 2 who determines that the weight is unlawful may require the driver to stop in a suitable place and remove such portion of the load as may be necessary to reduce the gross weight of the vehicle to those limits permitted under NRS 484D.630 to 484D.680, inclusive. All materials so unloaded must be cared for by the carrier of the material and at the carrier's expense. The officer of the Nevada Highway Patrol, category I peace officer or inspector may allow the driver of the inspected vehicle to continue on his or her journey if any overload does not exceed by more than 5 percent the limitations prescribed by NRS 484D.630 to 484D.680, inclusive, but the penalties provided in NRS 484D.680 must be imposed for the overload violation. 4. Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses when directed by an officer of the Nevada Highway Patrol, a category I peace officer or an inspector upon a weighing of the vehicle to stop and otherwise comply with the provisions of NRS 484D.630 to 484D.680, inclusive, is guilty of a misdemeanor. 5. As used in this section: (a) "Category I peace officer" means a peace officer, as defined in NRS 289.460, who: (1) Has received specialized training concerning vehicle weight enforcement; (2) Is certified by the Commercial Vehicle Safety Alliance to perform a North American Standard Inspection; and (3) Has completed a vehicle weight enforcement training program that is specific to this State and conducted by the Nevada Highway Patrol. (b) "Inspector" means an inspector of the Department of Motor Vehicles or the Department of Public Safety who has completed a vehicle weight enforcement training program that is specific to this State and conducted by the Nevada Highway Patrol. (c) "Law enforcement agency" has the meaning ascribed to it in NRS 202.873. (d) "North American Standard Inspection" has the meaning ascribed to it in 49 C.F.R. § 350.105. [Part 23:122:1925; A 1929, 349; 1931, 136; 1947, 532; 1951, 263; 1953, 628; 1955, 45]—(NRS A 1957, 616; 1969, 726; 1981, 220; 1985, 1955; 2009, 1605; 2011, 1005)—(Substituted in revision for NRS 484.755)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.680 - Civil penalties for violations of limits on weight.

1. Except as otherwise provided in subsection 4, a person found to have committed a violation of any limitation of weight imposed by NRS 484D.615 to 484D.675, inclusive, shall be punished by a civil penalty as specified in the following table: Pounds of Excess Weight Civil Penalty 1 to 1,500..... \$10 1,501 to 2,500..... 1 cent per pound of excess weight 2,501 to 5,000..... 2 cents per pound of excess weight 5,001 to 7,500..... 4 cents per pound of excess weight 7,501 to 10,000..... 6 cents per pound of excess weight 10,001 and over..... 8 cents per pound of excess weight 2. If the resulting civil penalty is not a whole number of dollars, the nearest whole number above the computed amount must be imposed as the civil penalty. 3. The civil penalties provided in this section are mandatory, must be collected immediately upon entry of an order imposing the penalty and must not be reduced under any circumstances by the court. 4. A person found to have committed a violation of a limitation of weight imposed by NRS 484D.615 to 484D.675, inclusive, shall be punished by a civil penalty that is equal to twice the amount of the civil penalty specified in subsection 1 if that violation occurred on or after February 1 but before May 1 on a highway designated by the Director of the Department of Transportation as restricted pursuant to NRS 408.214. This subsection does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact. [Part 23:122:1925; A 1929, 349; 1931, 136; 1947, 532; 1951, 263; 1953, 628; 1955, 45]—(NRS A 1979, 918; 1981, 221, 727; 1985, 1839; 1987, 506; 1991, 1694; 1997, 85; 1999, 1041; 2021, 3342)—(Substituted in revision for NRS 484.757)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.685 - Maximum width of vehicle; permit for increased size or weight.

1. As used in this section and NRS 484D.700, "special mobile equipment" means a vehicle, not self-propelled, not designed or used primarily for the transportation of persons or property, and only incidentally operated or moved over a highway, excepting implements of husbandry. 2. The Department of Transportation with respect to highways under its jurisdiction and governing bodies of cities and counties with respect to roads under their jurisdiction may, upon application, authorize the applicant to operate or move a vehicle, combination of vehicles, special mobile equipment, or load thereon of a size or weight exceeding the legal maximum, or to use corrugations on the periphery of the movable tracks on a traction engine or tractor, the propulsive power of which is not exerted through wheels resting on the roadway but by means of a flexible band or chain, or, under emergency conditions, to operate or move a type of vehicle otherwise prohibited by law, upon any highway under the jurisdiction of the Department of Transportation or governing body granting that permit. 3. Except as otherwise provided in NRS 484D.690 to 484D.725, inclusive, the legal maximum width of any vehicle, combination of vehicles, special mobile equipment or load thereon is 102 inches. 4. If a vehicle is equipped with pneumatic tires, the maximum width from the outside of one wheel and tire to the outside of the opposite outer wheel and tire must not exceed 108 inches, and the outside width of the body of the vehicle or the load thereon must not exceed 102 inches. 5. Lights or devices which must be mounted upon a vehicle under this chapter may extend beyond the permissible width of the vehicle to a distance not exceeding 10 inches on each side of the vehicle, but the maximum width must not exceed 126 inches. 6. Door handles, hinges, cable cinchers and chain binders may extend 3 inches on each side, but the maximum width of body and door handles, hinges, cable cinchers or chain binders must not exceed 108 inches. 7. A person shall not operate a passenger vehicle on any highway with any load carried thereon extending beyond the line of the hubcaps on its left side or more than 6 inches beyond the line of the hubcaps on its right side. [1:154:1951]—(NRS A 1960, 334; 1961, 136; 1965, 677; 1971, 83; 1975, 292, 1111; 1979, 1005, 1810; 1981, 205; 1985, 661; 2005, 21; 2007, 2733; 2021, 38)—(Substituted in revision for NRS 484.759)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.690 - Maximum width of bus.

The legal maximum width of a bus is 102 inches, excluding mirrors, lights and other devices required for safety. (Added to NRS by 1981, 205)—(Substituted in revision for NRS 484.7595)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.695 - Maximum width of recreational vehicle.

The legal maximum width of a recreational vehicle is 102 inches, excluding: 1. Mirrors, lights and other devices required for safety; and 2. An awning and any hardware required for the awning which is attached to the recreational vehicle and which does not extend beyond any mirror specified in subsection 1 which is attached to the side of the recreational vehicle. (Added to NRS by 2005, 21)—(Substituted in revision for NRS 484.7598)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.700 - Maximum width of trailer, semitrailer, special mobile equipment or equipment for construction or maintenance of highway.

Subject to the provisions of subsection 2 of NRS 484D.685, the following vehicles must not exceed a width of 120 inches: 1. Any trailer or semitrailer, including lift carriers and tip-bed trailers, used exclusively for the transportation of implements of husbandry by farmers or implement dealers. 2. Special mobile equipment. 3. Highway construction or maintenance equipment. (Added to NRS

by 1981, 203)—(Substituted in revision for NRS 484.760)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.705 - Width of load of loosely piled agricultural products; restrictions for implement of husbandry moved over highway.

1. If a vehicle is carrying a load of loosely piled agricultural products such as hay, straw or leguminous plants in bulk but not crated, baled, boxed or sacked, the load of loosely piled material and any loading racks retaining the load must not exceed 120 inches in width. 2. The provisions of NRS 484D.685 with respect to maximum widths do not apply to implements of husbandry incidentally operated, transported, moved or towed over a highway other than an interstate highway or a controlled-access highway. 3. If an implement of husbandry is transported or moved as a load on another vehicle over: (a) An interstate highway or a controlled-access highway, and the load exceeds 102 inches in width, the movement is subject to the provisions of NRS 484D.720 and the regulations adopted pursuant thereto. (b) Any highway other than an interstate highway or a controlled-access highway, and the load exceeds 120 inches in width, the vehicle and load must not be operated for a distance of more than 25 miles from the point of origin of the trip and must not be operated at a speed in excess of 30 miles per hour. (Added to NRS by 1981, 203; A 1985, 662; 2005, 76; 2007, 2734)—(Substituted in revision for NRS 484.7605)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.710 - Applicability of limits on width to federal highways.

The provisions of NRS 484D.700, subsection 2 of NRS 484D.705 and NRS 484D.715 and 484D.720 do not apply to any highway which is part of the Federal-Aid Primary System, Federal-Aid Secondary System or the Interstate System if their application would prevent this State from receiving any money for highways pursuant to section 127 of Title 23, U.S.C. (Added to NRS by 1981, 205; A 1997, 2415)—(Substituted in revision for NRS 484.7615)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.715 - Permit for movement of oversized manufactured or mobile home or similar structure: Requirements; conditions; regulations.

1. The Department of Transportation may, upon application, if good cause appears, issue a special or multiple trip-limited time permit authorizing the applicant to move a manufactured or mobile home, or any other similar type of vehicle or structure, in excess of the maximum width, but not exceeding, except as otherwise provided in NRS 484D.720, 120 inches exclusive of appendages which must not extend beyond 3 inches on either side. The Department of Transportation may establish seasonal or other limitations on the time within which the home, vehicle or structure may be moved on the highways indicated, and may require an undertaking or other security as may be considered necessary to protect the highways and bridges from injury or to provide indemnity for any injury resulting from the operation. Permits for the movement of homes, vehicles or structures as provided for in this section may be issued only to licensed manufacturers, dealers, owners and transporters and may be issued only under the following conditions: (a) The power unit used to tow an overwidth home, vehicle or structure having a gross weight of 18,000 pounds or less must be a three-quarter-ton truck or tractor, or a truck or tractor of greater power equipped with dual wheels. (b) The power unit used to tow an overwidth home, vehicle or structure having a gross weight in excess of 18,000 pounds must be a one-and-one-half-ton, or larger, truck or tractor equipped with dual wheels. (c) The mobile home for which the permit is issued must comply with the provisions of NRS 484D.635 relating to maximum weight on axles. (d) The insurer must furnish evidence of insurance verifying coverage of the overwidth home, vehicle or structure in the amount of \$100,000 because of bodily injury to or death of one person in any one crash, in the amount of \$300,000 because of bodily injury to or death of two or more persons in any one crash and in the amount of \$50,000 because of injury to or destruction of property of others in any one crash. 2. A permit which has been issued for the movement of a manufactured or mobile home, or a similar type of vehicle or structure, is not valid between sunset and sunrise. The Director of the Department of Transportation may establish additional reasonable regulations, consistent with this section, including regulations concerning the movement of such a home, vehicle or structure on a Saturday, Sunday or a legal holiday, as the Director considers necessary in the interest of public safety. (Added to NRS by 1981, 203; A 1985, 662; 1989, 798; 2015, 1641; 2021, 38)—(Substituted in revision for NRS 484.762)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.720 - Permit for movement of oversized manufactured or mobile home or similar structure: Waiver; additional requirements and conditions; designation of highways; regulations.

1. Except as otherwise provided in this subsection, the Department of Transportation may, upon application, if good cause appears, issue a special or multiple trip-limited time permit authorizing the applicant to move a manufactured or mobile home, or any other similar type of vehicle or structure, in excess of 120 inches in width but not exceeding 192 inches in width, including any appendages and roof eaves. Upon request of the applicant, the Department of Transportation may grant a waiver from the maximum width of 192 inches, subject to any conditions prescribed by the Department of Transportation. 2. The movement of a manufactured or mobile home, or a similar type of vehicle or structure, pursuant to subsection 1 is, in addition to the conditions and requirements of NRS 484D.715, subject to the following requirements and conditions: (a) "Wide-load" signs and red flags must be on the front of the towing vehicle and on the rear of the home, vehicle or structure. (b) The towing vehicle must be a one-and-one-half-ton or larger

truck or tractor equipped with dual wheels. (c) The applicant must present evidence satisfactory to the Department that the applicant is financially responsible and has complied or is able to comply with the equipment requirements. (d) As an additional warning to approaching traffic, the towing vehicle must be operated with the headlights turned on low beam. (e) The driver of the towing vehicle shall do everything possible to prevent the congestion or slowing down of traffic in either direction because of the overwidth home, vehicle or structure and shall, if necessary to maintain the normal flow of traffic, drive the towing vehicle and the home, vehicle or structure off the pavement where safe to do so, in order that traffic may pass. (f) When two or more homes, vehicles or structures in excess of 120 inches in width are moved over the same highway in the same direction, the drivers of the towing vehicles shall maintain a distance of at least 1,000 feet between vehicles. 3. The Department of Transportation shall: (a) Designate the highways over which manufactured or mobile homes, or other similar types of vehicles or structures, in excess of 120 inches in width may be moved, and may require a pilot car to precede or follow the load. (b) Prescribe, by regulation, standards for moving homes, vehicles or structures, in excess of 120 inches in width, including the times and days when such moving is permitted, and additional safety precautions to be taken. 4. The regulations adopted pursuant to paragraph (b) of subsection 3 may establish different standards that are applicable only to the moving of a manufactured or mobile home, or other similar types of vehicle or structure, that is in excess of 168 inches, excluding any appendages and roof eaves, but does not exceed 192 inches in width, including any appendages and roof eaves. (Added to NRS by 1981, 204; A 1989, 799; 1997, 2415; 2021, 39)—(Substituted in revision for NRS 484.7625)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.725 - Permit to operate or move vehicles with oversized loads.

Upon receipt of the necessary application, the Department of Transportation shall issue a permit to operate or move a vehicle on the highways of this State which has a load that: 1. Exceeds 14 feet in height measured from the surface on which the vehicle stands; 2. Exceeds 70 feet in length measured from the front bumper or front overhang to the rear bumper or rear overhang, whichever is longer; or 3. Exceeds 102 inches in width measured at the widest points on each side, unless the Department of Transportation determines that the operation of the vehicle would be a safety hazard or impede the flow of traffic. (Added to NRS by 2007, 2732; A 2021, 40)—(Substituted in revision for NRS 484.7633)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.730 - Contents of application for permit.

The application for a permit under NRS 484D.685 to 484D.725, inclusive, must: 1. Specifically describe the vehicle or special mobile equipment and load to be operated or moved and the particular highways over which the permit to operate is requested. 2. State whether the permit is requested for a single trip, for continuous use or for multiple trips over a limited time. [2:154:1951]—(NRS A 1975, 1114; 1981, 208; 2007, 2734)—(Substituted in revision for NRS 484.764)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.735 - Continuous and multiple trip-limited time permits: Maximum weight per axle; fee for investigation; revocation; new application; Department of Transportation to consider recommendation of city or county.

1. No vehicle operated or moved upon any public highway under the authority of a continuous or multiple trip-limited time permit may exceed a maximum weight of 20,000 pounds on any single axle. Before any continuous permit is issued, the applicant shall pay a reasonable fee to be determined by the Department of Transportation to pay the costs and expenses of conducting an initial investigation of the highway or highways involved. 2. If, after issuance of a continuous or multiple trip-limited time permit, the Department of Transportation finds that the traffic authorized by such continuous or multiple trip-limited time permit has caused substantial highway distress, the permit may be revoked summarily, but the revocation does not operate to prevent a subsequent filing of a new application for another continuous or multiple trip-limited time permit. 3. The Department of Transportation shall consider the recommendation of a city or county regarding whether traffic authorized by the issuance of a continuous or multiple trip-limited time permit has caused substantial distress to a highway under the jurisdiction of that city or county, and whether the permit should be revoked. [3:154:1951; A 1953, 360]—(NRS A 1975, 1114; 1979, 1813; 2007, 2734)—(Substituted in revision for NRS 484.765)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.740 - Carrying and inspection of permit.

Every permit, when issued, must: 1. Be carried in the vehicle, combination of vehicles or special mobile equipment to which it refers. 2. Be open to inspection of any peace officer or traffic officer, any authorized agent of the Department of Transportation, or any other officer charged with the care or protection of the highways. [4:154:1951]—(NRS A 1979, 1813)—(Substituted in revision for NRS 484.767)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.745 - Penalties for operation of oversized or overweight vehicle without permit or in violation of permit.

1. It is unlawful for any person to operate or move any vehicle or equipment described in NRS 484D.615 or 484D.685 to 484D.725,

inclusive, over any highway without first obtaining a permit, or to violate or evade any of the terms or conditions of the permit when issued. A person violating any of the provisions of NRS 484D.685 to 484D.740, inclusive, is guilty of a civil infraction punishable pursuant to NRS 484A.703 to 484A.705, inclusive. 2. Any person operating or moving any vehicle or equipment described in NRS 484D.615 or 484D.685 to 484D.725, inclusive, over any highway under the authorization of a permit for continuous use or multiple trips over a limited time and who violates any weight limitation in excess of the weight authorized by the permit must be punished, upon being found to have committed the violation, as provided in NRS 484D.680. [5:154:1951; A 1953, 360]—(NRS A 1969, 1508; 1975, 1114; 1981, 208; 1987, 506; 2007, 2735; 2021, 3342)—(Substituted in revision for NRS 484.769)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.800 - Regional advisory committee: Creation; matters subject to recommendation; membership; terms of members; vacancies; members serve without compensation.

1. There is hereby created in each county whose population is 700,000 or more a regional advisory committee to make recommendations to the Department of Transportation and to affected cities and counties, as applicable, regarding the movement of oversized or overweight vehicles in this State. 2. The membership of such a committee must consist of: (a) One member appointed by the Department of Transportation, who shall serve as the chair of the committee; (b) One member appointed by the board of county commissioners; (c) One member appointed by the city council of every incorporated city within the county; (d) One member appointed by the largest construction industry association in the county; and (e) One member appointed by the largest motor transport association in the county. 3. Each member of such a committee must be appointed for a term of 2 years. A vacancy in the membership of the committee must be filled in the same manner as the original appointment for the remainder of the unexpired term. A member who is appointed to fill a vacancy must possess the same general qualifications as his or her predecessor. 4. Members of such a committee shall serve without compensation. (Added to NRS by 2007, 2732; A 2011, 1290)—(Substituted in revision for NRS 484.770)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.810 - Duties of regional advisory committee; duties of Department of Transportation.

1. Each committee established by NRS 484D.800: (a) Shall recommend to the Department of Transportation and the affected cities and counties establishment of certain routes by which oversized or overweight vehicles may proceed through a city or county and any modifications to those routes; and (b) Shall recommend regulations that the Department of Transportation may adopt to limit the movement of oversized or overweight vehicles to certain: (1) Routes; (2) Hours of the day; or (3) Days of the week, to ensure public safety. 2. The Department of Transportation and the affected cities and counties shall consider any recommendations concerning the movement of oversized or overweight vehicles made by a committee established by NRS 484D.800. (Added to NRS by 2007, 2732)—(Substituted in revision for NRS 484.7705)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.850 - Load on vehicle.

1. No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway. 2. No person shall operate on any highway any vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway. [20.1:166:1925; added 1955, 186]—(Substituted in revision for NRS 484.771)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.855 - Regulations: Loading and securing loads; safety chains and cables for combinations of vehicles.

The Department shall adopt reasonable regulations providing for: 1. Minimum requirements for binders to secure loads on vehicles against dangerous displacement and governing the loading and securement of loads for transportation over public highways by vehicles, except loads containing radioactive waste. 2. Safety chains and cables for combinations of vehicles. [20.2:166:1925; added 1955, 186]—(NRS A 1957, 616; 1969, 1220; 1979, 836; 1981, 234; 1985, 1956)—(Substituted in revision for NRS 484.773)

2024 Nevada Revised Statutes Chapter 484D - Equipment, Inspections and Size, Weight and Load of Vehicles NRS 484D.860 - Display of red lights or flag on load.

The driver of every vehicle operating a half hour after sunset to a half hour before sunrise and carrying a load extending 4 feet or more beyond the end of the vehicle shall attach at the extreme end of the load two red lights plainly visible under normal atmospheric conditions from a distance of not less than 500 feet from the rear and sides. At any other time the driver shall attach at the extreme end of such load a red flag or cloth at least 16 inches square. [19:166:1925; NCL § 4368] + [Part 19 1/2:166:1925; added 1927, 78; NCL § 4369]—(NRS A 1963, 746; 1969, 1221)—(Substituted in revision for NRS 484.775)

Title: chapter-485

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.010 - Short title.

This chapter may be cited as the Motor Vehicle Insurance and Financial Responsibility Act. [1:127:1949]—(NRS A 1995, 2734)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.020 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 485.028 to 485.120, inclusive, have the meanings ascribed to them in those sections. [1:127:1949; 1943 NCL § 4439.01]—(NRS A 1961, 138; 1981, 1862; 1987, 1090; 1995, 2734; 1997, 1083)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.028 - "Certificate of financial responsibility" defined.

"Certificate of financial responsibility" means the certificate issued by an insurance carrier pursuant to NRS 485.308 certifying that there is a motor vehicle liability policy in effect for a person who is required to furnish proof of financial responsibility. (Added to NRS by 1995, 2734)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.0335 - "Dormant vehicle" defined.

"Dormant vehicle" means a motor vehicle: 1. For which a policy of liability insurance is required pursuant to this chapter; and 2. That will not be operated for an extended period because of mechanical or seasonal circumstances. (Added to NRS by 1997, 1083)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.034 - "Evidence of insurance" defined.

"Evidence of insurance" means: 1. The information provided by an insurer in a form approved pursuant to NRS 690B.023 as evidence of a contract of insurance for a motor vehicle liability policy; or 2. The certificate of self-insurance issued to a self-insurer by the Department pursuant to NRS 485.380. (Added to NRS by 1995, 2734; A 2015, 798, 3514)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.035 - "Judgment" defined.

"Judgment" means any judgment which shall have become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal rendered by a court of competent jurisdiction of any state or of the United States, upon a cause of action arising out of the ownership, maintenance or use of any motor vehicle for damages, including damages for care and loss of services because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages. (Added to NRS by 1957, 722)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.037 - "Insurance" defined.

"Insurance" means: 1. A motor vehicle liability policy; or 2. The security provided by a self-insurer pursuant to NRS 485.380. (Added to NRS by 1995, 2734)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.040 - "License" defined.

"License" means any license, temporary instruction permit or temporary license issued under the laws of this State pertaining to the licensing of persons to operate motor vehicles. [1.2:127:1949; 1943 NCL § 4439.01b]

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.050 - "Motor vehicle" defined.

"Motor vehicle" means every self-propelled vehicle which is designed for use upon a highway, including: 1. Trailers and semitrailers designed for use with such vehicles, except traction engines, road rollers, farm tractors, tractor cranes, power shovels and well drillers; and 2. Every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails. The term does not include electric personal assistive mobility devices as defined in NRS 482.029 or an electric bicycle as defined in NRS 484B.017. [1.3:127:1949; 1943 NCL § 4439.01c]—(NRS A 2003, 1206; 2021, 1744)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.055 - "Motor vehicle liability policy" defined.

1. "Motor vehicle liability policy" means an owner's policy of liability insurance or an operator's policy of liability insurance issued by an insurer authorized to transact business in this State, to or for the benefit of the person named therein as insured. 2. With respect to a policy which grants excess or additional coverage over that required by NRS 485.3091, the term "motor vehicle liability

policy" applies only to that part of the coverage which is required by NRS 485.3091. (Added to NRS by 1987, 1088; A 1995, 2734)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.060 - "Nonresident" defined.

"Nonresident" means every person who is not a resident of this State. [1.4:127:1949; 1943 NCL § 4439.01d]

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.070 - "Nonresident's operating privilege" defined.

"Nonresident's operating privilege" means the privilege conferred upon a nonresident by the laws of this State pertaining to the operation by the nonresident of a motor vehicle, or the use of a motor vehicle owned by the nonresident, in this State. [1.5:127:1949; 1943 NCL § 4439.01e]

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.080 - "Operator" defined.

"Operator" means every person who is in actual physical control of a motor vehicle whether or not licensed as an operator pursuant to the laws of this State. [1.6:127:1949; 1943 NCL § 4439.01f]—(NRS A 1995, 2734)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.090 - "Owner" defined.

"Owner" means a person who holds the legal title of a motor vehicle, or in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of this chapter. [1.7:127:1949; 1943 NCL § 4439.01g]

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.105 - "Proof of financial responsibility" defined.

"Proof of financial responsibility" means proof of ability to respond for the future in damages for liability, on account of crashes occurring subsequent to the effective date of that proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amounts specified in NRS 485.185. (Added to NRS by 1957, 722; A 1963, 221; 1969, 177; 1981, 627; 1993, 2484; 2015, 1646)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.108 - "Registered owner" defined.

"Registered owner" means a person whose name appears in the records of the Department as the person to whom the vehicle is registered. (Added to NRS by 1981, 1861; A 1985, 1957; 1999, 3578)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.110 - "Registration" defined.

"Registration" means the registration certificate and plate issued under the laws of this State pertaining to the registration of motor vehicles. [1.9:127:1949; 1943 NCL § 4439.01i]—(NRS A 1985, 1175)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.120 - "State" defined.

"State" means any state, territory or possession of the United States, the District of Columbia, or any province of the Dominion of Canada. [1.10:127:1949; 1943 NCL § 4439.01j]

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.130 - General duties of Department.

1. The Department shall: (a) Administer and enforce the provisions of this chapter. (b) Provide for hearings upon request of persons aggrieved by orders or acts of the Department under the provisions of NRS 485.185 to 485.300, inclusive. 2. The Department may adopt regulations necessary for the administration of this chapter. [Part 2:127:1949; 1943 NCL § 4439.02]—(NRS A 1961, 138; 1981, 1127; 1999, 3578)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.135 - Department to furnish operating record.

The Department shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this chapter, which abstract must also fully designate the motor vehicles, if any, registered in the name of that person, and, if there is no record of any violations by that person of any law relating to the operation of a motor vehicle or of any injury or

damage caused by that person, the Department shall so certify. (Added to NRS by 1957, 723; A 1961, 138; 1999, 3579; 2021, 3344)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.137 - Department to publish and disseminate informational leaflet.

1. The Department shall publish a leaflet which summarizes and explains the requirements and provisions of this chapter. 2. The Department shall: (a) Make copies of the leaflet available without charge to all licensed drivers in this State, to all public school pupils who are of driving age, and to the public. (b) Cause a copy of the leaflet to be delivered to each applicant for a new registration of a vehicle. (Added to NRS by 1965, 334; A 1985, 1958; 1999, 3579; 2009, 1358)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.140 - Judicial review.

Any person aggrieved by a final decision in a contested case before the Department under this chapter is entitled to judicial review of the decision in the manner provided by chapter 233B of NRS. [Part 2:127:1949; 1943 NCL § 4439.02]—(NRS A 1961, 139; 1971, 231; 1981, 1127, 1862; 1989, 1655; 1999, 3579)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.185 - Insurance for payment of tort liabilities arising from maintenance or use of motor vehicle: Coverage to be obtained from insurance company duly licensed and approved; minimum thresholds of coverage.

1. Except as otherwise provided in subsection 2, every owner of a motor vehicle which is registered or required to be registered in this State shall continuously provide, while the motor vehicle is present or registered in this State, insurance provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State: (a) In the amount of \$25,000 for bodily injury to or death of one person in any one crash; (b) Subject to the limit for one person, in the amount of \$50,000 for bodily injury to or death of two or more persons in any one crash; and (c) In the amount of \$20,000 for injury to or destruction of property of others in any one crash, for the payment of tort liabilities arising from the maintenance or use of the motor vehicle. 2. The provisions of this section do not apply to a moped. (Added to NRS by 1979, 1820; A 1981, 1862; 1987, 1090; 1993, 2484; 1995, 2734; 2007, 2049; 2015, 1646, 1768; 2017, 1340)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.186 - Operator's policy of liability insurance: Use in lieu of owner's policy of liability insurance; requirements for issuance; required statements; operation of motor vehicle by person other than insured; required and excluded coverages; applicability.

1. Except as otherwise provided in subsection 7, any natural person may satisfy the requirements of NRS 485.185 by obtaining, in lieu of an owner's policy of liability insurance, an operator's policy of liability insurance which meets the requirements of this section and NRS 485.3091. 2. An operator's policy of liability insurance may only be issued to a person if: (a) The number of motor vehicles that the person owns is greater than the number of persons in his or her household who possess a driver's license; and (b) Each person in his or her household who possesses a driver's license is covered by an operator's policy of liability insurance. 3. An operator's policy of liability insurance must state, in addition to the requirements of NRS 485.3091, that: (a) The insurer is only liable under the policy for liability incurred by the insured while the named insured is the operator of a motor vehicle or while a motor vehicle owned by the insured is not being operated by any person; (b) The policy does not provide coverage for any vicarious liability imposed on the owner of the motor vehicle as a result of the operation by another person of a motor vehicle owned by the insured or for any liability imposed by NRS 41.440 or 483.300; and (c) The coverage provided by the policy may not meet the requirements of the financial responsibility laws of other states, unless such extended coverage is expressly included in the policy. No operator's policy of liability insurance may be delivered or issued for delivery in this State unless the insured has signed an endorsement stating that he or she has read and understood the policy and its limitations. 4. An owner of a motor vehicle which is registered or required to be registered in this State and who holds an operator's policy of liability insurance shall not permit another person to operate the motor vehicle if the owner knows or should have known that the person does not have liability insurance to cover the person's own operation of that motor vehicle. 5. An operator's policy of liability insurance must not provide coverage for damages incurred while a person other than the named insured is operating a motor vehicle. 6. An operator's policy of liability insurance must provide coverage for liability incurred by the insured while a motor vehicle owned by the insured is not being operated by any person. 7. This section does not apply to a lessor, dealer, manufacturer, rebuilder or distributor of a motor vehicle, an owner of a fleet, a common, contract or private motor carrier or any other employer who owns a motor vehicle for use in his or her business. (Added to NRS by 1987, 1088; A 2001 Special Session, 252)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.187 - Unlawful acts; fines and penalties; exceptions.

1. Except as otherwise provided in subsection 5, the owner of a motor vehicle shall not: (a) Operate the motor vehicle, if it is registered or required to be registered in this State, without having insurance as required by NRS 485.185. (b) Operate or knowingly permit the operation of the motor vehicle without having evidence of insurance of the operator or the vehicle in the vehicle. (c) Fail

or refuse to surrender, upon demand, to a peace officer or to an authorized representative of the Department the evidence of insurance. The surrender, upon demand, of an evidence of insurance issued in electronic format does not constitute consent for a peace officer or authorized representative of the Department to access other contents of any device used to display the evidence of insurance and surrendered in compliance with this section. (d) Knowingly permit the operation of the motor vehicle in violation of subsection 3 of NRS 485.186. 2. A person shall not operate the motor vehicle of another person unless the person who will operate the motor vehicle: (a) First ensures that the required evidence of insurance is present in the motor vehicle or available electronically; or (b) Has his or her own evidence of insurance which covers that person as the operator of the motor vehicle. 3. Except as otherwise provided in subsection 4, any person who violates subsection 1 or 2 is guilty of a misdemeanor. Except as otherwise provided in this subsection, in addition to any other penalty, a person sentenced pursuant to this subsection shall be punished by a fine of not less than \$600 nor more than \$1,000 for each violation. The fine must be reduced to \$100 for the first violation if the person obtains a motor vehicle liability policy by the time of sentencing, unless: (a) The person has registered the vehicle as part of a fleet of vehicles pursuant to subsection 5 of NRS 482.215; or (b) The person has been issued a certificate of self-insurance pursuant to NRS 485.380. 4. A court: (a) Shall not find a person guilty or fine a person for a violation of paragraph (a), (b) or (c) of subsection 1 or for a violation of subsection 2 if the person presents evidence to the court that the insurance required by NRS 485.185 was in effect at the time demand was made for it. (b) Except as otherwise provided in paragraph (a), may impose a fine of not more than \$1,000 for a violation of paragraph (a), (b) or (c) of subsection 1, and suspend the balance of the fine on the condition that the person presents proof to the court each month for 12 months that the insurance required by NRS 485.185 is currently in effect. 5. The provisions of paragraphs (b) and (c) of subsection 1 do not apply if the motor vehicle in question displays a valid permit issued by the Department pursuant to subsection 1 or 2 of NRS 482.3955, or NRS 482.396 or 482.3965 authorizing the movement or operation of that vehicle within the State for a limited time. (Added to NRS by 1987, 1089; A 1987, 1443; 1989, 1844; 1993, 157, 1443, 2485, 2492; 1995, 576, 2357, 2735; 1997, 662; 1999, 2727; 2001, 922; 2015, 3514)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.190 - Department to determine amount of security required; hearing; suspension of license and registration; procedure regarding erroneous information.

1. If, 20 days after the receipt of a report of a crash involving a motor vehicle within this State which has resulted in bodily injury or death, or damage to the property of any one person in excess of \$750, the Department does not have on file evidence satisfactory to it that the person who would otherwise be required to file security under subsection 2 has been released from liability, has been finally adjudicated not to be liable or has executed an acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the crash, the Department shall upon request set the matter for a hearing as provided in NRS 485.191. 2. The Department shall, immediately after a determination adverse to an operator or owner is made in a hearing pursuant to NRS 485.191, suspend the license of each operator and all registrations of each owner of a motor vehicle involved in such a crash, and, if the operator is a nonresident, the privilege of operating a motor vehicle within this State, and, if the owner is a nonresident, the privilege of the use within this State of any motor vehicle owned by him or her, unless the operator or owner, or both, immediately deposit security in the sum so determined by the Department at the hearing. If erroneous information is given to the Department with respect to the matters set forth in paragraph (a), (b) or (c) of subsection 1 of NRS 485.200, the Department shall take appropriate action as provided in this section after it receives correct information with respect to those matters. [Part 4:127:1949; 1943 NCL § 4439.04]—(NRS A 1961, 139; 1965, 264, 1275; 1973, 1545; 1981, 1862; 1987, 1090; 1993, 2486; 1999, 3579; 2007, 2050; 2015, 1647)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.191 - Right to hearing; notice; request for hearing; waiver.

1. Any operator or owner of a motor vehicle who was involved in a crash and who is not exempt from the requirements of depositing security by the provisions of NRS 485.200, is entitled to a hearing before the Director or a representative of the Director before a determination of the amount of security required pursuant to NRS 485.190, and before the suspension of his or her operator's license or registration as provided in subsection 2 of NRS 485.190. The hearing must be held in the county of residence of the operator. If the operator and owner reside in different counties and the hearing would involve both of them, the hearing must be held in the county which will be the most convenient for the summoning of witnesses. 2. The owner or operator must be given at least 30 days' notice of the hearing in writing with a brief explanation of the proceedings to be taken against the owner or operator and the possible consequences of a determination adverse to the owner or operator. 3. If the operator or owner desires a hearing, the owner or operator shall, within 15 days, notify the Department in writing of such intention. If the owner or operator does not send this notice within the 15 days, he or she waives his or her right to a hearing, except that, the Director may for good cause shown permit the owner a later opportunity for a hearing. (Added to NRS by 1973, 1544; A 1981, 1863; 1987, 1091; 1999, 3580; 2015, 1647)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.193 - Scope of hearing.

The hearing must be held to determine: 1. Whether or not there is a reasonable possibility that a judgment may be rendered against the owner or operator as a result of the crash in which the owner or operator was involved if the issue is brought before a court of

competent jurisdiction; and 2. The amount of security that may be required of the operator or owner to satisfy any judgment for damages that may be rendered against the owner or operator. (Added to NRS by 1973, 1544; A 1981, 85; 2015, 1647)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.195 - Powers of officer conducting hearing.

The Director or a representative of the Director may certify to all official acts and issue subpoenas for attendance of witnesses and the production of books and papers. (Added to NRS by 1973, 1544; A 1981, 85)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.197 - Enforcement of subpoenas issued by Director.

1. The district court in and for the county in which any hearing may be held shall have the power to compel the attendance of witnesses, the giving of testimony and the production of books and papers as required by any subpoena issued by the Director. 2. In case of the refusal of any witness to attend or testify or produce any papers required by such subpoena the Director may report to the district court in and for the county in which the hearing is pending by petition, setting forth: (a) That due notice has been given of the time and place of attendance of the witness or the production of the books and papers; (b) That the witness has been subpoenaed in the manner prescribed in this chapter; (c) That the witness has failed and refused to attend or produce the papers required by subpoena before the Director in the cause or proceeding named in the subpoena, or has refused to answer questions propounded to the witness in the course of such hearing, and asking an order of the court compelling the witness to attend and testify or produce the books or papers before the Director. 3. The court, upon petition of the Director, shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in such order, the time to be not more than 10 days from the date of the order, and then and there show cause why the witness has not attended or testified or produced the books or papers before the Director. A certified copy of the order shall be served upon the witness. If it shall appear to the court that the subpoena was regularly issued by the Director, the court shall thereupon enter an order that the witness appear before the Director at the time and place fixed in the order and testify or produce the required books or papers, and upon failure to obey the order the witness shall be dealt with as for contempt of court. (Added to NRS by 1973, 1545)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.200 - Exceptions to requirements as to security and suspension of license and registration.

1. The requirements as to security and suspension in NRS 485.190 to 485.300, inclusive, do not apply: (a) To the operator or owner if the operator or owner had in effect at the time of the crash a motor vehicle liability policy with respect to the motor vehicle involved in the crash; (b) To the operator if there was in effect at the time of the crash a motor vehicle liability policy with respect to his or her operation of any motor vehicle; (c) To the operator or owner if the liability for damages of the operator or owner resulting from the crash is, in the judgment of the Department, covered by any other form of liability insurance policy or a bond; (d) To any person qualifying as a self-insurer pursuant to NRS 485.380, or to any person operating a motor vehicle for the self-insured; (e) To the operator or the owner of a motor vehicle involved in a crash wherein no injury or damage was caused to the person or property of anyone other than the operator or owner; (f) To the operator or the owner of a motor vehicle legally parked at the time of the crash; (g) To the owner of a motor vehicle if at the time of the crash the vehicle was being operated without the owner's permission, express or implied, or was parked by a person who had been operating the motor vehicle without permission; or (h) If, before the date that the Department would otherwise suspend the license and registration or nonresident's operating privilege pursuant to NRS 485.190, there is filed with the Department evidence satisfactory to it that the person who would otherwise have to file security has been released from liability or has received a determination in his or her favor at a hearing conducted pursuant to NRS 485.191, or has been finally adjudicated not to be liable or has executed an acknowledged written agreement providing for the payment of an agreed amount in installments, with respect to all claims for injuries or damages resulting from the crash. 2. An owner who is not the operator of the motor vehicle is not exempt from the requirements as to security and suspension in NRS 485.190 to 485.300, inclusive, if the owner holds a motor vehicle liability policy which provides coverage only when the owner is operating the motor vehicle and, at the time of the crash, another person is operating the motor vehicle with the express or implied permission of the owner. [Part 4:127:1949; 1943 NCL § 4439.04] + [5:127:1949; 1943 NCL § 4439.05]—(NRS A 1961, 140; 1973, 836, 1546; 1979, 1515; 1981, 1863; 1987, 1091; 1995, 2736; 1999, 3580; 2015, 1648)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.210 - Requirements as to policy or bond.

For the purposes of NRS 485.200, a policy or bond is not effective unless: 1. The policy or bond is subject, if the crash has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than \$25,000 because of bodily injury to or death of one person in any one crash and, subject to the limit for one person, to a limit of not less than \$50,000 because of bodily injury to or death of two or more persons in any one crash and, if the crash has resulted in injury to or destruction of property, to a limit of not less than \$20,000 because of injury to or destruction of property of others in any one crash; and 2. The insurance company or surety company issuing that policy or bond is authorized to do business in this State or, if the company is not authorized to do business in this State, unless it executes a power of attorney authorizing the Director to accept service on its behalf of notice or process in any

action upon that policy or bond arising out of a crash. [Part 4:127:1949; 1943 NCL § 4439.04]—(NRS A 1961, 141; 1963, 220; 1969, 177; 1981, 628; 1985, 1958; 1987, 1092; 1995, 2737; 2015, 1648; 2017, 1340)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.220 - Form and amount of security.

1. The security required pursuant to NRS 485.190 to 485.300, inclusive, must be in such a form and amount as the Department may require, but in no case in excess of the limits specified in NRS 485.210 in reference to the acceptable limits of a policy or bond. 2. The person depositing the security shall specify in writing the person or persons on whose behalf the deposit is made and, at any time while the deposit is in the custody of the Department or the State Treasurer, the person depositing it may, in writing, amend the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons, but a single deposit of security is applicable only on behalf of persons required to furnish security because of the same crash. [Part 8:127:1949; 1943 NCL § 4439.08]—(NRS A 1961, 141; 1981, 1128; 1995, 2737; 1999, 3581; 2015, 1649)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.230 - Duration of suspension; requirements for reinstatement.

1. The license, all registrations and the nonresident's operating privilege suspended as provided in NRS 485.190 must remain so suspended and may not be renewed nor may any license or registration be issued to any such person until: (a) The person deposits or there is deposited on his or her behalf the security required under NRS 485.190; (b) Two years have elapsed following the date of the crash and evidence satisfactory to the Department has been filed with it that during that period no action for damages arising out of the crash has been instituted; or (c) Evidence satisfactory to the Department has been filed with it of a release from liability, or a final adjudication of nonliability, or an acknowledged written agreement, in accordance with NRS 485.190. 2. Upon any default in the payment of any installment under any acknowledged written agreement, and upon notice of the default, the Department shall suspend the license and all registrations or the nonresident's operating privilege of the person defaulting, which may not be restored until: (a) The person deposits and thereafter maintains security as required under NRS 485.190 in such an amount as the Department may then determine; or (b) One year has elapsed following the date of default, or 2 years following the date of the crash, whichever is greater, and during that period no action upon the agreement has been instituted in a court in this State. 3. Proof of financial responsibility, as set forth in NRS 485.307, is an additional requirement for reinstatement of the operator's license and registrations under this section. The person shall maintain proof of financial responsibility for 3 years after the date of reinstatement of the license in accordance with the provisions of this chapter. If the person fails to do so the Department shall suspend the license and registrations. [6:127:1949; 1943 NCL § 4439.06]—(NRS A 1957, 721; 1961, 141; 1981, 1864; 1985, 1175; 1999, 3581; 2015, 1649)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.240 - Application to nonresidents, unlicensed drivers, unregistered motor vehicles and crashes in other states.

1. If the operator or the owner of a motor vehicle involved in a crash within this State has no license or registration, or is a nonresident, the operator or owner must not be allowed a license or registration until the operator or owner has complied with the requirements of NRS 485.190 to 485.300, inclusive, to the same extent that would be necessary if, at the time of the crash, the operator or owner had held a license and registration. 2. When a nonresident's operating privilege is suspended pursuant to NRS 485.190 or 485.230, the Department shall transmit a certified copy of the record of that action to the officer in charge of the issuance of licenses and registration certificates in the state in which the nonresident resides, if the law of that state provides for action in relation thereto similar to that provided for in subsection 3. 3. Upon receipt of a certification that the operating privilege of a resident of this State has been suspended or revoked in any other state pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle crash, under circumstances which would require the Department to suspend a nonresident's operating privilege had the crash occurred in this State, the Department shall suspend the license of the resident if the resident was the operator, and all of his or her registrations if the resident was the owner of a motor vehicle involved in that crash. The suspension must continue until the resident furnishes evidence of compliance with the law of the other state relating to the deposit of that security. [7:127:1949; 1943 NCL § 4439.07]—(NRS A 1957, 722; 1961, 142; 1981, 1128; 1995, 2737; 1999, 3582; 2015, 1650)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.250 - Authority of Department to reduce amount of security.

The Department may reduce the amount of security ordered in any case within 6 months after the date of the crash if, in its judgment, the amount ordered is excessive. In case the security originally ordered has been deposited, the excess deposited over the reduced amount ordered must be returned to the depositor or his or her personal representative forthwith, notwithstanding the provisions of NRS 485.270. [Part 8:127:1949; 1943 NCL § 4439.08]—(NRS A 1961, 143; 1999, 3582; 2015, 1650)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.260 - Custody of security.

Security deposited pursuant to the requirements of NRS 485.190 to 485.300, inclusive, must be placed by the Department in the

custody of the State Treasurer. [Part 9:127:1949; A 1955, 192]—(NRS A 1961, 143; 1981, 1129; 1995, 2738; 1999, 3583)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.270 - Disposition of security.

Security deposited in compliance with the requirements of this chapter is applicable only to the payment of a judgment or judgments rendered against the person or persons on whose behalf the deposit was made for damages arising out of the crash in question in an action at law, begun not later than 2 years after the date of the crash or within 1 year after the date of deposit of any security under NRS 485.230, whichever period is longer, or to the payment in settlement, agreed to by the depositor, of a claim or claims arising out of the crash. [Part 9:127:1949; A 1955, 192]—(NRS A 1957, 722; 1981, 1865; 2015, 1650)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.280 - Return of deposit.

A deposit or any balance thereof must be returned to the depositor or his or her personal representative: 1. When evidence satisfactory to the Department has been filed with it that there has been a release from liability, a final adjudication of nonliability or an acknowledged agreement, in accordance with paragraph (h) of subsection 1 of NRS 485.200; or 2. If 2 years after the date of the crash or 1 year after the date of deposit of any security under NRS 485.230, whichever period is longer, the Department is given reasonable evidence that there is no action pending and no judgment rendered in such an action left unpaid. [Part 9:127:1949; A 1955, 192]—(NRS A 1961, 143; 1981, 1865; 1987, 1093; 1999, 3583; 2015, 1650)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.290 - Transfers of deposits to State Highway Fund; procedure for payment of claimants after transfer.

1. In cases where a return to a depositor or his or her personal representative is authorized and warranted under NRS 485.280 but the address or present whereabouts of the depositor is unknown and cannot be readily ascertained by the Department, the security deposited may, 90 days after its return would be authorized by NRS 485.280, be transferred from the custody of the State Treasurer to the State Highway Fund for the general use of the Department of Transportation upon the written and certified request of the Department. 2. The request made by the Department must state the names of the parties, the dates and a concise statement of the facts involved and must be forwarded in duplicate to the State Controller and the State Treasurer. 3. The State Controller and the State Treasurer are directed to transfer the amounts of security deposits from the custody of the State Treasurer to the State Highway Fund to effectuate the purposes of this section upon being satisfied that the provisions of this chapter have been complied with. 4. If the depositor of the security or his or her rightful heirs or legatees, within 5 years after the transfer of the deposit to the State Highway Fund, present a verified claim to the Department and make proof of the validity of the claim, the Department, if it is satisfied as to the validity of the claim, may determine the amount thereby found to be due and certify it to the State Controller who shall draw a warrant therefor on the State Treasurer, who shall pay the warrant out of the State Highway Fund. 5. If the Department denies the validity of the claim, the claimant, upon notice to the Attorney General, has a right to appeal to the First Judicial District Court of the State of Nevada, in and for Carson City, and present proof of the validity of the claim. If, after hearing, the court is satisfied the claimant is rightfully entitled to the deposit, the court shall enter a decree that the money be paid to the claimant. The decree must be certified to the State Board of Examiners, stating the amount thereby found to be due, and the State Board of Examiners shall allow the amount and certify it to the State Controller who shall draw a warrant therefor on the State Treasurer, who shall pay the warrant out of the State Highway Fund. 6. The amounts in the custody of the State Treasurer on March 19, 1955, falling under the provisions of this section, may be transferred to the State Highway Fund, after the expiration of 90 days from March 19, 1955, in accordance with the provisions of this section. [Part 9:127:1949; A 1955, 192]—(NRS A 1961, 143; 1971, 231; 1979, 1815; 1999, 3583)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.300 - Matters not to be evidence in civil suits.

Any action taken by the department pursuant to NRS 485.190 to 485.300, inclusive, the findings, if any, of the department upon which the action is based and the security filed pursuant to NRS 485.190 to 485.300, inclusive, are privileged against disclosure at the trial of any action at law to recover damages. [10:127:1949; 1943 NCL § 4439.10]—(NRS A 1961, 144; 1971, 809; 1981, 1129; 1995, 2738; 1999, 3584)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.301 - Judgment creditor authorized to report nonpayment of judgment entered as result of motor vehicle crash; Department to transmit copy of judgment to nonresident's state.

1. Whenever any person fails within 60 days to satisfy any judgment that was entered as a result of a crash involving a motor vehicle, the judgment creditor or the judgment creditor's attorney may forward to the Department immediately after the expiration of the 60 days a certified copy of the judgment. 2. If the defendant named in any certified copy of a judgment that was entered as a result of a crash involving a motor vehicle and reported to the Department is a nonresident, the Department shall transmit a certified copy of the judgment to the officer in charge of the issuance of licenses and registration certificates of the state in which the

defendant is a resident. (Added to NRS by 1957, 723; A 1961, 144; 1983, 266; 1999, 3584; 2007, 2050; 2015, 1651)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.302 - Suspension for nonpayment of judgment; exceptions.

1. The Department shall, upon the receipt of a certified copy of a judgment, suspend the license, all registrations and any nonresident's operating privilege of any person against whom the judgment was rendered, except as otherwise provided in this section and in NRS 485.305. 2. If the judgment creditor consents in writing, in such a form as the Department may prescribe, that the judgment debtor be allowed a license and registration or nonresident's operating privilege, it may be allowed by the Department until the consent is revoked in writing, notwithstanding default in the payment of the judgment or of any installments thereof prescribed in NRS 485.305, if the judgment debtor furnishes proof of financial responsibility as provided in NRS 485.307. The debtor shall maintain proof of financial responsibility for 3 years after the date of reinstatement of the license pursuant to the provisions of this chapter. If the debtor fails to do so, the Department shall suspend the license and registrations of the debtor. (Added to NRS by 1957, 723; A 1961, 144; 1985, 1176; 1995, 2738; 1999, 3584)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.303 - Suspension to continue until judgments paid and proof given.

1. The license, all registrations and the nonresident's operating privilege must remain so suspended and must not be renewed, nor may any license or registration be thereafter issued in the name of such a person, including any such person not previously licensed, unless every such judgment is stayed, satisfied in full or to the extent provided in this chapter and the person gives proof of financial responsibility subject to the exemptions stated in NRS 485.302 and 485.305. 2. The requirements of this section for reinstatement of a license, registration or privilege are in addition to the requirements of NRS 485.307. (Added to NRS by 1957, 723; A 1975, 46; 1985, 1176)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.304 - Payments sufficient to satisfy requirements.

Judgments must for the purpose of this chapter only, be deemed satisfied: 1. When \$25,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one crash; 2. When, subject to the limit of \$25,000 because of bodily injury to or death of one person, the sum of \$50,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one crash; or 3. When \$20,000 has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one crash, but payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle crash must be credited in reduction of the amounts provided for in this section. (Added to NRS by 1957, 724; A 1963, 221; 1969, 177; 1981, 628; 2015, 1651; 2017, 1341)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.305 - Payment of judgment in installments; default.

1. A judgment debtor upon notice to the judgment creditor may apply to the court in which the judgment was rendered for the privilege of paying the judgment in installments and the court, without prejudice to any other legal remedies which the judgment creditor may have, may so order and fix the amounts and times of payment of the installments. 2. The Department shall not suspend a license, registration or a nonresident's operating privilege, and shall restore any license, registrations or nonresident's operating privilege suspended following nonpayment of a judgment, if the judgment debtor gives proof of financial responsibility and obtains such an order permitting the payment of the judgment in installments, and while the payment of any such installment is not in default. The requirements of this section for reinstatement of a license, registration or privilege are in addition to the requirements of NRS 485.307. 3. If the judgment debtor fails to pay any installment as specified by such an order, upon notice of the default, the Department shall forthwith suspend the license, registrations or nonresident's operating privilege of the judgment debtor until the judgment is satisfied, as provided in this chapter. (Added to NRS by 1957, 724; A 1961, 145; 1985, 1177; 1999, 3585)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.307 - Alternate methods of giving proof; proof required before registration is restored.

1. Proof of financial responsibility, when required pursuant to this title, may be given by filing: (a) A certificate of financial responsibility as provided in NRS 485.308 or 485.309; or (b) A certificate of self-insurance, as provided in NRS 485.380, supplemented by an agreement by the self-insurer that, with respect to crashes occurring while the certificate is in force, the self-insurer will pay the same judgments and in the same amounts that an insurer would have been obligated to pay under an owner's policy of liability insurance if it had issued such a policy to the self-insurer. 2. Whenever the Department restores a license, permit or privilege of driving a vehicle in this State which has been revoked, no motor vehicle may be or continue to be registered in the name of the person whose license, permit or privilege was revoked unless proof of financial responsibility is furnished by that person. (Added to NRS by 1957, 725; A 1985, 1177; 1987, 1093; 1993, 2486; 1995, 2738; 2015, 1651)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.3075 - Proof

required before reinstatement of license or registrations suspended for failure to maintain proof; duration; penalty.

A person whose license or registrations are suspended for failure to maintain proof of financial responsibility as required pursuant to this title must provide proof of financial responsibility pursuant to NRS 485.307 before the person's license or registrations will be reinstated. The person must maintain proof of financial responsibility for 3 years after the date of the reinstatement of his or her license pursuant to the provisions of this chapter. If the person fails to do so, the Department shall suspend his or her license and registrations. (Added to NRS by 1995, 2734; A 1999, 3585)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.308 - Certificate of insurance as proof; filing of certificate by electronic or other means; insurance carrier to notify Department before cancelling or terminating policy.

1. Proof of financial responsibility may be furnished by filing with the Department the written certificate of any insurance carrier authorized to do business in this State certifying that there is in effect a motor vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility. The certificate must specify its effective date and: (a) If the policy is an owner's policy of liability insurance, designate by appropriate reference all motor vehicles covered by it; or (b) If the policy is an operator's policy of liability insurance, designate the person covered. 2. The Department may authorize the filing of the certificates described in subsection 1 by electronic transmission or any other means deemed appropriate by the Department. 3. An insurance carrier that certifies the existence of a motor vehicle liability policy pursuant to subsection 1, must notify the Department at least 10 days before the cancellation or termination of the policy. (Added to NRS by 1957, 725; A 1961, 146; 1973, 837; 1979, 1515; 1985, 1178; 1987, 1093; 1993, 2487; 1995, 2739; 1999, 3585)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.309 - Certificate furnished by nonresident as proof.

1. The nonresident owner of a motor vehicle not registered in this State or a nonresident operator of a motor vehicle may give proof of financial responsibility by filing with the Department a written certificate of an insurance carrier authorized to transact business: (a) If the insurance provides coverage for the vehicle, in the state in which the motor vehicle described in the certificate is registered; or (b) If the insurance provides coverage for the operator only, in the state in which the insured resides, if the certificate otherwise conforms to the provisions of this chapter. 2. The Department shall accept the proof upon condition that the insurance carrier complies with the following provisions with respect to the policies so certified: (a) The insurance carrier shall execute a power of attorney authorizing the Director to accept service on its behalf of notice or process in any action arising out of a crash involving a motor vehicle in this State; and (b) The insurance carrier shall agree in writing that the policies shall be deemed to conform with the laws of this State relating to the terms of liability policies for owners of motor vehicles. 3. If any insurance carrier not authorized to transact business in this State, which has qualified to furnish proof of financial responsibility, defaults in any undertakings or agreements, the Department shall not thereafter accept as proof any certificate of that carrier whether theretofore filed or thereafter tendered as proof, as long as the default continues. (Added to NRS by 1957, 725; A 1961, 146; 1985, 1958; 1987, 1094; 1999, 3586; 2015, 1651)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.3091 - Motor vehicle liability policy: Requirements.

1. An owner's policy of liability insurance must: (a) Designate by explicit description or by appropriate reference all motor vehicles with respect to which coverage is thereby to be granted; and (b) Insure the person named therein and any other person, as insured, using any such motor vehicle with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance or use of such motor vehicle within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each such motor vehicle, as follows: (1) Because of bodily injury to or death of one person in any one crash, \$25,000; (2) Subject to the limit for one person, because of bodily injury to or death of two or more persons in any one crash, \$50,000; and (3) Because of injury to or destruction of property of others in any one crash, \$20,000. 2. An operator's policy of liability insurance must insure the person named as insured therein against loss from the liability imposed upon the person by law for damages arising out of the person's use of any motor vehicle within the same territorial limits and subject to the same limits of liability as are set forth in paragraph (b) of subsection 1. 3. A motor vehicle liability policy must state the name and address of the named insured, the coverage afforded by the policy, the premium charged therefor, the period of effectiveness and the limits of liability, and must contain an agreement or be endorsed that insurance is provided thereunder in accordance with the coverage defined in this chapter as respects bodily injury and death or property damage, or both, and is subject to all the provisions of this chapter. 4. A motor vehicle liability policy need not insure any liability under any workers' compensation law nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment, other than domestic, of the insured, or while engaged in the operation, maintenance or repair of any motor vehicle owned by the insured nor any liability for damage to property owned by, rented to, in charge of or transported by the insured. 5. Every motor vehicle liability policy is subject to the following provisions which need not be contained therein: (a) The liability of the insurance carrier with respect to the insurance required by this chapter becomes absolute whenever injury or damage covered by the policy occurs. The policy may not be cancelled or annulled as to such liability by any agreement between the

insurance carrier and the insured after the occurrence of the injury or damage. No statement made by the insured or on behalf of the insured and no violation of the policy defeats or voids the policy. (b) The satisfaction by the insured of a judgment for injury or damage is not a condition precedent to the right or duty of the insurance carrier to make payment on account of the injury or damage. (c) The insurance carrier may settle any claim covered by the policy, and if such a settlement is made in good faith, the amount thereof is deductible from the limits of liability specified in paragraph (b) of subsection 1. (d) The policy, the written application therefor, if any, and any rider or endorsement which does not conflict with the provisions of this chapter constitute the entire contract between the parties. 6. Any policy which grants the coverage required for a motor vehicle liability policy may also grant any lawful coverage in excess of or in addition to the coverage specified for a motor vehicle liability policy, and the excess or additional coverage is not subject to the provisions of this chapter. 7. Any motor vehicle liability policy may provide for the prorating of the insurance thereunder with other valid and collectible insurance. 8. The requirements for a motor vehicle liability policy may be fulfilled by the policies of one or more insurance carriers, which policies together meet those requirements. 9. Any binder issued pending the issuance of a motor vehicle liability policy shall be deemed to fulfill the requirements for such a policy. (Added to NRS by 1957, 726; A 1963, 222; 1967, 1203; 1969, 178; 1973, 837; 1979, 1516; 1981, 628; 1987, 1094; 2015, 1652; 2017, 1341)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.3092 - Cancellation or termination of policy: Notice required; suspension required if effective date within 3 years after reinstatement.

When an insurance carrier has issued a motor vehicle liability policy, the insurance so issued must not be cancelled or terminated until at least 10 days after a notice of cancellation or termination of the insurance has been mailed first class or delivered to the insured and, if the insurance carrier has certified the policy under NRS 485.308 or 485.309, a notice has also been filed in the office of the Department. A policy subsequently procured and certified, on the effective date of its certification, terminates the insurance previously certified with respect to any motor vehicle designated or the person named as the insured operator in both certificates. If the effective date of the termination is within 3 years after the date of reinstatement of a license, registration or privilege, the Department shall suspend the license and registration or privilege. (Added to NRS by 1957, 727; A 1961, 146; 1967, 1204; 1985, 1061, 1178; 1987, 1096; 1999, 3586)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.3093 - Chapter not to affect other policies.

1. This chapter shall not be held to apply to or affect policies of automobile insurance against liability which may now or hereafter be required by any other law of this State, and such policies, if they contain an agreement or are endorsed to conform to the requirements of this chapter, may be certified as proof of financial responsibility under this chapter. 2. This chapter shall not be held to apply to or affect policies insuring solely the insured named in the policy against liability resulting from the maintenance or use by persons in the insured's employ or on his or her behalf of motor vehicles not owned by the insured. (Added to NRS by 1957, 728)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.3098 - Other proof may be required.

Whenever any proof of financial responsibility filed under the provisions of this chapter no longer fulfills the purposes for which required, the Department shall, for the purpose of this chapter, require other proof as required by this chapter and shall suspend the license and registration or the nonresident's operating privilege pending the filing of such other proof. (Added to NRS by 1957, 729; A 1961, 148; 1999, 3586)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.3099 - Department, under certain circumstances, to consent to cancellation of certificate or waive requirement of proof; re-establishment of proof.

1. The Department shall, upon request, consent to the immediate cancellation of any certificate of financial responsibility or waive the requirement of filing proof of financial responsibility, in the following events: (a) The death of the person on whose behalf the proof of financial responsibility was filed or the permanent incapacity of the person to operate a motor vehicle; or (b) If the person who is required to file proof of financial responsibility surrenders his or her license and registration to the Department. 2. If a person who surrenders his or her license and registration pursuant to paragraph (b) of subsection 1 applies for a license or registration within a period of 3 years after the date proof of financial responsibility was originally required, the application must be refused unless the applicant re-establishes proof of financial responsibility for the remainder of the 3-year period. (Added to NRS by 1957, 729; A 1961, 148; 1995, 2739; 1999, 3587; 2007, 2050)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.313 - Department to create system for verifying that owners of motor vehicles maintain insurance; regulations.

1. The Department: (a) Shall, in cooperation with insurers, create a system for verifying through the secure transmission and receipt

of information that the owners of motor vehicles maintain the insurance required by NRS 485.185; and (b) May enter into a contract with any person to provide services relating to the system. 2. The Director shall adopt regulations to carry out the provisions of this section. 3. For vehicles which are part of a fleet of more than one vehicle, all of which are covered by a commercial liability policy, the maintenance of the insurance required by NRS 485.185 shall be deemed to have been satisfied by the submission by the insurer to the Department of the policy number and the name of the registered owner of the vehicles. 4. As used in this section, "motor vehicle": (a) Does not include: (1) Except as otherwise provided in subsection 1 of NRS 482.398, a golf cart as that term is defined in NRS 482.044. (2) A vehicle that is registered as part of a fleet of vehicles pursuant to subsection 5 of NRS 482.215. (b) Includes, without limitation, a motortruck, truck-tractor, bus or other vehicle that is registered pursuant to paragraph (c) of subsection 1 of NRS 482.482 or NRS 706.801 to 706.861, inclusive. (Added to NRS by 1993, 2483; A 1995, 2740; 1997, 1083; 2009, 402, 2206; 2013, 1890)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.314 - Insurer to maintain record of each contract of insurance and provide Department access to any such record; Department to notify Commissioner of Insurance of noncompliance or receipt of false, incomplete or misleading information.

1. Each insurer that has executed a contract of insurance for a motor vehicle liability policy which may be used to meet the requirements of NRS 485.185 shall maintain a record of each such policy in a format approved by the Department and provide the Department with access to the record. 2. The Department shall notify the Commissioner of Insurance if an insurer: (a) Fails to comply with subsection 1; or (b) In complying with subsection 1, provides to the Department information that is false, incomplete or misleading. (Added to NRS by 1993, 2483; A 1995, 2740; 1997, 1083; 2009, 2206)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.316 - Confidentiality of information in system; exceptions; penalty.

1. Except as otherwise provided in subsection 2 and NRS 239.0115, information which is maintained in the system created pursuant to NRS 485.313 is confidential. 2. The Department may only disclose information which is maintained in the system to: (a) A state or local governmental agency for the purpose of enforcing NRS 485.185, including investigating or litigating a violation or alleged violation; (b) An authorized insurer; (c) A person: (1) With whom the Department has contracted to provide services relating to the system created pursuant to NRS 485.313; and (2) To whom the information is disclosed only pursuant to a nondisclosure or confidentiality agreement which relates to the information; (d) A person who requests information regarding his or her own status; (e) The parent or legal guardian of the person about whom the information is requested if the person is an unemancipated minor or legally incapacitated; (f) A person who has a power of attorney from the person about whom the information is requested; (g) A person who submits a notarized release from the person about whom the information is requested which is dated no more than 90 days before the date of the request; or (h) A person who has suffered a loss or injury in a crash involving a motor vehicle, or the person's authorized insurer or a representative of the authorized insurer, who requests: (1) Information for use in the crash report; and (2) For each motor vehicle involved in the crash: (I) The name and address of each registered owner; (II) The name of the insurer; and (III) The number of the policy of liability insurance. 3. A person who knowingly violates the provisions of this section is guilty of a category D felony and shall be punished as provided in NRS 193.130. 4. As used in this section, "authorized insurer" has the meaning ascribed to it in NRS 679A.030. (Added to NRS by 1993, 2484; A 1995, 1301, 2740; 2001 Special Session, 253; 2007, 2118; 2009, 2207; 2015, 1653)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.317 - Department to verify insurance for each motor vehicle registered in this State; owner to respond to inquiry when Department unable to verify insurance; suspension of registration when insurance cannot be verified; reinstatement of registration.

1. The Department shall verify that each motor vehicle which is registered in this State is covered by a policy of liability insurance as required by NRS 485.185. 2. Except as otherwise provided in this subsection, the Department may use any information to verify whether a motor vehicle is covered by a policy of liability insurance as required by NRS 485.185. The Department may not use the name of the owner of a motor vehicle as the primary means of verifying that a motor vehicle is covered by a policy of liability insurance. 3. If the Department is unable to verify that a motor vehicle is covered by a policy of liability insurance as required by NRS 485.185, the Department shall send a request for information by first-class mail to the registered owner of the motor vehicle. The owner shall submit all the information which is requested to the Department within 15 days after the date on which the request for information was mailed by the Department. If the Department does not receive the requested information within 15 days after it mailed the request to the owner, the Department shall send to the owner a notice of suspension of registration by certified mail. The notice must inform the owner that unless the Department is able to verify that the motor vehicle is covered by a policy of liability insurance as required by NRS 485.185 within 10 days after the date on which the notice was sent by the Department, the owner's registration will be suspended pursuant to subsection 4. 4. The Department shall suspend the registration and require the return to the Department of the license plates of any vehicle for which the Department cannot verify the coverage of liability insurance required by NRS 485.185. 5. Except as otherwise provided in subsection 6, the Department shall reinstate the registration of the vehicle and reissue the license plates only upon verification of current insurance and compliance with the requirements for reinstatement of registration prescribed in paragraph (a) of subsection 7 of NRS 482.480. 6. If the Department suspends the

registration of a motor vehicle pursuant to subsection 4 because the registered owner of the motor vehicle failed to have insurance on the date specified in the form for verification, and if the registered owner, in accordance with regulations adopted by the Department, proves to the satisfaction of the Department that the owner was unable to comply with the provisions of NRS 485.185 on that date because of extenuating circumstances or that the motor vehicle was a dormant vehicle and the owner failed to cancel the registration in accordance with subsection 3 of NRS 485.320, the Department may: (a) Reinstate the registration of the motor vehicle and reissue the license plates upon payment by the registered owner of a fee of \$50, which must be deposited in the Account for Verification of Insurance created by subsection 7 of NRS 482.480; or (b) Remove the suspension of the registration without the payment of a fee or administrative fine. The Department shall adopt regulations to carry out the provisions of this subsection. (Added to NRS by 1981, 1691; A 1983, 1133; 1985, 730; 1987, 320, 686, 1097, 1499; 1989, 1262; 1993, 272, 1393, 2487; 1995, 2741; 1997, 1084, 2648; 2001, 669; 2001 Special Session, 254; 2005, 2316; 2009, 2207; 2011, 1591; 2013, 1842; 2015, 1768)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.318 - Immunity from liability for actions in good faith and without gross negligence.

An insurer, its agents, the Department and its employees who act pursuant to NRS 485.313 to 485.318, inclusive, in good faith and without gross negligence are immune from civil liability for those acts. (Added to NRS by 1993, 2484; A 1995, 2742)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.320 - Surrender of license, registration and license plates; owner of dormant vehicle required to cancel registration if policy covering vehicle is cancelled or expires; regulations.

1. If the license of any person is suspended as provided in this chapter, the person shall immediately return the license to the Department. If the person's registration is suspended, the person shall immediately return the certificate of registration and the license plates to the Department. 2. If any person fails to return any item as required by subsection 1, the Department shall forthwith direct any peace officer to secure possession thereof and to return the item to the Department. 3. A person who owns a dormant vehicle who desires to cancel the policy of liability insurance covering that vehicle or to allow such a policy to expire: (a) Shall, on or before the date on which the policy is cancelled or expires, cancel the registration of the vehicle to which that policy pertains. (b) May, if the person presents the license plates for that vehicle to the authorized personnel of the Department for the removal and destruction of the sticker or other device evidencing the current registration of the vehicle, retain for potential reinstatement the license plates for a period not to exceed 1 year. 4. The Department shall adopt regulations which define "extended period," "mechanical circumstances" and "seasonal circumstances" for the purposes of NRS 485.0335. [12:127:1949; 1943 NCL § 4439.12]—(NRS A 1961, 149; 1987, 319; 1997, 1086; 1999, 3587)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.326 - Suspension of license for failure to maintain insurance.

1. The Department shall suspend the license of any person convicted of violating the provisions of paragraph (a) of subsection 1 of NRS 485.187. 2. Any license suspended pursuant to subsection 1 must remain suspended until the person shows proof of financial responsibility as set forth in NRS 485.307. The person shall maintain proof of financial responsibility for 3 years after the reinstatement of his or her license pursuant to the provisions of this chapter, and if the person fails to do so, the Department shall suspend any license previously suspended pursuant to subsection 1. (Added to NRS by 1981, 1861; A 1985, 1178, 1959; 1987, 1096, 1442; 1993, 2487; 1995, 700, 2742; 1999, 3588)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.330 - Operating motor vehicle when license or registration suspended.

Any person whose license or registration or nonresident's operating privilege has been suspended pursuant to this chapter and who, during the suspension, drives any motor vehicle upon any highway or knowingly permits any motor vehicle owned by the person to be operated by another person upon any highway, except as permitted pursuant to this chapter, is guilty of a misdemeanor. [Part 13:127:1949; 1943 NCL § 4439.13]—(NRS A 1967, 596; 1995, 2742)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.340 - Failure to return license, registration or license plate.

Any person willfully failing to return a license, certificate of registration or license plate as required in NRS 485.320 is guilty of a misdemeanor. [Part 13:127:1949; 1943 NCL § 4439.13]—(NRS A 1967, 596; 1987, 320)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.350 - False or forged policy of insurance, certificate of self-insurance, proof of financial responsibility, evidence of insurance or other document; misrepresentation of documents.

Any person who: 1. Forges, materially alters or, without authority, signs any policy of insurance, certificate of self-insurance, proof of financial responsibility, evidence of insurance or other document required pursuant to this chapter; 2. Files or offers for filing any policy of insurance, certificate of self-insurance, proof of financial responsibility, evidence of insurance or other document knowing

or having reason to believe that it is forged, altered or signed without authority; or 3. Misrepresents the validity of any policy of insurance, certificate of self-insurance, proof of financial responsibility, evidence of insurance or other document required pursuant to this chapter, is guilty of a misdemeanor. [Part 13:127:1949; 1943 NCL § 4439.13]—(NRS A 1967, 596; 1987, 313; 1995, 2742)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.360 - Penalty for other violations.

Any person who shall violate any provision of this chapter for which no penalty is otherwise provided shall be guilty of a misdemeanor. [Part 13:127:1949; 1943 NCL § 4439.13]—(NRS A 1967, 596)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.370 - Applicability.

This chapter shall not apply with respect to any motor vehicle owned by the United States, this State, or any political subdivision of this State, or any municipality therein. [14:127:1949; 1943 NCL § 4439.14]

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.380 - Self-insurers.

1. Any person in whose name more than 10 motor vehicles are registered in the State of Nevada may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the Department as provided in subsection 2. 2. The Department may, upon the application of such a person, issue a certificate of self-insurance when: (a) It is satisfied that the person possesses and will continue to possess the ability to pay judgments obtained against him or her; and (b) The person provides security to satisfy judgments against him or her in an amount prescribed by regulation of the Department. 3. The certificate of self-insurance must include: (a) The name and address of the self-insurer; (b) The expiration date of the self-insurance; and (c) The statements: (1) "Self-insured"; and (2) "This certificate of self-insurance or a photocopy thereof must be carried in the motor vehicle which is self-insured for production on demand." 4. Upon not less than 5 days' notice and a hearing pursuant to the notice, the Department may, upon reasonable grounds, cancel a certificate of self-insurance. Failure to pay any judgment within 30 days after it becomes final constitutes a reasonable ground for the cancellation of a certificate of self-insurance. 5. The Department shall adopt regulations which set forth the amount of security which must be provided by a self-insurer pursuant to subsection 2. [15:127:1949; 1943 NCL § 4439.15]—(NRS A 1961, 149; 1965, 263; 1973, 839; 1977, 657; 1979, 1517; 1993, 2487; 1995, 2743; 1999, 3588)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.385 - Department to take appropriate action after receipt of correct information.

Whenever the Department has taken any action or has failed to take any action under this chapter by reason of having received erroneous information or by reason of having received no information, upon receiving correct information within 2 years after the date of the crash, the Department shall take appropriate action to carry out the purposes of this chapter. The foregoing does not require the Department to reevaluate the amount of any deposit required under this chapter. (Added to NRS by 1957, 730; A 1961, 149; 1981, 1865; 1999, 3588; 2015, 1654)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.387 - Suspension of registration does not prevent owner from effecting bona fide sale; rights of vendor, mortgagee or lessor.

1. This chapter shall not prevent the owner of a motor vehicle, the registration of which has been suspended under this chapter, from effecting a bona fide sale of such motor vehicle to another person whose rights or privileges are not suspended under this chapter, nor prevent the registration of such motor vehicle by such transferee. 2. This chapter shall not in anywise affect the rights of any conditional vendor, chattel mortgagee or lessor of a motor vehicle registered in the name of another as owner who becomes subject to the provisions of this chapter. [11:127:1949; 1943 NCL § 4439.11]

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.390 - Chapter supplemental to laws regarding motor vehicles.

This chapter shall in no respect be considered as a repeal of the state motor vehicle laws, but shall be construed as supplemental thereto. [16:127:1949; 1943 NCL § 4439.16]

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.400 - Chapter not retroactive.

This chapter shall not apply with respect to any crash, or judgment arising therefrom, or violation of the motor vehicle laws of this State occurring prior to September 1, 1949. [17:127:1949; 1943 NCL § 4439.17]—(NRS A 2015, 1654)

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.410 - Chapter not to prevent other process.

Nothing in this chapter shall be construed as preventing the plaintiff in any action at law from relying for relief upon the other

processes provided by law. [18:127:1949; 1943 NCL § 4439.18]

2024 Nevada Revised Statutes Chapter 485 - Motor Vehicles: Insurance and Financial Responsibility NRS 485.420 - Uniformity of interpretation.

This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact it. [19:127:1949; 1943 NCL § 4439.19]

Title: chapter-486

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.011 - Definitions.

As used in NRS 486.011 to 486.381, inclusive, unless the context otherwise requires, the words and terms defined in NRS 486.015 to 486.057, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1971, 1465; A 1975, 1082; 1979, 856; 1985, 1959; 1991, 1067; 2023, 1475)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.015 - "Autocycle" defined. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles.]

"Autocycle" means a three-wheeled motor vehicle that: 1. Is designed with two front wheels and one rear wheel; 2. Is equipped with a steering wheel or handlebars; 3. Is equipped with safety belts for the driver and each passenger; 4. Uses foot pedals to control the braking and acceleration of the vehicle; 5. Does not require the operator or passengers to straddle or sit astride the vehicle; and 6. Has been manufactured to meet the federal safety requirements for a motorcycle. (Added to NRS by 2023, 1475, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.031 - "Highway" defined.

"Highway" means the entire width between the boundary lines of every way maintained by a public authority when any part thereof is open to the use of the public for purposes of vehicular traffic. (Added to NRS by 1971, 1465)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.038 - "Moped" defined.

"Moped" means a motor-driven scooter, motor-driven cycle or similar vehicle that is propelled by a small engine which produces not more than 2 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 1500 watts final output, and: 1. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and 2. Is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1 percent grade in any direction when the motor is engaged. The term does not include an electric bicycle as defined in NRS 484B.017 or an electric scooter as defined in NRS 482.0295. (Added to NRS by 1975, 1082; A 1983, 896; 2009, 402; 2019, 1897; 2021, 1744)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.041 - "Motorcycle" defined. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles.] "Motorcycle" defined. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles.]

"Motorcycle" means every motor vehicle equipped with a seat or a saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, excluding an electric bicycle as defined in NRS 484B.017, an electric scooter as defined in NRS 482.0295, a tractor and a moped. (Added to NRS by 1971, 1465; A 1975, 1082; 2009, 403; 2019, 1897; 2021, 1744)

"Motorcycle" means every motor vehicle equipped with a seat or a saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, excluding an electric bicycle as defined in NRS 484B.017, an electric scooter as defined in NRS 482.0295, a tractor, an autocycle and a moped. (Added to NRS by 1971, 1465; A 1975, 1082; 2009, 403; 2019, 1897; 2021, 1744; 2023, 1475, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.051 - "Muffler" defined.

"Muffler" means a device consisting of a series of chambers or baffle plates, or other mechanical design, for the purpose of receiving exhaust gas from an internal combustion engine, and is effective in reducing noise, but does not include such a device

equipped with an apparatus which permits the exhaust gas to be discharged directly into the air without passing through such device. (Added to NRS by 1971, 1465)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.055 - "Program" defined.

"Program" means the Program for the Education of Motorcycle Riders. (Added to NRS by 1991, 1064)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.057 - "Trimobile" defined.

"Trimobile" means every motor vehicle equipped with handlebars and a saddle seat and designed to travel with three wheels in contact with the ground, at least one of which is power driven. The term does not include a motorcycle with a sidecar. (Added to NRS by 1979, 856; A 2015, 327; 2019, 3104)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.061 - License or permit required to operate motorcycle or trimobile; exception. [Effective through the earlier of December 31, 2024, or the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles.] License or permit required to operate motorcycle or trimobile; exception; motorcycle safety course in lieu of fine for violation. [Effective January 1, 2025, if, before that date, the Director of the Department of Motor Vehicles does not notify the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles, and until the date on which the Director of the Department of Motor Vehicles provides such notification.] License or permit required to operate motorcycle, trimobile or autocycle; exception. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles, if the Director of the Department provides such notice before January 1, 2025.] License or permit required to operate motorcycle, trimobile or autocycle; exception; motorcycle safety course in lieu of fine for violation. [Effective on the later of January 1, 2025, or the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1

Except for a nonresident who is at least 16 years of age and is authorized by the person's state of residency to drive a motorcycle, a person shall not drive: 1. A motorcycle, except a trimobile, upon a highway unless that person holds a valid motorcycle driver's license issued pursuant to NRS 486.011 to 486.381, inclusive, a driver's license issued pursuant to chapter 483 of NRS endorsed to authorize the holder to drive a motorcycle or a permit issued pursuant to subsection 4 or 5 of NRS 483.280. 2. A trimobile upon a highway unless that person holds a valid motorcycle driver's license issued pursuant to NRS 486.011 to 486.381, inclusive, or a driver's license issued pursuant to chapter 483 of NRS. (Added to NRS by 1971, 1465; A 1979, 856; 1991, 2231; 1997, 2078; 2017, 966) 1. Except for a nonresident who is at least 16 years of age and is authorized by the person's state of residency to drive a motorcycle, a person shall not drive: (a) A motorcycle, except a trimobile, upon a highway unless that person holds a valid motorcycle driver's license issued pursuant to NRS 486.011 to 486.381, inclusive, a driver's license issued pursuant to chapter 483 of NRS endorsed to authorize the holder to drive a motorcycle or a permit issued pursuant to subsection 4 or 5 of NRS 483.280. (b) A trimobile upon a highway unless that person holds a valid motorcycle driver's license issued pursuant to NRS 486.011 to 486.381, inclusive, or a driver's license issued pursuant to chapter 483 of NRS. 2. If, pursuant to NRS 486.381, a court of competent jurisdiction finds that a person has violated the requirement of paragraph (a) of subsection 1, the court shall permit the person to complete a course of motorcycle safety in lieu of assessing a fine for the violation. The course of motorcycle safety must be completed within 9 months after the date of the final order of the court and proof of successful completion of the course must be filed with the court. (Added to NRS by 1971, 1465; A 1979, 856; 1991, 2231; 1997, 2078; 2017, 966; 2023, 944, effective January 1, 2025, if, before that date, the Director of the Department of Motor Vehicles does not notify the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles) Except for a nonresident who is at least 16 years of age and is authorized by the person's state of residency to drive a motorcycle, a person shall not drive: 1. A motorcycle, except a trimobile, upon a highway unless that person holds a valid motorcycle driver's license issued pursuant to NRS 486.011 to 486.381, inclusive, a driver's license issued pursuant to chapter 483 of NRS endorsed to authorize the holder to drive a motorcycle or a permit issued pursuant to subsection 4 or 5 of NRS 483.280. 2. A trimobile upon a highway unless that person holds a valid motorcycle driver's license issued pursuant to NRS 486.011 to 486.381, inclusive, or a driver's license issued pursuant to chapter 483 of NRS. 3. An autocycle upon a highway unless that person holds a driver's license issued pursuant to chapter 483 of NRS. (Added to NRS by 1971, 1465; A 1979, 856; 1991, 2231; 1997, 2078; 2017, 966; 2023, 1475, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles, if the Director of the Department provides such notice before January 1, 2025) 1. Except for a nonresident who is at least 16 years of age and is authorized by the person's state of residency to drive a motorcycle, a person shall

not drive: (a) A motorcycle, except a trimobile, upon a highway unless that person holds a valid motorcycle driver's license issued pursuant to NRS 486.011 to 486.381, inclusive, a driver's license issued pursuant to chapter 483 of NRS endorsed to authorize the holder to drive a motorcycle or a permit issued pursuant to subsection 4 or 5 of NRS 483.280. (b) A trimobile upon a highway unless that person holds a valid motorcycle driver's license issued pursuant to NRS 486.011 to 486.381, inclusive, or a driver's license issued pursuant to chapter 483 of NRS. (c) An autocycle upon a highway unless that person holds a driver's license issued pursuant to chapter 483 of NRS. 2. If, pursuant to NRS 486.381, a court of competent jurisdiction finds that a person has violated the requirement of paragraph (a) of subsection 1, the court shall permit the person to complete a course of motorcycle safety in lieu of assessing a fine for the violation. The course of motorcycle safety must be completed within 9 months after the date of the final order of the court and proof of successful completion of the course must be filed with the court. (Added to NRS by 1971, 1465; A 1979, 856; 1991, 2231; 1997, 2078; 2017, 966; 2023, 944, 1475, effective on the later of January 1, 2025, or the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.071 - Qualifications for license.

1. Except as otherwise provided in subsection 3 and NRS 486.161, the Department shall not issue a motorcycle driver's license unless the applicant: (a) Is at least 18 years of age; and (b) Has successfully completed: (1) Except as otherwise provided in subsection 2, such written examinations and driving tests as may be required by the Department; or (2) A course of motorcycle safety approved by the Department. 2. A holder of an instruction permit issued pursuant to subsection 4 or 5 of NRS 483.280 who applies to the Department for a motorcycle driver's license pursuant to subsection 1 is not required to successfully complete the written examinations required pursuant to subparagraph (1) of paragraph (b) of subsection 1 if the holder of the permit: (a) Is at least 18 years of age; (b) Has held the instruction permit for not less than 6 months; and (c) The instruction permit expired not more than 30 days before the date of application for a motorcycle driver's license. 3. The Department shall not issue a motorcycle driver's license to an applicant who is at least 16 years of age but is less than 18 years of age unless the applicant: (a) Meets the requirements of subsection 4 of NRS 483.2521; and (b) Has successfully completed such written examinations and driving tests as may be required by the Department. 4. Except as otherwise provided in subsection 4 of NRS 483.2521, any person who has been issued a driver's license pursuant to chapter 483 of NRS without having the authority to drive a motorcycle endorsed thereon must, before driving a motorcycle, successfully pass: (a) A driving test conducted by the Department; or (b) A course of motorcycle safety approved by the Department, and have the authority endorsed upon the license. (Added to NRS by 1971, 1466; A 1973, 1444; 1995, 88; 2017, 966; 2019, 2974)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.081 - Application for license: Form; verification; contents; proof of full legal name and age; Department to adopt regulations prescribing documents acceptable to prove full legal name and age; proof of social security number; authority of Department to refuse to accept certain documents; additional regulations; prohibition on acceptance of consular identification cards as proof of age or identity.

1. Every application for a motorcycle driver's license must be made upon a form furnished by the Department and must be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge. 2. Every application must: (a) State the full legal name, date of birth, sex, address of principal residence and mailing address, if different from the address of principal residence; (b) Briefly describe the applicant; (c) State whether the applicant has previously been licensed as a driver, and, if so, when and by what state or country; (d) State whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal; and (e) Give such other information as the Department requires to determine the competency and eligibility of the applicant. 3. Every applicant shall furnish proof of his or her full legal name and age by displaying an original or certified copy of the required documents as prescribed by regulation. 4. The Department shall adopt regulations prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department, including, without limitation, a document issued by the Department pursuant to NRS 483.375 or 483.8605. 5. Every applicant who has been assigned a social security number must furnish proof of the social security number by displaying: (a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or (b) Other proof acceptable to the Department, including, without limitation, records of employment or federal income tax returns. 6. The Department may refuse to accept a driver's license issued by another state, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Northern Mariana Islands or the United States Virgin Islands if the Department determines that the other state, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Northern Mariana Islands or the United States Virgin Islands has less stringent standards than the State of Nevada for the issuance of a driver's license. 7. With respect to any document that has expired: (a) The Department may refuse to accept the document or refuse to issue a driver's license to the person presenting the document, or both; and (b) If the document indicates that the person is authorized to stay in the United States, the Department shall issue to the person presenting the document a driver's license that is valid only during the time the applicant is authorized to stay in the United States, or if there is no definite end to the time the applicant is authorized to stay, the driver's license is valid for 1 year beginning on the date of issuance. 8. The Director shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license in accordance with this section to a person who is a citizen of a state,

the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Northern Mariana Islands or the United States Virgin Islands or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue a driver's license to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States. 9. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for a motorcycle driver's license. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006. (Added to NRS by 1971, 1466; A 1973, 1445; 1987, 687; 1993, 2846; 1999, 2476; 2003, 470, 1244, 1935, 2467; 2007, 2807; 2017, 1285; 2019, 1795)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.084 - Payment of child support: Statement by applicant for license; grounds for denial of license; duty of Department. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for the issuance or renewal of a motorcycle driver's license shall submit to the Department the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant. 2. The Department shall include the statement required pursuant to subsection 1 in: (a) The application or any other forms that must be submitted for the issuance or renewal of the license; or (b) A separate form prescribed by the Department. 3. A motorcycle driver's license may not be issued or renewed by the Department if the applicant: (a) Fails to submit the statement required pursuant to subsection 1; or (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order. 4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Department shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage. (Added to NRS by 1997, 2077)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.091 - Application from person previously licensed in another state; copy of record from other state becomes part of Nevada record; Department to furnish records to other states.

1. Whenever an application for a motorcycle driver's license is received from a person previously licensed in another state, the Department shall request a copy of the driver's record from such other state. When received, the driver's record shall become a part of the driver's record in this State with the same effect as though entered on the driver's record in this State in the original instance. 2. Whenever the Department receives a request for a driver's record from another licensing state the record shall be forwarded without charge. (Added to NRS by 1971, 1466; A 1973, 1445)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.101 - Application of minors.

1. The application of any person under the age of 18 years for a motorcycle driver's license must be signed and verified, before a person authorized to administer oaths, by either or both parents of the applicant, if either or both are living and have custody of the applicant, or if neither parent is living, then by the guardian having custody, or by an employer of the minor, or if there is no guardian or employer, then by any responsible person who is willing to assume the obligation imposed pursuant to NRS 486.011 to 486.381, inclusive, upon a person signing the application of a minor. 2. Any negligence or willful misconduct of a minor under the age of 18 years when driving a motorcycle upon a highway is imputed to the person who signed the application of the minor for a license. That person is jointly and severally liable with the minor for any damages caused by negligence or willful misconduct. (Added to NRS by 1971, 1467; A 1973, 1445; 1991, 2231; 2017, 794)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.111 - Release from liability.

Any person who has signed the application of a minor for a motorcycle driver's license may thereafter file with the Department a verified written request that the license of the minor so granted be cancelled. Thereupon, the Department shall cancel the license of the minor, and the person who signed the application of the minor is relieved from the liability imposed pursuant to NRS 486.011 to 486.381, inclusive, by reason of having signed such application on account of any subsequent negligence or willful misconduct of such minor in driving a motorcycle. (Added to NRS by 1971, 1467; A 1991, 2231; 2017, 966)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.121 - Cancellation of license upon death of person signing minor's application.

The Department, upon receipt of satisfactory evidence of the death of the persons who signed the application of a minor for a motorcycle driver's license, shall cancel the license and shall not issue a new license until a new application, signed and verified, is made as required by NRS 486.011 to 486.381, inclusive. This provision does not apply if the minor has attained the age of 18 years.

(Added to NRS by 1971, 1467; A 1973, 1446; 1991, 2231; 2017, 967)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.131 - Examination of applicants.

1. The Department may require every applicant for a motorcycle driver's license to submit to an examination conducted by the Department or successfully complete a course of motorcycle safety approved by the Department. 2. An examination may be held in the county where the applicant resides within 30 days after the date application is made and may include: (a) Except as otherwise provided in NRS 486.071, a test of the applicant's ability to understand official devices used to control traffic; (b) Except as otherwise provided in NRS 486.071, a test of the applicant's knowledge of practices for safe driving and the traffic laws of this State; (c) Except as otherwise provided in a regulation adopted pursuant to subsection 2 of NRS 483.330, a test of the applicant's eyesight; and (d) An actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the operation of a motorcycle. The examination may also include such further physical and mental examination as the Department finds necessary to determine the applicant's fitness to drive a motorcycle safely upon the highways. (Added to NRS by 1971, 1467; A 1987, 1310; 1995, 88; 2017, 967)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.141 - Form for application.

Every application for an instruction permit under the provisions of subsection 4 or 5 of NRS 483.280 or a motorcycle driver's license under the provisions of NRS 486.011 to 486.381, inclusive, must be made upon a form furnished by the Department. There must be no charge for the making and filing of the application. (Added to NRS by 1971, 1467; A 1991, 2232; 2017, 967)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.161 - Expiration and renewal of license; regulations. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] Expiration and renewal of license; regulations. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. Every motorcycle driver's license expires as prescribed by regulation. 2. The Department shall adopt regulations prescribing when a motorcycle driver's license expires. 3. Every license is renewable at any time before its expiration upon application, submission of the statement required pursuant to NRS 486.084 and payment of the required fee. Every motorcycle endorsement to a driver's license issued on or after January 1, 1972, expires simultaneously with the expiration of the driver's license. 4. Except as otherwise provided in subsection 1 of NRS 483.384, each applicant for renewal must appear before an examiner for a driver's license and successfully pass a test of the applicant's eyesight. (Added to NRS by 1971, 1468; A 1973, 1446; 1981, 1590; 1983, 503; 1987, 1310; 1993, 2847; 1995, 88, 2579; 1997, 2078; 2007, 2809; 2017, 967) 1. Every motorcycle driver's license expires as prescribed by regulation. 2. The Department shall adopt regulations prescribing when a motorcycle driver's license expires. 3. Every license is renewable at any time before its expiration upon application and payment of the required fee. Every motorcycle endorsement to a driver's license issued on or after January 1, 1972, expires simultaneously with the expiration of the driver's license. 4. Except as otherwise provided in subsection 1 of NRS 483.384, each applicant for renewal must appear before an examiner for a driver's license and successfully pass a test of the applicant's eyesight. (Added to NRS by 1971, 1468; A 1973, 1446; 1981, 1590; 1983, 503; 1987, 1310; 1993, 2847; 1995, 88, 2579; 1997, 2078; 2007, 2809, 2810; 2017, 967, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.165 - Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. The Department shall, upon receiving notification from a district attorney or other public agency collecting support for children pursuant to NRS 425.510 that a court has determined that a person who has been issued a motorcycle driver's license: (a) Has failed to comply with a subpoena or warrant relating to a proceeding to establish paternity or to establish or enforce an obligation for the support of a child; or (b) Is in arrears in the payment for the support of one or more children, send a written notice to that person that his or her motorcycle driver's license is subject to suspension. 2. The notice must include: (a) The reason for the suspension of the license; (b) The information set forth in subsections 3 and 4; and (c) Any other information the Department deems necessary. 3. If a person who receives a notice pursuant to subsection 1 does not, within 30 days after receiving the notice, comply with the subpoena or warrant or satisfy the arrearage as required in NRS 425.510, the Department shall suspend the license without providing the person with an opportunity for a hearing. 4. The Department shall reinstate a license suspended pursuant to this section if it receives

a notice from the district attorney or other public agency pursuant to NRS 425.510 that the person has complied with the subpoena or warrant or has satisfied the arrearage pursuant to that section. (Added to NRS by 1997, 2077)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.171 - Unlawful to permit unauthorized person to drive.

1. A person shall not authorize or knowingly permit a motorcycle, except a trimobile, owned by or under the control of the person to be driven upon any highway by any person who is not authorized pursuant to NRS 486.011 to 486.381, inclusive, to drive a motorcycle. 2. A person who violates this section is guilty of a misdemeanor. (Added to NRS by 1971, 1468; A 1979, 857; 1985, 341; 1991, 2232; 2021, 3344)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.180 - Operation and equipment provisions applicable and uniform throughout State; local authorities prohibited from enacting ordinance in conflict with provisions.

1. The provisions of NRS 486.180 to 486.361, inclusive, are applicable and uniform throughout this State. 2. A local authority shall not enact an ordinance governing the operation and equipment of a motorcycle or moped which is in conflict with any of the provisions of NRS 486.180 to 486.361, inclusive. (Added to NRS by 2015, 536)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.181 - Carrying passengers.

1. A motorcycle or moped shall not be driven upon a highway while carrying more than one person unless such motorcycle or moped is designed by the manufacturer to carry more than one person. 2. A passenger shall ride: (a) Behind the driver and astride the permanent or regular seat which was designed for two persons; (b) Astride another seat firmly attached at the rear of the driver; or (c) In a sidecar attached. 3. Every such motorcycle or moped designed for transporting a passenger shall be equipped with footrests adjusted to fit such passenger. (Added to NRS by 1971, 1468; A 1975, 1082)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.191 - Driver's position while operating.

1. A person driving a motorcycle or moped shall ride only upon the permanent and regular seat attached thereto. 2. A person shall not drive a motorcycle or moped with the seat for the driver so positioned that the driver, when sitting astride the seat with the motorcycle or moped in a stopped and upright position, cannot reach the ground with both feet simultaneously. (Added to NRS by 1971, 1468; A 1975, 1082)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.201 - Height of handlebars.

A person shall not drive a motorcycle or moped equipped with handlebars which extend more than 6 inches above the uppermost portion of the driver's shoulders when the driver sits on the seat and the seat is depressed by the weight of the driver. (Added to NRS by 1971, 1469; A 1975, 1082; 1993, 1205; 2015, 536)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.211 - Position of driver's hands.

The driver of a motorcycle or moped shall drive with at least one hand on a handlebar at all times. (Added to NRS by 1971, 1469; A 1973, 1447; 1975, 1082; 1985, 2054)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.221 - Fenders required while in operation.

A person shall not drive a motorcycle or moped unless the wheels are protected by fenders to prevent the throwing of rocks, dirt, water or other substances to the rear. (Added to NRS by 1971, 1469; A 1975, 1083)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.231 - Protective headgear, glasses, goggles or face shields; Department required to adopt standards; when use required; exceptions. [Effective until the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles.] Protective headgear, glasses, goggles or face shields; Department required to adopt standards; when use required; exceptions. [Effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles.]

1. The Department shall adopt standards for protective headgear and protective glasses, goggles or face shields to be worn by the drivers and passengers of motorcycles and transparent windscreens for motorcycles. 2. Except as otherwise provided in this section, when any motorcycle or moped is being driven on a highway, the driver and passenger shall wear protective headgear securely fastened on the head and protective glasses, goggles or face shields meeting those standards. 3. When a motorcycle or a moped is

equipped with a transparent windscreen meeting those standards, the driver and passenger are not required to wear glasses, goggles or face shields. 4. When a motorcycle or moped is being driven in a parade authorized by a local authority, the driver and passenger are not required to wear the protective devices provided for in this section. 5. When a three-wheel vehicle, except a trimobile, on which the driver and passengers ride within an enclosed cab is being driven on a highway, the driver and passengers are not required to wear the protective devices required by this section. (Added to NRS by 1971, 1469; A 1973, 1194; 1975, 1083; 1979, 857; 1985, 1959; 2019, 3104) 1. The Department shall adopt standards for protective headgear and protective glasses, goggles or face shields to be worn by the drivers and passengers of motorcycles and transparent windscreens for motorcycles. 2. Except as otherwise provided in this section, when any motorcycle or moped is being driven on a highway, the driver and passenger shall wear protective headgear securely fastened on the head and protective glasses, goggles or face shields meeting those standards. 3. When a motorcycle or a moped is equipped with a transparent windscreen meeting those standards, the driver and passenger are not required to wear glasses, goggles or face shields. 4. When a motorcycle or moped is being driven in a parade authorized by a local authority, the driver and passenger are not required to wear the protective devices provided for in this section. 5. When a three-wheel vehicle, except a trimobile, on which the driver and passengers ride within an enclosed cab is being driven on a highway, the driver and passengers are not required to wear the protective devices required by this section. 6. When an autocycle is being driven on a highway, the driver and passengers are not required to wear protective headgear. (Added to NRS by 1971, 1469; A 1973, 1194; 1975, 1083; 1979, 857; 1985, 1959; 2019, 3104; 2023, 1476, effective on the date on which the Director of the Department of Motor Vehicles notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to enable the Department to carry out the amendatory provisions of chapter 233, Statutes of Nevada 2023, at page 1468, which relate to autocycles)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.241 - Protective headgear and glasses: Sale or distribution.

1. A person shall not sell, offer for sale or distribute any protective headgear, glasses, goggles or face shields for use by any drivers or passengers of motorcycles or transparent windscreens for motorcycles unless the equipment is of a type and specification meeting the standards therefor adopted by the Department. 2. The provisions of this section do not prohibit the sale of protective headgear, glasses, goggles or face shields which comply with the rules and regulations adopted by the United States Department of Transportation. (Added to NRS by 1971, 1469; A 1985, 1960)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.251 - Use of head lamps and stop lights required.

1. Every motorcycle or moped operated upon a highway of this State at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, because of insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead must display lighted lamps and illuminating devices as respectively required pursuant to NRS 486.011 to 486.381, inclusive. 2. Every motorcycle or moped operated upon a highway must be equipped with stop lights to be lighted in the manner prescribed for the use of such devices. (Added to NRS by 1971, 1469; A 1973, 730; 1975, 1083; 1991, 2232)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.261 - Tail lamps.

1. Except as otherwise provided in subsection 3, every motorcycle or moped must be equipped with at least one tail lamp mounted on the rear, which, when lighted as required by NRS 486.011 to 486.381, inclusive, emits a red light plainly visible from a distance of 500 feet to the rear. 2. The tail lamp must be wired to be lighted whenever the head lamp is lighted. 3. The tail lamp on a motorcycle may contain a blue insert that does not exceed 1 inch in diameter. (Added to NRS by 1971, 1469; A 1975, 1083; 1991, 2232; 2003, 403)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.271 - Turn signals.

1. Every motorcycle manufactured after January 1, 1973, which is sold or offered for sale and which is intended to be operated upon the highways of this State shall be equipped with electric turn signal lamps. 2. Such lamps shall be located on the front and rear and shall indicate an intention to turn by flashing lights in the direction toward which the turn is to be made. 3. The lamps showing to the front shall be mounted on the same level and as widely spaced laterally as practicable and, when signaling, shall emit white or amber light, or any shade of light between white and amber. 4. The lamps showing to the rear shall be mounted on the same level and as widely spaced laterally as practicable, and, when signaling, shall emit red or amber light, or any shade of light between red and amber. (Added to NRS by 1971, 1469; A 1973, 731)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.281 - Head lamps: Placement; limit on correlated color temperature of high-intensity discharge lamps.

1. Every motorcycle or moped shall be equipped with at least one and not more than two head lamps. 2. Every such head lamp on a motorcycle shall be located at a height of not more than 54 inches nor less than 24 inches from the ground as measured from the center of the lamp to the level ground upon which such motorcycle stands without a load. 3. A motorcycle or moped may be

equipped with one or two headlamps that are high-intensity discharge lamps if each such headlamp has a correlated color temperature of not less than 5,000 kelvins and not more than 6,000 kelvins. 4. The provisions of subsection 3 do not apply to the extent preempted by federal law. 5. As used in this section, "high-intensity discharge lamp" has the meaning ascribed to it in 10 C.F.R. § 431.282. (Added to NRS by 1971, 1470; A 1975, 1083; 2015, 299)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.291 - Reflectors.

1. Every motorcycle or moped shall carry on the rear at least one reflector, which shall be mounted at a height not less than 20 inches nor more than 60 inches from the ground as measured from the center of the reflector to the level ground upon which such motorcycle or moped stands without a load. 2. Each such reflector shall be of a size and character and so mounted as to be visible at night from all distances within 300 feet when directly in front of lawful lower beams of head lamps. (Added to NRS by 1971, 1470; A 1975, 31, 1084)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.301 - Brakes.

Every motorcycle or moped shall be equipped with brakes adequate to control the stopping and holding as prescribed in NRS 484D.250 and 484D.255. (Added to NRS by 1971, 1470; A 1975, 1084)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.311 - Mirrors.

Every motorcycle or moped shall be equipped with two mirrors, each containing a reflection surface not less than 3 inches in diameter, with one mirror mounted on each handlebar, in positions enabling the driver to view clearly the highway for a distance of 200 feet to the rear. (Added to NRS by 1971, 1470; A 1975, 1084)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.331 - Rights and duties of drivers.

Except as otherwise provided in NRS 486.351, a person driving a motorcycle or moped upon a highway is entitled to all the rights and subject to all the duties applicable to the drivers of motor vehicles as provided by law, except those provisions which by their nature can have no application. (Added to NRS by 1971, 1470; A 1975, 1084; 2017, 629)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.341 - Right to full use of traffic lane.

Every motorcycle or moped when being driven on the highway is entitled to full use of the traffic lane it is occupying, and a person shall not drive another motor vehicle in a manner which would deprive any such motorcycle or moped of such use. (Added to NRS by 1971, 1470; A 1975, 1084)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.351 - Unlawful passing; driving abreast; prohibition on driving in extreme left lane; exceptions.

1. A person, except a police officer in the performance of his or her duty, shall not drive a motorcycle or moped between moving or stationary vehicles occupying adjacent traffic lanes. 2. Except as provided in subsection 3, a person shall not drive a motorcycle, moped or trimobile abreast of or overtake or pass another vehicle within the same traffic lane. 3. Motorcycles and mopeds may, with the consent of the drivers, be operated no more than two abreast in a single traffic lane. 4. A person, except a police officer in the performance of his or her duty, driving a moped shall, except: (a) When preparing to turn left as provided in subsection 5; (b) When doing so would not be safe; or (c) In compliance with the directions of a police officer, drive in the extreme right-hand lane if the highway has two or more clearly marked lanes for traffic traveling in the same direction in which the driver is traveling. 5. A person driving a moped as required pursuant to subsection 4 who is preparing to turn left may enter the lane from which the left turn will be made not more than one-quarter of a mile from where the left turn will be made. (Added to NRS by 1971, 1470; A 1975, 1084; 1979, 857; 2017, 629)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.361 - Driver's license to be surrendered on demand.

Every person driving a motorcycle shall manually deliver his or her license to drive a motorcycle to any police officer or court upon request therefor by such officer or court. (Added to NRS by 1971, 1471)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.363 - Definitions.

As used in NRS 486.363 to 486.375, inclusive, unless the context otherwise requires, the words and terms defined in NRS 486.365, 486.367 and 486.370 have the meanings ascribed to them in those sections. (Added to NRS by 2003, 416; A 2017, 114)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.365 - "Department" defined.

"Department" means the Department of Public Safety. (Added to NRS by 2003, 416)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.367 - "Director" defined.

"Director" means the Director of the Department of Public Safety. (Added to NRS by 2003, 416)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.370 - "Motorcycle" includes moped.
"Motorcycle" includes a moped. (Added to NRS by 1993, 1321; A 2003, 416; 2019, 3104)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.372 - Establishment; Administrator; approval of courses of instruction; rules and regulations; contracts for services; Account for the Program for the Education of Motorcycle Riders created; uses of money in Account.

1. The Director shall: (a) Establish the Program for the Education of Motorcycle Riders. (b) Appoint an Administrator to carry out the Program. (c) Approve courses of instruction provided by public or private organizations which comply with the requirements established for the Program. (d) Adopt rules and regulations which are necessary to carry out the Program. 2. The Director may contract for the provision of services necessary for the Program. 3. The Account for the Program for the Education of Motorcycle Riders is hereby created in the State General Fund. The Director shall administer the Account. 4. The money in the Account for the Program for the Education of Motorcycle Riders may only be used to pay the expenses of the Program, including reimbursement to instructors licensed pursuant to NRS 486.375 for services provided for the Program. 5. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account. 6. Any money remaining in the Account for the Program for the Education of Motorcycle Riders at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year. (Added to NRS by 1991, 1064; A 2010, 26th Special Session, 22; 2013, 2759; 2015, 327; 2017, 114)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.373 - Eligibility for enrollment; fee.

1. A resident of this State who holds a driver's license, a motorcycle driver's license or a motorcycle endorsement to a driver's license or who is eligible to apply for such a license or endorsement, or a nonresident who is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard and who is stationed at a military installation located in Nevada, may enroll in the Program. 2. The Director shall establish a fee of not more than \$150 for the Program. (Added to NRS by 1991, 1065; A 2013, 2527; 2015, 90; 2019, 3104)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.374 - Licensed instructor required; requirements and approval of course of instruction.

1. The Program must: (a) Be taught by an instructor licensed pursuant to NRS 486.375. (b) Include: (1) Instruction relating to the development of proper habits and skills necessary for the safe operation of a motorcycle; (2) Instruction relating to the effects of alcohol and controlled substances on the operator of a motorcycle; and (3) At least 8 hours of instruction in the actual operation of a motorcycle for inexperienced operators and at least 4 hours of instruction in the actual operation of a motorcycle for experienced operators. 2. Each course of instruction must be approved by the Director before it is offered to persons enrolled in the Program. The Director shall not approve any course of instruction which does not meet or exceed the requirements established for courses for the education of motorcycle riders by nationally recognized public or private organizations approved by the Director. (Added to NRS by 1991, 1065; A 1993, 554)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.375 - Qualifications of instructor; standards and procedures for licensing instructors.

1. A person who: (a) Is at least 21 years old; (b) Holds a motorcycle driver's license or a motorcycle endorsement to a driver's license issued by the Department; and (c) Is certified as an instructor of motorcycle riders by a nationally recognized public or private organization which is approved by the Director, may apply to the Department for a license as an instructor for the Program. 2. The Department shall not license a person as an instructor if, within 2 years before the person submits an application for a license: (a) The person has accumulated three or more demerit points pursuant to the uniform system of demerit points established pursuant to NRS 483.473, or has been convicted of, or found to have committed, traffic violations of comparable number and severity in another jurisdiction; or (b) The person's driver's license was suspended or revoked in any jurisdiction. 3. The Director shall adopt standards and procedures for the licensing of instructors for the Program. (Added to NRS by 1991, 1065; A 1993, 1321; 2021, 3344; 2023, 945)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.381 - Violation of provisions concerning motorcycles and similar vehicles.

Any person violating any provisions of NRS 486.011 to 486.361, inclusive, is guilty of a civil infraction unless a provision of those sections specifically provides that a particular violation is a misdemeanor, gross misdemeanor or felony. (Added to NRS by 1971, 1471; A 1991, 2232; 2021, 3345)

2024 Nevada Revised Statutes Chapter 486 - Motorcycles and Similar Vehicles NRS 486.385 - Local authorities prohibited from enacting ordinance providing criminal penalty if chapter prescribes civil penalty.

A local authority shall not enact an ordinance providing a criminal penalty for a violation of this chapter for which the penalty prescribed by this chapter is a civil penalty. (Added to NRS by 2021, 3344)

Title: chapter-486a

Title: chapter-487

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.001 - Applicability of chapter to mobile homes.

1. The provisions of this chapter, except NRS 487.290, apply to mobile homes although not licensed or registered. 2. As used in this section, "mobile home" means a vehicular structure, built on a chassis or frame, which is designed to be used with or without a permanent foundation and is capable of being drawn by a motor vehicle. The term does not include a recreational park trailer as defined in NRS 482.1005. (Added to NRS by 1975, 332; A 1977, 235; 2001, 1726; 2007, 3406)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.002 - Advisory Board on Automotive Affairs: Creation; members; terms; officers; meetings; expenses; duties.

1. The Advisory Board on Automotive Affairs, consisting of 10 members appointed by the Governor, is hereby created within the Department. 2. The Governor shall appoint to the Board: (a) One representative of the Department; (b) One representative of licensed operators of body shops; (c) One representative of licensed automobile wreckers; (d) One representative of registered garage operators; (e) One representative of licensed operators of salvage pools; (f) One representative of licensed operators of authorized emissions stations; (g) One representative of licensed insurers of motor vehicles; (h) One representative of licensed new or used motor vehicle dealers; and (i) Two representatives of the general public, at least one of whom must be a resident of a county whose population is less than 55,000. A member appointed pursuant to this paragraph must not be: (1) A holder of a license or registration identified in paragraphs (b) to (h), inclusive; or (2) The spouse or the parent or child, by blood, marriage or adoption, of a holder of such a license or registration. 3. Each member appointed must, at the time of his or her appointment, have been a resident of this State for at least 5 years immediately preceding the appointment. Each member who is appointed to represent a business or industry specified in paragraphs (b) to (h), inclusive, of subsection 2, must, at the time of his or her appointment: (a) Hold a license or registration to engage in the business or industry that the member is appointed to represent; and (b) Have been actively engaged in the business or industry that the member is appointed to represent for at least 3 of the 5 years immediately preceding the appointment. 4. After the initial terms, each member of the Board serves a term of 4 years. The members of the Board shall annually elect from among their number a Chair and a Vice Chair. The Chair is not entitled to a vote except to break a tie. The Department shall provide secretarial services for the Board. 5. The Board shall meet regularly at least twice each year and may meet at other times upon the call of the Chair or a majority of the members of the Board. Six members of the Board constitute a quorum, and a quorum may exercise all the power and authority conferred on the Board. Each member of the Board is entitled to the per diem allowance and travel expenses provided for state officers and employees generally while attending meetings of the Board. 6. The Board shall: (a) Study the regulation of garage operators, automobile wreckers, operators of body shops, operators of salvage pools, operators of authorized emissions stations and new and used motor vehicle dealers, including, without limitation, the registration or licensure of such persons and the methods of disciplinary action against such persons; (b) Analyze and advise the Department relating to any consumer complaints received by the Department concerning garage operators, automobile wreckers, operators of body shops, operators of salvage pools, operators of authorized emissions stations and new and used motor vehicle dealers; (c) Make recommendations to the Department for any necessary regulations or proposed legislation pertaining to paragraph (a) or (b); and (d) Perform any other duty assigned by the Department. 7. As used in this section, "authorized emissions stations" means stations licensed by the Department pursuant to NRS 445B.775 to inspect, repair, adjust or install devices for the control of emissions of motor vehicles. (Added to NRS by 1989, 2042; A 1991, 1612; 1993, 1644; 2001, 2552; 2005, 926; 2009, 2533, 2704; 2011, 1818; 2013, 1626)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.003 - Licenses issued pursuant to chapter: Submission of statement by applicant regarding payment of child support; grounds for denial of license; duty of Department. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for the issuance or renewal of a license issued pursuant to this chapter shall submit to the Department the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant. 2. The Department shall include the statement required pursuant to subsection 1 in: (a) The application or any other forms that must be submitted for the issuance or renewal of the license; or (b) A separate form prescribed by the Department. 3. A license may not be issued or renewed by the Department pursuant to this chapter if the applicant: (a) Fails to submit the statement required pursuant to subsection 1; or (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order. 4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Department shall advise

the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage. (Added to NRS by 1997, 2078)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.005 - Suspension of license issued pursuant to chapter for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license issued pursuant to this chapter, the Department shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. 2. The Department shall reinstate a license issued pursuant to this chapter that has been suspended by a district court pursuant to NRS 425.540 if the Department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. (Added to NRS by 1997, 2079)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.006 - Department to develop and implement process for determining whether person's criminal history will disqualify person from obtaining a license pursuant to chapter; fee; quarterly reports.

1. The Department shall develop and implement a process by which a person with a criminal history may petition the Department to review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license pursuant to this chapter. 2. Not later than 90 days after a petition is submitted to the Department pursuant to subsection 1, the Department shall inform the person of the determination of the Department of whether the person's criminal history will disqualify the person from obtaining a license. The Department is not bound by its determination of disqualification or qualification and may rescind such a determination at any time. 3. The Department may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification. 4. A person with a criminal history may petition the Department at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Department. 5. A person may submit a new petition to the Department not earlier than 2 years after the final determination of the initial petition submitted to the Department. 6. The Department may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Department may waive such fees or allow such fees to be covered by funds from a scholarship or grant. 7. The Department may post on its Internet website: (a) The requirements to obtain a license from the Department; and (b) A list of crimes, if any, that would disqualify a person from obtaining a license from the Department. 8. The Department may request the criminal history record of a person who petitions the Department for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Department makes such a request of a person, the Department shall require the person to submit his or her criminal history record which includes a report from: (a) The Central Repository for Nevada Records of Criminal History; and (b) The Federal Bureau of Investigation. 9. A person who petitions the Department for a determination pursuant to subsection 1 shall not submit false or misleading information to the Department. 10. The Department shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes: (a) The number of petitions submitted to the Department pursuant to subsection 1; (b) The number of determinations of disqualification made by the Department pursuant to subsection 1; (c) The reasons for such determinations; and (d) Any other information that is requested by the Director or which the Department determines would be helpful. 11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission. (Added to NRS by 2019, 2934)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.007 - "State agency" defined.

As used in this chapter, the term "state agency" means: 1. The Housing Division of the Department of Business and Industry with regard to mobile homes and commercial coaches. 2. The Department of Motor Vehicles with regard to all other vehicles subject to registration under the laws of this State. (Added to NRS by 1979, 1228; A 1985, 1960; 1993, 1644; 2001, 2553; 2017, 3621)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.010 - Report of vehicles stored or parked to sheriff, police or state agency; duties of operator of tow car.

1. Every keeper of a garage, parking area or trailer park who provides storage or parking for vehicles subject to registration under the laws of this State shall report the presence of vehicles to the persons set forth in subsection 3 as follows: (a) If there is reason to

believe that the vehicle is stolen, abandoned or secreted, within 24 hours after storage or parking begins. (b) If there is reason to believe that the vehicle has been stored without the knowledge or consent of the registered owner, within 5 days after storage or parking begins. (c) In any event within 30 days after storage or parking begins, even though notice may have previously been given under the provisions of paragraphs (a) and (b). 2. The notice must be given on forms provided by the state agency and include the vehicle registration plate number, the vehicle identification number and such other information as may be available which will aid in identifying the registered and the legal owner of the vehicle. 3. Notice must be given in person or by mail to: (a) The sheriff of the county in which the vehicle is stored; (b) If the vehicle is stored in a city, the chief of police of the city; or (c) The state agency. 4. The notice required by this section must be given to the state agency if the vehicle has not been stored at the direction of either the sheriff of the county or, in the case of a city, the chief of police of the city in which the vehicle is stored. 5. The operator of the tow car shall within 15 days after storage begins: (a) If the vehicle is registered in this State, notify the legal owner and any holder of a security interest who appears of record. (b) If the vehicle is registered in another state, request from the appropriate agency of that state the name and address of the legal owner and holder of a security interest. If the names and addresses are obtained, the operator of the tow car shall notify each of the persons. The state agency may utilize local law enforcement agencies of this State to obtain the necessary information for the operator of the tow car. 6. Failure to comply with the provisions of subsections 1, 2 and 3 renders any lien for storage beyond 24 hours, 5 days or 30 days, respectively, void. [1:227:1919; A 1953, 95]—(NRS A 1957, 630; 1961, 71; 1965, 127; 1967, 405; 1971, 836; 1973, 213, 1111; 1979, 1228; 1983, 1097; 1985, 302)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.020 - Report of vehicle showing damage by gunfire.

Whenever a vehicle of a type subject to registration under the laws of this State has been offered for repair to any person or garage and the damage to the vehicle indicates that such damage is the result of gunfire, the person to whom the vehicle was offered for repair shall immediately report the vehicle and condition to the sheriff's office of the county, or the police department of the city, wherein such garage or person is located. [2:227:1919; A 1953, 95]

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.030 - Penalty for violation of NRS 487.010 or 487.020.

Any person who violates any of the provisions of NRS 487.010 and 487.020 is guilty of a misdemeanor. [3:227:1919; 1919 RL p. 3376; NCL § 10548]

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.037 - Unlawful towing and removal of vehicle from facility for parking; reports to sheriff or police.

1. It is unlawful for a person engaged in the operation of off-street parking facilities to: (a) Tow or remove or authorize the towing and removal of any vehicle within 24 hours of the expiration of the period for which a particular fee is paid. This paragraph does not affect or limit any parking lot operator from charging parking fees in accordance with a posted schedule for the additional time the vehicle is parked. (b) Tow or remove or authorize the towing and removal of any vehicle when such parking facilities are held open for public use and there was no attendant on duty or other facilities permitting the patron to pay or remit the parking charges at the time such vehicle was first parked. This paragraph does not affect or limit any parking lot operator from charging parking fees in accordance with a posted schedule for the time the vehicle is parked. (c) Tow or remove or authorize the towing and removal of any vehicle when the parking facilities are held open to the public and there is a device provided for payment of parking fees but the device does not dispense a ticket or time-dated slip. This paragraph does not apply to parking lots that are owned and operated by a governmental entity. 2. Notwithstanding the provisions of subsection 1, a person operating off-street parking facilities may authorize the towing or removing of, may tow or may remove any vehicle parked where the facilities provided the opportunity to take or purchase a ticket or time slip, and no ticket or time slip was purchased. 3. Any person that tows a vehicle without the knowledge of the registered owner thereof shall immediately report the towing by oral communication to the police department of the city or to the sheriff's office of the county where the towing is done. The oral communication must include the time of the towing and the location from which and to which the vehicle has been towed. (Added to NRS by 1971, 771; A 1989, 1054)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.038 - Authority of owner or person in lawful possession of real property to have towed therefrom vehicle parked in unauthorized manner: Oral notice to local law enforcement agency required; exceptions to authority to tow; residential real property; costs to be borne by owner of vehicle; other rights and remedies; voluntary payment to tow operator for abandoned vehicle.

1. Except as otherwise provided in subsections 3 and 4 and NRS 116.3102 and 706.4477, the owner or person in lawful possession of any real property may, after giving notice pursuant to subsection 2, utilize the services of any tow car operator subject to the jurisdiction of the Nevada Transportation Authority to remove any vehicle parked in an unauthorized manner on that property to the nearest public garage or storage yard if: (a) A sign is displayed in plain view on the property declaring public parking to be prohibited or restricted in a certain manner; and (b) The sign shows the telephone number of the police department or sheriff's office. 2. Unless notice has been provided pursuant to NRS 706.4477, oral notice must be given to the police department or sheriff's office, whichever is appropriate, indicating: (a) The time the vehicle was removed; (b) The location from which the vehicle was

removed; and (c) The location to which the vehicle was taken. 3. Any vehicle which is parked in a space designated for persons with disabilities and is not properly marked for such parking may be removed if notice is given to the police department or sheriff's office pursuant to subsection 2, whether or not a sign is displayed pursuant to subsection 1. 4. The owner or person in lawful possession of residential real property upon which a single-family dwelling is located may, after giving notice pursuant to subsection 2, utilize the services of any tow car operator subject to the jurisdiction of the Nevada Transportation Authority to remove any vehicle parked in an unauthorized manner on that property to the nearest public garage or storage yard, whether or not a sign is displayed pursuant to subsection 1. 5. All costs incurred under the provisions of this section for the towing, storage and disposition of the vehicle, as applicable, must be borne by the owner of the vehicle, as that term is defined in NRS 484A.150. 6. The provisions of this section do not limit or affect any rights or remedies which the owner or person in lawful possession of real property may have by virtue of other provisions of the law authorizing the removal of a vehicle parked on that property. 7. If the owner or person in lawful possession of real property and the tow operator agree that the vehicle is likely to be ultimately disposed of as an abandoned vehicle and that the estimated disposition value of a vehicle to be towed pursuant to this section is less than the estimated cost for the towing, storage and disposal of the vehicle, the owner or person in lawful possession of real property and the tow operator may enter into an agreement whereby the owner or person in lawful possession of real property makes a voluntary payment to the tow operator. Such a payment: (a) Does not reduce the costs incurred by the owner of the vehicle pursuant to subsection 5. (b) May not be a condition for the towing of the vehicle. (Added to NRS by 1973, 1110; A 1981, 985; 1995, 1607; 1997, 2009; 2019, 1231; 2021, 1439)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.0385 - Authority of owner or person in lawful possession of certain parking structures to immobilize vehicle parked in unauthorized manner: Required sign; exceptions to authority; costs to be borne by owner of vehicle.

1. Except as otherwise provided in subsection 3, the owner or person in lawful possession of a multilevel parking garage or other parking structure that is operated by or for the owner or operator of a resort hotel with a nonrestricted license may immobilize a vehicle parked in an unauthorized manner in the garage or structure by means of a boot, wheel clamp or other mechanical device which prevents the movement of the vehicle until the boot, clamp or other device is removed if a sign is displayed in plain view on each level of the parking garage or parking structure which: (a) Declares public parking to be prohibited or restricted in a certain manner and setting forth the provisions of NRS 487.039; (b) Shows the telephone number of the police department or sheriff's office; and (c) Provides the procedures that must be followed and the total amount of the charges to remove the boot, clamp or other mechanical device. 2. The total amount of the charges to remove the boot, clamp or other mechanical device must not exceed \$100. 3. Any vehicle which is parked in a space designated for persons with disabilities must not be immobilized pursuant to this section but may instead be towed. 4. Except as otherwise provided in NRS 487.039, the total amount of all charges incurred under the provisions of this section for the removal of a boot, wheel clamp or other mechanical device which prevents the movement of the vehicle must be borne by the owner of the vehicle, as that term is defined in NRS 484A.150. 5. The provisions of this section do not limit or affect any rights or remedies which the owner or person in lawful possession of a multilevel parking garage or parking structure as provided in subsection 1 may have by virtue of other provisions of the law authorizing the removal or immobilization of a vehicle parked in the garage or structure. 6. As used in this section: (a) "Nonrestricted license" has the meaning ascribed to it in NRS 463.0177; and (b) "Resort hotel" has the meaning ascribed to it in NRS 463.01865. (Added to NRS by 2017, 3188)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.039 - Vehicle towed from or immobilized in facility for parking or at direction of owner or person in lawful possession of real property: Owner of vehicle authorized to file complaint for expedited relief to determine whether towing or immobilization lawful; requirements of complaint; limitation; hearing; order of court; operator of facility for storage of towed vehicles to display sign.

1. In addition to the remedy provided pursuant to paragraph (b) of subsection 1 of NRS 4.370 for civil damages, the owner of a vehicle may file a complaint for expedited relief based upon the unlawful towing or immobilization of the vehicle in the justice court of the township where the property from which the vehicle was towed or on which the vehicle was immobilized is located if: (a) The vehicle is towed pursuant to NRS 487.037 or 487.038 or immobilized pursuant to NRS 487.0385; (b) The owner of the vehicle believes that the vehicle was unlawfully towed or immobilized; (c) For a vehicle that was towed, the cost of towing and storing the vehicle does not exceed \$15,000; and (d) The vehicle is being stored or is still currently immobilized as a result of the towing or immobilization. 2. Such a complaint: (a) Must be filed within 21 calendar days after the towing or immobilization of the vehicle; and (b) Must be filed against: (1) The owner or person in lawful possession of the real property or the authorized agent of the owner of the real property who authorized the tow of the vehicle and the tow company which towed the vehicle; (2) The operator of an off-street parking facility who authorized the tow of the vehicle and the tow company which towed the vehicle; or (3) The owner or person in lawful possession of a multilevel parking garage or other parking structure who authorized the immobilization of the vehicle. 3. A complaint filed pursuant to subsection 1 that does not meet the criteria in subsections 1 and 2 may be dismissed by the court, without prejudice. Such dismissal does not affect the right of the owner of the vehicle to pursue civil damages. 4. Upon the filing of a complaint pursuant to subsection 1, the court shall schedule a date for a hearing. The hearing must be held not later than 7 calendar days after the complaint is filed. The court shall affix the date of the hearing to the form and order a copy served by the sheriff, the constable or a process server licensed pursuant to chapter 648 of NRS upon the person identified in subparagraph (1), (2) or (3) of paragraph (b) of subsection 2. 5. The court shall determine whether the vehicle was lawfully or unlawfully towed or

immobilized and: (a) If the court determines the vehicle was lawfully towed, enter an order declaring the owner of the vehicle liable for the cost of towing and storing the vehicle and order the person who is storing the vehicle to release the vehicle to the owner upon payment of that cost. (b) If the court determines the vehicle was unlawfully towed, enter an order declaring the owner or person in lawful possession of the property or the authorized agent of the owner of the property who authorized the towing liable for the cost of towing and storing the vehicle and order the person who is storing the vehicle to release the vehicle to the owner immediately. (c) If the court determines the vehicle was lawfully immobilized, enter an order declaring the owner of the vehicle liable for the cost of removing from the vehicle the boot, wheel clamp or other mechanical device used to immobilize the vehicle and order the person who immobilized the vehicle to remove the boot, clamp or device upon payment of that cost. (d) If the court determines the vehicle was unlawfully immobilized, enter an order declaring the owner or person in lawful possession of the property who authorized the immobilizing liable for the cost of removing the boot, clamp or device and order the person who immobilized the vehicle to remove the boot, clamp or device from the vehicle immediately. 6. Upon presentation of a certified copy of an order entered pursuant to paragraph (b) or (d) of subsection 5 by the owner of a vehicle, the person storing the vehicle or the person who immobilized the vehicle, as applicable, shall release the vehicle to the owner immediately or remove the boot, clamp or device from the vehicle immediately. 7. The operator of any facility or other location where vehicles which are towed are stored shall display conspicuously at that facility or location a sign which sets forth: (a) The provisions of this section; and (b) A statement regarding the availability of assistance from a program for legal aid, self-help center operated or overseen by a court or other similar program in the city or county in which the facility or other location is located. (Added to NRS by 1995, 1606; A 2003, 852; 2007, 1134; 2015, 948; 2017, 3189; 2021, 1306)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.047 - "Automobile wrecker" and "wrecker" defined.

As used in NRS 487.047 to 487.200, inclusive, unless the context otherwise requires, "automobile wrecker" or "wrecker" means a person who obtains a license to dismantle, scrap, process or wreck any vehicle, including, without limitation, wrecked, salvage, nonrepairable, abandoned and junk vehicles, which includes, without limitation, removing or selling an individual part or parts of such a vehicle or crushing, shredding or dismantling such a vehicle to be disposed of as scrap metal. (Added to NRS by 2007, 3223, 3405)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.050 - Unlawful to dismantle, scrap, process or wreck vehicle without license; application for license; submission of fingerprints; fees for processing fingerprints and issuance of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] Unlawful to dismantle, scrap, process or wreck vehicle without license; application for license; submission of fingerprints; fees for processing fingerprints and issuance of license. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. It is unlawful for any person to dismantle, scrap, process or wreck any vehicle without first applying for and obtaining a license for that operation from the Department. 2. An application for a license must be made on a form provided by the Department. The forms must designate the persons whose names are required to appear thereon. The application must include the social security number of the applicant and be accompanied by: (a) Such proof as the Department may require that the applicant: (1) Is a bona fide automobile wrecker; and (2) Owns or leases a place of business which meets the requirements of NRS 487.073. (b) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (c) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (d) The fee for issuance of a license provided in NRS 487.080. (Added to NRS by 1963, 838; A 1969, 1086; 1987, 1600; 1995, 1574; 1997, 2079; 2017, 957) 1. It is unlawful for any person to dismantle, scrap, process or wreck any vehicle without first applying for and obtaining a license for that operation from the Department. 2. An application for a license must be made on a form provided by the Department. The forms must designate the persons whose names are required to appear thereon. The application must be accompanied by: (a) Such proof as the Department may require that the applicant: (1) Is a bona fide automobile wrecker; and (2) Owns or leases a place of business which meets the requirements of NRS 487.073. (b) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (c) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (d) The fee for issuance of a license provided in NRS 487.080. (Added to NRS by 1963, 838; A 1969, 1086; 1987, 1600; 1995, 1574; 1997, 2079; 2017, 957, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending

and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.060 - Bond: Requirement; amount; application for compensation; deposits in lieu of bond; disbursement to person injured by action of licensee; automatic suspension of license if deposit is reduced or outstanding judgment; reinstatement of license; refund.

1. No license may be issued to an automobile wrecker until the automobile wrecker has procured and filed with the Department a good and sufficient bond in the amount of \$50,000, with a corporate surety thereon licensed to do business in the State of Nevada, approved as to form by the Attorney General, and conditioned that the applicant conducts business as a wrecker without fraud or fraudulent representation, and without violation of the provisions of NRS 487.047 to 487.200, inclusive, or 487.710 to 487.890, inclusive. The Department may, by agreement with any automobile wrecker who has been licensed for 5 years or more by the Department or a department of motor vehicles in another state, reduce the amount of the bond of the wrecker, if the business of that wrecker has been conducted satisfactorily for the preceding 5 years, but no bond may be in an amount less than \$5,000. The Department shall make the necessary investigation to determine whether a wrecker licensed in another state has conducted its business satisfactorily. 2. The bond may be continuous in form and the total aggregate liability on the bond must be limited to the payment of the total amount of the bond. 3. The bond must provide that any person injured by the action of the automobile wrecker in violation of any of the provisions of NRS 487.047 to 487.200, inclusive, or 487.710 to 487.890, inclusive, may apply to the Director for compensation from the bond. The Director, for good cause shown and after notice and opportunity for hearing, may determine the amount of compensation and the person to whom it is to be paid. The surety shall then make the payment. 4. In lieu of a bond an automobile wrecker may deposit with the Department, under the terms prescribed by the Department: (a) A like amount of lawful money of the United States; or (b) A savings certificate of a bank, credit union, savings and loan association or savings bank situated in Nevada, which must indicate an account of an amount equal to the amount of the bond which would otherwise be required by this section and that this amount is unavailable for withdrawal except upon order of the Department. Interest earned on the certificate accrues to the account of the applicant. 5. A deposit made pursuant to subsection 4 may be disbursed by the Director, for good cause shown and after notice and opportunity for hearing, in an amount determined by the Director to compensate a person injured by an action of the licensee, or released upon receipt of: (a) A court order requiring the Director to release all or a specified portion of the deposit; or (b) A statement signed by the person in whose name the deposit is made and acknowledged before any person authorized to take acknowledgments in this State, requesting the Director to release the deposit, or a specified portion thereof, and stating the purpose for which the release is requested. 6. When a deposit is made pursuant to subsection 4, liability under the deposit is in the amount prescribed by the Department. If the amount of the deposit is reduced or there is an outstanding judgment for which the licensee is liable under the deposit, the license is automatically suspended. The license must be reinstated if the licensee: (a) Files an additional bond pursuant to subsection 1; (b) Restores the deposit with the Department to the original amount required under this section; or (c) Satisfies the outstanding judgment for which he or she is liable under the deposit. 7. A deposit made pursuant to subsection 4 may be refunded: (a) By order of the Director, 3 years after the date the licensee ceases to be licensed by the Department, if the Director is satisfied that there are no outstanding claims against the deposit; or (b) By order of court, at any time within 3 years after the date the licensee ceases to be licensed by the Department, upon evidence satisfactory to the court that there are no outstanding claims against the deposit. 8. Any money received by the Department pursuant to subsection 4 must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1963, 838; A 1967, 745; 1977, 646; 1983, 143; 1987, 1601; 1991, 525; 1993, 2344; 1999, 1502; 2003, 1912; 2019, 62)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.070 - Issuance and contents of license and card; fee; posting of license; expiration, renewal and reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] Issuance and contents of license and card; fee; posting of license; expiration, renewal and reinstatement of license. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. The Department may approve or reject the application. If the Department receives the statement required pursuant to NRS 487.003 and approves the application, it shall issue to the applicant: (a) A license containing the applicant's name and address, the name under which the business is to be conducted, the business address, and a distinguishing number assigned to the applicant. (b) A card which: (1) Contains the information specified in paragraph (a); (2) Includes a picture of the licensee; and (3) Clearly identifies the holder of the card as a licensed automobile wrecker. 2. A licensee may obtain one or two cards for his or her business. The Department shall charge a fee of \$50 for each card issued. 3. A licensee shall post the license in a conspicuous place clearly visible to the general public at the business address set forth on the license. 4. A license expires on April 30 of each year. 5. Except as otherwise provided in subsection 6, a licensee may renew the license by submitting to the Department: (a) A completed application for renewal upon a form supplied by the Department; (b) The statement required pursuant to NRS 487.003; and (c) The fee for renewal of a license provided in NRS 487.080. 6. A license that expires for failure to renew before April 30 may be

reinstated upon submission to the Department of: (a) The application for renewal and statement specified in paragraphs (a) and (b) of subsection 5; (b) The fee for renewal of a license provided in NRS 487.080; and (c) A late fee of \$25. 7. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1963, 839; A 1987, 1602; 1989, 2023; 1991, 1777; 1997, 145, 1372, 1376, 1516, 2080; 2007, 1231; 2017, 957) 1. The Department may approve or reject the application and, if approved, shall issue to the applicant: (a) A license containing the applicant's name and address, the name under which the business is to be conducted, the business address, and a distinguishing number assigned to the applicant. (b) A card which: (1) Contains the information specified in paragraph (a); (2) Includes a picture of the licensee; and (3) Clearly identifies the holder of the card as a licensed automobile wrecker. 2. A licensee may obtain one or two cards for his or her business. The Department shall charge a fee of \$50 for each card issued. 3. A licensee shall post the license in a conspicuous place clearly visible to the general public at the business address set forth on the license. 4. A license expires on April 30 of each year. 5. Except as otherwise provided in subsection 6, a licensee may renew the license by submitting to the Department: (a) A completed application for renewal upon a form supplied by the Department; and (b) The fee for renewal of a license provided in NRS 487.080. 6. A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of: (a) The application for renewal specified in paragraph (a) of subsection 5; (b) The fee for renewal of a license provided in NRS 487.080; and (c) A late fee of \$25. 7. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1963, 839; A 1987, 1602; 1989, 2023; 1991, 1777; 1997, 145, 1372, 1376, 1516, 2080; 1999, 457; 2007, 1231; 2017, 957, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.073 - Applicant to furnish information concerning place of business.

Before issuing a license to an automobile wrecker, the Department shall require the applicant to furnish proof that: 1. The applicant will conduct business from a permanent enclosed building which the applicant owns or has leased; 2. The business will be located on at least one-half of an acre of ground; and 3. The site for the business will be surrounded by a screened fence at least 6 feet high. (Added to NRS by 1987, 1600)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.080 - Fee for issuance or renewal of license; disposition.

1. The fee for issuance or renewal of an automobile wrecker's license is \$300. 2. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1963, 839; A 1975, 212; 1987, 1602; 1989, 2023; 1991, 1778; 1997, 1372; 2007, 1232)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.085 - Wrecker to affix legible sign containing name of business.

At each of his or her established places of business, an automobile wrecker shall permanently affix a sign containing the name of the business in lettering of sufficient size to be clearly legible from the center of the nearest street or roadway, except that the lettering must be at least 8 inches high and formed by lines that are at least 1-inch wide. (Added to NRS by 1997, 1515)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.090 - Operation of vehicles on highway without registration; conditions.

Any licensed automobile wrecker owning or controlling any vehicle of a type required to be registered under the laws of this State may operate or move such a vehicle upon the highways without subjecting the vehicle to registration if such operation or movement is for the sole purpose of moving the vehicle from its location to the established place of business of the licensee. A licensed automobile wrecker may obtain license plates from the Department for the movement of such vehicles. (Added to NRS by 1963, 839; A 1987, 1602)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.095 - Fees for towing abandoned automobile or vehicle; limitations and exceptions.

1. Except as otherwise provided in subsection 2: (a) An automobile wrecker may only charge and collect those fees for towing an abandoned automobile as are prescribed by regulations of the Department. (b) An automobile wrecker shall not charge a fee to tow an abandoned vehicle if the automobile wrecker does not obtain the consent of the owner of the property to tow the vehicle. 2. When an automobile wrecker removes an abandoned vehicle from public property at the request of a constable as provided in NRS 487.230, the automobile wrecker shall: (a) If the owner of the abandoned vehicle can be identified and if the automobile wrecker is able to collect from the owner the fee described in paragraph (d) of subsection 2 of NRS 258.125, transmit that fee to the constable; or (b) If the owner of the abandoned vehicle cannot be identified or if the automobile wrecker is otherwise unable to collect from the owner the fee described in paragraph (d) of subsection 2 of NRS 258.125, transmit that fee to the constable only if the automobile

wrecker is able to satisfy his or her own lien, as provided in NRS 487.270. (Added to NRS by 1987, 1600; A 2007, 105)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.100 - Wrecker to transmit certificates of title and registration of certain vehicles to state agency; exceptions.

1. Except as otherwise provided in subsections 2, 3 and 4, any automobile wrecker purchasing from any person other than a licensed operator of a salvage pool any vehicle subject to registration pursuant to the laws of this State shall forward to the Department the certificates of title and registration last issued therefor. 2. The certificate of title last issued for a mobile home or commercial coach must be sent by the wrecker to the Housing Division of the Department of Business and Industry. 3. An automobile wrecker is not required to provide the Department with the certificate of title and certificate of registration last issued for a motor vehicle that the automobile wrecker sells pursuant to NRS 487.103. 4. An automobile wrecker is not required to: (a) Provide the Department with a certificate of title, salvage title or a nonrepairable vehicle certificate and certificate of registration last issued; or (b) Obtain from the Department a certificate of title, salvage title, nonrepairable vehicle certificate or certificate of registration, for a motor vehicle that is to be processed as parts or scrap metal by the automobile wrecker pursuant to NRS 487.105. (Added to NRS by 1963, 839; A 1979, 1229; 1987, 1603; 1995, 336; 1999, 1920; 2003, 471, 1913; 2011, 1659; 2017, 3621; 2023, 26, 1070)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.103 - Sale of acquired vehicle with minor damage.

1. A person who is licensed as an automobile wrecker may, after acquiring a vehicle that possesses minor damage and is not scheduled to be salvaged, sell such a vehicle. 2. Before an automobile wrecker sells a vehicle subject to registration pursuant to the laws of this State, the automobile wrecker must possess the certificate of title for the vehicle. 3. Upon sale of the vehicle, the automobile wrecker shall provide the certificate of title for the vehicle to the person who purchased the vehicle. 4. As used in this section, "minor damage" means damage to a motor vehicle that can be repaired with the use of common repair materials. (Added to NRS by 2023, 1070)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.105 - Streamlined procedure for wrecker to process vehicle as parts or scrap metal: Bond required; report to be transmitted to Department; wrecker assumes liability; Department to issue nonrepairable vehicle certificate.

1. If a licensed automobile wrecker, in addition to any other bond required by NRS 487.047 to 487.200, inclusive, procures and files with the Department a good and sufficient bond in the amount of \$50,000, with a corporate surety thereon licensed to do business in the State of Nevada, approved as to form by the Attorney General, and conditioned that the applicant conducts his or her relevant activities in accordance with the provisions of this section, the wrecker may use the procedure set forth in this section to process a motor vehicle as parts or scrap metal. The additional bond described in this subsection may cover more than one location at which the licensed automobile wrecker does business, if the wrecker holds an ownership interest of 51 percent or more in each such business location. 2. Upon obtaining a motor vehicle that is to be processed as parts or scrap metal, a licensed automobile wrecker who has procured and filed the additional bond described in subsection 1 and who wishes to use the procedure provided in this section: (a) Shall transmit to the Department electronically or via facsimile, as specified by the Department, a report that includes: (1) The make, model, vehicle identification number and registration number, if applicable, of the motor vehicle; and (2) An affirmation by the licensed automobile wrecker that the motor vehicle has been designated by the licensed automobile wrecker for processing as parts or scrap metal. (b) May process the motor vehicle for parts or scrap metal only if: (1) Five or more business days elapse after transmission to the Department of the report required by paragraph (a); and (2) The licensed automobile wrecker does not receive notification from the Department that the motor vehicle is not to be processed as parts or scrap metal. 3. A licensed automobile wrecker who processes a motor vehicle for parts or scrap metal pursuant to this section assumes all liability for any injuries to any person or property arising from or incident to the act of such processing. No action may be brought under NRS 41.031 or against an officer or employee of the State or any of its agencies or political subdivisions which is based upon any injuries to any person or property arising from or incident to the act of processing a motor vehicle for parts or scrap metal as authorized pursuant to this section. 4. If a licensed automobile wrecker submits to the Department the report described in subsection 2 and the Department confirms that the motor vehicle which is the subject of the report has been processed as parts or scrap metal, the Department shall issue a nonrepairable vehicle certificate for the motor vehicle. (Added to NRS by 2011, 1658)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.115 - Entire salvage vehicles: Wrecker to deliver properly endorsed salvage title upon sale; criteria used to determine whether salvage vehicle is entire salvage vehicle or only part thereof.

1. Whenever an entire salvage vehicle is sold to any person by a licensed automobile wrecker, the automobile wrecker shall deliver a properly endorsed salvage title to the buyer for such an entire salvage vehicle. 2. A salvage vehicle shall be deemed an entire salvage vehicle: (a) If all the following essential components are included and identifiable as coming from the same salvage vehicle: (1) The cowl assembly; (2) The floor pan assembly; (3) The passenger compartment; (4) The rear clip assembly; and (5) The roof assembly; and (b) In addition to the essential components required pursuant to paragraph (a): (1) If the salvage vehicle was manufactured with a conventional frame, the conventional frame is included and identifiable as coming from the same salvage

vehicle; (2) If the salvage vehicle was manufactured with a unibody, the complete front inner structure is included and identifiable as coming from the same salvage vehicle; (3) If the salvage vehicle is a truck which was manufactured with a conventional frame, the conventional frame and the truck cab assembly are included and identifiable as coming from the same salvage vehicle; and (4) If the salvage vehicle is a truck which was manufactured with a unibody, the complete front inner structure and the truck cab assembly are included and identifiable as coming from the same salvage vehicle. 3. A salvage vehicle that does not satisfy the requirements of subsection 2 shall be deemed a part or parts of an entire salvage vehicle. (Added to NRS by 2007, 3224, 3406)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.160 - Denial, suspension or revocation of licenses or refusal to renew: Grounds; hearings; reapplication; disclosure of financial records.

1. The Department may suspend, revoke or refuse to renew a license of an automobile wrecker upon determining that the automobile wrecker: (a) Is not lawfully entitled thereto; (b) Has made, or knowingly or negligently permitted, any illegal use of that license; (c) Has failed to return a salvage title to the state agency when and as required of the licensee by NRS 487.710 to 487.890, inclusive; or (d) Except as otherwise provided in NRS 487.105, has failed to surrender to the state agency certificates of title for vehicles before beginning to dismantle or wreck the vehicles. 2. The applicant or licensee may, within 30 days after receipt of the notice of refusal, suspension or revocation, petition the Department in writing for a hearing. 3. Hearings under this section and appeals therefrom must be conducted in the manner prescribed in NRS 482.353 and 482.354. 4. The Department may suspend, revoke or refuse to renew a license of an automobile wrecker, or may deny a license to an applicant therefor, for any reason determined by the Director to be in the best interest of the public, or if the licensee or applicant: (a) Does not have or maintain an established place of business in this State. (b) Made a material misstatement in any application. (c) Willfully fails to comply with any applicable provision of this chapter. (d) Fails to furnish and keep in force any bond required by NRS 487.047 to 487.200, inclusive. (e) Fails to discharge any final judgment entered against the licensee or applicant when the judgment arises out of any misrepresentation of a vehicle, trailer or semitrailer. (f) Fails to maintain any license or bond required by a political subdivision of this State. (g) Has been convicted of a felony. (h) Has been convicted of a misdemeanor or gross misdemeanor for a violation of a provision of this chapter. (i) Fails or refuses to provide to the Department an authorization for the disclosure of financial records for the business as required pursuant to subsection 7. (j) Knowingly submits or causes to be submitted any false, forged or otherwise fraudulent document to the Department to obtain a lien, title, salvage title or certificate of ownership, or any duplicate thereof, for a vehicle. (k) Knowingly causes or allows a false, forged or otherwise fraudulent document to be maintained as a record of the business. (l) Interferes with or refuses to allow an agent of the Department or any peace officer access to and, upon demand, the opportunity to examine any record held in conjunction with the operation of the wrecker. (m) Displays evidence of unfitness for a license pursuant to NRS 487.165. 5. If an application for a license as an automobile wrecker is denied, the applicant may not submit another application for at least 6 months after the date of the denial. 6. The Department may refuse to review a subsequent application for licensing submitted by any person who violates any provision of this chapter. 7. Upon the receipt of any report or complaint alleging that an applicant or a licensee has engaged in financial misconduct or has failed to satisfy any financial obligation related to the business of dismantling, scrapping, processing or wrecking of vehicles, the Department may require the applicant or licensee to submit to the Department an authorization for the disclosure of financial records for the business as provided in NRS 239A.090. The Department may use any information obtained pursuant to such an authorization only to determine the suitability of the applicant or licensee for initial or continued licensure. Information obtained pursuant to such an authorization may be disclosed only to those employees of the Department who are authorized to issue a license to an applicant pursuant to NRS 487.047 to 487.200, inclusive, or to determine the suitability of an applicant or a licensee for such licensure. 8. For the purposes of this section, failure to adhere to the directives of the state agency advising the licensee of noncompliance with any provision of NRS 487.047 to 487.200, inclusive, or 487.710 to 487.890, inclusive, or regulations of the state agency, within 10 days after the receipt of those directives, is prima facie evidence of willful failure to comply. (Added to NRS by 1963, 840; A 1969, 1086; 1973, 343; 1979, 1230; 1983, 1098; 1985, 1960; 1997, 145; 1999, 1921; 2003, 472, 1916; 2007, 3225, 3406; 2011, 1659)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.165 - Evidence of unfitness of applicant, registrant or licensee.

Evidence of unfitness of an applicant, registrant or licensee for purposes of denial, suspension or revocation of or failure to renew a license or registration as an automobile wrecker, operator of a salvage pool, garage operator or owner of a body shop may consist of, but is not limited to, the applicant, registrant or licensee: 1. Purchasing, selling, dismantling, disposing of or possessing any vehicle which he or she knows, or a reasonable person should know, is stolen or otherwise illegally appropriated. 2. Being the former holder of, or being a partner, officer, director, owner or manager involved in management decisions of, an automobile wrecker that held a license issued pursuant to this chapter which was revoked for cause and never reissued or was suspended upon terms which were never fulfilled. 3. Defrauding or attempting to defraud the State or a political subdivision of the State of any taxes or fees in connection with the sale or transfer of a vehicle. 4. Forging the signature of the registered or legal owner of an abandoned vehicle on any document that releases the interest of the owner in the abandoned vehicle. 5. Forging the signature of the registered or legal owner of a vehicle on a certificate of title or other document to obtain or transfer ownership in that vehicle. 6. Willfully failing to deliver to a purchaser a salvage title to a vehicle that the applicant, registrant or licensee has sold. 7. Refusing to allow any peace officer or agent of the state agency to inspect, during normal business hours, all books, records and files of the applicant, registrant or licensee which are maintained within the State. 8. Committing any fraud which includes, without limitation: (a) Misrepresenting

in any manner, whether intentional or grossly negligent, a material fact. (b) Intentionally failing to disclose a material fact. 9. Willfully failing to comply with any regulation adopted by the Department. (Added to NRS by 2007, 3223, 3405)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.170 - Automobile wreckers to maintain records of certain vehicles; inspection of records by peace officer or investigator of state agency; required contents of records.

1. Every licensed automobile wrecker shall maintain a record of all vehicles acquired and processed as parts or scrap metal pursuant to NRS 487.105. The records must be open to inspection during business hours by any peace officer or investigator of the state agency. Every vehicle record must contain: (a) The name and address of the person from whom the vehicle was acquired; (b) The date the vehicle was acquired; (c) The manner in which the vehicle was acquired by the wrecker; (d) The registration number last assigned to the vehicle; (e) A brief description of the vehicle, including, insofar as the data may exist with respect to a given vehicle, the make, type, vehicle identification number, serial number and motor number, or any other number of the vehicle; and (f) Any certificate of title, salvage title, nonrepairable vehicle certificate or other appropriate documentation of ownership required by the Department that was provided to the licensed automobile wrecker by the person from whom the vehicle was acquired. 2. Records maintained pursuant to subsection 1 must be retained by the licensed automobile wrecker for a period of at least 2 years. (Added to NRS by 1963, 841; A 1973, 137; 1979, 1231; 2007, 3226, 3408; 2011, 1661)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.180 - Presumption of dismantling.

It shall be prima facie evidence that a vehicle in a dismantled condition has been dismantled by the person having possession thereof. (Added to NRS by 1963, 841)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.190 - Inapplicability of certain provisions to work or service vehicles owned by wrecker under certain circumstances.

The provisions of NRS 487.710 to 487.890, inclusive, do not apply to work or service vehicles owned by an automobile wrecker if such a vehicle is being used solely at the place of business of the automobile wrecker that has been reported to the Department pursuant to NRS 487.073. (Added to NRS by 1963, 841; A 1985, 1961; 2003, 1917)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.200 - Penalty.

Any person who violates any of the provisions of NRS 487.047 to 487.200, inclusive, is guilty of a misdemeanor. (Added to NRS by 1963, 841; A 1985, 1961; 1995, 1575; 1997, 1516; 2003, 1917; 2007, 3227, 3408)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.205 - Legislative findings and declaration.

1. The Legislature finds that: (a) Abandoned vehicles constitute a safety hazard and a public nuisance and are detrimental to the health, safety and welfare of the general public. (b) Such vehicles produce scenic blight which degrades the environment and adversely affects the proper maintenance and continuing development of the State. (c) Such vehicles represent a resource out of place, requiring state and local governmental attention in order to ensure their expeditious removal and recycling. 2. The Legislature declares that the policy of this State is: (a) To prohibit the abandonment of vehicles and to enforce such prohibition with adequate penalties. (b) To encourage the development of procedures and operational techniques which will facilitate the expeditious removal of abandoned vehicles from public and private premises. (c) To encourage state and local governmental units, in cooperation with the private sector to recover the resource represented by abandoned vehicles to the fullest extent practicable. (Added to NRS by 1973, 1063)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.210 - Definitions.

As used in NRS 487.210 to 487.305, inclusive, unless the context otherwise requires: 1. "Abandoned vehicle" means a vehicle: (a) If the vehicle is discovered upon public lands, that the owner has discarded. (b) If the vehicle is discovered upon public or private property other than public lands: (1) That the owner has discarded; or (2) Which has not been reclaimed by the registered owner or a person having a security interest in the vehicle within 15 days after notification pursuant to NRS 487.250. 2. "Public lands" means all lands within the exterior boundaries of the State of Nevada except lands: (a) To which title is held by any private person or entity; (b) To which title is held by the State of Nevada, any of its local governments or the Nevada System of Higher Education; (c) Which are located within congressionally authorized national parks, monuments, national forests or wildlife refuges or which are lands acquired by purchase consented to by the Legislature; (d) Which are controlled by the United States Department of Defense, Department of Energy or Bureau of Reclamation; or (e) Which are held in trust for Indian purposes or are Indian reservations. (Added to NRS by 1967, 1601; A 1973, 1064; 1983, 1099; 1985, 519, 1961; 1999, 1674; 2005, 1220; 2021, 565; 2023, 402)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.220 - Person responsible for cost of removal and disposition of abandoned vehicle; presumption vehicle abandoned by registered owner; rebuttal of

presumption.

1. Every person who abandons a vehicle is responsible for the cost of removal and disposition of the vehicle. 2. An abandoned vehicle is presumed to have been abandoned by the registered owner thereof. Except as otherwise provided in NRS 487.235, the registered owner may rebut this presumption by showing that: (a) The registered owner transferred his or her interest in the abandoned vehicle: (1) Pursuant to the provisions set forth in NRS 482.399 to 482.420, inclusive; or (2) As indicated by a bill of sale for the vehicle that is signed by the registered owner; or (b) The vehicle was stolen, if the registered owner submits evidence that, before the discovery of the vehicle, he or she filed an affidavit with the Department or a written report with an appropriate law enforcement agency alleging the theft of the vehicle. (Added to NRS by 1967, 1600; A 1973, 1064; 2005, 1221)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.230 - Certain peace officers, law enforcement officers, investigators and other personnel authorized to remove or cause removal of vehicle abandoned on public property other than public lands; removal of vehicles abandoned on private property; duties of person authorizing removal.

1. Except as otherwise provided in NRS 487.235, any sheriff or designee of a sheriff, constable, member of the Nevada Highway Patrol, officer of the Legislative Police, investigator of the Division of Compliance Enforcement of the Department, personnel of the Capitol Police Division of the Department of Public Safety, designated employees of the Housing Division of the Department of Business and Industry, special investigator employed by the office of a district attorney, marshal or police officer of a city or town or his or her designee, a marshal or park ranger who is part of a unit of specialized law enforcement established pursuant to NRS 280.125, or any other person charged with the enforcement of county or city ordinances who has reason to believe that a vehicle has been abandoned on public property in his or her jurisdiction may remove the vehicle from that property or cause the vehicle to be removed from that property. At the request of the owner or person in possession or control of private property who has reason to believe that a vehicle has been abandoned on his or her property, the vehicle may be removed by the operator of a tow car or an automobile wrecker from that private property. 2. A person who authorizes the removal of an abandoned vehicle pursuant to subsection 1 shall: (a) Have the vehicle taken to the nearest garage or other place designated for storage by: (1) The state agency or political subdivision making the request if the vehicle is removed from public property. (2) The owner or person in possession or control of the property if the vehicle is removed from private property. (b) Make all practical inquiries to ascertain if the vehicle is stolen by checking the license plate number, vehicle identification number and other available information which will aid in identifying the registered and legal owner of the vehicle and supply the information to the person who is storing the vehicle. (Added to NRS by 1967, 1600; A 1973, 1064; 1979, 1231; 1983, 1242; 1985, 1961; 1987, 1462, 1604; 1993, 1645; 1995, 159, 1110; 1997, 28; 1999, 3589; 2001, 2553; 2005, 106, 1221, 1384; 2007, 106; 2017, 3622)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.235 - Removal of vehicles abandoned on public lands.

1. If a sheriff's office or other law enforcement agency discovers that, or receives notification that, a vehicle has been abandoned on public lands, the sheriff's office or other law enforcement agency shall: (a) Make all practical inquiries to ascertain if the vehicle is stolen by checking the license plate number, vehicle identification number and other available information which will aid in identifying the owner of the vehicle; and (b) If the vehicle has not been reported as stolen and the sheriff's office or other law enforcement agency is able to determine the identity of the owner of the vehicle, notify the Department of those facts. 2. Upon the receipt of a notice from a sheriff's office or other law enforcement agency pursuant to paragraph (b) of subsection 1 and if the registration of the vehicle has not expired, the Department shall send by registered or certified mail, return receipt requested, a written notice to the owner of the vehicle stating that the owner must remove or cause the vehicle to be removed from the public lands within 30 days after the date on which the notice was sent. 3. If an owner receives a notice pursuant to subsection 2, the owner may submit to the Department an affidavit which states that the owner has taken action which meets the requirements of paragraph (a) or (b) of subsection 2 of NRS 487.220. If the owner submits such an affidavit, the Department: (a) Shall maintain a record of the affidavit; and (b) Shall not suspend the registration of each vehicle currently registered to that owner as otherwise required by subsection 4. 4. If an owner: (a) Receives a notice pursuant to subsection 2; (b) Fails to remove or cause the vehicle to be removed within the 30-day period set forth in that notice; and (c) Does not submit an affidavit as described in subsection 3, the Department shall suspend the registration of each vehicle currently registered to the owner pursuant to chapter 482 of NRS. For the purposes of this subsection, the determination of the sheriff's office or other law enforcement agency that notified the Department pursuant to paragraph (b) of subsection 1 is conclusive as to whether the abandoned vehicle was removed within the 30-day period. 5. If the registration of a vehicle is suspended pursuant to subsection 4, the Department shall reinstate the registration upon receipt from the registered owner of the vehicle of: (a) An affidavit setting forth that the registered owner caused the removal and disposition of, or proof that the registered owner paid the cost of removal and disposition of, the vehicle discovered abandoned upon public lands; and (b) If applicable, proof that the registered owner redeemed any lien placed pursuant to NRS 487.270 on the vehicle discovered abandoned on public lands. 6. If a sheriff's office or other law enforcement agency is notified by a person or another governmental entity that a vehicle has been abandoned on public lands, the sheriff's office or other law enforcement agency shall, insofar as practicable and authorized by law, inform the person or entity making such notification of the actions taken by the sheriff's office or other law enforcement agency pursuant to this section. (Added to NRS by 2005, 1219)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.240 - Appraisal of removed abandoned vehicle.

Upon receipt of a written request, the state agency shall have the vehicle appraised within 10 business days after receipt of the request. (Added to NRS by 1967, 1600; A 1979, 493, 1232; 1983, 1099; 1999, 160)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.250 - Required notices.

1. The state agency or political subdivision shall, within 48 hours after the appraisal, notify the head of the state agency of the removal of the vehicle. The notice must contain: (a) A description of the vehicle. (b) The appraised value of the vehicle. (c) A statement as to whether the vehicle will be junked, dismantled or otherwise disposed of. 2. The person who removed the vehicle must notify the registered owner and any person having a security interest in the vehicle by registered or certified mail that the vehicle has been removed and will be junked or dismantled or otherwise disposed of unless the registered owner or the person having a security interest in the vehicle responds and pays the costs of removal. 3. Failure to reclaim within 15 days after notification a vehicle appraised at \$500 or less constitutes a waiver of interest in the vehicle by any person having an interest in the vehicle. 4. If all recorded interests in a vehicle appraised at \$500 or less are waived, either as provided in subsection 3 or by written disclaimer by any person having an interest in the vehicle, the state agency, except as otherwise provided in subsection 3 of NRS 487.100, shall issue a salvage title pursuant to NRS 487.810 to the automobile wrecker who towed the vehicle or to whom the vehicle may have been delivered, or a certificate of title to the garage owner if the garage owner elects to retain the vehicle and the vehicle is equipped as required by chapter 484D of NRS. (Added to NRS by 1967, 1600; A 1969, 95, 769; 1973, 339, 974; 1979, 493, 1232; 1987, 1604; 1999, 1922; 2003, 474, 1917; 2011, 1661)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.260 - Disposition of vehicles appraised at value exceeding \$500; disposition of junk vehicles; junk certificates; duties of automobile wreckers; maintenance of certain records.

1. If the vehicle is appraised at a value of more than \$500, the state agency or political subdivision shall dispose of it as provided in NRS 487.270. 2. If the vehicle is appraised as a junk vehicle, the Department may issue a junk certificate to the automobile wrecker or tow operator who removed the vehicle. 3. An automobile wrecker who possesses a junk certificate for a junk vehicle may process the vehicle for parts or scrap metal pursuant to NRS 487.105. 4. A vehicle for which a junk certificate has been issued may be sold to an automobile wrecker by the person to whom the junk certificate was issued by the seller's endorsement on the certificate. Except as otherwise provided in subsection 3 of NRS 487.100, an automobile wrecker who purchases a vehicle for which a junk certificate has been issued shall immediately affix the business name of the automobile wrecker as purchaser to the first available space provided on the reverse side of the certificate. For the purposes of this subsection, such an automobile wrecker is the owner of the junk vehicle. 5. If insufficient space exists on the reverse side of a junk certificate to transfer the vehicle pursuant to subsection 4, except as otherwise provided in subsection 3 of NRS 487.100, an automobile wrecker who purchases a junk vehicle for which a junk certificate has been previously issued shall, within 10 days after purchase, apply to the Department for a new junk certificate and surrender the original certificate. 6. A person who sells a junk vehicle shall maintain, for at least 2 years, a copy of the junk certificate and a record of the name and address of the person from whom the vehicle was acquired and the date thereof. The person shall allow any peace officer or any investigator employed by a state agency to inspect the records during business hours. 7. An automobile wrecker who processes a junk vehicle for parts or scrap metal shall maintain records as required by NRS 487.170. 8. As used in this section, "junk vehicle" means a vehicle, including component parts, which: (a) Has been discarded or abandoned; (b) Has been ruined, wrecked, dismantled or rendered inoperative; (c) Is unfit for further use in accordance with the original purpose for which it was constructed; (d) Is not registered with the Department or has not been reclaimed by the registered owner or a person having a security interest in the vehicle within 15 days after notification pursuant to NRS 487.250; and (e) Has value principally as scrap which does not exceed \$200. (Added to NRS by 1967, 1601; A 1973, 974; 1979, 1232; 1987, 1605; 1991, 1675; 1999, 1675; 2007, 3227, 3408; 2011, 1662)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.270 - Lien on abandoned vehicle; costs and fees included in lien; satisfaction of lien; issuance of unbranded title; transmission of fee to constable under certain circumstances.

1. Whenever a vehicle has been removed to a garage or other place as provided by NRS 487.230, the owner of the garage or the automobile wrecker or operator of a tow car who towed the vehicle has a lien on the vehicle for: (a) The costs of towing and storing for a period not exceeding 90 days; and (b) If the vehicle was removed from public property at the request of a constable, the fee described in paragraph (d) of subsection 2 of NRS 258.125. 2. If the vehicle is appraised at a value of less than \$1,500, or less than such other value greater than \$1,500 which the Department may establish by regulation, and is not reclaimed within the period prescribed in NRS 487.250, the owner of the garage, automobile wrecker or operator of a tow car may satisfy his or her lien by retaining the vehicle and obtaining a certificate pursuant to NRS 487.880, if applicable, a salvage title as provided in NRS 487.810 or an unbranded title pursuant to subsection 4. 3. If the vehicle is appraised at a value of more than \$1,500, or more than such other value greater than \$1,500 which the Department may establish by regulation, and is not reclaimed within 45 days, the owner of the garage, automobile wrecker or operator of a tow car may satisfy his or her lien, in accordance with the provisions of NRS 108.265 to

108.367, inclusive. Before such a person may sell the vehicle, the person shall obtain a certificate pursuant to NRS 487.880, if applicable, a salvage title as provided in NRS 487.810 or an unbranded title pursuant to subsection 4. 4. Before an automobile wrecker or operator of a tow car satisfies his or her lien pursuant to subsection 2 or 3, the automobile wrecker or operator of a tow car may request that the Department issue an unbranded title for the vehicle. The Department shall issue the unbranded title if the automobile wrecker or operator of a tow car submits to the Department a certificate of inspection in such form as the Department may prescribe which has been completed and signed by a garage operator who operates a garage that is registered pursuant to NRS 487.560, by the owner of a body shop licensed pursuant to NRS 487.630, by a rebuilder licensed pursuant to NRS 482.325 or by a qualified employee of such a garage, body shop or rebuilder certifying that: (a) The vehicle was inspected by the garage operator, owner, rebuilder or employee; (b) The vehicle meets the standards of the vehicle manufacturer for mechanical fitness and safety; (c) Any safety equipment, including, without limitation, occupant restraint devices, which was present in the vehicle at the time the vehicle was manufactured is present and operational to the standards of the manufacturer and the provisions of 49 C.F.R. §§ 571.208 and 571.209; and (d) The vehicle is in a condition to be operated safely on the highways of this State. 5. Nothing in subsection 4 shall be construed as requiring the Department to change the existing status of a certificate of title, including, without limitation, any designation that a vehicle is a salvage vehicle or rebuilt vehicle. 6. If the vehicle was removed from public property at the request of a constable and the owner of the garage or automobile wrecker satisfies his or her lien pursuant to subsection 2 or 3, the owner of the garage or automobile wrecker shall transmit to the constable the fee described in paragraph (d) of subsection 2 of NRS 258.125. 7. As used in this section: (a) "Operator of a tow car" means the operator of a tow car who holds a certificate of public convenience and necessity issued pursuant to NRS 706.4463. (b) "Unbranded title" means a certificate of title that does not include a specified designation, including, without limitation, a designation that a motor vehicle is a salvage vehicle or rebuilt vehicle. (Added to NRS by 1967, 1601; A 1969, 770; 1973, 974; 1987, 1605; 1997, 1422; 1999, 1923; 2003, 474, 1918; 2007, 106; 2023, 1070)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.281 - Unlawful abandonment of vehicle.

1. A person shall not abandon a vehicle upon any public highway or road. 2. A person shall not abandon a vehicle upon public or private property without the express or implied consent of the owner or person in lawful possession or control of the property. (Added to NRS by 1973, 1064; A 1985, 341)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.290 - Unlawful possession of unregistered vehicles unfit for use; exceptions.

1. Unless the person first obtains a license pursuant to NRS 487.050 or 487.410, a person shall not for any reason keep more than two unregistered vehicles on real property owned by or under possession or control of the person if the vehicles are no longer intended for or in condition for lawful use on the highway. 2. The provisions of subsection 1 do not apply to: (a) Premises used by a licensed dealer, manufacturer, distributor or rebuilder. (b) Vehicles to be restored or used as a source of parts in conjunction with the operation or maintenance of a fleet of vehicles for the carriage of persons or property. (c) Premises used as a farm, ranch, mine or repair shop for motor vehicles. (d) Any person engaged in the restoration of one or more vehicles entitled to registration as a Horseless Carriage or otherwise having classic or historic significance. (e) The owner of real property on which a residential complex is located or an agent thereof. (f) The unit-owners' association of a common-interest community or an agent thereof. 3. As used in this section: (a) "Common-interest community" has the meaning ascribed to it in NRS 116.021. (b) "Residential complex" has the meaning ascribed to it in NRS 706.4477. (c) "Unit-owners' association" has the meaning ascribed to it in NRS 116.011. (Added to NRS by 1973, 1064; A 1983, 1007; 1985, 342; 1987, 1605; 2021, 1440)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.300 - Penalty for unlawful abandonment of vehicle.

Every person who violates any provision of NRS 487.281 is guilty of a misdemeanor. (Added to NRS by 1973, 1064; A 2023, 402)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.305 - Penalty for unlawful possession of unregistered vehicles unfit for use; local authority authorized to establish different penalty.

1. Except as otherwise provided in this section, any person who violates any provisions of NRS 487.290 is liable for a civil penalty of not more than \$100 for each day of the violation. 2. A local authority may adopt an ordinance prohibiting the same conduct as is prohibited by NRS 487.290. If a local authority adopts such an ordinance: (a) The local authority may establish a different penalty for a violation of the ordinance than the penalty provided by subsection 1, except that a local authority shall not establish a criminal penalty for the violation of such an ordinance. (b) A person who commits the conduct prohibited by NRS 487.290 within the jurisdiction of the local authority shall be subject to the provisions of the local ordinance, including, without limitation, any penalty established by the local ordinance, instead of the penalty provided by subsection 1. 3. As used in this section, "local authority" means the governing board of a county, city or other political subdivision having authority to enact ordinances. (Added to NRS by 2023, 401)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.400 - Definitions.

As used in NRS 487.400 to 487.510, inclusive: 1. "Identifying card" means a card: (a) Authorizing the holder to bid for the purchase of vehicles from the operator of a salvage pool; and (b) Containing the information required by NRS 487.070, 487.475 or 487.477. 2. "Salvage pool" means a business which obtains motor vehicles from: (a) Insurers and self-insurers for sale on consignment or as an agent for the insurer or self-insurer if the vehicles are acquired by the insurer or self-insurer as the result of a settlement for insurance; or (b) Licensed vehicle dealers, rebuilders, lessors or wreckers for sale on consignment. (Added to NRS by 1987, 1594; A 1989, 862; 1991, 527; 1997, 2862; 2009, 1745)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.410 - Unlawful to operate salvage pool without license; application for license; submission of fingerprints; fees for processing fingerprints and issuance of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] Unlawful to operate salvage pool without license; application for license; submission of fingerprints; fees for processing fingerprints and issuance of license. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. No person may operate a salvage pool without first applying for and obtaining a license for that business from the Department. 2. An application for a license must be made on a form provided by the Department. The forms must designate the persons whose names are required to appear thereon. The application must include the social security number of the applicant and be accompanied by: (a) Such proof as the Department requires that the applicant meets the statutory requirements to be an operator of a salvage pool. (b) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (c) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (d) The fee for issuance of a license provided in NRS 487.450. (Added to NRS by 1987, 1594; A 1997, 2080; 2017, 958) 1. No person may operate a salvage pool without first applying for and obtaining a license for that business from the Department. 2. An application for a license must be made on a form provided by the Department. The forms must designate the persons whose names are required to appear thereon. The application must be accompanied by: (a) Such proof as the Department requires that the applicant meets the statutory requirements to be an operator of a salvage pool. (b) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (c) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (d) The fee for issuance of a license provided in NRS 487.450. (Added to NRS by 1987, 1594; A 1997, 2080; 2017, 958, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.420 - Bond: Requirement; amount; application for compensation; deposits in lieu of bond; disbursement to person injured by action of licensee; automatic suspension of license if deposit is reduced or outstanding judgment; reinstatement of license; refund.

1. No applicant may be granted a license to operate a salvage pool until he or she has procured and filed with the Department a good and sufficient bond in the amount of \$50,000, with a corporate surety thereon licensed to do business in the State of Nevada, approved as to form by the Attorney General, and conditioned that the applicant conducts business as an operator of a salvage pool without fraud or fraudulent representation, and without violation of the provisions of NRS 487.400 to 487.510, inclusive. The Department may, by agreement with any operator of a salvage pool who has been licensed by the Department for 5 years or more, allow a reduction in the amount of his or her bond, if his or her business has been conducted satisfactorily for the preceding 5 years, but no bond may be in an amount less than \$5,000. 2. The bond may be continuous in form and the total aggregate liability on the bond must be limited to the payment of the total amount of the bond. 3. The bond must provide that any person injured by the action of the operator of the salvage pool in violation of any of the provisions of NRS 487.400 to 487.510, inclusive, may apply to the Director for compensation from the bond. The Director, for good cause shown and after notice and opportunity for hearing, may determine the amount of compensation and the person to whom it is to be paid. The surety shall then make the payment. 4. In lieu of a bond an operator of a salvage pool may deposit with the Department, under the terms prescribed by the Department: (a) A like amount of lawful money of the United States; or (b) A savings certificate of a bank, credit union, savings and loan association or savings bank situated in Nevada, which must indicate an account of an amount equal to the amount of the bond which would otherwise be required by this section and that this amount is unavailable for withdrawal except upon order of the Department. Interest earned on the certificate accrues to the account of the applicant. 5. A deposit made pursuant to subsection 4 may be

disbursed by the Director, for good cause shown and after notice and opportunity for hearing, in an amount determined by the Director to compensate a person injured by an action of the licensee, or released upon receipt of: (a) A court order requiring the Director to release all or a specified portion of the deposit; or (b) A statement signed by the person under whose name the deposit is made and acknowledged before any person authorized to take acknowledgments in this State, requesting the Director to release the deposit, or a specified portion thereof, and stating the purpose for which the release is requested. 6. When a deposit is made pursuant to subsection 4, liability under the deposit is in the amount prescribed by the Department. If the amount of the deposit is reduced or there is an outstanding judgment of a court for which the licensee is liable under the deposit, the license is automatically suspended. The license must be reinstated if the licensee: (a) Files an additional bond pursuant to subsection 1; (b) Restores the deposit with the Department to the original amount required under this section; or (c) Satisfies the outstanding judgment for which the licensee is liable under the deposit. 7. A deposit made pursuant to subsection 4 may be refunded: (a) By order of the Director, 3 years after the date the licensee ceases to be licensed by the Department, if the Director is satisfied that there are no outstanding claims against the deposit; or (b) By order of court, at any time within 3 years after the date the licensee ceases to be licensed by the Department, upon evidence satisfactory to the court that there are no outstanding claims against the deposit. 8. Any money received by the Department pursuant to subsection 4 must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1987, 1594; A 1993, 2345; 1999, 1504; 2009, 1746; 2019, 63)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.430 - License to operate salvage pool: Application; issuance; contents; posting; expiration; renewal; reinstatement; fees. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] License to operate salvage pool: Application; issuance; contents; posting; expiration; renewal; reinstatement; fees. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. The Department may approve or reject the application for a license to operate a salvage pool. If the Department receives the statement required pursuant to NRS 487.003 and approves the application, it shall issue to the applicant a license containing the applicant's name and address, the name under which the business is to be conducted, the business address, and a distinguishing number assigned to the applicant. 2. A licensee shall post the license in a conspicuous place clearly visible to the general public at the business address set forth on the license. 3. A license expires on April 30 of each year. 4. Except as otherwise provided in subsection 5, a licensee may renew his or her license by submitting to the Department: (a) A completed application for renewal upon a form supplied by the Department; (b) The statement required pursuant to NRS 487.003; and (c) The fee for renewal of a license provided in NRS 487.450. 5. A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of: (a) The application for renewal and statement specified in paragraphs (a) and (b) of subsection 4; (b) The fee for renewal of a license provided in NRS 487.450; and (c) A late fee of \$25. Any fee collected by the Department pursuant to this paragraph must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1987, 1595; A 1989, 2023; 1997, 147, 1516, 2080; 2017, 958) 1. The Department may approve or reject the application for a license to operate a salvage pool and, if approved, shall issue to the applicant a license containing the applicant's name and address, the name under which the business is to be conducted, the business address, and a distinguishing number assigned to the applicant. 2. A licensee shall post the license in a conspicuous place clearly visible to the general public at the business address set forth on the license. 3. A license expires on April 30 of each year. 4. Except as otherwise provided in subsection 5, a licensee may renew his or her license by submitting to the Department: (a) A completed application for renewal upon a form supplied by the Department; and (b) The fee for renewal of a license provided in NRS 487.450. 5. A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of: (a) The application for renewal specified in paragraph (a) of subsection 4; (b) The fee for renewal of a license provided in NRS 487.450; and (c) A late fee of \$25. Any fee collected by the Department pursuant to this paragraph must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1987, 1595; A 1989, 2023; 1997, 147, 1516, 2080; 2017, 958, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.440 - Applicant to furnish information concerning place of business.

Before issuing a license to an operator of a salvage pool, the Department shall require that the applicant furnish proof that: 1. The applicant will conduct business from a permanent enclosed building which the applicant owns or has leased; 2. The business will be located on at least one-half of an acre of ground; and 3. The site for the business will be surrounded by a screened fence at least 6 feet high. (Added to NRS by 1987, 1595)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.450 - Fee for issuance or renewal of license to operate salvage pool; disposition.

1. The Department shall charge and collect a fee of \$300 for the issuance or renewal of a license to operate a salvage pool. 2. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1987, 1596; A 1989, 2024, 2043; 1991, 1778; 1997, 1372; 2003, 1918; 2007, 1232)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.455 - Operator of salvage pool to affix legible sign containing name of business.

At each of his or her established places of business, an operator of a salvage pool shall permanently affix a sign containing the name of the business in lettering of sufficient size to be clearly legible from the center of the nearest street or roadway, except that the lettering must be at least 8 inches high and formed by lines that are at least 1-inch wide. (Added to NRS by 1997, 1515)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.460 - Operation of vehicles on highway without registration; conditions.

Any licensed operator of a salvage pool who owns or controls any vehicle of a type required to be registered pursuant to the laws of this State may operate or move that vehicle upon the highways without subjecting the vehicle to registration if the operation or movement is for the sole purpose of moving the vehicle from its location to the established place of business of the licensee. The operator may obtain license plates from the Department for the movement of such vehicles. (Added to NRS by 1987, 1596)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.470 - Restrictions on purchase and sale of salvage vehicles; registration with operator of salvage pool with whom bid is made for purchase of vehicles required by certain persons; limitations on person issued identifying card described in NRS 487.477.

1. Except as otherwise provided in subsection 4, only a licensed automobile wrecker, dealer of new or used motor vehicles or rebuilder or a person who has been issued an identifying card described in NRS 487.477 may bid to purchase a vehicle from an operator of a salvage pool, and the operator may only sell a vehicle to such a person. An operator shall not accept a bid from: (a) An automobile wrecker until the automobile wrecker: (1) Presents the card issued by the Department pursuant to NRS 487.070 or other identifying card; or (2) If he or she is licensed or otherwise authorized to operate as an automobile wrecker in another state or foreign country, presents evidence of that licensure or authorization and has registered with the operator pursuant to subsection 2; (b) A dealer of new or used motor vehicles or a rebuilder until the dealer or rebuilder: (1) Presents the card issued by the Department pursuant to NRS 487.475 or other identifying card; or (2) If he or she is licensed or otherwise authorized to operate as a dealer of new or used motor vehicles or as a rebuilder in another state or foreign country, presents evidence of that licensure or authorization and has registered with the operator pursuant to subsection 2; or (c) A person who has been issued an identifying card described in NRS 487.477: (1) For a nonrepairable vehicle; or (2) For any other vehicle, until the person presents the identifying card. 2. Any automobile wrecker, dealer of new or used motor vehicles or rebuilder who is licensed or otherwise authorized to operate in another state or foreign country shall register with each operator of a salvage pool with whom the wrecker, dealer or rebuilder bids to purchase vehicles, by filing with the operator copies of his or her license or other form of authorization from the other state or country, and his or her driver's license, business license, certificate evidencing the filing of a bond, resale certificate and proof of social security or tax identification number, if such documentation is required for licensure in the other state or country. Each operator of a salvage pool shall keep such copies at his or her place of business and in a manner so that they are easily accessible and open to inspection by employees of the Department and to officers of law enforcement agencies in this State. 3. Each person who has been issued an identifying card described in NRS 487.477 shall register with each operator of a salvage pool with whom the person bids to purchase vehicles by filing with the operator copies of his or her driver's license, business license, if applicable, and proof of social security or tax identification number. Each operator of a salvage pool shall keep such copies at his or her place of business and in a manner so that they are easily accessible and open to inspection by employees of the Department and to officers of law enforcement agencies in this State. 4. A person who has been issued an identifying card described in NRS 487.477 shall not: (a) Purchase more than three vehicles in any calendar year from operators of salvage pools in this State; (b) Purchase any such vehicle for resale; (c) Bid on a nonrepairable vehicle; or (d) Assist, solicit or conspire with another person to commit any act prohibited by paragraph (a), (b) or (c). (Added to NRS by 1987, 1596; A 1989, 862; 1995, 1575; 1997, 2862; 2001, 2554; 2009, 1747)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.475 - Card authorizing dealer of new or used motor vehicles or rebuilder to bid for purchase of vehicle: Contents; quantity; issuance to salesperson under certain circumstances; fee; expiration; disposition of fees.

1. A card authorizing a dealer of new or used motor vehicles or a rebuilder to bid to purchase a vehicle from an operator of a salvage pool must contain the dealer's or rebuilder's: (a) Name and signature; (b) Business name; (c) Business address; (d) Business license number issued by the Department; and (e) Picture. 2. A dealer or rebuilder may obtain one or two cards for his or her business. If a dealer obtains two cards for his or her business, one of the cards may be issued to a salesperson who is an employee of the dealer and who is: (a) Licensed pursuant to NRS 482.362; and (b) Acting as an agent for the dealer in the purchase of a vehicle from an operator of a salvage pool. 3. The Department shall charge a fee of \$50 for each card issued. 4. A card issued pursuant to this section expires on December 31 of the year in which it was issued. The dealer or rebuilder must submit to the Department an application for renewal accompanied by a renewal fee of \$25 for each card. The application must be made on a form provided by the Department

and contain such information as the Department requires. 5. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1989, 861; A 1991, 1778; 1997, 1372; 2005, 1222; 2007, 1232)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.477 - Identifying card authorizing certain persons to purchase vehicle other than nonrepairable vehicle from operator of salvage pool: Contents; fee; expiration; disposition of fees.

1. An identifying card authorizing a person other than a licensed automobile wrecker, dealer of new or used motor vehicles or rebuilder to bid to purchase a vehicle other than a nonrepairable vehicle from an operator of a salvage pool must contain the person's: (a) Name and signature; (b) Personal address; (c) Business name, if applicable; (d) Business address, if applicable; and (e) Picture. 2. The Department shall charge a fee of \$50 for each identifying card issued in accordance with this section. 3. An identifying card issued in accordance with this section expires on December 31 of the year in which it is issued. The person must submit to the Department an application for renewal accompanied by a renewal fee of \$25. The application must be made on a form provided by the Department and contain such information as the Department requires. 4. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 2009, 1745)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.478 - Persons prohibited from applying for identifying card described in NRS 487.477.

A person who is licensed as or who is required to be licensed as an automobile wrecker, dealer of new or used motor vehicles or rebuilder shall not apply for or obtain an identifying card described in NRS 487.477. (Added to NRS by 2009, 1745)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.480 - Sale of vehicle as salvage; operator of pool to provide salvage title to purchaser.

1. Before an operator of a salvage pool sells any vehicle subject to registration pursuant to the laws of this State, the operator must possess the certificate of title for a vehicle obtained pursuant to subsection 3 of NRS 487.800 or the salvage title for that vehicle. The Department shall not issue a certificate of registration or certificate of title for a vehicle with the same identification number if the vehicle was manufactured in the 5 years preceding the date on which the salvage title was issued, unless the Department authorizes the restoration of the vehicle pursuant to subsection 2 of NRS 482.553. 2. Upon sale of the vehicle, the operator of the salvage pool shall provide a salvage title to the licensed automobile wrecker, dealer of new or used motor vehicles or rebuilder or other person who purchased the vehicle. (Added to NRS by 1987, 1596; A 1989, 862; 1991, 1909; 1997, 2863; 1999, 620, 1923; 2003, 474, 1918; 2007, 227; 2009, 1748)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.490 - Denial, suspension or revocation of license to operate salvage pool or refusal to renew: Grounds; hearings; reapplication; disclosure of financial records.

1. The Department may refuse to issue a license or may suspend, revoke or refuse to renew a license of an operator of a salvage pool upon determining that the operator: (a) Is not lawfully entitled to the license; (b) Has made, or knowingly or negligently permitted, any illegal use of that license; (c) Made a material misstatement in any application; (d) Willfully fails to comply with any provision of NRS 487.400 to 487.510, inclusive; (e) Fails to discharge any final judgment entered against the operator when the judgment arises out of any misrepresentation regarding a vehicle; (f) Fails to maintain any license or bond required by a political subdivision of this State; (g) Has been convicted of a felony; (h) Has been convicted of a misdemeanor or gross misdemeanor for a violation of a provision of this chapter; (i) Fails or refuses to provide to the Department an authorization for the disclosure of financial records for the business as required pursuant to subsection 6; or (j) Displays evidence of unfitness for a license pursuant to NRS 487.165. 2. The applicant or licensee may, within 30 days after receipt of the notice of refusal to grant or renew or the suspension or revocation of a license, petition the Department in writing for a hearing. 3. Hearings under this section and appeals therefrom must be conducted in the manner prescribed in NRS 482.353 and 482.354. 4. If an application for a license as an operator of a salvage pool is denied, the applicant may not submit another application for at least 6 months after the date of the denial. 5. The Department may refuse to review a subsequent application for licensing submitted by any person who violates any provision of NRS 487.400 to 487.510, inclusive. 6. Upon the receipt of any report or complaint that an applicant or a licensee has engaged in financial misconduct or has failed to satisfy financial obligations related to the operation of a salvage pool, the Department may require the applicant or licensee to submit to the Department an authorization for the disclosure of financial records for the business as provided in NRS 239A.090. The Department may use any information obtained pursuant to such an authorization only to determine the suitability of the applicant or licensee for initial or continued licensure. Information obtained pursuant to such an authorization may be disclosed only to those employees of the Department who are authorized to issue a license to an applicant pursuant to NRS 487.400 to 487.510, inclusive, or to determine the suitability of an applicant or a licensee for such licensure. 7. For the purposes of this section, the failure to adhere to the directives of the Department advising the licensee of noncompliance with any provision of NRS 487.400 to 487.510, inclusive, or regulations of the Department, within 10 days after the receipt of those directives, is prima facie evidence of willful failure to comply. (Added to NRS by 1987, 1596; A 1997, 147; 2007, 3227, 3409; 2009, 1748)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.492 - License to issue identifying cards: Issuance to person licensed to operate salvage pool; investigation of qualifications of applicant.

1. The Department may issue to a person licensed to operate a salvage pool an additional license authorizing the holder to issue identifying cards. 2. The Department shall investigate the qualifications of an applicant for a license to issue identifying cards and shall prescribe a form for reporting the result. (Added to NRS by 1997, 2861)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.493 - License to issue identifying cards: Qualifications of applicant.

In addition to the requirements set forth in NRS 487.420 to 487.450, inclusive, and subject to the grounds for denial, suspension or revocation pursuant to NRS 487.490, an applicant for a license to issue identifying cards must: 1. Have been licensed to operate a salvage pool for the 2-year period immediately preceding application for the additional license. 2. Not have issued a check to the Department for payment which was returned for insufficient funds. 3. Include a secure building within the applicant's facility. (Added to NRS by 1997, 2861)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.494 - License to issue identifying cards: Bond; deposit in lieu of bond.

1. Except as otherwise provided in subsection 2, an applicant for a license to issue identifying cards shall file with the Department a bond payable to the State of Nevada in the amount of \$10,000. The bond must be executed by the applicant as principal and by a corporation qualified under NRS 100.065 as surety. 2. An applicant may, instead of filing a bond, deposit \$10,000 with the State Treasurer in any form authorized by NRS 100.065. (Added to NRS by 1997, 2861)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.495 - License to issue identifying cards: Application; fee; issuance; expiration; renewal.

1. An application for a license to issue identifying cards must be filed upon a form supplied by the Department. If considered necessary, the Department may require information in addition to that required by the form. 2. A fee of \$25 must accompany the application. 3. Upon receipt of the application and fee, and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license to issue identifying cards containing the name of the applicant and his or her established place of business. 4. Licenses issued pursuant to this section expire on December 31 of each year. Before December 31 of each year, a licensee must furnish the Department with an application for renewal of the license accompanied by an annual fee of \$25. (Added to NRS by 1997, 2862)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.496 - Course of training required for certain employees of person licensed to issue identifying cards.

An employee of a licensee whose duties include acting upon, issuing or renewing an identifying card must complete a course of training offered by the Department. (Added to NRS by 1997, 2862)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.497 - Records of person licensed to issue identifying cards: Maintenance; contents; inspection; audit; location.

1. A person licensed to issue identifying cards shall maintain a record of all fees collected and identifying cards issued. 2. The record must contain: (a) The name and signature of the licensed automobile wrecker, vehicle dealer or rebuilder or other person from whom fees were collected, the amount of fees collected and the number of identifying cards issued or renewed. (b) For each identifying card issued to an automobile wrecker, vehicle dealer or rebuilder, the business name, address and license number under which the automobile wrecker, vehicle dealer or rebuilder is licensed by the Department. (c) A photograph of the natural person to whom the identifying card was issued. 3. The record must be open to inspection during regular business hours by any peace officer or investigator of the Department. 4. Upon request of the Department, a person licensed to issue identifying cards shall allow the Department, or a person designated by the Department, to conduct an audit of the person's records. 5. The records of the licensee must be maintained at the licensed location. (Added to NRS by 1997, 2862; A 2009, 1749)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.500 - Records required; inspection.

Every licensed operator of a salvage pool shall maintain a record of all vehicles he or she sells. The record must contain the name and address of the person from whom the vehicle was purchased or acquired and the date of the acquisition or purchase, the name and address of the automobile wrecker, dealer of new or used motor vehicles, rebuilder or other person to whom the vehicle was sold and the date of the sale, the registration number last assigned to the vehicle and a brief description of the vehicle, including, insofar as the information exists with respect to a given vehicle, the make, type, serial number and motor number, or any other number of the vehicle. The record must be open to inspection during regular business hours by any peace officer or investigator of the Department. (Added to NRS by 1987, 1597; A 1989, 863; 2009, 1749)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.505 - Regulations.

The Department shall adopt regulations to carry out the provisions of NRS 487.400 to 487.510, inclusive. (Added to NRS by 2009, 1745)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.510 - Penalty.

Any person who violates any of the provisions of NRS 487.400 to 487.505, inclusive, is guilty of a misdemeanor. (Added to NRS by 1987, 1597; A 1997, 1516; 2009, 1750)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.520 - Repair and rebuilding of vehicle to comply with industry standards; repair or replacement of airbags and other safety equipment; retention of written records.

1. Except as otherwise provided in subsection 3, if a salvage vehicle is repaired or rebuilt by a garage operator or operator of a body shop, the repairs or rebuilding must comply with the standards published and commonly applied in the motor vehicle repair industry. 2. Except as otherwise provided in subsection 3, if any safety equipment that was present in a motor vehicle at the time it was manufactured is repaired or replaced by a garage operator or operator of a body shop, the equipment must be repaired or replaced to the standards published and commonly applied in the motor vehicle repair industry. 3. If a motor vehicle has been in a crash and a garage operator or operator of a body shop accepts or assumes control of the motor vehicle to make any repair, the garage operator or operator of the body shop shall: (a) For a motor vehicle that is equipped with an airbag that has been deployed, replace the airbag in a manner that complies with the standards set forth in 49 C.F.R. § 571.208, Standard No. 208, for such equipment. (b) For a motor vehicle that is equipped with a seatbelt assembly which requires repair or replacement, repair or replace the seatbelt assembly in a manner that complies with the standards set forth in 49 C.F.R. § 571.209, Standard No. 209, for such equipment. 4. A garage operator or operator of a body shop who is licensed pursuant to the provisions of this chapter who performs the work required pursuant to this section shall retain a written record of the work, including, without limitation, the date of the repair, rebuilding or replacement, and any identifying information regarding any parts or equipment used in the repair, rebuilding or replacement. (Added to NRS by 2003, 1908; A 2015, 1654)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.530 - Definitions.

As used in NRS 487.530 to 487.690, inclusive, unless the context otherwise requires, the words and terms defined in NRS 487.532 to 487.553, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1997, 1368; A 1999, 436, 1897; 2001, 139, 140; 2003, 1919; 2009, 2534, 2705; 2013, 1977)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.532 - "Body shop" defined.

"Body shop" means any place where the body of a motor vehicle is painted, fixed, repaired or replaced for compensation. (Added to NRS by 2009, 2528, 2699)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.540 - "Garage" defined.

1. "Garage" means a business establishment, sole proprietorship, firm, corporation, association or other legal entity that performs any of the following services on motor vehicles: (a) Repair or replacement of the: (1) Engine; (2) Brake system; (3) Transmission system; (4) Drivetrain system; (5) Heating and air-conditioning system; (6) Cooling system; (7) Muffler and exhaust system; (8) Electrical system; (9) Electrical charging system; or (10) Fuel injection or carburetion system; (b) Engine tune up; (c) Diagnostic testing; (d) Alignment; or (e) Oil change and lubrication. 2. "Garage" does not include a business establishment, sole proprietorship, firm, corporation, association or other legal entity that does not perform services on motor vehicles for members of the general public. (Added to NRS by 1997, 1368; A 2007, 3228)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.545 - "Garage operator" defined.

"Garage operator" means a person who: 1. Owns, operates, controls or manages a garage; or 2. Is authorized to repair motor vehicles at a garage that is owned, operated, controlled or managed by another person. (Added to NRS by 1997, 1368)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.550 - "Motor vehicle" defined.

"Motor vehicle" means: 1. A passenger car as defined in NRS 482.087; 2. A mini motor home as defined in NRS 482.066; 3. A motor home as defined in NRS 482.071; 4. A recreational vehicle as defined in NRS 482.101; 5. A motor truck as defined in NRS 482.073 if the gross weight of the vehicle is 10,000 pounds or less; 6. A motorcycle as defined in NRS 482.070; and 7. A trimobile as defined in NRS 482.129. (Added to NRS by 1997, 1369; A 2007, 3229)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.553 - "Person authorizing repairs" defined.

"Person authorizing repairs" means a person who uses the services of a garage. The term includes an insurance company, its agents or its representatives authorizing repairs to motor vehicles under a policy of insurance. (Added to NRS by 2009, 2528, 2699)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.555 - Applicability.

The provisions of NRS 487.530 to 487.690, inclusive, do not apply to a service station that is exclusively engaged in the business of selling motor vehicle fuel, lubricants or goods unrelated to the repair of motor vehicles. (Added to NRS by 1997, 1369; A 2001, 967; 2009, 2534, 2705)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.557 - Submission of annual report by Director to Legislature concerning garages, garage operators and body shops.

1. On or before February 1 of each year, the Director of the Department shall prepare a report concerning garages, garage operators and body shops. The report must include: (a) The number of complaints relating to garages, garage operators and body shops made to and acted upon by the Department during the year for which the report is prepared; (b) The number of investigations conducted during that year by the Department relating to garages, garage operators and body shops; and (c) The outcome of each investigation specified in paragraph (b) and the extent to which any information relating to each investigation is subject to disclosure to the members of the public. 2. On or before February 1 of each even-numbered year, the Director of the Department shall submit the report required pursuant to subsection 1 to the Legislative Commission. On or before February 1 of each odd-numbered year, the Director of the Department shall submit the report to the Director of the Legislative Counsel Bureau for transmittal to: (a) The Senate Standing Committee on Growth and Infrastructure; and (b) The Assembly Standing Committee on Growth and Infrastructure. (Added to NRS by 2009, 2532, 2703; A 2023, 1072)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.560 - Registration for authorization to operate garage: Application; fee; waiver of fee; deposit of collected fees; applicant to notify Department of material change in information.

1. On and after January 1, 1998, a garage operator shall register with the Department for authorization to operate a garage. 2. An application for registration must be on a form provided by the Department. The application must include: (a) The name of the applicant, including each name under which the applicant intends to do business; (b) The complete street address of each location from which the applicant will be conducting business, including a designation of the location that will be the applicant's principal place of business; (c) A copy of the business license for each garage operated by the applicant if the county or city in which the applicant operates a garage requires such a license; (d) The type of repair work offered at each garage operated by the applicant; (e) The number of mechanics employed at each garage operated by the applicant; and (f) Any other information required by the Department. 3. Except as otherwise provided in this subsection, for each garage operated by an applicant, the Department shall charge a fee of \$25 for the issuance or renewal of registration. If an applicant operates more than one garage, the applicant may file one application if he or she clearly indicates on the application the location of each garage operated by the applicant and each person responsible for the management of each garage. The Department shall waive the fee for the issuance or renewal of registration for a person that is licensed as: (a) An authorized inspection station or authorized station pursuant to chapter 445B of NRS; (b) A manufacturer, distributor, dealer or rebuilder pursuant to chapter 482 of NRS; or (c) An automobile wrecker, salvage pool or body shop pursuant to this chapter. 4. All fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. 5. An applicant for registration or renewal of registration shall notify the Department of any material change in the information contained in the application for registration or renewal within 10 days after knowledge of the change. (Added to NRS by 1997, 1369; A 1999, 436, 1898; 2001, 139, 968; 2007, 1233, 3410; 2015, 82)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.563 - Registration for authorization to operate garage: Filing of bond or deposit of money or securities in lieu of bond; disbursal or release of deposit under certain circumstances; revocation of or refusal to renew certificate for failure to perform certain acts; reinstatement of certificate.

1. Each person who submits an application for registration pursuant to the provisions of NRS 487.560 shall file with the Department a bond in the amount of \$5,000, with a corporate surety for the bond that is licensed to do business in this State. The form of the bond must be approved by the Attorney General and be conditioned upon whether the applicant conducts business as an owner or operator of a garage without fraud or fraudulent representation and in compliance with the provisions of NRS 487.530 to 487.690, inclusive. 2. The bond must be continuous in form and the total aggregate liability on the bond must be limited to the payment of the total amount of the bond. 3. The bond must provide that any person injured by the action of the garage operator may: (a) Apply to the Director for compensation from the bond. The Director, for good cause shown and after notice and opportunity for hearing, may determine the amount of compensation and the person to whom it is to be paid. The surety shall then make payment. (b) Present to the Director an order of a court requiring the Director to pay to the person an amount of compensation from the bond. The Director shall inform the surety, and the surety shall then make payment. 4. In lieu of a bond required to be filed pursuant to the provisions of subsection 1, a person may deposit with the Department, pursuant to the terms prescribed by the Department: (a) A like amount of lawful money of the United States; or (b) A savings certificate of a bank, savings and loan association or savings bank located in this

State, which must indicate an account of an amount equal to the amount of the bond that would otherwise be required pursuant to this section and that the amount is unavailable for withdrawal except upon order of the Department. Interest earned on the certificate accrues to the account of the applicant. 5. A deposit made pursuant to subsection 4 may be disbursed by the Director, for good cause shown and after notice and opportunity for hearing, in an amount determined by the Director to compensate a person injured by an action of the garage operator or released upon receipt of: (a) An order of a court requiring the Director to release all or a specified portion of the deposit; or (b) A statement signed by the person under whose name the deposit is made and acknowledged before any person authorized to take acknowledgments in this State, requesting that the Director release the deposit, or a specified portion thereof, and stating the purpose for which the release is requested. 6. If a person fails to comply with an order of a court that relates to the repair of a motor vehicle, or fails to pay or otherwise discharge any final judgment rendered and entered against the person or any court order issued and arising out of the repair of a motor vehicle in the operation of a garage, the Department shall revoke or refuse to renew the certificate of registration of the person who failed to comply with the order or satisfy the judgment. 7. The Department may reinstate or renew a certificate of registration that is revoked pursuant to the provisions of subsection 6 if the person whose certificate of registration is revoked complies with the order of the court. 8. A garage operator whose registration has been revoked pursuant to the provisions of subsection 6 shall furnish to the Department a bond in the amount specified in subsection 1 before the reinstatement of his or her registration. (Added to NRS by 1999, 1896; A 2001, 968, 1286; 2003, 35, 42; 2007, 3229, 3411; 2009, 2534, 2705; 2019, 64)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.564 - Registration for authorization to operate garage: Refusal to issue, suspension or revocation of, or refusal to renew; grounds; certain persons prohibited from employment by or affiliation with garage subject to registration.

1. The Department may refuse to issue a registration or may suspend, revoke or refuse to renew a registration to operate a garage upon any of the following grounds: (a) A false statement of a material fact in a certification for a salvage vehicle required pursuant to NRS 487.800. (b) A false statement or certification for an inspection pursuant to NRS 487.800 which attests to the mechanical fitness or safety of a salvage vehicle. (c) The Director determines that the garage or garage operator has engaged in a deceptive trade practice or violated the provisions of NRS 487.6871 to 487.6897, inclusive. (d) Evidence of unfitness of the applicant or registrant pursuant to NRS 487.165. (e) A violation of any regulation adopted by the Department governing the operation of a garage. (f) A violation of any statute or regulation that constitutes fraud in conjunction with the repair of a motor vehicle or operation of a garage. 2. A person for whom a certificate of registration has been suspended or revoked pursuant to the provisions of this section, subsection 6 of NRS 487.563 or similar provisions of the laws of any other state or territory of the United States shall not be employed by, or in any manner affiliated with, the operation of a garage subject to registration in this State. 3. As used in this section, "salvage vehicle" has the meaning ascribed to it in NRS 487.770. (Added to NRS by 2003, 1911; A 2007, 3230, 3412; 2009, 2535, 2706)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.565 - Certificate of registration to operate garage: Issuance; contents; validity; renewal; reinstatement; fees.

1. If the Department receives an application for registration that contains the information required by NRS 487.560, it shall issue to the applicant a certificate of registration for each garage operated by the applicant. The certificate must contain the name of the applicant, the name under which the applicant's business will be conducted, the address of the business and the registration number for the garage. 2. A certificate of registration is valid for 1 year after the date of issuance. A garage operator may renew his or her unexpired registration by submitting to the Department: (a) An application for renewal on a form provided by the Department; and (b) Except as otherwise provided in NRS 487.560, the fee for renewal set forth in that section. 3. A garage operator seeking to renew a certificate of registration more than 1 year after the date of issuance may reinstate his or her registration by submitting to the Department: (a) An application for renewal on a form provided by the Department; (b) Except as otherwise provided in NRS 487.560, the fee for renewal set forth in that section; and (c) A late fee of \$25. Any fee collected by the Department pursuant to this paragraph must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1997, 1370; A 1999, 1899; 2001, 969; 2007, 3413; 2017, 959)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.5653 - Certificate of registration to operate garage: Temporary suspension of or refusal to renew; notice and hearing.

If the Director finds that the action is necessary in the public interest, the Director may, upon notice to the garage operator, temporarily suspend or refuse to renew the certificate of registration to operate a garage for not more than 30 days. The Department shall conduct a hearing and issue a final decision on the matter within 30 days after it sends notice to the garage operator of the temporary suspension. (Added to NRS by 2003, 1911)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.5657 - Hearings: Issuance of subpoenas.

In any hearing conducted by the Department concerning the registration of a garage, the Director may issue subpoenas for the attendance of witnesses and the production of evidence. (Added to NRS by 2003, 1911)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.567 - Garage operator prohibited from enforcing lien or suing on contract for cost of repairs if garage operator fails to obtain or renew certificate of registration to operate garage or fails to maintain required bond.

A garage operator who knowingly fails to obtain a certificate of registration pursuant to the provisions of NRS 487.560 or to renew that registration pursuant to the provisions of NRS 487.565 or maintain in continuous effect the bond required pursuant to the provisions of NRS 487.563 may not: 1. Enforce a lien for the cost of repairs made by the garage operator to a motor vehicle during the period in which the garage operator failed to obtain or renew the certificate of registration or maintain the bond in continuous effect; or 2. Sue on any contract for those repairs made during that period. (Added to NRS by 1999, 1896)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.600 - Definitions.

As used in NRS 487.600 to 487.687, inclusive, unless the context otherwise requires, the words and terms defined in NRS 487.604, 487.606 and 487.608 have the meanings ascribed to them in those sections. (Added to NRS by 1987, 1597; A 1989, 2043; 1993, 2347; 2007, 407, 3431; 2009, 2535, 2706)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.604 - "Class A certificate" defined.

"Class A certificate" means a certificate issued to a licensed body shop that has been granted Class A certification status with the Department pursuant to NRS 487.652. (Added to NRS by 2007, 3429)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.606 - "Class A certification" defined.

"Class A certification" means a designation granted to a licensed body shop by the Department indicating that the body shop meets the criteria set forth in NRS 487.652 and any criteria established in regulations adopted pursuant to NRS 487.654. (Added to NRS by 2007, 3429)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.608 - "Garagekeepers' insurance" defined.

"Garagekeepers' insurance" means insurance which protects an operator of a body shop against liability for damage to a vehicle in the care, custody or control of the body shop. (Added to NRS by 2007, 3429)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.610 - Unlawful to operate body shop without license; investigation of applicant.

1. No person may operate a body shop without first applying for and obtaining a license to do so from the Department. 2. The Department shall investigate any applicant for a license to operate a body shop and report the results of its investigation on a form provided by the Department. (Added to NRS by 1987, 1597)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.615 - Licensed operator of body shop may operate or move unregistered vehicle on highways under certain conditions.

1. Any licensed operator of a body shop who owns or controls any vehicle of a type required to be registered pursuant to the laws of this State may operate or move that vehicle upon the highways without subjecting the vehicle to registration if the operation or movement is for the sole purpose of moving the vehicle: (a) From its location to the established place of business of the licensee; or (b) From the place of business of the licensee to the established place of business of a person with whom the licensee has contracted for the performance of specialized repairs. 2. The operator shall obtain license plates from the Department for the movement of such vehicles. The fees charged for such plates must be the same as those fees listed in NRS 482.490. (Added to NRS by 1989, 2043)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.620 - Operator of body shop to maintain established place of business and affix legible sign containing name of business.

An operator of a body shop shall: 1. Maintain an established place of business in this State which includes a permanent enclosed building owned in fee or leased by the operator with sufficient space to conduct safely the operations of the body shop. 2. At each of the operator's established places of business, permanently affix a sign containing the name of the business in lettering of sufficient size to be clearly legible from the center of the nearest street or roadway, except that the lettering must be at least 8 inches high and formed by lines that are at least 1-inch wide. (Added to NRS by 1987, 1598; A 1997, 1517)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.630 - License: Application; fingerprints; fees; issuance; contents; posting; inclusion of license number in certain documents; expiration; renewal; reinstatement. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

License: Application; fingerprints; fees; issuance; contents; posting; inclusion of license number in certain documents; expiration; renewal; reinstatement. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An application for a license to operate a body shop must be filed with the Department upon forms supplied by the Department. The forms must designate the persons whose names are required to appear thereon. The application must include the social security number of the applicant and must be accompanied by: (a) Such proof as the Department requires to demonstrate that the applicant meets the statutory requirements to operate a body shop. (b) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (c) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (d) The fee for issuance of a license required by subsection 2. 2. The Department shall charge a fee of \$300 for the issuance or renewal of a license to operate a body shop. 3. Upon receipt of the application and the statement required pursuant to NRS 487.003 and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license to operate a body shop. The license must contain the name and the address of the body shop and the name of the operator. 4. Upon receipt of the license, the operator shall post the license in a conspicuous place clearly visible to the general public in the body shop and include the license number on all estimates and invoices for repairs. 5. A license expires on April 30 of each year. 6. Except as otherwise provided in subsection 7, a licensee may renew his or her license by submitting to the Department: (a) A completed application for renewal upon a form supplied by the Department; (b) The statement required pursuant to NRS 487.003; (c) Evidence satisfactory to the Department that the licensee has completed and electronically submitted, within 60 days immediately preceding the date of the submission of the application for renewal, the survey required pursuant to NRS 487.685; and (d) The fee for renewal of a license provided in subsection 2. 7. A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of: (a) The application, statement and evidence specified in paragraphs (a), (b) and (c) of subsection 6; (b) The fee for renewal of a license provided in subsection 2; and (c) A late fee of \$25. 8. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1987, 1598; A 1989, 1002, 2024; 1991, 1779; 1997, 148, 1373, 1376, 1517, 2081; 2007, 407, 1233; 2017, 959) 1. An application for a license to operate a body shop must be filed with the Department upon forms supplied by the Department. The forms must designate the persons whose names are required to appear thereon. The application must be accompanied by: (a) Such proof as the Department requires to demonstrate that the applicant meets the statutory requirements to operate a body shop. (b) A fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (c) For initial licensure, a complete set of fingerprints and written permission authorizing the Department to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (d) The fee for issuance of a license required by subsection 2. 2. The Department shall charge a fee of \$300 for the issuance or renewal of a license to operate a body shop. 3. Upon receipt of the application and when satisfied that the applicant is entitled thereto, the Department shall issue to the applicant a license to operate a body shop. The license must contain the name and the address of the body shop and the name of the operator. 4. Upon receipt of the license, the operator shall post the license in a conspicuous place clearly visible to the general public in the body shop and include the license number on all estimates and invoices for repairs. 5. A license expires on April 30 of each year. 6. Except as otherwise provided in subsection 7, a licensee may renew his or her license by submitting to the Department: (a) A completed application for renewal upon a form supplied by the Department; (b) Evidence satisfactory to the Department that the licensee has completed and electronically submitted, within 60 days immediately preceding the date of the submission of the application for renewal, the survey required pursuant to NRS 487.685; and (c) The fee for renewal of a license provided in subsection 2. 7. A license that expires for failure to renew before April 30 may be reinstated upon submission to the Department of: (a) The application and evidence specified in paragraphs (a) and (b) of subsection 6; (b) The fee for renewal of a license provided in subsection 2; and (c) A late fee of \$25. 8. Fees collected by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1987, 1598; A 1989, 1002, 2024; 1991, 1779; 1997, 148, 1373, 1376, 1517, 2081; 1999, 457; 2007, 407, 1233, 1234; 2017, 959, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.640 - Bond: Requirement; amount; application for compensation; deposits in lieu of bond; disbursement to person injured by action of licensee; automatic suspension of license if deposit is reduced or outstanding judgment; reinstatement of license; refund.

1. No license may be issued to an operator of a body shop until the operator procures and files with the Department a good and sufficient bond in the amount of \$10,000, with a corporate surety thereon licensed to do business in the State of Nevada, approved as

to form by the Attorney General, and conditioned that the applicant shall conduct business as an operator of a body shop without fraud or fraudulent representation, and in compliance with the provisions of NRS 487.530 to 487.690, inclusive. The Department may, by agreement with any operator of a body shop who has been licensed by the Department for 5 years or more, allow a reduction in the amount of the bond of the operator, if the business of the operator has been conducted satisfactorily for the preceding 5 years, but no bond may be in an amount less than \$1,000. 2. The bond may be continuous in form and the total aggregate liability on the bond must be limited to the payment of the total amount of the bond. 3. The bond must provide that any person injured by the action of the operator of the body shop in violation of any of the provisions of NRS 487.530 to 487.690, inclusive, may apply to the Director for compensation from the bond. The Director, for good cause shown and after notice and opportunity for hearing, may determine the amount of compensation and the person to whom it is to be paid. The surety shall then make the payment. 4. In lieu of a bond an operator of a body shop may deposit with the Department, under the terms prescribed by the Department: (a) A like amount of lawful money of the United States; or (b) A savings certificate of a bank, credit union, savings and loan association or savings bank situated in Nevada, which must indicate an account of an amount equal to the amount of the bond which would otherwise be required by this section and that this amount is unavailable for withdrawal except upon order of the Department. Interest earned on the certificate accrues to the account of the applicant. 5. A deposit made pursuant to subsection 4 may be disbursed by the Director, for good cause shown and after notice and opportunity for hearing, in an amount determined by the Director to compensate a person injured by an action of the licensee, or released upon receipt of: (a) An order of a court requiring the Director to release all or a specified portion of the deposit; or (b) A statement signed by the person under whose name the deposit is made and acknowledged before any person authorized to take acknowledgments in this State, requesting the Director to release the deposit, or a specified portion thereof, and stating the purpose for which the release is requested. 6. When a deposit is made pursuant to subsection 4, liability under the deposit is in the amount prescribed by the Department. If the amount of the deposit is reduced or there is an outstanding judgment of a court for which the licensee is liable under the deposit, the license is automatically suspended. The license must be reinstated if the licensee: (a) Files an additional bond pursuant to subsection 1; (b) Restores the deposit with the Department to the original amount required under this section; or (c) Satisfies the outstanding judgment for which he or she is liable under the deposit. 7. A deposit made pursuant to subsection 4 may be refunded: (a) By order of the Director, 3 years after the date the licensee ceases to be licensed by the Department, if the Director is satisfied that there are no outstanding claims against the deposit; or (b) By order of court, at any time within 3 years after the date the licensee ceases to be licensed by the Department, upon evidence satisfactory to the court that there are no outstanding claims against the deposit. 8. Any money received by the Department pursuant to subsection 4 must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. (Added to NRS by 1987, 1598; A 1989, 2043; 1993, 2347; 1999, 1505; 2007, 3413; 2009, 2535, 2707; 2019, 65)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.650 - Denial, suspension or revocation of license or refusal to renew: Grounds; disclosure of financial records.

1. The Department may refuse to issue a license or may suspend, revoke or refuse to renew a license to operate a body shop upon any of the following grounds: (a) Failure of the applicant or licensee to have or maintain an established place of business in this State. (b) Conviction of the applicant or licensee or an employee of the applicant or licensee of a felony, or of a misdemeanor or gross misdemeanor for a violation of a provision of this chapter. (c) Any material misstatement in the application for the license. (d) Willful failure of the applicant or licensee to comply with the motor vehicle laws of this State and NRS 487.530 to 487.690, inclusive. (e) Failure or refusal by the licensee to pay or otherwise discharge any final judgment against the licensee arising out of the operation of the body shop. (f) Failure or refusal to provide to the Department an authorization for the disclosure of financial records for the business as required pursuant to subsection 2. (g) A finding of guilty or guilty but mentally ill by a court of competent jurisdiction in a case involving a fraudulent inspection, purchase, sale or transfer of a salvage vehicle by the applicant or licensee or an employee of the applicant or licensee. (h) An improper, careless or negligent inspection of a salvage vehicle pursuant to NRS 487.800 by the applicant or licensee or an employee of the applicant or licensee. (i) A false statement of material fact in a certification of a salvage vehicle pursuant to NRS 487.800 or a record regarding a salvage vehicle by the applicant or licensee or an employee of the applicant or licensee. (j) The display of evidence of unfitness for a license pursuant to NRS 487.165. 2. Upon the receipt of any report or complaint alleging that an applicant or a licensee has engaged in financial misconduct or has failed to satisfy financial obligations related to the operation of a body shop, the Department may require the applicant or licensee to submit to the Department an authorization for the disclosure of financial records for the business as provided in NRS 239A.090. The Department may use any information obtained pursuant to such an authorization only to determine the suitability of the applicant or licensee for initial or continued licensure. Information obtained pursuant to such an authorization may be disclosed only to those employees of the Department who are authorized to issue a license to an applicant pursuant to NRS 487.600 to 487.687, inclusive, or to determine the suitability of an applicant or a licensee for licensure. 3. As used in this section, "salvage vehicle" has the meaning ascribed to it in NRS 487.770. (Added to NRS by 1987, 1599; A 1989, 2045; 1997, 148; 2003, 1919; 2007, 225, 1459, 3231, 3415, 3431; 2009, 2537, 2708)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.652 - Class A certification: Eligibility.

To be eligible for Class A certification, a licensed body shop must: 1. Comply with local zoning laws and possess all required local, state and federal licenses, registrations and permits. 2. Possess garagekeepers' and workers' compensation insurance. 3. Provide

employees with continuing education and training in subjects and for periods of time as prescribed by regulation. 4. Have the ability to: (a) Obtain proper specifications for each vehicle being repaired; (b) Make three-dimensional measurements that are verified by a computer of each vehicle being repaired; and (c) Hoist a vehicle for inspection. 5. Perform a wide range of services for vehicles being repaired, including, without limitation: (a) Alignment of the wheels of a vehicle that is verified by a computer; (b) Stabilization of a vehicle through the use of a four-point anchoring system; (c) Simultaneous adjustment of the exterior and undercarriage of a vehicle; (d) Removal and reinstallation of a frame, suspension, engine or drivetrain component; (e) Painting the exterior of a vehicle with a system for applying paint that provides a finish similar to the finish applied by the manufacturer; (f) Inspection of airbags and other occupant restraint devices to the specifications of the manufacturer; and (g) Welding, by a certified technician, with a gas metal arc welder or an inverter welder, as appropriate. 6. Adhere to current federal, state and local safety requirements by: (a) Performing repairs on an air-conditioning system using equipment approved by the United States Environmental Protection Agency; (b) Performing repairs with emission-reducing equipment, as prescribed by regulation; (c) Performing repairs with equipment that meets all safety requirements as prescribed by regulation; and (d) Disposing of hazardous waste as prescribed by regulation. 7. Ensure customer satisfaction by providing to each customer: (a) A computer-generated estimate of repairs; and (b) A written, limited lifetime warranty that is valid against workmanship defects. 8. Have a system for documenting and maintaining customer complaints and responses to service. (Added to NRS by 2007, 3429)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.654 - Class A certification: Regulations.

1. The Department shall adopt regulations establishing the requirements for continuing education and training required by subsection 3 of NRS 487.652. 2. The Department may adopt such regulations as it deems necessary to carry out the provisions of this section and NRS 487.652 and 487.656. (Added to NRS by 2007, 3430)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.656 - Class A certification: Application; inspection; fee; issuance and renewal; contents of certificate; expiration.

1. An application for a Class A certification or for the renewal of such a certification must be filed with the Department upon forms supplied by the Department. The application must be accompanied by such proof as the Department requires to demonstrate that the applicant is in compliance with all criteria set forth in NRS 487.652 and any regulations adopted pursuant thereto. 2. Before a Class A certificate is issued to a licensed body shop, the Department must inspect the body shop to ensure that the body shop meets or exceeds the requirements set forth in NRS 487.652 and any regulations adopted pursuant thereto. 3. The Department shall notify a licensed body shop at least 72 hours before an inspection is performed pursuant to subsection 2. 4. The Department shall charge an application fee of \$300 for the issuance or renewal of a Class A certificate which must be submitted with the application. Fees collected by the Department pursuant to this subsection must be deposited with the State Treasurer for credit to the Motor Vehicle Fund. 5. Upon receipt of the application and the required fee, and when satisfied that the applicant meets or exceeds the requirements set forth in NRS 487.652 and any regulations adopted pursuant thereto, the Department must issue to the licensed body shop a Class A certificate or renew such certification. The certificate must contain the name and the address of the licensed body shop and the name of the operator of the licensed body shop. 6. A Class A certificate expires on April 30 of each year. (Added to NRS by 2007, 3430)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.660 - Temporary suspension of or refusal to renew license or Class A certificate; notice; hearing; regulations; automatic revocation of Class A certificate under certain circumstances.

1. If the Director finds that the action is necessary in the public interest, upon notice to the licensee, the Director may: (a) Temporarily suspend or refuse to renew the license to operate a body shop for not more than 30 days. (b) Temporarily suspend or refuse to renew a Class A certificate of a licensed body shop for not more than 30 days. 2. The Department shall conduct a hearing and issue a final decision on the matter within 30 days after it sends notice of the temporary suspension of a license or a Class A certificate, or both. 3. The Department shall adopt regulations: (a) Prescribing the circumstances under which the Department may suspend or refuse to renew a Class A certificate; and (b) Providing an appeals process for an operator of a licensed body shop whose Class A certificate has been suspended or has not been renewed. 4. A Class A certificate must be automatically revoked by the Department if the license to operate the body shop is suspended or revoked pursuant to NRS 487.650. (Added to NRS by 1987, 1599; A 2007, 3432)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.670 - Subpoenas.

In any hearing conducted by the Department concerning the licensing of body shops, the Director may issue subpoenas for the attendance of witnesses and the production of evidence. (Added to NRS by 1987, 1600)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.680 - Licensee to inform Department of changes concerning operation of body shop; books and records.

1. Any person licensed to operate a body shop shall inform the Department of the location of each place at which the person

conducts business and the name under which the person does business at each location. 2. If a licensee does business at more than one location, the licensee shall designate one location as his or her principal place of business. 3. If a licensee changes the name or location of any of his or her established places of business, the licensee shall notify the Department of the change within 10 days after the change. 4. Every licensee shall keep his or her books and records at his or her principal place of business and shall permit any authorized agent of the Director to inspect them during usual business hours. The records must include the year, make, model and identification number of each motor vehicle which the body shop repairs, and the source of the parts purchased or otherwise acquired for the repair of each vehicle. (Added to NRS by 1987, 1600)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.685 - On-line survey: Completion by body shop; form; contents; availability to public.

1. A body shop licensed in this State must complete an on-line survey within 60 days immediately preceding the date of the submission of the application for renewal of the license of the body shop. 2. The Department shall conduct the survey by providing a form on its website or other Internet site to be completed by each body shop and submitted electronically to the Department. 3. Each survey must include, without limitation: (a) The name and address of the body shop; (b) The labor rate charged by the body shop; (c) The vehicle storage rate charged by the body shop, if any, both for indoor storage and outdoor storage, if those rates differ; and (d) Any other information the Department deems necessary. 4. The information obtained from each survey must be available to the public on-line not more than 30 days after the renewal of the body shop's license. (Added to NRS by 2007, 406; A 2013, 1977)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.686 - On-line survey: Compilation of results; contents of report; availability to public.

1. The Department must compile the results of each survey completed pursuant to NRS 487.685 in a report which must be made available to the public on-line. The report must include, without limitation: (a) The names and addresses of all body shops that complete the survey; (b) For body shops in a specific geographic area as established by the Department: (1) The prevailing labor rate; (2) The prevailing indoor vehicle storage rate; and (3) The prevailing outdoor vehicle storage rate; and (c) Any other information the Department deems necessary. 2. As used in this section: (a) "Prevailing indoor vehicle storage rate" means the average daily charge for storing a motor vehicle indoors, as reported in the survey for a specific geographic area. (b) "Prevailing labor rate" means the average labor rate, as reported in the survey for a specific geographic area. (c) "Prevailing outdoor vehicle storage rate" means the average daily charge for storing a motor vehicle outdoors, as reported in the survey for a specific geographic area. (Added to NRS by 2007, 406; A 2013, 1977)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.687 - Verification of licensure by way of Internet.

The Department shall provide a method on its website or other Internet site by which a person may verify the license of a body shop. (Added to NRS by 2007, 407)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.68701 - Imposition of reasonable charge authorized; exceptions; hearing regarding relief from limitation on charge.

1. Except as otherwise provided in NRS 487.6881, a body shop may impose a reasonable charge for storage of a motor vehicle that is in the possession of the body shop except that no such charge may be imposed: (a) For any day when the motor vehicle is being repaired, inspected, test driven or otherwise worked on by the body shop; (b) For any day when the motor vehicle is being inspected, test driven or otherwise worked on by the insurer of the motor vehicle or by the body shop at the request of the insurer of the vehicle; (c) For 24 hours after the person who authorized the repair of the motor vehicle has been notified that the repairs are completed; and (d) For any day that the motor vehicle is not being repaired, inspected, test driven or otherwise worked on due to a delay caused by anyone other than the owner of the motor vehicle, except that if the delay is due to the failure of the insurer to respond to a request by the body shop for inspection, authorization or other service by the insurer, a storage charge may be imposed 24 hours after the body shop made the request of the insurer. 2. Except as otherwise provided in subsection 3, the rate charged by a body shop for storage of a motor vehicle pursuant to subsection 1 shall be deemed reasonable if it does not exceed an amount equal to one and one-half times the prevailing storage rates for the specific geographic area in which the body shop is located, as made available to the public pursuant to NRS 487.686. 3. A body shop that wishes to impose a charge for storage of a motor vehicle which exceeds the amount allowable pursuant to subsection 2 may petition the Department in writing for a hearing. The Department shall conduct a hearing within 30 days after receipt of the petition, or as soon thereafter as is practicable, which, if practicable, must be conducted in the county where the body shop is located. The scope of the hearing must be limited to evidence presented by the body shop of good cause to impose a charge for storage of a motor vehicle which exceeds the amount otherwise allowable pursuant to subsection 2. The hearing officer shall render his or her determination not later than 10 days after the date of the hearing. The decision of the hearing officer pursuant to this subsection is a final decision for purposes of judicial review. (Added to NRS by 2013, 1975)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.68703 - Duties of body shop if motor vehicle towed at request of someone other than owner.

1. If a motor vehicle is towed to a body shop at the request of someone other than the registered owner of the motor vehicle, the body shop shall use all resources reasonably necessary, as evidenced by written documentation, to obtain the identity of the owner and any other necessary information from the agency charged with the registration of the motor vehicle in this or any other state and: (a) Notify the registered owner of the location of the vehicle. (b) Provide the registered owner with the information required pursuant to NRS 487.6874. 2. Any charge imposed for storage of a motor vehicle pursuant to this section must meet the requirements of NRS 487.68701. (Added to NRS by 2013, 1976)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6871 - Display of sign by garage operator and body shop required; penalty.

1. Each garage operator shall display conspicuously in those areas of his or her place of business frequented by persons seeking repairs on motor vehicles a sign, not less than 22 inches by 28 inches in size, setting forth in boldface letters the following: STATE OF NEVADA REGISTERED GARAGE THIS GARAGE IS REGISTERED WITH THE DEPARTMENT OF MOTOR VEHICLES NEVADA AUTOMOTIVE REPAIR CUSTOMER BILL OF RIGHTS AS A CUSTOMER IN NEVADA: YOU have the right to receive repairs from a business that is REGISTERED with the Department of Motor Vehicles that will ensure the proper repair of your vehicle. (NRS 487.6871) YOU have the right to receive a WRITTEN ESTIMATE of charges for repairs made to your vehicle which exceed \$50. (NRS 487.6875) YOU have the right to read and understand all documents and warranties BEFORE YOU SIGN THEM. (NRS 487.6871) YOU have the right to INSPECT ALL REPLACED PARTS and accessories that are covered by a warranty and for which a charge is made. (NRS 487.6883) YOU have the right to request that all replaced parts and accessories that are not covered by a warranty BE RETURNED TO YOU AT THE TIME OF SERVICE. (NRS 487.6883) YOU have the right to require authorization BEFORE any additional repairs are made to your vehicle if the charges for those repairs exceed 20% of the original estimate or \$100, whichever is less. (NRS 487.6877) YOU have the right to receive a COMPLETED STATEMENT OF CHARGES for repairs made to your vehicle. (NRS 487.6893) FOR MORE INFORMATION PLEASE CONTACT: THE DEPARTMENT OF MOTOR VEHICLES 2. Each body shop shall display conspicuously in those areas of its place of business frequented by persons seeking repairs on motor vehicles a sign, not less than 22 inches by 28 inches in size, setting forth in boldface letters the following: STATE OF NEVADA LICENSED BODY SHOP THIS BODY SHOP IS LICENSED BY THE DEPARTMENT OF MOTOR VEHICLES NEVADA AUTOMOTIVE REPAIR CUSTOMER BILL OF RIGHTS AS A CUSTOMER IN NEVADA: YOU have the right to receive repairs from a business that is LICENSED with the Department of Motor Vehicles that will ensure the proper repair of your vehicle. (NRS 487.6871) YOU have the right to receive a WRITTEN ESTIMATE of charges for repairs made to your vehicle which exceed \$50 and, if any, the rate of and circumstances under which you will be charged more than \$50 for the storage of your vehicle. (NRS 487.6875) YOU have the right to read and understand all documents and warranties BEFORE YOU SIGN THEM. (NRS 487.6871) YOU have the right to INSPECT ALL REPLACED PARTS and accessories that are covered by a warranty and for which a charge is made. (NRS 487.6883) YOU have the right to request that all replaced parts and accessories that are not covered by a warranty BE RETURNED TO YOU AT THE TIME OF SERVICE. (NRS 487.6883) YOU have the right to require authorization BEFORE any additional repairs are made to your vehicle if the charges for those repairs exceed 20% of the original estimate or \$100, whichever is less. (NRS 487.6877) YOU have the right to receive a COMPLETED STATEMENT OF CHARGES for repairs made to your vehicle and for storage of your vehicle, if applicable. (NRS 487.6893) FOR MORE INFORMATION PLEASE CONTACT: THE DEPARTMENT OF MOTOR VEHICLES 3. The sign required pursuant to the provisions of subsection 1 or 2 must include a replica of the Great Seal of the State of Nevada. The Seal must be 2 inches in diameter and be centered on the face of the sign directly above the words "STATE OF NEVADA." 4. The sign required pursuant to the provisions of subsection 1 or 2 must also include the words "The Compliance Enforcement Division of the Department of Motor Vehicles can be reached at," followed by the Internet address of the Compliance Enforcement Division and the telephone number of the nearest office of the Compliance Enforcement Division. 5. Any person who violates the provisions of this section is guilty of a misdemeanor. (Added to NRS by 2009, 2528, 2699; A 2013, 1978)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6873 - Duties of body shop or garage operator on acceptance of vehicle for repair.

Whenever any body shop or garage operator accepts or assumes control of a motor vehicle for the purpose of making or completing any repair, the body shop or garage operator shall comply with the provisions of NRS 487.68701, 487.68703 and 487.6873 to 487.6893, inclusive. (Added to NRS by 2009, 2530, 2701; A 2013, 1980)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6874 - Duty of body shop or garage operator to inform certain persons of types of payment accepted.

1. A body shop or garage operator, as applicable, must inform a person regarding the types of payment the body shop or garage accepts: (a) If the person is a prospective customer or customer, before the prospective customer or customer authorizes the body shop or garage operator to perform repair work on his or her vehicle; and (b) In the specific instance of a body shop, if the: (1) Person is the registered owner of the vehicle; (2) Vehicle is towed to the body shop at the request of someone other than the registered owner of the motor vehicle; and (3) Body shop notifies the registered owner of the location of the vehicle, as required pursuant to NRS 487.68703. 2. The information required to be provided pursuant to subsection 1: (a) Must be in writing; (b) May be incorporated into a form already used by the body shop or garage operator for another purpose, including, without limitation, a form

used to authorize repairs or estimate the cost of repairs or storage; and (c) Must set forth, without limitation: (1) Whether the body shop or garage provides the service of directly billing an insurance company for any payment due; (2) Whether the body shop or garage accepts only cash as payment; (3) Whether the body shop or garage accepts credit or debit cards; (4) If the body shop or garage accepts credit or debit cards, or both: (I) The brand or type of such cards the body shop or garage accepts; and (II) Whether the body shop or garage imposes a fee or surcharge for the use of a credit or debit card; (5) Whether the body shop or garage accepts personal checks or travelers' checks; and (6) If the body shop or garage does not accept only cash as payment, whether the body shop or garage offers a discount for making payment in the form of cash. (Added to NRS by 2013, 1976)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6875 - Estimate of costs required for certain repairs.

1. Except as otherwise provided in NRS 487.6879, a person requesting or authorizing the repair of a motor vehicle that is more than \$50 must be furnished a written estimate or statement signed by the person making the estimate or statement on behalf of the body shop or garage operator indicating the total charge for the performance of the work necessary to accomplish the repair, including the charge for labor and all parts and accessories necessary to perform the work. 2. If the estimate is for the purpose of diagnosing a malfunction, the estimate must include the cost of: (a) Diagnosis and disassembly; and (b) Reassembly, if the person does not authorize the repair. 3. In an estimate furnished pursuant to subsection 1, a body shop shall include, if any, the rate of and circumstances under which the person requesting or authorizing the repair would incur a charge for storage that exceeds \$50. 4. The provisions of this section do not require a body shop or garage operator to reassemble a motor vehicle if the body shop or garage operator determines that the reassembly of the motor vehicle would render the vehicle unsafe to operate. (Added to NRS by 2009, 2530, 2701; A 2013, 1980)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6877 - Notice of additional charges over estimate required in certain cases.

Except as otherwise provided in NRS 487.6879, if it is determined that additional charges are required to perform the repair authorized, and those additional charges exceed, by 20 percent or \$100, whichever is less, the amount set forth in the estimate or statement required to be furnished pursuant to the provisions of NRS 487.6875, the body shop or garage operator shall notify the owner and insurer of the motor vehicle of the amount of those additional charges. (Added to NRS by 2009, 2530, 2701)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6879 - Waiver of estimate of costs or notice of additional charges; execution of waiver.

The person authorizing the repairs may waive the estimate or statement required pursuant to the provisions of NRS 487.6875 or the notification required by NRS 487.6877 by executing a written waiver of that requirement or notification. The waiver must be executed by the person authorizing the repairs at the time the person authorizes those repairs. (Added to NRS by 2009, 2531, 2702)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.688 - Body shop or garage to repair vehicle in accordance with manufacturer's specifications and written estimate or statement of cost of repairs.

If a body shop or garage performs repairs on a motor vehicle, the body shop or garage shall perform the repairs in accordance with any specifications of the manufacturer of the motor vehicle and the written estimate or statement of the cost of the repairs that is most recently agreed upon by the body shop or garage and the person authorizing repairs. (Added to NRS by 2009, 2531, 2702)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6881 - Duties of owner and insurer upon notification of additional charges.

1. An owner and the insurer of a motor vehicle who have been notified of additional charges pursuant to NRS 487.6877 shall: (a) Authorize the performance of the repair at the additional expense; or (b) Without delay, and upon payment of the authorized charges, take possession of the motor vehicle. 2. Until the election provided for in subsection 1 has been made, the body shop or garage operator shall not undertake any repair which would involve such additional charges. 3. If the owner or insurer of the motor vehicle elects to take possession of the motor vehicle but fails to take possession within a 24-hour period after the election: (a) The garage operator may charge for storage of the motor vehicle. (b) The body shop may impose a reasonable charge for storage of the motor vehicle in accordance with the provisions of NRS 487.68701. (Added to NRS by 2009, 2531, 2702; A 2013, 1980)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6883 - Replaced parts to be delivered to person authorizing repairs if requested; exception.

1. Whenever the repair work performed on a motor vehicle requires the replacement of any parts or accessories, the body shop or garage operator shall, at the request of the person authorizing the repairs or any person entitled to possession of the motor vehicle, deliver to the person all parts and accessories replaced as a result of the work done. 2. The provisions of subsection 1 do not apply to parts or accessories which must be returned to a manufacturer or distributor under a warranty arrangement or which are subject to exchange, but the customer, on request, is entitled to be shown the warranty parts for which a charge is made. (Added to NRS by 2009, 2531, 2702)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6885 - Records to be retained by body shop or garage operator.

The body shop or garage operator shall retain copies of any estimate, statement or waiver required by NRS 487.6875 to 487.6893, inclusive, as an ordinary business record of the body shop or garage, for a period of not less than 1 year after the date the estimate, statement or waiver is signed. (Added to NRS by 2009, 2531, 2702)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6887 - Garage operator to comply with NRS 487.6875 to 487.6893, inclusive; enforcement of liens and contracts.

In every instance where charges are made for the repair of a motor vehicle by a garage operator, the garage operator making the repairs shall comply with the provisions of NRS 487.6875 to 487.6893, inclusive. A garage operator is not entitled to detain a motor vehicle by virtue of any common law or statutory lien, or otherwise enforce such a lien, or to sue on any contract for repairs made by the garage operator unless he or she has complied with the requirements of NRS 487.6875 to 487.6893, inclusive. (Added to NRS by 2009, 2531, 2702)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6889 - Certain acts deemed to be deceptive trade practice.

A person shall be deemed to be engaged in a "deceptive trade practice" if, in the course of his or her business or occupation, the person: 1. Engages in any deceptive trade practice, as defined in NRS 598.0915 to 598.0925, inclusive, that involves the repair of a motor vehicle; or 2. Engages in any other acts prescribed by the Director by regulation as a deceptive trade practice. (Added to NRS by 2009, 2531, 2702; A 2021, 1455)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.689 - Director authorized to request undercover investigation of alleged deceptive trade practice; Bureau of Consumer Protection authorized to conduct such investigation.

1. The Director may request an undercover investigation of a person who is allegedly engaging in a deceptive trade practice or violating the provisions of NRS 487.6871 to 487.6897, inclusive. 2. The Bureau of Consumer Protection in the Office of the Attorney General may conduct an undercover investigation of a person who is allegedly engaging in a deceptive trade practice or violating the provisions of NRS 487.6871 to 487.6897, inclusive, on its own motion or upon a request received pursuant to subsection 1. Nothing in this subsection requires the Bureau to conduct an undercover investigation. (Added to NRS by 2009, 2532, 2703)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6891 - Administrative fine for engaging in deceptive trade practice; deposit and use of money collected as administrative fine.

1. In addition to any other penalty, the Director may impose an administrative fine of not more than \$10,000 against any person who engages in a deceptive trade practice as set forth in NRS 487.6889. The Director shall provide to any person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121. 2. All administrative fines collected by the Director pursuant to this section must be deposited with the State Treasurer to the credit of the State Highway Fund. 3. The administrative remedy provided in this section is not exclusive and is intended to supplement existing law. The provisions of this section do not deprive a person injured by a deceptive trade practice from resorting to any other legal remedy. (Added to NRS by 2009, 2532, 2703)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6893 - Statement of charges required for repair and storage of vehicle; violation constitutes misdemeanor; statement required for enforcement of lien.

1. If charges are made for the repair of a motor vehicle, the garage operator or body shop making the charges shall present to the person authorizing repairs or the person entitled to possession of the motor vehicle a statement of the charges setting forth the following information: (a) The name and signature of the person authorizing repairs; (b) A statement of the total charges; (c) An itemization and description of all parts used to repair the motor vehicle indicating the charges made for labor; (d) In the case of a garage operator, a description of all other charges; and (e) In the case of a body shop, a description of all other charges, including, without limitation, charges, if any, for storage of the motor vehicle. 2. Any person violating this section is guilty of a misdemeanor. 3. In the case of a motor vehicle registered in this State, no lien for labor or materials provided under NRS 108.265 to 108.367, inclusive, may be enforced by sale or otherwise unless a statement as described in subsection 1 has been given by delivery in person or by certified mail to the last known address of the registered owner and the legal owner of the motor vehicle. In all other cases, the notice must be made to the last known address of the registered owner and any other person known to have or to claim an interest in the motor vehicle. (Added to NRS by 2009, 2532, 2703; A 2013, 1981)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6895 - Violations: Injunctive relief.

The Attorney General or any district attorney may bring an action in any court of competent jurisdiction in the name of the State of Nevada on the complaint of the Director, or of any person allegedly aggrieved by a violation of the provisions of NRS 487.68701,

487.68703 and 487.6874 to 487.6893, inclusive, to enjoin any violation of the provisions of NRS 487.68701, 487.68703 and 487.6874 to 487.6893, inclusive. (Added to NRS by 2009, 2533, 2704; A 2013, 1981)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.6897 - Violations: Civil penalty.

Any person who knowingly violates any provision of NRS 487.68701, 487.68703 and 487.6873 to 487.6893, inclusive, is liable, in addition to any other penalty or remedy which may be provided by law, to a civil penalty of not more than \$500 for each offense, which may be recovered by civil action on complaint of the Director or the district attorney. (Added to NRS by 2009, 2533, 2704; A 2013, 1981)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.690 - Penalty.

Any person who violates any of the provisions of NRS 487.530 to 487.690, inclusive, is guilty of a misdemeanor. (Added to NRS by 1989, 2043; A 2007, 3432; 2009, 2538, 2709; 2013, 1981)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.710 - Definitions.

As used in NRS 487.710 to 487.890, inclusive, unless the context otherwise requires, the words and terms defined in NRS 487.720 to 487.790, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 2003, 1908; A 2005, 1244; 2007, 1234; 2011, 1663; 2021, 8; 2023, 1476)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.720 - "Cost of repair" defined.

"Cost of repair" means the cost to repair a vehicle, which is established pursuant to NRS 487.890. (Added to NRS by 2003, 1909)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.725 - "Electronic components" defined.

"Electronic components" means major electrical or electronic items or parts within a motor vehicle, including, without limitation: 1. Computer control modules for the: (a) Engine of the vehicle; (b) Air-conditioning systems and parts thereof; (c) Traction control systems and parts thereof; (d) Antilock braking systems and parts thereof; (e) Electrical or electronic items used to power or propel a hybrid vehicle; (f) Wiring harnesses; or (g) Supplemental restraint systems; and 2. Any other major electrical item or part declared by regulation of the Department to be an electronic component. (Added to NRS by 2011, 1658)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.730 - "Fair market value" defined.

"Fair market value" means the retail value of a motor vehicle that is established by: 1. An objective motor vehicle appraisal based upon local market resources, including, without limitation, automobile dealers and classified advertisements of newspapers; 2. An independent appraisal service; 3. A current issue of a nationally recognized guide used by financial institutions in this State for the valuation of used motor vehicles; or 4. A computer-based service commonly used by the insurance industry for the valuation of used motor vehicles. (Added to NRS by 2003, 1909)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.740 - "Flood-damaged vehicle" defined.

"Flood-damaged vehicle" means a motor vehicle which: 1. Has been submerged in water to a point that the level of the water is higher than the door sill of the vehicle and the water has entered the passenger, trunk or engine compartment of the vehicle and has come into contact with the electrical system of the vehicle; or 2. Has been acquired by an insurance company or retained by its owner or any other person as part of a total loss settlement resulting from water damage. (Added to NRS by 2003, 1909)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.750 - "Motor vehicle" defined.

"Motor vehicle" has the meaning ascribed to it in NRS 482.075. (Added to NRS by 2003, 1909)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.760 - "Nonrepairable vehicle" defined.

"Nonrepairable vehicle" means a motor vehicle other than an abandoned vehicle, as defined in NRS 487.210, that: 1. Has value only as a source of parts or scrap metal; 2. Has been designated by its owner for dismantling as a source of parts or scrap metal; 3. Has been stripped of all body panels, doors, hatches, substantially all interior components and substantially all grill and light assemblies; or 4. Has been burned, destroyed or otherwise damaged to such an extent that it cannot be returned to a condition which is legal for operation on the highways of this State. (Added to NRS by 2003, 1909)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.765 - "Rebuilt vehicle" defined.

"Rebuilt vehicle" has the meaning ascribed to it in paragraph (b) of subsection 1 of NRS 482.098. (Added to NRS by 2005, 1244)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.767 - "Salvage title agent" defined.

"Salvage title agent" means a person who enters into a contract with, and is appointed and authorized by, the Department to issue salvage titles pursuant to the provisions of NRS 487.810 and 487.815. (Added to NRS by 2023, 1476)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.770 - "Salvage vehicle" defined.

"Salvage vehicle" means a motor vehicle that at any time has been declared a total loss vehicle, flood-damaged vehicle, nonrepairable vehicle or had "salvage" or a similar word or designation placed on any title issued for the vehicle. (Added to NRS by 2003, 1909)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.780 - "Title" defined.

"Title" means a certificate of title or any other document issued by any state or country indicating the ownership of a motor vehicle. (Added to NRS by 2003, 1909)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.790 - "Total loss vehicle" defined.

1. "Total loss vehicle" means a motor vehicle: (a) Of a type which is subject to registration; and (b) Which has been wrecked, destroyed or otherwise damaged to such an extent that the cost of repair is 65 percent or more of the fair market value of the vehicle immediately before it was wrecked, destroyed or otherwise damaged, except that, for the purposes of this paragraph, the cost of repair does not include the cost of: (1) Painting any portion of the vehicle; (2) Replacing electronic components in accordance with the specifications of the manufacturer; or (3) Towing the vehicle. 2. The term does not include: (a) A nonrepairable vehicle; (b) A motor vehicle which is 10 model years old or older and which, to restore the vehicle to its condition before it was wrecked, destroyed or otherwise damaged and regardless of cost, requires the replacement of only: (1) The hood; (2) The trunk lid; (3) A fender; (4) Two or fewer of the following parts or assemblies, which may be bolted or unbolted: (I) Doors; (II) A grill assembly; (III) A bumper assembly; (IV) A headlight assembly; or (V) A taillight assembly; or (5) Any combination of subparagraph (1), (2), (3) or (4); (c) A motor vehicle, regardless of the age of the vehicle, for which the cost to repair the vehicle is less than 65 percent of the fair market value of the vehicle immediately before the vehicle was wrecked, destroyed or otherwise damaged, except that, for the purposes of this paragraph, the cost of repair does not include the cost of: (1) Painting any portion of the vehicle; (2) Replacing electronic components in accordance with the specifications of the manufacturer; or (3) Towing the vehicle; or (d) A motor vehicle that was stolen and subsequently recovered, if the motor vehicle: (1) Has no structural damage; and (2) Is missing only tires, wheels, audio or video equipment, or some combination thereof. 3. For the purposes of this section, the model year of manufacture is calculated based on a year beginning on January 1 of the calendar year in which the damage occurs. (Added to NRS by 1995, 1573; A 2003, 1911; 2005, 1245; 2011, 1663)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.795 - Rebuilt vehicles: Prerequisites to registration; certificate of inspection.

1. A rebuilt vehicle may not be registered until it: (a) Has been inspected by a garage operator who operates a garage that is registered pursuant to NRS 487.560, by the owner of a body shop licensed pursuant to NRS 487.630 or by an employee of such a garage or body shop; and (b) Is certified pursuant to subsection 2 that the components which have been replaced have been installed properly and are functional and operate safely in accordance with the standards of the manufacturer. 2. If a garage operator or owner of a body shop, or an employee thereof, who performs an inspection pursuant to subsection 1 finds that the components replaced on a rebuilt vehicle have been installed properly and are functional and operate safely in accordance with the standards of the manufacturer, the garage operator, owner or employee shall complete and sign a certificate of inspection, on a form prescribed by the state agency, attesting to the fact that the replaced components have been installed properly and are functional and operate safely in accordance with the standards of the manufacturer. (Added to NRS by 2005, 1244)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.800 - Salvage vehicles: Duties of insurance company and relinquishing owner; application for salvage title; sale of vehicle; rebuilt and restored vehicles; retention; exclusion of nonrepairable vehicles; application by salvage pool or charitable organization for salvage title or nonrepairable vehicle certificate for certain vehicles.

1. When an insurance company acquires a motor vehicle as a result of a settlement in which the motor vehicle is determined to be a salvage vehicle, the owner of the motor vehicle who is relinquishing ownership of the motor vehicle shall endorse the certificate of title of the motor vehicle and forward the endorsed certificate of title to the insurance company within 30 days after accepting the

settlement from the insurance company. Except as otherwise provided in subsection 2, the insurance company or its authorized agent shall forward the endorsed certificate of title, together with an application for a salvage title or nonrepairable vehicle certificate, to the state agency within 180 days after receipt of the endorsed certificate of title. 2. If the owner of the motor vehicle who is relinquishing ownership does not provide the endorsed certificate of title to the insurance company within 30 days after accepting the settlement pursuant to subsection 1, the insurance company shall, as soon as practicable, forward an application for a salvage title or nonrepairable vehicle certificate to the state agency. Except as otherwise provided in subsections 10 and 11, the state agency shall issue a salvage title or nonrepairable vehicle certificate to the insurance company for the vehicle upon receipt of: (a) The application; (b) A motor vehicle inspection certificate signed by a representative of the Department or, as one of the authorized agents of the Department, by a peace officer, dealer, rebuilder, automobile wrecker, operator of a salvage pool or garage operator; (c) Documentation that the insurance company has made at least two written attempts by certified mail, return receipt requested, or by use of a delivery service with a tracking system, to obtain the endorsed certificate of title; and (d) Proof satisfactory to the state agency that the certificate of title was required to be surrendered to the insurance company as part of the settlement. 3. Except as otherwise provided in subsections 1 and 2, before any ownership interest in a salvage vehicle, except a nonrepairable vehicle, may be transferred, the owner or other person to whom the motor vehicle is titled: (a) If the person has possession of the certificate of title to the vehicle, shall forward the endorsed certificate of title, together with an application for salvage title to the state agency within 30 days after the vehicle becomes a salvage vehicle. (b) If the person does not have possession of the certificate of title to the vehicle and the certificate of title is held by a lienholder, shall notify the lienholder within 10 days after the vehicle becomes a salvage vehicle that the vehicle has become a salvage vehicle. The lienholder shall, within 30 days after receiving such notice, forward the certificate of title, together with an application for salvage title, to the state agency. 4. An insurance company or its authorized agent may sell a vehicle for which a total loss settlement has been made with the properly endorsed certificate of title if the total loss settlement resulted from the theft of the vehicle and the vehicle, when recovered, was not a salvage vehicle. 5. An owner who has determined that a vehicle is a total loss salvage vehicle may sell the vehicle with the properly endorsed certificate of title obtained pursuant to this section, without making any repairs to the vehicle, to a salvage pool, automobile auction, rebuilder, automobile wrecker or a new or used motor vehicle dealer. 6. Except with respect to a nonrepairable vehicle, if a salvage vehicle is rebuilt and restored to operation, the vehicle may not be licensed for operation, displayed or offered for sale, or the ownership thereof transferred, until there is submitted to the state agency with the prescribed salvage title, an appropriate application, other documents, including, without limitation, an affidavit from the state agency attesting to the inspection and verification of the vehicle identification number and the identification numbers, if any, for parts used to repair the motor vehicle and fees required, together with a certificate of inspection completed pursuant to NRS 487.860. 7. Except with respect to a nonrepairable vehicle, if a total loss insurance settlement between an insurance company and any person results in the retention of the salvage vehicle by that person, before the execution of the total loss settlement, the insurance company or its authorized agent shall: (a) Obtain, upon an application for salvage title, the signature of the person who is retaining the salvage vehicle; (b) Append to the application for salvage title the certificate of title to the motor vehicle or an affidavit stating that the original certificate of title has been lost; and (c) Apply to the state agency for a salvage title on behalf of the person who is retaining the salvage vehicle. 8. If the state agency determines that a salvage vehicle retained pursuant to subsection 6 is titled in another state or territory of the United States, the state agency shall notify the appropriate authority of that state or territory that the owner has retained the salvage vehicle. 9. A person who retains a salvage vehicle pursuant to subsection 7 may not transfer any ownership interest in the vehicle unless he or she has received a salvage title. 10. When a salvage pool, at the request of an insurance company, obtains possession of a vehicle that is the subject of an insurance claim and a total loss claim is not paid by the insurance company for the vehicle, the salvage pool, after the vehicle has been abandoned at the facility of the salvage pool for not less than 30 days, may apply for a salvage title or a nonrepairable vehicle certificate. The state agency shall issue a salvage title or nonrepairable vehicle certificate to the salvage pool upon receipt of: (a) The application; (b) A motor vehicle inspection certificate signed by a representative of the Department or, as one of the authorized agents of the Department, by a peace officer, dealer, rebuilder, automobile wrecker, operator of a salvage pool or garage operator; and (c) Documentation that the salvage pool has made at least two written attempts by certified mail, return receipt requested, or by use of a delivery service with a tracking system addressed to the owner of the vehicle and any known lienholder to have the vehicle removed from the facility of the salvage pool. 11. When an organization that the Secretary of the Treasury has determined to be tax exempt pursuant to the provisions of section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. § 501(c)(3), obtains a vehicle by donation and the organization is unable to obtain the endorsed certificate of title, the organization may apply for a salvage title or a nonrepairable vehicle certificate. The state agency shall issue a salvage title or nonrepairable vehicle certificate to the organization upon receipt of: (a) The application; (b) A motor vehicle inspection certificate signed by a representative of the Department or, as one of the authorized agents of the Department, by a peace officer, dealer, rebuilder, automobile wrecker, operator of a salvage pool or garage operator; and (c) Evidence satisfactory to the Department that the organization made at least two written attempts, mailed to the address of the previous owner of the vehicle, to obtain the endorsed certificate of title. (Added to NRS by 1963, 839; A 1979, 1230; 1987, 1603; 1991, 526; 1995, 1574; 2003, 471, 1914; 2007, 227; 2009, 1750; 2019, 1445)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.810 - Salvage title: Issuance by state agency; contents; persons and entities to whom issued; documents required to be submitted with application; fee; title as prerequisite to transfer of ownership interest; authority to dismantle, scrap, process or wreck not conveyed by title unless person holds proper license; not to be issued for nonrepairable vehicle.

1. The state agency may issue a salvage title for a vehicle, which contains a brief description of the vehicle, including, insofar as data may exist with respect to the vehicle, the make, type, serial number and motor number, or any other number of the vehicle, upon application, to: (a) The owner of the vehicle; (b) The person to whom the vehicle is titled; (c) An insurance company that acquires the vehicle as a salvage vehicle pursuant to subsection 1 of NRS 487.800; (d) A lienholder who acquires title to the vehicle; (e) A salvage pool who acquires the vehicle pursuant to subsection 10 of NRS 487.800; or (f) An organization that acquires the vehicle pursuant to subsection 11 of NRS 487.800. 2. A properly endorsed title, together with a disclosure of mileage, as required pursuant to the provisions of 49 U.S.C. §§ 32701 et seq. and 49 C.F.R. § 580.5, must be submitted with the application for salvage title. 3. Within 2 days after receiving all necessary documents, the state agency shall issue a salvage title for the vehicle. 4. Except as otherwise provided in this subsection, the state agency shall charge and collect a fee of \$10 for the issuance of a salvage title pursuant to this section. The state agency shall not charge a fee for the issuance of a salvage title to an automobile wrecker licensed in this State. Fees collected by the state agency pursuant to this subsection must be deposited with the State Treasurer for credit to the Revolving Account for the Issuance of Salvage Titles created by NRS 487.825. 5. Ownership interest in a salvage vehicle may not be transferred unless a salvage title has been issued by the state agency for the vehicle. 6. Possession of a salvage title does not entitle a person to dismantle, scrap, process or wreck any vehicle in this State unless the person holds a license issued pursuant to NRS 487.050. 7. The Department shall not issue a salvage title for a nonrepairable vehicle. (Added to NRS by 2003, 1911; A 2007, 1234; 2019, 1447)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.815 - Salvage title: Appointment of agent to issue; prerequisites to appointing agent; investigation, auditing and inspection of agent.

1. The Department may by contract appoint any person as a salvage title agent of the Department to issue those salvage titles which the Department is authorized to issue pursuant to NRS 487.810. A salvage title agent appointed pursuant to this section shall charge and collect the fee required by NRS 487.810 for the issuance of a salvage title and remit it to the Department. Fees remitted to the Department pursuant to this subsection must be deposited with the State Treasurer for credit to the Revolving Account for the Issuance of Salvage Titles created by NRS 487.825. 2. Before entering into a contract pursuant to subsection 1, an applicant for appointment as a salvage title agent must: (a) File with the Department, on a form prescribed by the Department, an application which contains, without limitation, his or her social security number. (b) Submit to the Department a complete set of his or her fingerprints and written permission authorizing the Department to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. (c) Pay a fee for the processing of fingerprints. The Department shall establish by regulation the fee for processing fingerprints. The fee must not exceed the sum of the amounts charged by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation for processing the fingerprints. (d) Procure and file with the Department a good and sufficient bond in an amount of not less than \$50,000, with a corporate surety thereon licensed to do business in the State of Nevada, approved as to form by the Attorney General, and conditioned upon the applicant remitting to the Department the full amount of any fee he or she is required to collect pursuant to subsection 1. In lieu of a bond, the applicant may deposit with the State Treasurer a like amount of lawful money of the United States. 3. The Department may, as the Director of the Department deems appropriate: (a) Investigate the actions of a salvage title agent appointed pursuant to subsection 1. (b) Conduct audits of the salvage title agent at regular intervals. (c) Inspect the premises of the salvage title agent during regular business hours to determine the salvage title agent's compliance with the contract entered into pursuant to subsection 1. The Department may require the salvage title agent to pay to the Department an amount equal to the allowance provided for state officers and employees generally while traveling outside of the State for each day or fraction thereof during which an employee of the Department is engaged in any investigation or examination made at any premises of the salvage title agent located outside this State, plus any other actual expenses incurred by the employee while he or she is absent from his or her regular place of employment to conduct the investigation or examination outside this State. (Added to NRS by 2021, 7; A 2023, 1476)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.820 - Salvage title: Procedure for acceptance of application if applicant unable to furnish certificates of title and registration; exception; prohibition on issuance of duplicate certificates of title or registration; procedure for obtaining salvage title upon filing of bond; requirements for bond.

1. Except as otherwise provided in subsection 2, 10 or 11 of NRS 487.800, if the applicant for a salvage title is unable to furnish the certificates of title and registration last issued for the vehicle, the state agency may accept the application, examine the circumstances of the case and require the filing of suitable affidavits or other information or documents. If satisfied that the applicant is entitled to a salvage title, the state agency may issue the salvage title. 2. No duplicate certificate of title or registration may be issued when a salvage title is applied for, and no fees are required for the affidavits of any stolen, lost or damaged certificate, or duplicates thereof, unless the vehicle is subsequently registered. 3. If an applicant is unable to satisfy the state agency that the applicant is entitled to a salvage title pursuant to subsection 1, the applicant may obtain a salvage title from the state agency by: (a) Filing a bond with the state agency that meets the requirements of subsection 5; (b) Allowing the state agency to inspect the vehicle to verify the vehicle identification number and the identification numbers, if any, for parts used to repair the vehicle; and (c) Authorizing the state agency to conduct a search through any national crime information system, including, without limitation, the: (1) National Crime Information Center, as defined in NRS 179A.061; and (2) National Motor Vehicle Title Information System of

the United States Department of Justice. 4. Any person damaged by the issuance of the salvage title pursuant to subsection 3 has a right of action to recover on the bond for any breach of its conditions, except the aggregate liability of the surety to all persons must not exceed the amount of the bond. The state agency shall return the bond, and any deposit accompanying it, 3 years after the bond was filed with the state agency, except that the state agency must not return the bond if the state agency has been notified of the pendency of an action to recover on the bond. 5. The bond required pursuant to subsection 3 must be: (a) In a form prescribed by the state agency; (b) Executed by the applicant as principal and by a corporation qualified under the laws of this State as surety; (c) In an amount equal to 25 percent of the value of the vehicle, as determined by the state agency; and (d) Conditioned to indemnify any: (1) Prior owner or lienholder of the vehicle, and his or her successors in interest; (2) Subsequent purchaser of the vehicle, and his or her successors in interest; or (3) Person acquiring a security interest in the vehicle, and his or her successors in interest, against any expense, loss or damage because of the issuance of the salvage title or because of any defect in or undisclosed security interest in the applicant's right or title to the vehicle or the applicant's interest in the vehicle. 6. A right of action does not exist in favor of any person by reason of any action or failure to act on the part of the state agency or any officer or employee thereof in carrying out the provisions of subsections 3, 4 and 5, or in giving or failing to give any information concerning the legal ownership of a vehicle or the existence of a salvage title obtained pursuant to subsection 3. (Added to NRS by 1963, 839; A 1979, 1230; 1987, 1603; 1999, 1921; 2003, 472, 1915; 2007, 229; 2017, 2753; 2019, 1448)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.825 - Revolving Account for the Issuance of Salvage Titles: Creation; use of money; transfer of excess balance to State Highway Fund.

1. The Revolving Account for the Issuance of Salvage Titles is hereby created as a special account in the State Highway Fund. 2. The Department shall use the money in the Account only to pay the expenses relating to the issuance of salvage titles. 3. At the end of each fiscal year, the State Controller shall transfer from the Account to the State Highway Fund an amount of money equal to the balance in the Account which exceeds \$50,000. (Added to NRS by 2007, 1231; A 2009, 1030)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.830 - Transfer of interest in motor vehicle: Transferor to disclose in writing information as to status of vehicle as salvage, rebuilt or reconstructed; additional duties of transferor; criminal penalty.

1. Any person who transfers an interest in a motor vehicle in this State shall, before the transfer, disclose in writing to the transferee any information that the transferor knows or reasonably should know concerning whether the vehicle is a salvage vehicle, a rebuilt vehicle or a reconstructed vehicle, as that term is defined in NRS 482.100. 2. If the transferor is subject to any of the provisions of NRS 482.423 to 482.4245, inclusive, the transferor shall: (a) Make the disclosure required by subsection 1 before executing a contract of sale or a long-term lease; (b) Provide a copy of the disclosure to the transferee; and (c) Retain the written disclosure in his or her records for the period specified in NRS 482.3263. 3. A person who violates subsection 1 is guilty of obtaining property by false pretenses as provided in NRS 205.380. (Added to NRS by 2003, 1909; A 2007, 3415)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.840 - Title: Removal or concealment of indicia of salvage vehicle or rebuilt vehicle prohibited; criminal penalties if violation committed with intent to defraud; restitution.

1. A person shall not remove, cause to be removed or conceal a marking on: (a) A salvage title or other title which indicates that the vehicle is a salvage vehicle; or (b) A certificate of title or other title for a rebuilt vehicle which indicates that the vehicle is a rebuilt vehicle. 2. A person who knowingly violates subsection 1 with the intent to defraud: (a) If the fair market value of the vehicle involved is \$650 or more, is guilty of a category D felony and shall be punished as provided in NRS 193.130. (b) If the fair market value of the vehicle involved is less than \$650, is guilty of a misdemeanor. In addition to any other penalty, the court shall order the person to pay restitution to the victim. (Added to NRS by 2003, 1910; A 2005, 1245; 2011, 176)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.850 - Action for damages; attorney's fees; remedy is in addition to other legal or equitable remedies.

1. A person who, with the intent to defraud, violates any provision of NRS 487.830 or 487.840 is liable to any purchaser or lessee of a motor vehicle who is harmed by that violation for: (a) Three times the amount of actual damages sustained by the purchaser or lessee; (b) Five thousand dollars; or (c) Actual damages sustained by the purchaser or lessee and such punitive damages as may be allowed by the court, whichever is greater. 2. If an action brought pursuant to subsection 1 is successful, the purchaser or lessee who brought the action is entitled to the costs of bringing the action and reasonable attorney's fees, as determined by the court. 3. The remedy provided in this section is in addition to and is not a substitute for any other legal or equitable remedy available to a purchaser or lessee of a motor vehicle who is harmed by a violation of NRS 487.830 or 487.840. (Added to NRS by 2003, 1910)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.860 - Inspection required before registration of vehicle for which salvage title was issued; exclusion of nonrepairable vehicles; certificate of inspection.

1. Except with respect to a nonrepairable vehicle, a vehicle for which a salvage title has been issued may not subsequently be registered until it has been inspected by a garage operator who operates a garage that is registered pursuant to NRS 487.560, by the

owner of a body shop licensed pursuant to NRS 487.630, by a rebuilder licensed pursuant to NRS 482.325 or by a qualified employee of such a garage, body shop or rebuilder, and is certified to be in a safe mechanical condition and equipped with all safety equipment required by the manufacturer. 2. If a garage operator, an owner of a body shop or a rebuilder, or a qualified employee thereof, who performs an inspection pursuant to subsection 1 finds the vehicle to be in a safe mechanical condition and equipped with all safety equipment required by the manufacturer, the garage operator, owner of the body shop, rebuilder or qualified employee shall complete and sign a certificate of inspection, on a form prescribed by the state agency, attesting to the mechanical fitness and safety of the vehicle and to any mechanical or other work that was performed on the vehicle at the garage or body shop. The certificate of inspection must indicate that the motor vehicle has been repaired to the standards of the manufacturer and any safety equipment, including, without limitation, any occupant restraint devices, that were present in the vehicle at the time the vehicle was manufactured are present and operational to the specifications of the manufacturer. (Added to NRS by 1963, 840; A 1999, 1921; 2003, 1915; 2007, 3231)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.870 - Removal of total loss salvage vehicle from State; penalty.

1. A person shall not remove a total loss salvage vehicle from this State to sell that vehicle unless the title has been forwarded to the state agency pursuant to subsection 1 of NRS 487.800. 2. A person who violates the provisions of this section: (a) If the value of the vehicle removed from this State is less than \$650, is guilty of a misdemeanor. (b) If the value of the vehicle removed from this State is \$650 or more, is guilty of a gross misdemeanor. (Added to NRS by 1995, 1573; A 2003, 473, 1917; 2011, 176)—(Substituted in revision for NRS 487.185)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.880 - Nonrepairable vehicles: Requirements; prohibited acts.

A nonrepairable vehicle: 1. Must be processed as parts or scrap metal by a licensed automobile wrecker. 2. May not be rebuilt, reconstructed or restored for operation on the highways of this State. 3. Must be issued a certificate by the state agency which indicates that it is a nonrepairable vehicle before any ownership interest in the vehicle may be transferred. (Added to NRS by 2003, 1910; A 2011, 1664)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.890 - Estimate of cost of repair of motor vehicle pursuant to NRS 487.800: Calculation; exclusion of certain costs.

An estimate of the cost of repair for a motor vehicle pursuant to NRS 487.800: 1. Must be calculated using the cost of the parts and labor required to restore the vehicle to the condition it was in immediately before it was wrecked, destroyed or otherwise damaged. The cost of parts and labor must be based on: (a) The current published actual retail price of original manufacturer equipment, retail price of new alternative equipment or the actual cost of used parts. (b) Rates for labor which are commonly charged in the community in which the repairs will be performed. 2. May not include any cost associated with: (a) Painting any portion of the vehicle; (b) Replacing electronic components in accordance with the specifications of the manufacturer; or (c) Towing the vehicle. (Added to NRS by 2003, 1910; A 2011, 1664)

2024 Nevada Revised Statutes Chapter 487 - Repair, Removal and Disposal of Vehicles NRS 487.990 - Administrative fines; opportunity for hearing; deposit of fines collected; delegation of authority to impose and collect fines; injunctions and other remedies; enforcement proceedings.

1. The Department may impose an administrative fine, not to exceed \$2,500, for a violation of any provision of this chapter, or any rule, regulation or order adopted or issued pursuant thereto. The Department shall afford to any person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121. 2. Except as otherwise provided in subsection 3, all administrative fines collected by the Department pursuant to subsection 1 must be deposited with the State Treasurer for credit to the State General Fund. 3. The Department may delegate to a hearing officer or panel its authority to impose and collect administrative fines pursuant to subsection 1 and deposit the money collected with the State Treasurer for credit to the Motor Vehicle Fund. 4. In addition to any other remedy provided by this chapter, the Department may compel compliance with any provision of this chapter and any rule, regulation or order adopted or issued pursuant thereto, by injunction or other appropriate remedy and the Department may institute and maintain in the name of the State of Nevada any such enforcement proceedings. (Added to NRS by 1991, 756; A 1997, 1373; 2007, 1235)

Title: chapter-487a

Title: chapter-488

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.015 - Short title.

This chapter shall be known and may be cited as the Nevada Boat Act. (Added to NRS by 1960, 474)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.025 - Declaration of policy.

It is the policy of this state to promote safety for persons and property in and connected with the use, operation and equipment of vessels and to promote uniformity of laws relating thereto. (Added to NRS by 1960, 473)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.035 - Definitions.

As used in this chapter, unless the context otherwise requires: 1. "Aquatic invasive species" means an aquatic species which is exotic or not native to this State and which the Commission has determined to be detrimental to aquatic life, water resources or infrastructure for providing water in this State. 2. "Aquatic plant material" means aquatic plants or parts of plants that are dependent on an aquatic environment to survive. 3. "Commission" means the Board of Wildlife Commissioners. 4. "Conveyance" means a motor vehicle, trailer or any other equipment used to transport a vessel or containers or devices used to haul water on a vessel that may contain or carry an aquatic invasive species or aquatic plant material. 5. "Decontaminate" means eliminate any aquatic invasive species on a vessel or conveyance in a manner specified by the Commission which may include, without limitation, washing the vessel or conveyance, draining the water in the vessel or conveyance, drying the vessel or conveyance or chemically, thermally or otherwise treating the vessel or conveyance. 6. "Department" means the Department of Wildlife. 7. "Flat wake" means the condition of the water close astern a moving vessel that results in a flat wave disturbance. 8. "Hull identification number" means the number assigned to a vessel pursuant to 33 C.F.R. Part 181, Subpart C. 9. "Human-powered vessel" means a vessel propelled by human power. 10. "Interstate waters of this State" means waters forming the boundary between the State of Nevada and an adjoining state. 11. "Legal owner" means a secured party under a security agreement relating to a vessel or a renter or lessor of a vessel to the State or any political subdivision of the State under a lease or an agreement to lease and sell or to rent and purchase which grants possession of the vessel to the lessee for a period of 30 consecutive days or more. 12. "Mechanically propelled personal hydrofoil" means a power-driven vessel that consists of a board fitted with a mast extending below the board that is attached to a fuselage with a forward wing, rear stabilizer and electric motor or internal combustion engine. 13. "Motorized surfboard" means a power-driven vessel that consists of a board using a surfboard-type design fitted with either an electric motor or internal combustion engine. 14. "Operate" means to navigate or otherwise use a vessel. 15. "Owner" means: (a) A person having all the incidents of ownership, including the legal title of a vessel, whether or not he or she lends, rents or pledges the vessel; (b) A debtor under a security agreement relating to a vessel; or (c) A person, other than a secured party, who has a property right with regard to a human-powered vessel, including, without limitation, a person entitled to use or possess a human-powered vessel subject to a security interest of another person. "Owner" does not include a person defined as a "legal owner" under subsection 11 or a person who is leasing a vessel where the vessel is not a security interest under the lease. 16. "Person" has the meaning ascribed to it in NRS 0.039 and includes, without limitation, a governmental entity. 17. "Power-driven vessel" means any vessel propelled by machinery, whether or not the machinery is the principal source of propulsion. The term includes, without limitation: (a) A mechanically propelled personal hydrofoil; (b) A motorized surfboard; and (c) A vessel equipped with both a sail and a motor. 18. "Prohibited substance" has the meaning ascribed to it in NRS 484C.080. 19. "Registered owner" means the person registered by the Department as the owner of a vessel. 20. "Sailing vessel" means a vessel that is propelled by wind power and is not equipped with a motor. 21. "State hull number" means a hull number issued for a vessel by the Department that meets the requirements prescribed by the United States Coast Guard, including, without limitation, 33 C.F.R. § 174.16 and 33 C.F.R. Part 181, Subpart C. 22. "State of principal operation" means the state in whose waters a vessel is or will be operated most during a calendar year. 23. "Under the influence" means impaired to a degree that renders a person incapable of safely operating or exercising actual physical control of a vessel. 24. A vessel is "under way" if it is adrift, making way or being propelled, and is not aground, made fast to the shore, or tied or made fast to a dock or mooring. 25. "Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water. 26. "Waters of this State" means any waters within the territorial limits of this State. (Added to NRS by 1960, 474; A 1965, 1060; 1967, 127; 1971, 756; 1979, 911; 1985, 519, 1962; 1991, 853; 1993, 222; 1999, 3430; 2003, 1567; 2011, 2404; 2015, 36, 2541; 2023, 534)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.045 - Regulations of Board of Wildlife Commissioners: Adoption.

The Commission may carry out the provisions of this chapter by appropriate regulations. (Added to NRS by 1960, 482; A 1965, 1061)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.055 - Regulations of Board of Wildlife Commissioners: Filing and publication.

A copy of the regulations adopted pursuant to the provisions of this chapter, and any amendments thereto, shall be filed in the office of the Commission. Rules and regulations shall be published by the Commission in a convenient form. (Added to NRS by 1960, 481; A 1965, 1061)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.059 - Applicability; local regulation.

1. The provisions of this chapter, and of other applicable laws of this state, shall govern the operation, equipment, numbering and all other matters relating thereto whenever any vessel is operated on the waters of this state, or when any activity regulated by this chapter takes place thereon; but nothing in this chapter prevents the adoption of any ordinance or local law relating to operation and

equipment of vessels the provisions of which are identical to the provisions of this chapter, amendments thereto or regulations issued thereunder. 2. Such ordinances or local laws shall be operative only so long as and to the extent that they continue to be identical to provisions of this chapter, amendments thereto or regulations issued thereunder. 3. Any subdivision of this state may, at any time, but only after public notice, make formal application to the Commission for special rules and regulations with reference to the operation of vessels on any waters within its territorial limits and shall set forth therein the reasons which make such special rules or regulations necessary or appropriate. 4. The Commission may make special rules and regulations with reference to the operation of vessels on any waters within the territorial limits of any subdivision of this state. (Added to NRS by 1960, 481; A 1965, 1067)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.065 - Operation of unnumbered or uncertified power-driven vessels prohibited.

1. Every power-driven vessel for which this State is the principal state of operation must be numbered and titled, except as otherwise provided in subsection 5 and NRS 488.175. 2. Upon receipt of an original application for a certificate of ownership or for transfer of a certificate of ownership on an undocumented power-driven vessel, the Department shall assign an appropriate state hull number to the power-driven vessel whenever there is no builder's hull identification number thereon, when the builder's hull identification number has been destroyed or obliterated, or if the builder's hull identification number does not meet the requirements prescribed by the United States Coast Guard. The state hull number must be permanently marked on an integral part of the hull which is accessible for inspection. 3. A person shall not operate or give permission for the operation of any vessel on the waters of this state unless: (a) The vessel is numbered in accordance with the provisions of this chapter or with the federally approved numbering system of another state; (b) The certificate of number awarded to the vessel is in effect; and (c) The identifying number set forth in the certificate of number is displayed on each side of the bow of the vessel in the manner set forth in 33 C.F.R. Part 173. 4. A person shall not operate or give permission for the operation of any power-driven vessel on the waters of this State unless a valid certificate of ownership has been issued to the owner of the power-driven vessel. 5. Any person who purchases or otherwise owns a power-driven vessel before January 1, 1972, is not required to obtain title for the power-driven vessel until the person transfers any portion of his or her ownership in the power-driven vessel to another person. (Added to NRS by 1960, 474; A 1971, 1378; 1985, 342, 1962; 1993, 1645; 2003, 1567, 2823; 2015, 37; 2023, 536)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.075 - Number, certificate of number and certificate of ownership: Application; issuance; fees; location of number on vessel; regulations.

1. The owner of each power-driven vessel requiring numbering by this State shall file an application for a number and for a certificate of ownership with the Department on forms approved by it accompanied by: (a) Proof of payment of Nevada sales or use tax as evidenced by proof of sale by a Nevada dealer or by a certificate of use tax paid issued by the Department of Taxation, or by proof of exemption from those taxes as provided in NRS 372.320. (b) Such evidence of ownership as the Department may require. The Department shall not issue a number, a certificate of number or a certificate of ownership until this evidence is presented to it. 2. The application must be signed by the owner of the power-driven vessel and must be accompanied by: (a) A fee of \$20 for the certificate of ownership; and (b) Except as otherwise provided in subsection 2 of NRS 488.125, an annual fee according to the following schedule as determined by the straight line length which is measured from the tip of the bow to the back of the transom of the power-driven vessel: Less than 13 feet..... \$20 13 feet or more but less than 18 feet..... 25 18 feet or more but less than 22 feet..... 40 22 feet or more but less than 26 feet..... 55 26 feet or more but less than 31 feet..... 75 31 feet or more 100 Except as otherwise provided in this subsection, all fees received by the Department under the provisions of this chapter must be deposited in the Wildlife Account in the State General Fund and, except as otherwise provided in NRS 488.536, may be expended only for the administration and enforcement of the provisions of this chapter. On or before December 31 of each year, the Department shall deposit with the State Education Fund 50 percent of each fee collected according to the length of the power-driven vessel for every power-driven vessel registered. Upon receipt of the application in approved form, the Department shall enter the application upon the records of its office and issue to the applicant a certificate of number stating the number awarded to the power-driven vessel, a certificate of ownership stating the same information and the name and address of the registered owner and the legal owner. 3. The Commission shall adopt regulations providing for the renewal of a certificate of number by the purchase of a validation decal. The fee for a validation decal is determined by the straight line length of the power-driven vessel and is equivalent to the fee set forth in the schedule provided in paragraph (b) of subsection 2. The amount of the fee for issuing a duplicate validation decal is \$20. 4. The owner shall paint on or attach to each side of the bow of the power-driven vessel the identification number in such manner as may be prescribed by regulations of the Commission in order that the number may be clearly visible. The number must be maintained in legible condition. 5. The certificate of number must be available at all times for inspection on the power-driven vessel for which issued, whenever the power-driven vessel is in operation. 6. The Commission shall provide by regulation for the issuance of numbers to manufacturers and dealers which may be used interchangeably upon power-driven vessels operated by the manufacturers and dealers in connection with the demonstration, sale or exchange of those power-driven vessels. The amount of the fee for each such a number is \$20. (Added to NRS by 1960, 475; A 1963, 783; 1965, 1061; 1969, 562; 1971, 757, 1378; 1975, 643, 1747, 1749, 1783, 1785; 1979, 912; 1981, 182; 1983, 333; 1985,

1963; 1987, 854; 1991, 2106; 1993, 1026, 1646; 1995, 553; 2003, 1568, 2553; 2011, 2405, 3155; 2015, 103; 2017, 3639; 2021, 1139; 2023, 537)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.078 - Department to submit certain information to Division of Welfare and Supportive Services. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

The Department shall, upon request of the Division of Welfare and Supportive Services of the Department of Health and Human Services, submit to the Division of Welfare and Supportive Services the name, address and social security number of each person who has been issued a certificate of number or a validation decal and any pertinent changes in that information. (Added to NRS by 1997, 2081; A 2003, 1569)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.085 - Recordation in this State of number previously awarded pursuant to federally approved numbering system of another state.

The owner of any vessel already covered by a number in effect which has been awarded to it pursuant to a federally approved numbering system of another state must record the number before operating the vessel on the waters of this State. The recordation must be in the manner and pursuant to the procedure required for the award of a number under NRS 488.075, but no additional or substitute number may be issued. (Added to NRS by 1960, 475; A 2003, 2823; 2017, 3640; 2023, 538)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.105 - Conformity of state numbering system with federal system.

If an agency of the United States Government has in force an overall system of identification numbering for vessels within the United States, the numbering system employed pursuant to the provisions of this chapter by the Department must be in conformity therewith. (Added to NRS by 1960, 476; A 1965, 1062; 1971, 1379; 1985, 1964; 1993, 1647; 2003, 1569; 2023, 538)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.115 - Awarding of certificates of number; authorization of agents; retention of fee by agent; public records.

1. The Department may award any certificate of number directly or may authorize any person to act as an agent for the awarding thereof. If a person accepts the authorization, the person may be assigned a block of numbers and certificates therefor which upon award, in conformity with the provisions of this chapter and with any regulations of the Commission, is valid as if awarded directly by the Department. At the time an agent forwards the money collected to the Department the agent may retain \$1 per certificate of number. 2. All records of the Department made or kept pursuant to this section are public records. (Added to NRS by 1960, 476; A 1965, 1062; 1971, 758, 1379; 1975, 912; 1985, 1964; 1993, 1028, 1647; 1995, 554; 2003, 1569, 2554)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.125 - Expiration of certificates of number; renewal; fees; regulations.

1. Every certificate of number awarded pursuant to the provisions of this chapter shall continue in full force and effect for a period of 1 year, or 2 years if allowed by regulations adopted by the Commission, unless sooner terminated or discontinued in accordance with the provisions of this chapter. 2. The fee for the issuance or renewal of a certificate of number for 2 years, if allowed, is an amount which is equal to twice the annual fee for the vessel set forth in paragraph (b) of subsection 2 of NRS 488.075. 3. Certificates of number may be renewed by the owner in accordance with regulations adopted pursuant to subsection 3 of NRS 488.075. (Added to NRS by 1960, 476; A 1965, 1062; 1993, 1027; 2017, 3640; 2023, 538)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.135 - Department to fix date on which certificates of number expire.

The Department shall fix a day and month of the year on which certificates of number expire unless renewed pursuant to the provisions of this chapter. (Added to NRS by 1960, 476; A 1965, 1062; 1971, 1380; 1985, 1964; 1993, 1647; 2003, 1569; 2017, 3640)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.145 - Destruction or abandonment of numbered vessel: Owner to furnish notice to Department; termination of certificate of number.

1. The owner shall furnish the Department notice of the destruction or abandonment of any vessel numbered under this chapter, within 10 days thereof. 2. Such destruction or abandonment terminates the certificate of number for the vessel. (Added to NRS by 1960, 476; A 1965, 1062; 1971, 758, 1380; 1975, 644; 1985, 1965; 1993, 1647; 2003, 1569; 2023, 538)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.155 - Change of address of holder of certificate of number or ownership: Holder to notify Department and furnish new address; surrender and replacement or alteration of inaccurate

certificates.

1. Any holder of a certificate of number and a certificate of ownership shall notify the Department, within 10 days, if the holder's address no longer conforms to the address appearing on the certificates and shall, as a part of the notification, furnish the Department with his or her new address. 2. The Commission may provide in its regulations for the surrender of the certificates bearing the former address and its replacement with new certificates bearing the new address or for the alteration of outstanding certificates to show the new address of the holder. (Added to NRS by 1960, 476; A 1965, 1063; 1971, 758, 1380; 1975, 644; 1985, 1965; 1987, 856; 1993, 1647; 2003, 1570)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.165 - Display of unauthorized number or decal prohibited.

No number or decal other than the number or decal awarded to a vessel or granted reciprocity pursuant to the provisions of this chapter may be painted, attached or otherwise displayed on either side of the bow of such vessel. Only the current decal may be displayed or otherwise attached on either side of the bow of such vessel. (Added to NRS by 1960, 477; A 1971, 759; 2023, 538)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.169 - Hull numbers: Process for issuance and verification must comply with United States Coast Guard requirements; regulations.

The Commission shall adopt regulations establishing a process for the issuance and verification of state hull numbers that comply with the requirements for hull numbers prescribed by the United States Coast Guard. (Added to NRS by 2015, 36)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.171 - Hull numbers: Prohibited acts; assignment to handmade vessels; penalty.

1. The Department shall assign a state hull number to any vessel as required by the regulations adopted by the Commission pursuant to NRS 488.169. 2. A person shall not: (a) Intentionally deface, destroy, remove or alter any hull number required for a vessel without written authorization from the Department; or (b) Place or stamp any serial number upon a vessel except a number assigned to the vessel by the Department. 3. This section does not prohibit: (a) The restoration of the original hull number by an owner of a vessel when the restoration is authorized by the Department; or (b) Any manufacturer from placing numbers or marks in the ordinary course of business upon new vessels or parts of vessels. 4. The Department shall, upon request, assign a state hull number to any handmade vessel. 5. Any person who violates subsection 2 is guilty of a gross misdemeanor. (Added to NRS by 1971, 1378; A 1987, 762; 1993, 1648; 2003, 1570; 2015, 37)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.175 - Exemption from requirements for numbering and titling; exception for certain residents of other states; issuance of exempt numbers.

1. Except as otherwise provided in this section, a vessel need not be numbered pursuant to the provisions of this chapter if it is: (a) Already covered by a number in effect which has been awarded or issued to it pursuant to a federally approved numbering system of another state. (b) A vessel from a country other than the United States temporarily using the waters of this State. (c) A public vessel of the United States, a state or a political subdivision of a state. (d) A ship's lifeboat. (e) A vessel belonging to a class of vessels which has been exempted from numbering by the Department after the Department has found: (1) That the numbering of vessels of that class will not materially aid in their identification; and (2) If an agency of the Federal Government has a numbering system applicable to the class of vessels to which the vessel in question belongs, that the vessel would also be exempt from numbering if it were subject to the federal law. 2. If the owner or operator of a vessel which is not numbered in this State is a resident of another state, and if this State is or will be the state of principal operation of the vessel during a calendar year, the vessel must be numbered and a certificate of number issued for the vessel pursuant to this chapter. 3. The Department may, by regulation, provide for the issuance of exempt numbers for vessels not required to be registered under the provisions of this chapter. 4. A power-driven vessel need not be titled pursuant to the provisions of this chapter, if it is: (a) Covered by a certificate of ownership which has been awarded or issued to it pursuant to the title system of another state; or (b) Documented pursuant to 46 U.S.C. §§ 12101 et seq. (Added to NRS by 1960, 479; A 1963, 260; 1965, 1063; 1971, 759, 1380; 1973, 631; 1977, 134; 1985, 1965; 1993, 1648; 2003, 1570, 2823; 2017, 3640; 2023, 539)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1793 - Requirements for transfer of ownership or interest in certain power-driven vessels; exceptions.

Except as otherwise provided for the creation or transfer of a security interest or the transfer on death of a certificate of ownership pursuant to NRS 488.1794, no transfer of title to or any interest in any power-driven vessel required to be numbered under this chapter is effective until one of the following conditions is fulfilled: 1. The transferor has properly endorsed and delivered the certificate of ownership and has delivered the certificate of number to the transferee as provided in this chapter, and the transferee has, within the prescribed time, delivered the documents to the Department or placed them in the United States mail addressed to the Department with the transfer fee. 2. The transferor has delivered to the Department or placed in the United States mail addressed to the Department the appropriate documents for the transfer of ownership pursuant to the sale or transfer. (Added to NRS by 1971, 1376; A 1985, 1966; 1993, 1648; 2003, 1571; 2007, 991; 2023, 539)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1794 - Certificate of ownership in beneficiary form; Application; issuance to tenant in common prohibited; contents; effect; revocation; encumbrances; duties of Department; transfer upon death not testamentary.

1. The owner or joint owners of a power-driven vessel may request the Department to issue a certificate of ownership in beneficiary form for the power-driven vessel which includes a directive to the Department to transfer the certificate of ownership upon the death of the owner or upon the death of all joint owners to a beneficiary named on the face of the certificate of ownership. 2. A request made pursuant to subsection 1 must be submitted on an application made available by the Department and accompanied by the fee for the issuance of a certificate of ownership. 3. A certificate of ownership in beneficiary form may not be issued to a person who holds an interest in a power-driven vessel as a tenant in common with another person. 4. A certificate of ownership in beneficiary form must include after the name of the owner, or after the names of joint owners, the words "transfer on death to" or the abbreviation "TOD" followed by the name of the beneficiary. 5. During the lifetime of a sole owner or before the death of the last surviving joint owner: (a) The signature or consent of the beneficiary is not required for any transaction relating to a power-driven vessel for which a certificate of ownership in beneficiary form has been issued; and (b) The certificate of ownership in beneficiary form may be revoked or the beneficiary changed at any time by: (1) Sale of the power-driven vessel with proper assignment and delivery of the certificate of ownership to another person; or (2) Filing an application with, and paying a fee to, the Department to reissue the certificate of ownership with no designation of a beneficiary or with the designation of a different beneficiary. 6. The interest of the beneficiary in a power-driven vessel on the death of the sole owner or on the death of the last surviving joint owner is subject to any contract of sale, assignment or ownership or security interest to which the owner or owners of the power-driven vessel were subject during their lifetime. 7. Except as otherwise provided in paragraph (b) of subsection 5, the designation of a beneficiary in a certificate of ownership in beneficiary form may not be changed or revoked by will, any other instrument or a change in circumstances, or otherwise changed or revoked. 8. The Department shall, upon: (a) Proof of death of one of the owners, of two or more joint owners or of a sole owner; (b) Surrender of the outstanding certificate of ownership in beneficiary form; and (c) Application and payment of the fee for a certificate of ownership, issue a new certificate of ownership for the power-driven vessel to the surviving owner or owners or, if none, to the beneficiary, subject to any security interest. 9. For the purposes of complying with the provisions of subsection 8, the Department may rely on a death certificate, record or report that constitutes prima facie evidence of death. 10. The transfer on death of a power-driven vessel pursuant to this section is not considered as testamentary and is not subject to administration pursuant to the provisions of title 12 of NRS. 11. As used in this section: (a) "Beneficiary" means a person or persons designated to become the owner or owners of a power-driven vessel on the death of the preceding owner or owners. (b) "Certificate of ownership in beneficiary form" means a certificate of ownership of a power-driven vessel that indicates the present owner or owners of the power-driven vessel and designates a beneficiary. (Added to NRS by 2007, 990)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1795 - Transferee to file certificates, pay fee and apply for new certificates.

Upon receipt of a properly endorsed certificate of ownership and the certificate of number of any power-driven vessel, the transferee shall within 10 days file the certificates, accompanied by a fee of \$20, with the Department and thereby make application for a new certificate of ownership and, when required, a new certificate of number. (Added to NRS by 1971, 1376; A 1975, 644; 1985, 1966; 1993, 1649; 2003, 1571, 2554; 2023, 540)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1797 - Requirements for issuance of certificate of ownership.

1. Before the issuance of any certificate of ownership, the Department shall obtain a statement in writing signed by the transferee or transferor, showing: (a) The date of the sale or other transfer of ownership of the power-driven vessel. (b) The name and address of the seller or transferor. (c) The name and address of the buyer or transferee. 2. Upon receipt of: (a) The properly endorsed certificate of ownership; (b) The certificate of number and the required fee; (c) The statement of information; and (d) Proof that the applicable taxes have been paid, the Department shall issue a new certificate of ownership and a new certificate of number to the transferee. The previous number may be reassigned to the transferee. (Added to NRS by 1971, 1376; A 1975, 644; 1985, 1966; 1987, 856; 1993, 1649; 2003, 1571, 2824)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1801 - Owner of power-driven vessel to notify Department of sale or transfer of title or interest; exception; information to be furnished.

Except for transfers to a beneficiary pursuant to the provisions of NRS 488.1794, any owner of any power-driven vessel numbered under this chapter who sells or transfers his or her title or any interest in the power-driven vessel shall within 10 days notify the Department of the sale or transfer and furnish the following information: 1. The name and address of the legal owner and transferee; and 2. Such description of the power-driven vessel as may be required by the Department. (Added to NRS by 1971, 1376; A 1975, 644; 1985, 1966; 1993, 1649; 2003, 1571; 2007, 991)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1803 - Dealer's report of sale, lease or other transfer; exception.

Any dealer upon transferring by sale, lease or otherwise any power-driven vessel, whether new or used, required to be numbered under this chapter, shall give written notice of the transfer to the Department upon an appropriate form provided by it. The notice must be given within 3 days after the sale, but a dealer need not give the notice when selling or transferring a new unnumbered power-driven vessel to another dealer. (Added to NRS by 1971, 1376; A 1975, 1785; 1985, 1966; 1987, 857; 1993, 1649; 2003, 1572)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1805 - Interest of registered owner not affected by assignment by legal owner.

A legal owner may assign his or her title or interest in or to any power-driven vessel numbered under this chapter to a person other than the registered owner without the consent of and without affecting the interest of the registered owner. (Added to NRS by 1971, 1377)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1807 - Endorsement of certificate upon transfer of title or interest of legal owner; exception.

Except for transfers to a beneficiary pursuant to the provisions of NRS 488.1794, upon transfer of the title or any interest of any legal owner in any power-driven vessel numbered under this chapter, the transferor shall write his or her signature, and the transferee shall write his or her signature and address, in the appropriate spaces provided upon the reverse side of the certificate of ownership issued for such power-driven vessel. (Added to NRS by 1971, 1377; A 2007, 992)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.181 - Endorsement of certificate on transfer by registered owner.

Upon transfer of the title or any interest of the registered owner of any power-driven vessel numbered under this chapter, the registered owner shall write his or her signature and address and the transferee shall write his or her signature and address in the appropriate spaces provided on the reverse side of the certificate of ownership for such power-driven vessel, and the legal owner shall write his or her signature in the space provided for the new legal owner indicating that he or she is to retain legal title and interest. (Added to NRS by 1971, 1377)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1813 - Issuance of duplicate certificate on loss, destruction or mutilation of original.

1. If a certificate of ownership is lost, stolen, damaged or mutilated, an application for transfer may be made upon a form provided by the Department for a duplicate certificate of ownership. The transferor shall write his or her signature and address in the appropriate spaces provided upon the application and file it together with the proper fees for a duplicate certificate of ownership and transfer. 2. The Department may receive the application and examine into the circumstances of the case and may require an inspection of the power-driven vessel and the filing of affidavits or other information. When the Department is satisfied that the applicant is entitled to a transfer of ownership, the Department may transfer the ownership of the power-driven vessel and issue a new certificate of ownership and certificate of number to the person found to be entitled thereto. (Added to NRS by 1971, 1377; A 1985, 1967; 1993, 1650; 2003, 1572; 2015, 38; 2023, 540)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1815 - Failure to endorse or deliver certificate to transferee unlawful.

It is unlawful for any person to fail or neglect to deliver the certificate of number and, when having possession, to properly endorse, date and deliver the certificate of ownership to a transferee who is lawfully entitled to a transfer of ownership. (Added to NRS by 1971, 1377)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1817 - New certificate not required on substitution of security interest between same parties; time limit.

If a security interest in any power-driven vessel numbered under this chapter is satisfied, cancelled or released by the registered owner and legal owner of such power-driven vessel, and within a period of 10 days a new security interest covering the power-driven vessel is executed between the same parties, no application for transfer of ownership shall be made, no new certificate of ownership or certificate of number shall be issued, and all provisions of this chapter relating to transfers of any title or interest in a power-driven vessel shall be deemed to have been fully complied with. (Added to NRS by 1971, 1377)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.182 - Transfer of ownership not required on pledge of security interest.

The transferee of a security interest of any legal owner of any power-driven vessel numbered under this chapter need not make application for transfer of ownership if such security interest arises from a pledge of a security agreement by the legal owner to the pledgee. (Added to NRS by 1971, 1377)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1823 - Procedure for perfection of security interest.

1. No security interest in any power-driven vessel required to be numbered under this chapter, whether the number was awarded before or after the creation of the security interest, is perfected until the secured party or the successor or assignee of the secured party has deposited with the Department a properly endorsed certificate of ownership to the power-driven vessel subject to the security interest. 2. The certificate must show the secured party as legal owner if the power-driven vessel is then numbered under this chapter, or if not so numbered, the registered owner shall file an initial application for a certificate of number and for a certificate of ownership and the certificate of ownership issued thereunder must contain the name and address of the legal owner. 3. Upon compliance with subsections 1 and 2, the security interest is perfected and the records of the Department must show the secured party or the successor or assignee of the secured party as the legal owner of the power-driven vessel. (Added to NRS by 1971, 1377; A 1985, 1967; 1993, 1650; 2003, 1572)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1825 - Method prescribed for perfecting security interest is exclusive.

The method provided in this chapter for perfecting a security interest in any power-driven vessel required to be numbered is exclusive. (Added to NRS by 1971, 1378)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1826 - Suspension of certificate of number or validation decal for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certificate of number or validation decal. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who has been issued a certificate of number or a validation decal, the Department shall deem the certificate of number or validation decal issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person who has been issued the certificate of number or validation decal stating that the person has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. 2. The Department shall reinstate a certificate of number or validation decal that has been suspended by a district court pursuant to NRS 425.540 if the Department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose certificate of number or validation decal was suspended stating that the person whose certificate of number or validation decal was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. (Added to NRS by 1997, 2081; A 2003, 1572)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.1827 - Suspension or revocation of certificate or number if fraudulently obtained or fee was unpaid.

The Department may suspend or revoke any certificate of ownership, certificate of number or number of any vessel if it is satisfied that any such certificate or number was fraudulently obtained, or that the appropriate fee was not paid. (Added to NRS by 1971, 1378; A 1985, 1967; 1993, 1650; 2003, 1573; 2023, 540)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.185 - Classification of vessels.

Vessels subject to the provisions of this chapter shall be divided into four classes as follows: Class A. Less than 16 feet in length. Class 1. Sixteen feet or over and less than 26 feet in length. Class 2. Twenty-six feet or over and less than 40 feet in length. Class 3. Forty feet or over. (Added to NRS by 1960, 477; A 1965, 1063; 1975, 645; 1977, 134; 2023, 540)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.187 - Lights.

1. Every power-driven vessel or sailing vessel in all weathers from sunset to sunrise, as established by the Nautical Almanac Office, United States Naval Observatory, Washington, D.C., must carry and exhibit the following lights when underway, and during that time other lights which may be mistaken for those prescribed must not be exhibited: (a) Every power-driven vessel of classes A and 1 must carry the following lights: (1) A bright white light aft to show all around the horizon. (2) A combined lantern in the forepart of the power-driven vessel and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to 2 points abaft the beam on their respective sides. (b) Every power-driven vessel of classes 2 and 3 must carry the following lights: (1) A bright white light in the forepart of the power-driven vessel as near the stem as practicable, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the power-driven vessel, from right ahead to 2 points abaft the beam on either side. (2) A bright white light aft to show 12 points. (3) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side. On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side. The side lights must be fitted with inboard screens of

sufficient height so set as to prevent these lights from being seen across the bow. (c) Sailing vessels of classes A and 1 must carry the combined lantern in the forepart of the sailing vessel and a white 12-point stern light. Sailing vessels of classes 2 and 3 must carry the colored side lights, fitted so as to prevent these lights from being seen across the bow and a white 12-point stern light. 2. Every white light prescribed by this section must be visible at a distance of at least 2 miles. Every colored light prescribed by this section must be visible at a distance of at least 1 mile. As used in this subsection, "visible" means visible on a dark night with clear atmosphere. 3. Human-powered vessels must have ready at hand an electric torch or lighted lantern showing a white light which must be exhibited in sufficient time to prevent a collision. 4. Any vessel may carry and exhibit the lights required by the Inland Navigational Rules, 33 C.F.R. Part 83, in lieu of the lights required by this section. 5. Except for vessels anchored or moored in an area designated by the Commission as an anchoring or mooring area pursuant to the provisions of NRS 488.265, every vessel, when anchored or moored between sunset and sunrise where other vessels may navigate, must display a white light clearly visible in all directions. 6. Except as otherwise provided in this subsection, it is unlawful for a person to display a flashing blue light or a flashing red light on a vessel operating on the waters of this state. A vessel of the United States, this state or its political subdivisions or a bordering state under interstate compact may display a flashing blue light when operated by a peace officer engaged in law enforcement or public safety activities. A peace officer may seize, or cause to be seized, a flashing red or blue light installed or operated in violation of this subsection. (Added to NRS by 1977, 136; A 1987, 763; 1991, 854; 1993, 863; 2023, 540)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.193 - Life jackets; throwable personal flotation devices; fire extinguishers; flame arrestors; ventilation of bilges; modification of requirements.

1. Except for a contrivance, propelled by a sail, whose occupant must stand erect, every vessel must carry at least one life jacket of an appropriate size and type for the person for whom it is intended that has been approved by the United States Coast Guard and meets any requirements prescribed by the regulations of the Commission for each person on board and any person in a vessel being towed, so placed as to be readily accessible for use in an emergency. Every vessel carrying passengers for hire must carry so placed as to be readily accessible for use in an emergency at least one life jacket of the sort prescribed by this subsection and the regulations of the Commission for each person on board. A life jacket required by this subsection is readily accessible for use in an emergency if: (a) It is being worn; or (b) It is stowed where it is quickly reachable and is: (1) Ready to wear; (2) Out of its original packaging; and (3) Not under lock and key. 2. In addition to the requirements set forth in subsection 1, unless exempted by the United States Coast Guard or the regulations of the Commission: (a) Every vessel which is 16 feet or more in length but less than 26 feet in length, regardless of its method of propulsion, must carry, so placed as to be readily accessible for use in an emergency, a throwable personal flotation device approved by the United States Coast Guard, such as a ring life buoy or buoyant cushion. A throwable personal flotation device required by this paragraph is readily accessible for use in an emergency if it is stowed in close proximity to the operator of the vessel and in a position to be thrown to a person overboard by either the operator or a passenger. (b) Except as otherwise provided in this paragraph, every vessel which is 26 feet or more in length, regardless of its method of propulsion, must carry, so placed as to be readily accessible for use in an emergency, a throwable personal flotation device approved by the United States Coast Guard, such as a ring life buoy or buoyant cushion. If the vessel is 40 feet or more in length, such a throwable personal flotation device must be carried on both the fore and the aft of the vessel. A throwable personal flotation device required by this paragraph is readily accessible for use in an emergency if it is prominently displayed on a bulkhead, railing or gunwale, and in a position to be thrown to a person overboard by either the operator or a passenger. 3. Every power-driven vessel, except a mechanically propelled personal hydrofoil or a motorized surfboard, must be provided with such number, size and type of fire extinguishers, capable of promptly and effectually extinguishing burning gasoline, as may be prescribed by the regulations of the Commission. The fire extinguishers must be of a marine type which has been approved by the United States Coast Guard and kept in condition for immediate and effective use and so placed as to be readily accessible. 4. Every power-driven vessel must have the carburetor of every engine therein, except outboard motors, using gasoline as fuel, equipped with such efficient flame arrestor, backfire trap or other similar device as may be prescribed by the regulations of the Commission. 5. Every vessel, except open boats, using as fuel any liquid of a volatile nature, must be provided with such means as may be prescribed by the regulations of the Commission for properly and efficiently ventilating the bilges of the engine and compartments for tanks of fuel to remove any explosive or flammable gases. 6. The Commission may adopt regulations modifying the requirements for equipment contained in this section to the extent necessary to keep these requirements in conformity with the provisions of the Federal Navigation Laws or with the rules for navigation adopted by the United States Coast Guard. (Added to NRS by 1977, 138; A 1981, 167; 1985, 795; 1991, 855; 2005, 492; 2023, 541)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.195 - Muffling devices.

1. The exhaust of every internal combustion engine used on any power-driven vessel must be effectively muffled by equipment so constructed and used as to muffle the noise of the exhaust in a reasonable manner. 2. The use of cutouts is prohibited. 3. Subsections 1 and 2 do not apply to: (a) Power-driven vessels competing in a regatta or boat race approved as provided in NRS 488.305; (b) Such power-driven vessels while on trial runs between the hours of 9 a.m. and 5 p.m. and during a period not to exceed 48 hours immediately preceding the regatta or boat race; (c) Such power-driven vessels while competing in official trials for speed records during a period not to exceed 48 hours immediately following the regatta or boat race; or (d) Any power-driven vessel operating under a separate permit issued by the Department for tuning engines, making test or trial runs or competing in official trials for speed records other than in connection with regattas or boat races. 4. The Department shall issue permits for the purposes

enumerated in paragraph (a) of subsection 3, under such conditions and restrictions as the Commission determines necessary to prevent a public nuisance and to assure the public safety. The Commission may adopt regulations to carry out the provisions of this subsection. (Added to NRS by 1960, 479; A 1969, 102; 1971, 759; 1985, 1967; 1993, 1650; 2003, 1573)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.197 - Sirens.

1. No vessel may be equipped with nor shall any person use or install upon a vessel a siren, except as otherwise provided in this chapter. 2. Any authorized emergency vessel, when approved by the Department, may be equipped with a siren capable of sound audible under normal conditions from a distance of not less than 500 feet, but the siren must not be used except if the vessel is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which event the operator of the vessel shall sound the siren when necessary to warn persons of the approach thereof. (Added to NRS by 1963, 263; A 1965, 1065; 1971, 760; 1985, 1968; 1993, 1651; 2003, 1573)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.257 - "Mooring buoy" defined; requirements for colors and lights.

1. As used in NRS 488.257 to 488.285, inclusive, unless the context otherwise requires, "mooring buoy" means a float: (a) Which is anchored to the bed of a body of water; and (b) To which a vessel is fastened through the use of cables, lines, ropes or anchors for the purpose of maintaining the vessel in a stationary position in the water. 2. A mooring buoy must be white in color and have a horizontal blue band around the circumference of the buoy which is at least 3 inches in width and centered midway between the top of the buoy and the waterline. 3. A mooring buoy which is placed within an area other than an area designated by the Commission as an anchoring or mooring area pursuant to the provisions of NRS 488.265 must display a quick flashing white light between sunset and sunrise. If a vessel is moored to such a buoy, only the vessel must display between sunset and sunrise a white light clearly visible in all directions. (Added to NRS by 1993, 861)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.259 - Mooring buoy: Permit required; exception; permit for placement in navigable waters.

1. Except as otherwise provided in NRS 488.263, a person shall not place any mooring buoy in any waters of this state, other than the Lake Mead National Recreation Area, without a permit issued by: (a) The Division of State Lands of the State Department of Conservation and Natural Resources, if the mooring buoy is to be placed in navigable waters. (b) The Department, if the mooring buoy is to be placed in any other waters. 2. The Division of State Lands shall transmit a copy of each application for a permit for the placement of a mooring buoy in the navigable waters of this state to the Department as soon as practicable after receipt. 3. Upon receipt of such a copy, the Department shall review the application to determine whether the placement of the buoy is in the best interests of the State. To determine whether the placement of a mooring buoy is in the best interests of the State, the Department may consider the likelihood that the buoy will: (a) Interfere with navigation. (b) Become a hazard to persons or wildlife. (c) Have any other detrimental effect on the body of water in which it is placed. 4. If the Department determines that the permit should be denied, the Department shall submit such a recommendation to the Division of State Lands and provide a brief summary of the reason for the recommendation within 30 days after the date on which the application was transmitted. 5. If the Division of State Lands does not receive a recommendation for the denial of the permit from the Department within the 30-day period provided in subsection 4, the application shall be deemed to be approved by the Department. (Added to NRS by 1993, 861; A 2003, 1574)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.261 - Mooring buoy: Permit for placement in nonnavigable waters; permit for temporary placement; regulations and enforcement.

1. The Department may issue to any person a permit to place a mooring buoy in the nonnavigable waters of this state. The Department shall charge and collect a fee in the amount set by the Commission for each permit issued pursuant to this subsection. Unless suspended or revoked by the Department, a permit issued pursuant to this subsection is valid through December 31 of the year in which it is issued. Such a permit may be renewed annually by paying the fee set by the Commission on or before January 1 of each year. 2. The Department may issue a permit for the temporary placement of a buoy, other than a navigational aid, for practice courses or marine events. The Department shall charge and collect a fee in the amount set by the Commission for each permit issued pursuant to this subsection. Unless suspended or revoked by the Department, a permit issued pursuant to this subsection is valid for the period indicated on the face of the permit which must not exceed 6 months. 3. The Commission shall adopt by regulation fees for: (a) The issuance and renewal of permits for mooring buoys pursuant to subsection 1 which must not be more than \$100 for each buoy per year. (b) The issuance of permits for the temporary placement of buoys for practice courses or marine events pursuant to subsection 2 which must not be more than \$50 per buoy. 4. The Commission may: (a) Adopt such regulations as are necessary to carry out the provisions of NRS 488.257 to 488.285, inclusive; and (b) Establish a schedule of administrative fines for the violation of those regulations which may be assessed in addition to any criminal penalties for the same act. 5. The Department is responsible for the enforcement of the laws of this state governing mooring buoys and may: (a) Revoke or suspend a permit for a mooring buoy issued pursuant to subsection 1 or 2 or by the Division of State Lands of the State Department of Conservation and Natural Resources if: (1) The person responsible for the buoy fails to comply with all applicable statutes and regulations concerning the buoy; or (2) The buoy becomes a hazard to navigation. (b) Remove any mooring buoy determined to be

unlawfully placed. 6. This section does not require an agency of this state or the United States Government to obtain written authorization to place, move, remove, destroy or tamper with buoys or navigational aids on the navigable waters of this state. (Added to NRS by 1993, 862; A 2003, 1574)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.263 - Permit not required for temporary mooring buoy.

1. A permit is not required for a temporary mooring buoy. 2. As used in this section, a "temporary mooring buoy" is a buoy for the temporary anchorage of a vessel that is removed within 72 hours after the time it is placed. (Added to NRS by 1993, 862)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.265 - Anchoring or mooring vessel which obstructs passageway prohibited; exceptions.

1. Except as otherwise provided in subsection 2, a person shall not anchor or moor a vessel in such a position as to obstruct a passageway ordinarily used by other vessels. As used in this subsection, a "passageway ordinarily used by other vessels" includes: (a) A river channel or the entrance to a harbor or marina; and (b) That area within a 100-yard radius of a boat ramp built and maintained with public money. 2. A person may anchor or moor a vessel in an area designated for that purpose by the Commission and marked at the corners with yellow can buoys. The buoys must emit a flashing yellow light from sunset to sunrise. (Added to NRS by 1957, 570; A 1960, 483; 1985, 343; 1991, 856)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.285 - Mooring to buoy or navigational aid prohibited; interference with buoy or navigational aid without written authorization prohibited; exception; penalties.

1. Except as otherwise provided in subsection 2: (a) A person shall not moor any vessel to any buoy or navigational aid placed in any waterway by authority of the United States or any other governmental authority, or in any manner attach a vessel to any such buoy or navigational aid. (b) A person shall not place, move, remove, destroy or tamper with any buoy or other navigational aid without written authorization from the Department. 2. The provisions of subsection 1 do not apply to mooring buoys. 3. A person who violates a provision of subsection 1 shall be punished: (a) If no injury results from the violation, for a misdemeanor. (b) If bodily injury or property damage in excess of \$200 results from the violation, for a gross misdemeanor. (c) If a human death results from the violation, for a category D felony as provided in NRS 193.130. 4. Nothing in this section requires an agency of this state or the United States Government to obtain written authorization to place, move, remove, destroy or tamper with buoys or navigational aids on navigable waters of this state. (Added to NRS by 1957, 570; A 1960, 483; 1985, 343; 1989, 1773; 1993, 864, 1652; 1995, 547, 1302; 2003, 1575)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.291 - Abandonment prohibited; evidence of responsibility for abandonment; removal of vessel from public waterway.

1. A person shall not abandon a vessel upon a public waterway or public or private property without the consent of the owner or person in lawful possession or control of the property. 2. The abandonment of any vessel in a manner prohibited by subsection 1 is prima facie evidence that the last registered owner of record, unless the registered owner has notified the Department or other appropriate agency of his or her relinquishment of title or interest therein, is responsible for the abandonment. The person so responsible is liable for the cost of removal and disposition of the vessel. 3. A game warden, sheriff or other peace officer of this state may remove or order the removal of a vessel from a public waterway when: (a) The vessel is left unattended and is adrift, moored, docked, beached, run aground, trailered or made fast to land in: (1) Such a position as to interfere with navigation; (2) Such a condition as to create a hazard to other vessels using the waterway, to public safety or to the property of another; or (3) A location owned or administered by a public entity. (b) The vessel is found upon a waterway and a report has previously been made that the vessel has been stolen or embezzled. (c) The person in charge of the vessel is by reason of physical injuries or illness incapacitated to such an extent as to be unable to provide for its custody or removal. (d) An officer arrests a person operating or in control of the vessel for an alleged offense, and the officer is required or permitted to take, and does take, the person arrested before a magistrate without unnecessary delay. (e) The vessel seriously interferes with navigation or otherwise poses a critical and immediate danger to navigation or to the public health, safety or welfare. (Added to NRS by 1993, 221; A 2003, 1575; 2023, 543)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.293 - Authority of peace officer to identify registered owner of vessel abandoned on private property; peace officer to notify Department of removal of abandoned vessel; law enforcement agency to notify owner or holder of security interest regarding location of and procedure for claiming vessel; waiver of interest in vessel; transfer of ownership to law enforcement agency.

1. A peace officer may attempt to identify the registered owner of a vessel abandoned on private property by inspection of the vessel and any trailer to which it is attached and may supply the information to the property owner. The property owner must declare by affidavit the reasons why he or she believes the property to be abandoned. The property owner must give 5 days' notice to the last registered owner before causing the removal of the vessel. If the last registered owner is unknown or cannot be notified, the vessel may immediately be removed to a secure location designated by a peace officer. 2. A peace officer shall, within 48 hours after directing the removal of an abandoned vessel on a public waterway or public or private property, notify the Department of the status of the vessel. 3. A law enforcement agency that has custody of an abandoned vessel shall, if the agency knows or can reasonably

discover the name and address of the owner of the vessel or any person who holds a security interest in the vessel, notify the owner or the holder of the security interest of the location of the vessel and the method by which the vessel may be claimed. The notice must be sent by certified or registered mail. 4. If the abandoned vessel is held by a law enforcement agency as evidence in the investigation or prosecution of a criminal offense, the notice required by subsection 3 must be sent: (a) Upon the decision of the law enforcement agency or district attorney not to pursue or prosecute the case; (b) Upon the conviction of the person who committed the offense; or (c) If the case is otherwise terminated. 5. Failure to reclaim the vessel within 180 days after the date the notice is mailed constitutes a waiver of interest in the vessel by any person having an interest in the vessel and the vessel shall be deemed abandoned for all purposes. 6. If all recorded interests in a vessel are waived, as provided in subsection 5 or by written disclaimer, the Department may issue a certificate of ownership to the law enforcement agency that has custody of the vessel. If a certificate of ownership is to be issued to the law enforcement agency and the vessel is subject to the requirements for hull numbers prescribed by the United States Coast Guard but does not comply with those requirements, the Department shall assign a state hull number to the vessel. This subsection does not preclude the subsequent return of a vessel, or any component part thereof, by a law enforcement agency to the registered owner of the vessel upon presentation by the registered owner of satisfactory proof of ownership. 7. A law enforcement agency to which a certificate of ownership is issued pursuant to subsection 6 may use, sell or destroy the vessel, and shall keep a record of the disposition of the vessel. If the law enforcement agency: (a) Sells the vessel, all proceeds from the sale of the vessel become the property of the law enforcement agency. (b) Destroys the vessel, the law enforcement agency shall, within 10 days, give notice of the destruction of the vessel to the Department. (Added to NRS by 1993, 222; A 1999, 730; 2003, 1576; 2015, 38)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.295 - Duties of owner; records and equipment.

1. The owner of a boat livery shall keep a record of the name and address of the person or persons hiring any vessel which is designed or permitted by him or her to be operated as a power-driven vessel, the identification number thereof, the departure date and time, and the expected time of return. The record must be preserved for at least 6 months. 2. The owner of a boat livery or an agent or employee of the owner shall not permit any power-driven vessel, or any vessel designed or permitted by him or her to be operated as a power-driven vessel, to depart from his or her premises unless it has been provided, either by owner or renter, with the equipment required by NRS 488.187, 488.193 and 488.540 and any regulations adopted pursuant thereto. (Added to NRS by 1960, 479; A 1977, 138; 2009, 364)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.305 - Authority of Department to authorize events; regulations concerning safety; application for permission; reimbursement of Department; contents of application; compliance with federal law.

1. The Department may authorize the holding of regattas, vessel races, marine parades, tournaments or exhibitions on any waters of this state. The Commission shall adopt regulations concerning the safety of vessels and persons thereon, either observers or participants. 2. At least 30 days before a regatta, vessel race, marine parade, tournament or exhibition is proposed to be held, the person in charge thereof must file an application with the Department for permission to hold the regatta, vessel race, marine parade, tournament or exhibition. No such event may be conducted without the written authorization of the Department. 3. The Director of the Department may require an applicant, or the sponsor of the event, as a condition of the approval of a regatta, vessel race, marine parade, tournament or exhibition, to enter into an agreement to reimburse the Department for expenses incurred by the Department to ensure that the event is conducted safely, including, without limitation, expenses for equipment used, expenses for personnel and general operating expenses. 4. The application must set forth the date, time and location where it is proposed to hold the regatta, vessel race, marine parade, tournament or exhibition, the type of vessels participating, the number and kind of navigational aids required and the name of a person who will be present at the event to ensure that the conditions of the permit are satisfied. 5. The provisions of this section do not exempt any person from compliance with applicable federal law or regulation. (Added to NRS by 1960, 481; A 1965, 1067; 1971, 760; 1981, 167; 1985, 1969; 1989, 1774; 1993, 1652; 1999, 729; 2003, 1577; 2023, 543)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.310 - Display of diver's flag required; operation of vessel within 100 feet of flag prohibited; operation of vessel within 200 feet of flag limited; exception for emergencies.

1. A person shall display a diver's flag when diving or swimming below the water's surface with the aid of a breathing device. The diver's flag must be: (a) At least 12 inches in height by 12 inches in width with a red background and a white diagonal stripe that is one-fifth the width of the flag; (b) Attached to a float, buoy or boat which is visible to approaching vessels and which, between sunset and sunrise, has a light attached; and (c) Prominently displayed within 100 feet of the location of the diver or swimmer. 2. A person shall not display a diver's flag on the waters of this state unless he or she is diving or swimming below the water's surface with the aid of a breathing device, in the vicinity of the diver's flag. 3. Except in the case of an emergency, a person shall not operate a vessel other than the diver's support vessel within 100 feet of a diver's flag. 4. Except in the case of an emergency, a person who operates a vessel at a distance of more than 100 feet but less than 200 feet of a diver's flag shall operate that vessel at a speed that leaves a flat wake, but in no case may the vessel be operated at a speed greater than 5 nautical miles per hour. (Added to NRS by 1991, 853; A 1993, 1025)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.320 - Use of approved marine sanitation device required;

unlawful to discharge sewage; regulations; penalties.

1. A person shall not maintain or operate upon the waters of this State any vessel which is equipped with a marine sanitation device unless the device is approved by the United States Coast Guard and: (a) Is designed to prevent the overboard discharge of treated and untreated sewage; or (b) Is adequately secured to prevent the overboard discharge of treated and untreated sewage. 2. It is unlawful for any person to discharge or attempt to discharge sewage from a vessel into the waters of this State. 3. The Commission shall adopt regulations: (a) That it determines are necessary to carry out the provisions of this section; and (b) Establishing a schedule of civil penalties for various violations of this section and those regulations. 4. A person who violates any provision of this section or the regulations adopted pursuant to subsection 3: (a) Is guilty of a misdemeanor; and (b) In addition to any criminal penalty, is subject to: (1) The suspension of the certificate of number of his or her vessel for 180 consecutive days; and (2) A civil penalty of not less than \$250, as established in regulations adopted by the Commission, payable to the Department. 5. As used in this section, unless the context otherwise requires: (a) "Discharge" means to spill, leak, pump, pour, emit, empty or dump sewage into the water. (b) "Marine sanitation device" means a toilet facility which is installed on board a vessel and which is designed to receive, retain, treat or discharge sewage, and any process to treat that sewage. The term does not include portable devices which are designed to be carried onto and off of a vessel. (c) "Sewage" means wastes from the human body and wastes from toilets or other receptacles, including marine sanitation devices, designed to receive or retain wastes from the human body. (d) "Vessel" includes any watercraft or structure floating on the water, whether or not capable of self-locomotion, including houseboats, barges and similar structures. (Added to NRS by 1993, 56; A 2003, 1577)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.400 - Operation of vessel or manipulation of water skis or surfboard recklessly or while intoxicated or under influence of controlled substance prohibited.

1. A person shall not operate any vessel, or manipulate any water skis, surfboard or similar device in a reckless or negligent manner so as to endanger the life or property of any person. 2. A person shall not operate any vessel, or manipulate any water skis, surfboard or similar device while intoxicated or under the influence of any controlled substance, unless in accordance with a lawfully issued prescription. (Added to NRS by 1960, 480; A 1971, 2031; 1973, 8; 1985, 343; 1987, 1554; 1993, 2237; 1995, 1723; 2023, 544)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.405 - "Concentration of alcohol of 0.08 or more in his or her blood or breath" defined. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] "Concentration of alcohol of 0.10 or more in his or her blood or breath" defined. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

As used in NRS 488.410, 488.420 and 488.425, the phrase "concentration of alcohol of 0.08 or more in his or her blood or breath" means 0.08 gram or more per 100 milliliters of the blood of a person or per 210 liters of his or her breath. (Added to NRS by 1989, 292; A 1997, 330; 1999, 2462; 2003, 2563; 2005, 154) As used in NRS 488.410, 488.420 and 488.425, the phrase "concentration of alcohol of 0.10 or more in his or her blood or breath" means 0.10 gram or more per 100 milliliters of the blood of a person or per 210 liters of his or her breath. (Added to NRS by 1989, 292; A 1997, 330; 1999, 2462; 2003, 2563; 2005, 154, 155, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.410 - Unlawful acts; penalty. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Unlawful acts; penalty. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. It is unlawful for any person who: (a) Is under the influence of intoxicating liquor; (b) Has a concentration of alcohol of 0.08 or more in his or her blood or breath; or (c) Is found by measurement within 2 hours after operating or being in actual physical control of a power-driven vessel or sailing vessel under way to have a concentration of alcohol of 0.08 or more in his or her blood or breath, to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State. 2. It is unlawful for any person who: (a) Is under the influence of a controlled substance; (b) Is under the combined influence of intoxicating liquor and a controlled substance; or (c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely operating or exercising actual physical control of a power-driven vessel or sailing vessel under way, to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State. 3. It is unlawful for any person to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State with an amount of any of the following prohibited substances in his or her blood or urine that is equal to or greater than: Urine Blood Nanograms per Nanograms

per Prohibited substance milliliter milliliter (a) Amphetamine 500 100 (b) Cocaine 150 50 (c) Cocaine metabolite 150 50 (d) Heroin 2,000 50 (e) Heroin metabolite: (1) Morphine 2,000 50 (2) 6-monoacetyl morphine 10 10 (f) Lysergic acid diethylamide 25 10 (g) Methamphetamine 500 100 (h) Phencyclidine 25 10 4. For any violation that is punishable pursuant to NRS 488.427, it is unlawful for any person to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State with an amount of any of the following prohibited substances in his or her blood that is equal to or greater than: Blood Nanograms per Prohibited substance milliliter (a) Marijuana (delta-9-tetrahydrocannabinol) 2 (b) Marijuana metabolite (11-OH-tetrahydrocannabinol) 5 5. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after operating or being in actual physical control of the power-driven vessel or sailing vessel, as applicable, under way and before his or her blood was tested, to cause the defendant to have a concentration of 0.08 or more of alcohol in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 6. Except as otherwise provided in NRS 488.427, a person who violates the provisions of this section is guilty of a misdemeanor. (Added to NRS by 1987, 626; A 1993, 539; 1999, 2463, 3430; 2001, 172; 2003, 2563; 2005, 615; 2017, 309; 2021, 1463; 2023, 544) 1. It is unlawful for any person who: (a) Is under the influence of intoxicating liquor; (b) Has a concentration of alcohol of 0.10 or more in his or her blood or breath; or (c) Is found by measurement within 2 hours after operating or being in actual physical control of a power-driven vessel or sailing vessel under way to have a concentration of alcohol of 0.10 or more in his or her blood or breath, to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State. 2. It is unlawful for any person who: (a) Is under the influence of a controlled substance; (b) Is under the combined influence of intoxicating liquor and a controlled substance; or (c) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely operating or exercising actual physical control of a power-driven vessel or sailing vessel under way, to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State. 3. It is unlawful for any person to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State with an amount of any of the following prohibited substances in his or her blood or urine that is equal to or greater than: Urine Blood Nanograms per Nanograms per Prohibited substance milliliter milliliter (a) Amphetamine 500 100 (b) Cocaine 150 50 (c) Cocaine metabolite 150 50 (d) Heroin 2,000 50 (e) Heroin metabolite: (1) Morphine 2,000 50 (2) 6-monoacetyl morphine 10 10 (f) Lysergic acid diethylamide 25 10 (g) Methamphetamine 500 100 (h) Phencyclidine 25 10 4. For any violation that is punishable pursuant to NRS 488.427, it is unlawful for any person to operate or be in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State with an amount of any of the following prohibited substances in his or her blood that is equal to or greater than: Blood Nanograms per Prohibited substance milliliter (a) Marijuana (delta-9-tetrahydrocannabinol) 2 (b) Marijuana metabolite (11-OH-tetrahydrocannabinol) 5 5. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after operating or being in actual physical control of the power-driven vessel or sailing vessel, as applicable, under way and before his or her blood was tested, to cause the defendant to have a concentration of 0.10 or more of alcohol in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 6. Except as otherwise provided in NRS 488.427, a person who violates the provisions of this section is guilty of a misdemeanor. (Added to NRS by 1987, 626; A 1993, 539; 1999, 2463, 3430; 2001, 172; 2003, 2563; 2005, 615; 2017, 309; 2021, 1463; 2023, 544, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.420 - Penalty if death or substantial bodily harm results; exception; segregation of offender; plea bargaining prohibited; affirmative defense; aggravating factor. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Penalty if death or substantial bodily harm results; exception; segregation of offender; plea bargaining prohibited; affirmative defense; aggravating factor. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. Unless a greater penalty is provided pursuant to NRS 488.425, a person who: (a) Is under the influence of intoxicating liquor; (b) Has a concentration of alcohol of 0.08 or more in his or her blood or breath; (c) Is found by measurement within 2 hours after operating or being in actual physical control of a power-driven vessel or sailing vessel under way to have a concentration of alcohol of 0.08 or more in his or her blood or breath; (d) Is under the influence of a controlled substance or is under the combined influence of intoxicating liquor and a controlled substance; (e) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely operating or being in actual physical control of a power-driven vessel or sailing vessel under way; or (f) Has a prohibited substance in his or her blood or urine, as applicable, in an amount that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 488.410, and does any act or neglects any duty imposed by law while operating or being in actual physical control of any power-driven vessel

or sailing vessel under way, if the act or neglect of duty proximately causes the death of, or substantial bodily harm to, another person, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and shall be further punished by a fine of not less than \$2,000 nor more than \$5,000. A person so imprisoned must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security. 2. A prosecuting attorney shall not dismiss a charge of violating the provisions of subsection 1 in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the prosecuting attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. A sentence imposed pursuant to subsection 1 must not be suspended, and probation must not be granted. 3. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after operating or being in actual physical control of the power-driven vessel or sailing vessel, as applicable, under way and before his or her blood was tested, to cause the defendant to have a concentration of alcohol of 0.08 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 4. If a person less than 15 years of age was in the vessel at the time of the defendant's violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant. (Added to NRS by 1997, 327; A 1999, 2463, 3431; 2001, 172; 2003, 1495, 2564; 2005, 155; 2007, 1460; 2017, 310; 2023, 545) 1. Unless a greater penalty is provided pursuant to NRS 488.425, a person who: (a) Is under the influence of intoxicating liquor; (b) Has a concentration of alcohol of 0.10 or more in his or her blood or breath; (c) Is found by measurement within 2 hours after operating or being in actual physical control of a power-driven vessel or sailing vessel under way to have a concentration of alcohol of 0.10 or more in his or her blood or breath; (d) Is under the influence of a controlled substance or is under the combined influence of intoxicating liquor and a controlled substance; (e) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely operating or being in actual physical control of a power-driven vessel or sailing vessel under way; or (f) Has a prohibited substance in his or her blood or urine, as applicable, in an amount that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 488.410, and does any act or neglects any duty imposed by law while operating or being in actual physical control of any power-driven vessel or sailing vessel under way, if the act or neglect of duty proximately causes the death of, or substantial bodily harm to, another person, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years and shall be further punished by a fine of not less than \$2,000 nor more than \$5,000. A person so imprisoned must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security. 2. A prosecuting attorney shall not dismiss a charge of violating the provisions of subsection 1 in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the prosecuting attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. A sentence imposed pursuant to subsection 1 must not be suspended, and probation must not be granted. 3. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after operating or being in actual physical control of the power-driven vessel or sailing vessel, as applicable, under way, and before his or her blood was tested, to cause the defendant to have a concentration of alcohol of 0.10 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 4. If a person less than 15 years of age was in the vessel at the time of the defendant's violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant. (Added to NRS by 1997, 327; A 1999, 2463, 3431; 2001, 172; 2003, 1495, 2564; 2005, 155; 2007, 1460; 2017, 310; 2023, 545, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.425 - Homicide by vessel: Penalty; segregation of offender; plea bargaining prohibited; affirmative defense; aggravating factor. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.] Homicide by vessel: Penalty; segregation of offender; plea bargaining prohibited; affirmative defense; aggravating factor. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

1. A person commits homicide by vessel if the person: (a) Operates or is in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State and: (1) Is under the influence of intoxicating liquor; (2) Has a concentration of alcohol of 0.08 or more in his or her blood or breath; (3) Is found by measurement within 2 hours after operating or being in actual physical control of a power-driven vessel or sailing vessel under way to have a concentration of alcohol of 0.08 or more in his or her blood or breath; (4) Is under the influence of a controlled substance or is under the combined influence of intoxicating liquor and a controlled substance; (5) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or

combination of any of these, to a degree which renders the person incapable of safely operating or exercising actual physical control of a power-driven vessel or sailing vessel under way; or (6) Has a prohibited substance in his or her blood or urine, as applicable, in an amount that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 488.410; (b) Proximately causes the death of another person while operating or in actual physical control of a power-driven vessel or sailing vessel under way; and (c) Has previously been convicted of at least three offenses. 2. A person who commits homicide by vessel is guilty of a category A felony and shall be punished by imprisonment in the state prison: (a) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or (b) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served. 3. A person imprisoned pursuant to subsection 2 must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security. 4. A prosecuting attorney shall not dismiss a charge of homicide by vessel in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the prosecuting attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. A sentence imposed pursuant to subsection 2 may not be suspended nor may probation be granted. 5. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under subparagraph (3) of paragraph (a) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after operating or being in actual physical control of the power-driven vessel or sailing vessel, as applicable, under way and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.08 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 6. If the defendant was transporting a person who is less than 15 years of age in the power-driven vessel or sailing vessel, as applicable, under way at the time of the violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant. 7. As used in this section, "offense" means: (a) A violation of NRS 488.410 or 488.420; (b) A homicide resulting from operating or being in actual physical control of a power-driven vessel or sailing vessel under way while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by this section or NRS 488.410 or 488.420; or (c) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a) or (b). (Added to NRS by 2005, 153; A 2007, 1461; 2017, 311; 2023, 546)

1. A person commits homicide by vessel if the person: (a) Operates or is in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State and: (1) Is under the influence of intoxicating liquor; (2) Has a concentration of alcohol of 0.10 or more in his or her blood or breath; (3) Is found by measurement within 2 hours after operating or being in actual physical control of a power-driven vessel or sailing vessel under way to have a concentration of alcohol of 0.10 or more in his or her blood or breath; (4) Is under the influence of a controlled substance or is under the combined influence of intoxicating liquor and a controlled substance; (5) Inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders the person incapable of safely operating or exercising actual physical control of a power-driven vessel or sailing vessel under way; or (6) Has a prohibited substance in his or her blood or urine, as applicable, in an amount that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 488.410; (b) Proximately causes the death of another person while operating or in actual physical control of a power-driven vessel or sailing vessel under way; and (c) Has previously been convicted of at least three offenses. 2. A person who commits homicide by vessel is guilty of a category A felony and shall be punished by imprisonment in the state prison: (a) For life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or (b) For a definite term of 25 years, with eligibility for parole beginning when a minimum of 10 years has been served. 3. A person imprisoned pursuant to subsection 2 must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security. 4. A prosecuting attorney shall not dismiss a charge of homicide by vessel in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the prosecuting attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. A sentence imposed pursuant to subsection 2 may not be suspended nor may probation be granted. 5. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under subparagraph (3) of paragraph (a) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after operating or being in actual physical control of the power-driven vessel or sailing vessel, as applicable, under way and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.10 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent. 6. If the defendant was transporting a person who is less than 15 years of age in the power-driven vessel or sailing vessel, as applicable, under way at the time of the violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant. 7. As used in this section, "offense" means: (a) A violation of NRS 488.410 or 488.420; (b) A homicide resulting from operating or being in actual physical control of a power-driven vessel or sailing vessel under way while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by this section or NRS 488.410 or 488.420; or (c) A violation of a law of any other jurisdiction that prohibits the same or similar conduct as set forth in paragraph (a) or (b). (Added to NRS by 2005, 153, 174; A 2007, 1461, 1462; 2017, 311; 2023, 546, effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.427 - Penalty for second or subsequent felony; exception; segregation of offender; plea bargaining prohibited; aggravating factor.

1. Unless a greater penalty is provided pursuant to NRS 488.425, a person who violates the provisions of NRS 488.410 and who has previously been convicted of a violation of NRS 488.420 or 488.425 or a violation of the law of any other jurisdiction that prohibits the same or similar conduct as set forth in NRS 488.420 or 488.425 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and shall be further punished by a fine of not less than \$2,000 nor more than \$5,000. An offender so imprisoned must, insofar as practicable, be segregated from offenders whose crimes were violent and, insofar as practicable, be assigned to an institution or facility of minimum security. 2. The facts concerning a prior violation of NRS 488.420 or 488.425 must be alleged in the complaint, indictment or information, must not be read to the jury or proved at trial but must be proved at the time of sentencing. 3. A prosecuting attorney shall not dismiss a charge of violating the provisions of NRS 488.410 against a person previously convicted of violating NRS 488.420 or 488.425 in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the prosecuting attorney knows or it is obvious that the charge is not supported by probable cause or cannot be proved at the time of trial. A sentence imposed pursuant to subsection 1 must not be suspended, and probation must not be granted. 4. If a person less than 15 years of age was in the vessel at the time of the defendant's violation, the court shall consider that fact as an aggravating factor in determining the sentence of the defendant. (Added to NRS by 2005, 615; A 2005, 22nd Special Session, 105; 2007, 1464)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.430 - Evaluation of certain offenders before sentencing.

1. Before sentencing a defendant pursuant to NRS 488.420, 488.425 or 488.427, the court shall require that the defendant be evaluated to determine whether the defendant has an alcohol or other substance use disorder and whether the defendant can be treated successfully for his or her condition. 2. The evaluation must be conducted by: (a) An alcohol and drug counselor who is licensed or certified, or a clinical alcohol and drug counselor who is licensed, pursuant to chapter 641C of NRS, to make such an evaluation; (b) A physician who is certified to make such an evaluation by the Board of Medical Examiners; or (c) A psychologist who is certified to make such an evaluation by the Board of Psychological Examiners. 3. The alcohol and drug counselor, clinical alcohol and drug counselor, physician or psychologist who conducts the evaluation shall immediately forward the results of the evaluation to the Director of the Department of Corrections. (Added to NRS by 1997, 328; A 1999, 1886, 3074; 2001 Special Session, 246; 2005, 156, 616; 2007, 3093)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.440 - Fee for chemical analysis.

1. If a defendant pleads guilty or guilty but mentally ill to, or is found guilty or guilty but mentally ill of, a violation of NRS 488.410, 488.420 or 488.425 and a chemical analysis of his or her blood, urine, breath or other bodily substance was conducted, the court shall, in addition to any penalty provided by law, order the defendant to pay the sum of \$60 as a fee for the chemical analysis. Except as otherwise provided in this subsection, any money collected for the chemical analysis must not be deducted from, and is in addition to, any fine otherwise imposed by the court and must be: (a) Collected from the defendant before or at the same time that the fine is collected. (b) Stated separately in the judgment of the court or on the court's docket. 2. All money collected pursuant to subsection 1 must be paid by the clerk of the court to the county or city treasurer, as appropriate, on or before the fifth day of each month for the preceding month. 3. The treasurer shall deposit all money received pursuant to subsection 2 in the county or city treasury, as appropriate, for credit to the fund for forensic services created pursuant to NRS 453.575. The money must be accounted for separately within the fund. 4. Except as otherwise provided in subsection 5, each month the treasurer shall, from the money credited to the fund pursuant to subsection 3, pay any amount owed for forensic services and deposit any remaining money in the county or city general fund, as appropriate. 5. In counties that do not receive forensic services under a contract with the State, the money credited to the fund pursuant to subsection 3: (a) Except as otherwise provided in paragraph (b), must be: (1) Expended to pay for the chemical analyses performed within the county; (2) Expended to purchase and maintain equipment to conduct such analyses; (3) Expended for the training and continuing education of the employees who conduct such analyses; and (4) Paid to law enforcement agencies which conduct such analyses to be used by those agencies in the manner provided in this subsection. (b) May only be expended to cover the costs of chemical analyses conducted by, equipment used by or training for employees of an analytical laboratory that is approved by the Committee on Testing for Intoxication created in NRS 484C.600. (Added to NRS by 1997, 328; A 2003, 1496; 2005, 157; 2007, 1464)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.450 - Implied consent to preliminary test of breath; failure to submit to test; use of results of test.

1. Any person who operates or is in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State shall be deemed to have given consent to a preliminary test of his or her breath to determine the concentration of alcohol in his or her breath when the test is administered at the request of a peace officer after a power-driven vessel or sailing vessel accident or collision while under way or where an officer stops a power-driven vessel or sailing vessel under way, if the officer has reasonable grounds to believe that the person to be tested was: (a) Operating or in actual physical control of a power-driven vessel or sailing vessel under way while under the influence of intoxicating liquor or a controlled substance; or (b) Engaging in any other conduct

prohibited by NRS 488.410, 488.420 or 488.425. 2. If the person fails to submit to the test, the officer shall, if reasonable grounds otherwise exist, arrest the person and take him or her to a convenient place for the administration of a reasonably available evidentiary test under NRS 488.460. 3. The result of the preliminary test must not be used in any criminal action, except to show there were reasonable grounds to make an arrest. (Added to NRS by 1997, 329; A 1999, 2464, 3432; 2001, 172; 2005, 157; 2015, 2542; 2023, 548)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.460 - Implied consent to evidentiary test; exemption from blood test; choice of test; circumstances in which peace officer may request person to submit to blood test; restrictions on requesting urine test; failure to submit to test; notification of parent or guardian of minor requested to submit to test.

1. Except as otherwise provided in subsections 3 and 4, a person who operates or is in actual physical control of a power-driven vessel or sailing vessel under way on the waters of this State shall be deemed to have given consent to an evidentiary test of his or her blood, urine, breath or other bodily substance to determine the concentration of alcohol in his or her blood or breath or to determine whether a controlled substance, chemical, poison, organic solvent or another prohibited substance is present, if such a test is administered at the request of a peace officer having reasonable grounds to believe that the person to be tested was: (a) Operating or in actual physical control of a power-driven vessel or sailing vessel under way while under the influence of intoxicating liquor or a controlled substance or with a prohibited substance in his or her blood or urine; or (b) Engaging in any other conduct prohibited by NRS 488.410, 488.420 or 488.425. 2. If the person to be tested pursuant to subsection 1 is dead or unconscious, the officer shall direct that samples of blood from the person be tested. 3. Any person who is afflicted with hemophilia or with a heart condition requiring the use of an anticoagulant as determined by a physician is exempt from any blood test which may be required pursuant to this section, but must, when appropriate pursuant to the provisions of this section, be required to submit to a breath or urine test. 4. If the concentration of alcohol of the blood or breath of the person to be tested is in issue: (a) Except as otherwise provided in this section, the person may refuse to submit to a blood test if means are reasonably available to perform a breath test. (b) The person may request a blood test, but if means are reasonably available to perform a breath test when the blood test is requested, and the person is subsequently convicted, the person must pay for the cost of the blood test, including the fees and expenses of witnesses whose testimony in court is necessary because of the use of the blood test. The expenses of such a witness may be assessed at an hourly rate of not less than: (1) Fifty dollars for travel to and from the place of the proceeding; and (2) One hundred dollars for giving or waiting to give testimony. (c) Except as otherwise provided in NRS 488.470, not more than three samples of the person's blood or breath may be taken during the 5-hour period immediately following the time of the initial arrest. 5. Except as otherwise provided in subsection 6, if the presence of a controlled substance, chemical, poison, organic solvent or another prohibited substance in the blood or urine of the person is in issue, the officer may request that the person submit to a blood or urine test, or both. 6. If the presence of marijuana in the blood of the person is in issue, the officer may request that the person submit to a blood test. 7. Except as otherwise provided in subsections 3 and 5, a peace officer shall not request that a person submit to a urine test. 8. If a person to be tested fails to submit to a required test as requested by a peace officer pursuant to this section and the officer has reasonable grounds to believe that the person to be tested was: (a) Operating or in actual physical control of a power-driven vessel or sailing vessel under way while under the influence of intoxicating liquor or a controlled substance or with a prohibited substance in his or her blood or urine; or (b) Engaging in any other conduct prohibited by NRS 488.410, 488.420 or 488.425, the officer may apply for a warrant or court order directing that reasonable force be used to the extent necessary to obtain samples of blood from the person to be tested. 9. If a person who is less than 18 years of age is requested to submit to an evidentiary test pursuant to this section, the officer shall, before testing the person, make a reasonable attempt to notify the parent, guardian or custodian of the person, if known. (Added to NRS by 1987, 627; A 1993, 146, 2077; 1997, 330; 1999, 2465, 3433; 2001, 172; 2005, 158; 2009, 1875; 2015, 2543; 2017, 312; 2023, 548)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.470 - Requirements for evidentiary test of breath to determine concentration of alcohol in breath; refusal or failure to submit to test.

1. Except as otherwise provided in subsection 2, an evidentiary test of breath to determine the concentration of alcohol in a person's breath may be used to establish that concentration only if two consecutive samples of the person's breath are taken and: (a) The difference between the concentration of alcohol in the person's breath indicated by the two samples is less than or equal to 0.02; (b) If the provisions of paragraph (a) do not apply, a third evidentiary test of breath is administered and the difference between the concentration of alcohol in the person's breath indicated by the third sample and one of the first two samples is less than or equal to 0.02; or (c) If the provisions of paragraphs (a) and (b) do not apply, a fourth evidentiary test is administered. Except as otherwise provided in NRS 488.460, the fourth evidentiary test must be a blood test. 2. If the person fails to provide the second or third consecutive sample, or to submit to the fourth evidentiary test, the results of the first test may be used alone as evidence of the concentration of alcohol in the person's breath. If for some other reason a second, third or fourth sample is not obtained, the results of the first test may be used with all other evidence presented to establish the concentration. 3. If a person refuses or otherwise fails to provide a second or third consecutive sample or submit to a fourth evidentiary test, such refusal or failure constitutes a failure to submit to a required evidentiary test as provided in NRS 488.460. (Added to NRS by 1997, 329; A 1999, 2466; 2015, 2544)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.480 - Admissibility of evidence of failure to submit to evidentiary test and results of test; availability of results of test; presumption of accuracy and reliability of testing device;

judicial notice of certification of operator of testing device; other evidence not precluded.

1. If a person refuses to submit to a required chemical test provided for in NRS 488.450 or 488.460, evidence of that refusal is admissible in any criminal action arising out of acts alleged to have been committed while the person was: (a) Operating or in actual physical control of a power-driven vessel or sailing vessel under way while under the influence of intoxicating liquor or a controlled substance; or (b) Engaging in any other conduct prohibited by NRS 488.410, 488.420 or 488.425. 2. Except as otherwise provided in subsection 3 of NRS 488.450, a court may not exclude evidence of a required test or failure to submit to such a test if the peace officer or other person substantially complied with the provisions of NRS 488.450 to 488.500, inclusive. 3. If a person submits to a chemical test provided for in NRS 488.450 or 488.460, full information concerning that test must be made available, upon request, to the person or the person's attorney. 4. Evidence of a required test is not admissible in a criminal proceeding unless it is shown by documentary or other evidence that the device for testing a person's breath or other sample was certified pursuant to NRS 484C.610 or 484C.640, as applicable, and was calibrated, maintained and operated as provided by the regulations of the Committee on Testing for Intoxication adopted pursuant to NRS 484C.620, 484C.630 or 484C.640. 5. If the device for testing a person's breath or other sample has been certified by the Committee on Testing for Intoxication to be accurate and reliable pursuant to NRS 484C.610 or 484C.640, it is presumed that, as designed and manufactured, the device is accurate and reliable for the purpose of testing a person's breath or other sample to determine the concentration of alcohol, a controlled substance or another prohibited substance in the person's breath or other sample. 6. A court shall take judicial notice of the certification by the Director of a person to operate testing devices of one of the certified types. If a test to determine the amount of alcohol, a controlled substance or another prohibited substance in a person's breath or other sample has been performed with a certified type of device by a person who is certified pursuant to NRS 484C.630 or 484C.640, it is presumed that the person operated the device properly. 7. This section does not preclude the admission of evidence of a test of a person's breath or other sample where the: (a) Information is obtained through the use of a device other than one of a type certified by the Committee on Testing for Intoxication. (b) Test has been performed by a person other than one who is certified by the Director. 8. As used in this section, "Director" means the Director of the Department of Public Safety. (Added to NRS by 1987, 628; A 1993, 2078; 1997, 331; 1999, 1033, 2466, 3434, 3440; 2001, 172; 2005, 60, 159; 2023, 549, 3264)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.490 - Opportunity of arrested person to choose qualified person to administer test; substitution for evidentiary test prohibited.

1. A person who is arrested for operating or being in actual physical control of a power-driven vessel or sailing vessel under way while under the influence of intoxicating liquor or a controlled substance or for engaging in any other conduct prohibited by NRS 488.410, 488.420 or 488.425 must be permitted, upon the person's request and at his or her expense, reasonable opportunity to have a qualified person of his or her own choosing administer a chemical test to determine: (a) The concentration of alcohol in his or her blood or breath; or (b) Whether a controlled substance, chemical, poison, organic solvent or another prohibited substance is present in his or her blood or urine. 2. The failure or inability to obtain such a test does not preclude the admission of evidence relating to the refusal to submit to a test or relating to a test taken upon the request of a peace officer. 3. A test obtained under the provisions of this section may not be substituted for or stand in lieu of the test required by NRS 488.460. (Added to NRS by 1987, 628; A 1999, 2467, 3435; 2001, 172; 2005, 160; 2023, 550)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.500 - Admissibility of results of blood test in criminal action; immunity from liability for person administering blood test in certain circumstances.

1. The results of any blood test administered under the provisions of NRS 488.460 or 488.490 are not admissible in any criminal action arising out of acts alleged to have been committed by a person who was operating or in actual physical control of a power-driven vessel or sailing vessel under way while under the influence of intoxicating liquor or a controlled substance or with a prohibited substance in his or her blood or urine or who was engaging in any other conduct prohibited by NRS 488.410, 488.420 or 488.425 unless: (a) The blood tested was withdrawn by a person, other than an arresting officer, who: (1) Is a physician, registered nurse, licensed practical nurse, advanced emergency medical technician, paramedic or a phlebotomist, technician, technologist or assistant employed in a medical laboratory; or (2) Has special knowledge, skill, experience, training and education in withdrawing blood in a medically acceptable manner, including, without limitation, a person qualified as an expert on that subject in a court of competent jurisdiction or a person who has completed a course of instruction that qualifies him or her to take an examination in phlebotomy that is administered by the American Medical Technologists or the American Society for Clinical Pathology; and (b) The test was performed on whole blood, except if the sample was clotted when it was received by the laboratory, the test may be performed on blood serum or plasma. 2. The limitation contained in paragraph (a) of subsection 1 does not apply to the taking of a chemical test of the urine, breath or other bodily substance. 3. No person listed in paragraph (a) of subsection 1 incurs any civil or criminal liability as a result of the administering of a blood test when requested by a peace officer or the person to be tested to administer the test. (Added to NRS by 1987, 628; A 1999, 3435; 2005, 160, 2043; 2013, 106, 964; 2015, 2545; 2023, 550)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.510 - Presumption that solution or gas used to calibrate or verify calibration of device for testing breath is properly prepared.

If: 1. A manufacturer or technician in a laboratory prepares a chemical solution or gas to be used in calibrating, or to verify the

calibration of, a device for testing a person's breath to determine the concentration of alcohol in his or her breath; and 2. A person who is certified pursuant to NRS 484C.620 examines the solution or gas, confirms the concentration of alcohol contained in the solution or gas and makes an affidavit or declaration that identifies the concentration of alcohol contained in the solution or gas and states that the solution or gas has the chemical composition that is necessary for use in accurately calibrating, or verifying the calibration of, the device, it is presumed that the solution or gas has been properly prepared and is suitable for use in calibrating, or verifying the calibration of, the device. (Added to NRS by 1987, 629; A 1993, 2079; 1999, 2467; 2013, 289)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.520 - Analysis of blood of deceased victim of accident involving vessel to determine presence and concentration of alcohol.

1. Any coroner, or other public officer performing like duties, shall in all cases in which a death has occurred as a result of an accident involving a power-driven vessel or sailing vessel under way on the waters of this state, whether the person killed is the operator of the vessel or a passenger or other person, cause to be drawn from each decedent, within 8 hours after the accident, a blood sample to be analyzed for the presence and concentration of alcohol. 2. The findings of the examinations are a matter of public record and must be reported to the Commission by the coroner or other public officer within 30 days after the death. 3. Analyses of blood alcohol are acceptable only if made by laboratories licensed to perform this function. (Added to NRS by 1987, 629; A 1999, 2468; 2023, 551)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.530 - Unlawful acts; inspections; authority of peace officers.

1. It is unlawful for any person at any time to: (a) Launch a vessel into any body of water in this State for which the Department has approved an inspection program without first complying with that program; (b) Refuse to comply with any requirements of the Department or any requirements of an inspection program approved by the Department; or (c) Leave an impaired body of water in this State or any other state after operating a vessel on that impaired body of water and launch the vessel on any other body of water in this State without first decontaminating the vessel and any conveyance used on the impaired body of water. 2. In addition to any inspection conducted pursuant to NRS 488.900, each owner, operator or person in control of a vessel or conveyance shall stop at any mandatory inspection station for aquatic invasive species authorized by the Department. If a peace officer reasonably believes, based on articulable facts, that an aquatic invasive species or aquatic plant material may be present on the vessel or conveyance, the peace officer may: (a) Require the owner, operator or person in control of the vessel or conveyance to decontaminate the vessel or conveyance; or (b) In addition to any seizure required pursuant to NRS 488.910, impound or quarantine the vessel or conveyance. 3. A peace officer may stop and inspect a vessel or conveyance for the presence of aquatic invasive species or aquatic plant material, or for proof of a required inspection: (a) Before a vessel is launched into a body of water in this State; (b) Before a vessel or conveyance departs from a body of water in this State, a launch ramp or a vessel staging area; (c) If the vessel or conveyance is visibly transporting any aquatic invasive species or aquatic plant material; or (d) If the peace officer reasonably believes, based on articulable facts, that an aquatic invasive species or aquatic plant material is present. 4. If a peace officer conducts an inspection of a vessel or conveyance pursuant to this section and determines that an aquatic invasive species or aquatic plant material is present on the vessel or conveyance, the peace officer may order the vessel or conveyance to be decontaminated. 5. A peace officer may impound or quarantine a vessel if: (a) An inspection conducted pursuant to this section indicates the presence of an aquatic invasive species or aquatic plant material on the vessel or conveyance; or (b) The owner, operator or person in control of the vessel or conveyance refuses to: (1) Submit to an inspection authorized pursuant to this section; or (2) Comply with an order issued pursuant to this section to decontaminate his or her vessel or conveyance. 6. As used in this section, "impaired body of water" means any body of water in this State or any other state which the Commission or another governmental entity has identified as containing an aquatic invasive species. (Added to NRS by 2011, 2402)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.533 - Impoundment or quarantine.

1. If a peace officer orders a vessel or conveyance to be impounded or quarantined pursuant to NRS 488.530, the vessel or conveyance may be impounded or quarantined for a reasonable period to ensure that the vessel or conveyance is inspected and decontaminated and that any aquatic invasive species or aquatic plant material is completely removed. 2. The owner of a vessel or conveyance which is impounded or quarantined is responsible for all costs associated with the impoundment or quarantine. 3. The Department may suspend the certificate of number or validation decal of an impounded or quarantined vessel until: (a) The operator or owner of the vessel has completed the decontamination of the vessel; and (b) The Department has inspected the vessel and determined that it is in compliance with NRS 488.530. (Added to NRS by 2011, 2403)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.536 - Fees; decal; regulations; exceptions.

1. Except as otherwise provided in subsection 7, a person shall not operate a vessel on the waters of this State unless the person has: (a) Paid to the Department the aquatic invasive species fee established pursuant to subsection 4; and (b) Attached the aquatic invasive species decal issued pursuant to subsection 2 to the port side transom of the vessel so that the decal is distinctly visible. 2. The Department shall issue to a person who pays the fee established pursuant to subsection 4 an aquatic invasive species decal as evidence of the payment of the aquatic invasive species fee. 3. The Department shall fix a day and month of the year on which an aquatic invasive species decal expires. Only a valid decal may be displayed on a vessel. 4. The Commission shall establish by

regulation an annual aquatic invasive species fee, which: (a) For a power-driven vessel which is owned by a person in this State or operated by a person on the waters of this State, must not exceed \$12; and (b) For a vessel, other than a power-driven vessel, which is owned by a person in this State or operated by a person on the waters of this State, must not exceed \$5. 5. Each aquatic invasive species decal is valid for 1 year, or 2 years if allowed by regulations adopted by the Commission. The Commission may adopt regulations for the renewal of an aquatic invasive species decal. The fee for the issuance or renewal of the decal for 2 years, if allowed, is an amount which is equal to twice the annual fee set forth in subsection 4. The fee for the issuance or renewal of an aquatic invasive species decal must be deposited in the Wildlife Account in the State General Fund and used by the Department for enforcement of this section and NRS 488.530, 488.533 and 503.597 and for education about and management of aquatic invasive species. 6. The provisions of this section do not apply to a person who operates a vessel on the waters of: (a) The Colorado River, Lake Mead or Lake Mohave if, as determined by the Department, the vessel is registered in Arizona and Arizona has a program in effect for the management of aquatic invasive species; or (b) Lake Tahoe or Topaz Lake if, as determined by the Department, the vessel is registered in California and California has a program in effect for the management of aquatic invasive species. (Added to NRS by 2011, 2403; A 2013, 433; 2015, 104; 2017, 3641)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.540 - Commission may establish and maintain pilot rules; operator to maintain proper lookout; operation of vessel without required equipment prohibited.

1. The Commission may establish and maintain for the operation of vessels on the waters of this state pilot rules in conformity with the pilot rules contained in Federal Navigation Laws or the navigation rules promulgated by the United States Coast Guard. 2. A person shall operate a vessel in this state in conformance with the pilot rules adopted by the Commission. 3. The operator of any vessel in this state shall maintain a proper lookout for other vessels, obstructions or hazards. An operator of a vessel who fails to maintain a proper lookout and causes injury to another person or property damage to another vessel is guilty of a misdemeanor. 4. A person shall not operate or give permission for the operation of a vessel which is not equipped as required by this section and NRS 488.187 and 488.193. (Added to NRS by 1977, 138; A 1985, 343; 1989, 1773; 2009, 365)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.550 - Collisions, accidents and other casualties.

1. The operator of a vessel involved in a collision, accident or other casualty shall, so far as the operator can do so without serious danger to his or her own vessel, crew and passengers, render to other persons affected by the casualty such assistance as may be practicable and as may be necessary to save them from or minimize any danger caused by the casualty, and shall give his or her name, address and the identification of his or her vessel in writing to any person injured and to the owner of any property damaged in the casualty. 2. In the case of collision, accident or other casualty involving a vessel, the operator thereof, if the casualty results in death or injury to a person or damage to property in excess of \$2,000, shall file with the Department a full description of the casualty, including, without limitation, such information as the Commission may, by regulation, require. 3. Upon receipt of a claim under a policy of insurance with respect to a collision, accident or other casualty for which a report is required by subsection 2, the insurer shall provide written notice to the insured of the insured's responsibility pursuant to subsection 2 to file with the Department a full description of the casualty. 4. Upon receipt of a request for repair with respect to a collision, accident or other casualty for which a report is required by subsection 2, the person who repairs the vessel shall provide written notice to the person requesting the repairs of the requirement set forth in subsection 2 that the operator file with the Department a full description of the casualty. 5. The insurer and the person who repairs a vessel shall transmit a copy of each notice they provide pursuant to subsections 3 and 4, respectively, to the Department at the same time the notice is provided to the insured or person requesting the repairs. 6. The Department shall investigate or cause to be investigated a collision, accident or other casualty involving a vessel which results in death or substantial bodily injury and shall gather evidence to be used in the prosecution of a person charged with violating a law in connection with the collision, accident or other casualty. The Department may investigate or cause to be investigated a collision, accident or other casualty involving a vessel which does not result in death or substantial bodily injury and may gather evidence to be used in the prosecution of a person charged with violating a law in connection with the collision, accident or other casualty. (Added to NRS by 1960, 480; A 1965, 1066; 1971, 760; 1983, 334; 1985, 1968; 1993, 1651, 2015; 1999, 712; 2003, 1578; 2013, 1300)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.560 - Transmittal of information regarding collision or accident to federal agency.

In accordance with any request made by an authorized official or agency of the United States, any information compiled or otherwise available to the Department pursuant to NRS 488.550 must be transmitted to the official or agency of the United States. (Added to NRS by 1960, 480; A 1965, 1066; 1971, 760; 1985, 1969; 1993, 1651; 2003, 1579)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.570 - Operation of vessel towing person on water skis, surfboard, inflatable device or similar device; operation of vessel within 100 feet of person being towed.

1. A person shall not operate a vessel on any waters of this state towing a person on water skis, a surfboard, an inflatable device or any similar device unless the operator: (a) Is at least 16 years of age; or (b) Is at least 14 years of age, if a passenger in the vessel is a person who is 18 years of age or older and is in a position to supervise the operator. 2. A person shall not operate a vessel on any

waters of this state towing a person on water skis, a surfboard, an inflatable device or any similar device unless there is in the vessel a person, in addition to the operator, who is in a position to observe the person being towed and is: (a) At least 14 years of age; or (b) At least 12 years of age, if another passenger in the vessel is a person who is 18 years of age or older. The observer shall continuously observe the person being towed and shall immediately display so as to be visible from every direction, an international orange flag of at least 12 inches in height by 12 inches in width when the person being towed is getting ready to be towed and has a rope or line extended to him or her, or ceases to be towed and is in the water awaiting pickup by the vessel. 3. When within 100 feet of the person in the water, every vessel, other than the vessel towing the person, must be operated at a speed that leaves a flat wake, but in no case may it be operated at a speed greater than 5 nautical miles per hour. 4. A person shall not operate a vessel on any waters of this state towing a person on water skis, a surfboard or similar device, or engage in waterskiing, surfboarding or similar activity from sunset to sunrise, as established by the Nautical Almanac Office, United States Naval Observatory, Washington, D.C. 5. The provisions of this section do not apply to a performer engaged in a professional exhibition or a person engaged in an activity authorized under NRS 488.305. (Added to NRS by 1960, 480; A 1965, 1066; 1975, 647; 1985, 343; 1987, 764; 1991, 856; 2009, 365)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.575 - Wearing of life jacket by passenger younger than 13 years of age: Duty of person who operates, owns or controls vessel; exceptions.

1. Except as otherwise provided in subsection 2, a person shall not operate or authorize another person to operate a vessel under his or her ownership or control on any waters of this State unless each person on the vessel who is less than 13 years of age is wearing a life jacket of an appropriate size and type for the person for whom it is intended that has been approved by the United States Coast Guard and meets any requirements prescribed by the regulations of the Commission while the vessel is under way. 2. The provisions of subsection 1 do not apply to persons on board: (a) A commercial vessel licensed by the United States Coast Guard for the transportation of passengers for hire; or (b) Any other vessel who are below the deck or inside a cabin of the vessel. (Added to NRS by 2001, 1948; A 2007, 1721; 2023, 551)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.580 - Operation of personal watercraft.

1. A person shall not operate or authorize another person to operate a personal watercraft under his or her ownership or control: (a) In a reckless or negligent manner so as to endanger the life or property of another person. (b) Unless the operator and each passenger is wearing a life jacket of an appropriate size and type for the person for whom it was intended that has been approved by the United States Coast Guard and meets any requirements prescribed by the regulations of the Commission. (c) Unless the operator is at least 14 years of age. (d) Unless the operator satisfies any applicable provisions of NRS 488.730. 2. There is prima facie evidence that a person is operating a personal watercraft in a reckless or negligent manner if that person commits two or more of the following acts simultaneously: (a) Operates the personal watercraft within a zone closer than 5 lengths of the longest vessel, unless both are leaving a flat wake or traveling at a speed of not more than 5 nautical miles per hour. (b) Operates the personal watercraft in the vicinity of a power-driven vessel in a manner that obstructs the visibility of either operator. (c) Heads into the wake of a power-driven vessel which is within a zone closer than 5 lengths of the longest vessel and causes one-half or more of the length of the personal watercraft to leave the water. (d) Within a zone closer than 5 lengths of the longest vessel, maneuvers quickly, turns sharply or swerves, unless the maneuver is necessary to avoid collision. 3. As used in this section, "personal watercraft" means: (a) A class A power-driven vessel which: (1) Is less than 13 feet in length; (2) Is designed to be operated by a person sitting, standing or kneeling on, rather than in, the power-driven vessel; (3) Is capable of performing sharp turns or quick maneuvers; and (4) Has a motor that exceeds 10 horsepower. (b) A mechanically propelled personal hydrofoil or motorized surfboard. (Added to NRS by 1991, 852; A 2001, 1719, 1948; 2003, 74; 2023, 552)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.585 - Use of engine cut-off switch link required under certain circumstances; attachment of engine cut-off switch link.

1. A person who operates a recreational power-driven vessel that: (a) Is less than 26 feet overall in length; (b) Has a main helm that is not installed within an enclosed cabin; (c) Is capable of developing 115 pounds or more of static thrust; and (d) Is equipped with an engine cut-off switch or built on or after December 4, 2019, shall use the engine cut-off switch link when the vessel is on plane or above displacement speed. 2. A person shall not operate a recreational power-driven vessel that is equipped with an engine cut-off switch unless the operator has attached the engine cut-off switch link to his or her body, clothing or properly worn personal flotation device. 3. As used in this section: (a) "Engine cut-off switch" means a switch that, when activated in an emergency, provides the means to stop the mechanical propulsion system. (b) "Engine cut-off switch link" means a device designed to attach the operator of a vessel to the system that stops the engine under emergency conditions. The term includes a lanyard or other mechanical device and a wireless cut-off device. (c) "Static thrust" means the forward or backward thrust developed by propulsion machinery while stationary. (Added to NRS by 2007, 405; A 2023, 552)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.590 - Overloading vessel prohibited.

No owner or operator of any vessel shall knowingly permit such vessel to be loaded with passengers or cargo beyond the maximum allowable weight capacity of such vessel, nor beyond its safe carrying capacity, taking into consideration weather and other

operating conditions. (Added to NRS by 1957, 570; A 1960, 483)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.600 - Unlawful operation of vessel: Reduced speed required in certain areas.

Every owner, operator or person in command of any vessel is guilty of a misdemeanor who operates it or permits it to be operated at a speed in excess of 5 nautical miles per hour in any of the following areas: 1. Within 100 feet of any person who is engaged in the act of bathing, wading, diving, floating or swimming. 2. Within 200 feet of any: (a) Beach frequented by persons who engage in the acts of bathing, wading, diving, floating or swimming. (b) Swimming float, diving platform or lifeline. (c) Way or landing float to which vessels are made fast or which is used for the embarkation or discharge of passengers. [1:143:1951]—(NRS A 1999, 960)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.610 - Unlawful operation of vessel in restricted area; designation and marking of restricted areas.

1. No person may operate a vessel, other than a patrol vessel, in an area designated as restricted, except in an emergency. Such area shall be designated only with the consent of the Commission and shall be clearly marked. 2. The Commission may adopt regulations relating to the operation of vessels in areas properly marked by divers' flags or other suitable devices. (Added to NRS by 1963, 105; A 1965, 1066; 1971, 760)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.620 - Operation of vessel in area marked for bathing, wading, diving, floating or swimming.

A person shall not operate a vessel within a water area which is clearly marked by buoys or some other distinguishing device as an area designated for bathing, wading, diving, floating or swimming. Such an area must be so marked only with the consent of the Commission. (Added to NRS by 1957, 570; A 1960, 483; 1985, 343; 1999, 960)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.630 - Operation of vessel in unsafe condition; penalties.

1. A game warden, sheriff or other peace officer of this State or any of its political subdivisions who observes a vessel being operated in an unsafe condition may direct the operator of the vessel to take immediate steps to correct the condition. If the condition cannot be corrected immediately and constitutes an immediate risk of bodily injury or damage to property, the peace officer may order the operator to remove the vessel to port or the nearest safe moorage. 2. For the purposes of this section, a vessel is being operated in an unsafe condition if it: (a) Is overloaded beyond the manufacturer's recommended safe loading capacity; (b) Has an insufficient number of personal flotation devices approved by the United States Coast Guard; (c) Has no fire extinguisher as required by NRS 488.193; (d) Fails to display the proper navigational lights between sunset and sunrise; (e) Is leaking fuel or has fuel in the bilges; (f) Is improperly ventilated; (g) Has an improper device for controlling backfire flame; or (h) Is being operated in extremely adverse conditions. 3. An operator who refuses to take immediate steps to correct the condition or fails to comply with the directions of the peace officer shall be punished: (a) If no injury results, for a misdemeanor; (b) If bodily injury or damage to property in excess of \$200 results, for a gross misdemeanor; or (c) If the death of another person results, for a category D felony as provided in NRS 193.130. (Added to NRS by 1991, 852; A 1995, 1302)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.730 - Operation of certain power-driven vessels on interstate waters of State by persons born on or after January 1, 1983: Requirements; presentation to peace officer of certain documentation; duties of certain persons engaged in business of renting or leasing power-driven vessels.

1. A person born on or after January 1, 1983, shall not operate a power-driven vessel that has a motor which exceeds 15 horsepower on any interstate waters of this State unless the operator: (a) Has: (1) Successfully completed a course in safe boating that is approved by the National Association of State Boating Law Administrators or passed a proficiency examination if the examination was proctored and tested the knowledge of information included in the curriculum of such a course; and (2) Received a certificate as evidence of successful completion of the course or passage of the examination; (b) Possesses a license to operate a vessel issued for maritime personnel by the United States Coast Guard pursuant to 46 C.F.R. Part 10 or an equivalent license issued by the Canadian Coast Guard; (c) Possesses a nonrenewable temporary operator's permit to operate the power-driven vessel which is valid for 60 days and was issued with the certificate of number for the power-driven vessel if the vessel is new or was sold with a transfer of ownership; (d) Possesses a rental or lease agreement provided pursuant to subsection 3 which lists the person as an authorized operator of the power-driven vessel; or (e) Is not a resident of this State, is at least 18 years of age, is temporarily using the interstate waters of this State for a period not to exceed 60 consecutive days and satisfies any applicable requirements of the person's state of residency or province relating to the operation of a power-driven vessel. 2. A person born on or after January 1, 1983, who is operating a power-driven vessel that has a motor which exceeds 15 horsepower on any interstate waters of this State and who is stopped by a game warden, sheriff or other peace officer in the enforcement of this chapter or the regulations adopted pursuant thereto shall present to the game warden, sheriff or peace officer: (a) The certificate received by the person pursuant to subparagraph (2) of paragraph (a) of subsection 1; (b) A license described in paragraph (b) of subsection 1; (c) An operator's permit for the power-driven vessel described in paragraph (c) of subsection 1; (d) A rental or lease agreement for the power-driven vessel provided pursuant to subsection 3 which lists the person as an authorized operator of the power-driven vessel; or (e) Proof that the person

satisfies the requirements of paragraph (e) of subsection 1. Failure to present the certificate, license, permit, agreement or proof constitutes prima facie evidence of a violation of subsection 1. A person who fails to present the certificate, license, permit, agreement or proof is guilty of a misdemeanor unless the person presents the required documents in court. The documents must prove that the person was operating the power-driven vessel in compliance with this section on the date of the violation. 3. A person or an agent or employee of a person engaged in the business of renting or leasing power-driven vessels for operation on the interstate waters of this State shall not rent or lease a power-driven vessel that has a motor which exceeds 15 horsepower to any person born on or after January 1, 1983, for operation on the interstate waters of this State unless the person: (a) Is 18 years of age or older; and (b) Signs an affidavit that the person: (1) Has successfully completed a course in safe boating that is approved by the National Association of State Boating Law Administrators or has passed a proficiency examination that was proctored and tests knowledge of the information included in the curriculum of such a course; (2) Possesses a license to operate a vessel issued for maritime personnel by the United States Coast Guard pursuant to 46 C.F.R. Part 10 or an equivalent license issued by the Canadian Coast Guard; or (3) Is not a resident of this State, is temporarily using the interstate waters of this State for a period not to exceed 60 consecutive days and satisfies any applicable requirements of the person's state of residency or province relating to the operation of a power-driven vessel. 4. A person or an agent or employee of a person engaged in the business of renting or leasing power-driven vessels for operation on the interstate waters of this State shall list on each rental or lease agreement for a power-driven vessel the name and age of each person who is authorized to operate the power-driven vessel. The person to whom the power-driven vessel is rented or leased shall ensure that only those persons who are listed as authorized operators are allowed to operate the power-driven vessel. A person who is under 16 years of age may: (a) Be listed as an authorized operator. (b) Operate the power-driven vessel only if an authorized operator who is 18 years of age or older is on board the power-driven vessel and supervises the person. 5. A person or an agent or employee of a person engaged in the business of renting or leasing power-driven vessels for operation on the interstate waters of this State shall provide to each authorized operator of a power-driven vessel a summary of the statutes and regulations governing the operation of a power-driven vessel and instructions regarding the safe operation of the power-driven vessel. Each person who is listed as an authorized operator of the power-driven vessel shall review the summary of the statutes, regulations and instructions before the power-driven vessel departs from the rental or leasing office. (Added to NRS by 2001, 1717)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.740 - Department to certify persons to provide instruction in safe boating; powers and duties of Department concerning courses in safe boating.

1. The Department shall certify persons to provide, in cooperation with the Department, instruction in safe boating approved by the National Association of State Boating Law Administrators. All persons who successfully complete the course must be issued a certificate evidencing successful completion. 2. The Department may offer the courses in cooperation with organizations that provide education in safe boating, including, without limitation, the United States Coast Guard Auxiliary and the United States Power Squadrons. 3. The Department shall maintain a list, available for public inspection, of the availability of courses in safe boating and any instructors who are certified pursuant to subsection 1. (Added to NRS by 2001, 1719; A 2003, 1579)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.750 - Persons born on or after January 1, 1983, to submit to Department certification of completion of course or passage of proficiency examination in safe boating; database of certificates.

1. A person born on or after January 1, 1983, who is a resident of this State and who possesses a certificate that evidences his or her successful: (a) Completion of a course in safe boating that is approved by the National Association of State Boating Law Administrators, including, without limitation, courses offered pursuant to NRS 488.740 and courses offered by the United States Coast Guard Auxiliary or the United States Power Squadrons; or (b) Passage of a proficiency examination that was proctored and tests the knowledge of the information included in the curriculum of such a course, shall submit or cause to be submitted a copy of the certificate to the Department. The Department may request additional information necessary for the Department to maintain the database pursuant to subsection 2. 2. The Department shall establish and maintain a database of certificates that it receives pursuant to subsection 1. The database must include, without limitation, the: (a) Name, date of birth and gender of the holder of the certificate; (b) Date, location and name of the course completed or examination passed by the holder of the certificate; and (c) Number on the certificate. (Added to NRS by 2001, 1719; A 2003, 1579)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.900 - Enforcement by game wardens and other peace officers; inspection of vessel.

1. Every game warden, sheriff and other peace officer of this State and its political subdivisions shall enforce the provisions of this chapter and may stop and board any vessel subject to the provisions of this chapter. 2. Any vessel located upon the waters of this State is subject to inspection by the Department or any lawfully designated agent or inspector thereof at any time to determine whether the vessel is equipped in compliance with the provisions of this chapter. 3. Any vessel located upon the waters of this State is subject to inspection by the Division of Environmental Protection of the State Department of Conservation and Natural Resources or any lawfully designated agent or inspector thereof at any time to determine whether the vessel is equipped in compliance with the provisions of NRS 488.320. As used in this subsection, "vessel" includes any watercraft or structure floating on the water, whether or not capable of self-locomotion, including houseboats, barges and similar structures. (Added to NRS by 1960, 482; A 1963, 968; 1965, 1067; 1967, 1175; 1971, 761; 1973, 1406; 1985, 1969; 1993, 57, 1652; 1995, 509; 2003, 1580)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.910 - Seizure of vessel to preserve evidence of crime; payment of storage fees.

1. If a peace officer has probable cause to believe that a vessel or its contents contain evidence tending to show that a criminal offense has been committed or that a particular person has committed an offense, the officer may take whatever steps are reasonable to ensure the preservation of the evidence including safe storage of the vessel or its contents. 2. If a criminal conviction is obtained as a result of an action taken pursuant to subsection 1, the person convicted shall pay any storage fees incurred pursuant to that subsection. If a conviction is not obtained, the law enforcement agency that seized the vessel pursuant to subsection 1 shall pay those fees. (Added to NRS by 1989, 1773; A 1993, 1653; 1999, 1070)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.915 - Seizure of vessel by peace officer: Criteria; duties of law enforcement agency.

1. In addition to any seizure authorized pursuant to NRS 488.910, any peace officer, without a warrant, may seize and take possession of any vessel: (a) Which is being operated with any improper number, certificate of number or certificate of ownership; (b) Which the peace officer has probable cause to believe has been stolen; (c) On which any hull number or other identifying mark has been falsely attached, removed, defaced, altered or obliterated; or (d) Which contains a part on which was placed or stamped by the manufacturer pursuant to federal law or regulation an identification number or other distinguishing number or mark that has been falsely attached, removed, defaced, altered or obliterated. 2. A law enforcement agency shall inspect any vessel seized pursuant to paragraph (c) or (d) of subsection 1 to determine whether the number or mark in question on the vessel or part from the vessel has been falsely attached, removed, defaced, altered or obliterated and whether any person has presented satisfactory evidence of ownership of the vessel. 3. If the results of the investigation conclude that the number or mark in question has been falsely attached, removed, defaced, altered or obliterated and no person has presented satisfactory evidence of ownership, then the law enforcement agency may treat the vessel as abandoned and proceed in the manner set forth in NRS 488.293. (Added to NRS by 2013, 1300)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.920 - Citation; taking person before magistrate.

1. Except as otherwise provided in subsection 2, whenever any person is halted by a game warden, sheriff or peace officer for any violation of this chapter, the person: (a) Must, except as otherwise provided in paragraph (b), be given a citation, if the violation is punishable as a misdemeanor; or (b) May, in the discretion of the game warden, sheriff or peace officer either be given a citation or be taken without unnecessary delay before the proper magistrate, if the violation is punishable as: (1) A felony or gross misdemeanor; or (2) A misdemeanor that constitutes a repeat offense or a prohibited offense. 2. A person described in subsection 1 must be taken before the proper magistrate in either of the following cases: (a) When the person does not furnish satisfactory evidence of identity; or (b) When the game warden, sheriff or peace officer has reasonable and probable grounds to believe the person will disregard a written promise to appear in court. 3. As used in this section: (a) "Prohibited offense" means: (1) A crime of violence as defined in NRS 200.408. (2) A violation of NRS 488.410. (b) "Repeat offense" means an offense for which the person has previously been arrested, convicted or issued a citation. (Added to NRS by 1971, 830; A 2021, 3469)

2024 Nevada Revised Statutes Chapter 488 - Watercraft NRS 488.950 - Penalty for violating provision of chapter: Criminal penalty; authority of court to require successful completion of course in safe boating as prerequisite to operation of vessel upon interstate waters of State.

1. Except as otherwise provided in this chapter, a person is guilty of a misdemeanor if the person: (a) Performs an act or attempts to perform an act made unlawful or prohibited by this chapter; (b) Willfully fails to perform an act required of the person by this chapter; or (c) Violates any order issued or regulation adopted by the Commission under the provisions of this chapter. 2. A court may prohibit a person who violates any of the provisions of this chapter from operating a vessel upon the interstate waters of this State until the person successfully completes, after the date of the violation, a course in safe boating approved by the National Association of State Boating Law Administrators. As used in this subsection, "interstate waters of this State" means waters forming the boundary between the State of Nevada and an adjoining state. (Added to NRS by 1960, 482; A 1991, 857; 2001, 1720; 2023, 553)

Title: chapter-489

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.021 - Legislative findings and declaration.

1. The Legislature finds that the construction, assembly and use of manufactured homes, mobile homes, travel trailers, manufactured buildings, commercial coaches and factory-built housing and their systems, components and appliances, and the alteration, transportation and installation of manufactured homes, mobile homes, manufactured buildings, commercial coaches and factory-built housing, like other products having concealed vital parts, may present hazards to the health, life and safety of persons and the safety of property unless they are properly manufactured, altered, transported and installed. 2. In the sale of manufactured homes, mobile homes, travel trailers, manufactured buildings, commercial coaches and factory-built housing, there is also the possibility of unascertained defects in them even though they are inspected by purchasers. 3. It is the policy and purpose of this State

to protect the public against these hazards and to prohibit the manufacture, sale, distribution, alteration, transportation and installation in this State of manufactured homes, mobile homes, travel trailers, manufactured buildings, commercial coaches and factory-built housing which are not constructed in a manner which provides reasonable safety and protection to owners and users. 4. The Legislature further intends to provide a procedure to ensure that this State assumes the fullest responsibility for the administration and enforcement of federal safety and construction standards for manufactured homes in Nevada in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq. (Added to NRS by 1973, 1065; A 1977, 1452; 1983, 776; 2009, 1901)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.031 - Definitions.

As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 489.034 to 489.155, inclusive, have the meanings ascribed to them in those sections. (Added to NRS by 1973, 1065; A 1975, 1579; 1977, 1227, 1452; 1979, 1214; 1983, 777; 1999, 860; 2001, 1726; 2005, 1628; 2009, 1901; 2011, 1630; 2017, 3622)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.034 - "Account" defined.

"Account" means the Account for Housing Inspection and Compliance created by NRS 319.169. (Added to NRS by 2017, 3622)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.036 - "Administrator" defined.

"Administrator" means the Administrator of the Division. (Added to NRS by 1979, 1201; A 2017, 3623)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.043 - "Brokerage agreement" defined.

"Brokerage agreement" means a contract between a dealer and a client in which the dealer agrees to accept compensation to: 1. Assist, solicit or negotiate the sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing; or 2. Induce any person to buy or exchange an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing. (Added to NRS by 1999, 858; A 2009, 1901)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.051 - "Certificate of compliance" defined.

"Certificate of compliance" means a certificate issued by this state certifying that the plumbing, heating, electrical systems, body and frame design and construction requirements of a commercial coach or the reconstruction or alteration requirements of a mobile home or commercial coach comply with standards adopted by the Division. (Added to NRS by 1973, 1065; A 1977, 1453; 1981, 1191; 1983, 777; 1993, 2052)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.056 - "Client" defined.

"Client" means a person who has entered into a brokerage agreement with a dealer. (Added to NRS by 1999, 858)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.062 - "Commercial coach" defined.

"Commercial coach" means a structure without motive power which is designed and equipped for human occupancy for industrial, professional or commercial purposes. The term does not include a recreational park trailer or portable building. (Added to NRS by 1977, 1451; A 1979, 1215; 2001, 1726; 2011, 1630)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.076 - "Dealer" defined.

1. "Dealer" means any person who: (a) For compensation, money or any other thing of value, sells, exchanges, buys or offers for sale, negotiates or attempts to negotiate a sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing subject to the requirements of this chapter, or induces or attempts to induce any person to buy or exchange an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing; (b) For compensation, money or any other thing of value, leases or rents, offers for lease or rental, negotiates or attempts to negotiate the lease or rental of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing subject to the requirements of this chapter, or induces or attempts to induce any person to lease or rent an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing; (c) Receives or expects to receive a commission, money, brokerage fees, profit or any other thing of value from either the seller or purchaser of any manufactured home, mobile home, manufactured building, commercial coach or factory-built housing; (d)

Is engaged wholly or in part in the business of: (1) Selling, renting or leasing manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing; (2) Buying or taking manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing in trade for the purpose of resale, selling or offering them for sale or consignment to be sold; (3) Buying or taking manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing in trade to rent, lease or offer them for rent or lease; or (4) Otherwise dealing in manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing; or (e) Acts as a reposessor or liquidator concerning manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing, whether or not they are owned by such persons. 2. The term does not include: (a) Receivers, trustees, administrators, executors, guardians or other persons appointed by or acting under the order of any court; (b) Public officers while performing their official duties; (c) Banks, savings and loan associations, savings banks, credit unions, thrift companies or other financial institutions proceeding as reposseors or liquidators of their own security; (d) A person who rents or leases his or her manufactured home, mobile home, manufactured building, commercial coach or factory-built housing; (e) An owner selling his or her private residence; (f) A real estate broker, real estate broker-salesperson or real estate salesperson who is licensed pursuant to chapter 645 of NRS and who, for another and for compensation or with the intention or expectation of receiving compensation, sells, exchanges, options, purchases, rents or leases, or negotiates or offers, attempts or agrees to negotiate the sale, exchange, option, purchase, rental or lease of, or lists or solicits prospective purchasers, lessees or renters of, used manufactured homes or used mobile homes in connection with the sale of a fee simple interest in real property and the used manufactured home or used mobile home is situated on the real property sold; or (g) A manufactured home park, as defined in NRS 118B.017, or an owner or agent of a manufactured home park while leasing or renting, offering for lease or rental or negotiating or attempting to negotiate the lease or rental of a manufactured home or mobile home which is located within the manufactured home park and titled in the name of the manufactured home park or an entity that is owned, operated or controlled by the owner of the manufactured home park. (Added to NRS by 1975, 1571; A 1977, 1453; 1983, 777; 1987, 2088; 1999, 860; 2005, 663; 2009, 1901; 2015, 517)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.081 - "Distributor" defined.

"Distributor" means any person who engages in the sale and distribution of manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing for resale. (Added to NRS by 2009, 1900)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.091 - "Division" defined.

"Division" means the Housing Division of the Department of Business and Industry. (Added to NRS by 1979, 1201; A 1993, 1653; 2017, 3623)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.092 - "Dwelling" defined.

"Dwelling" means one or more habitable rooms which are designed to be occupied by one family with facilities for living, sleeping, cooking and eating. (Added to NRS by 1979, 1201)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.095 - "Established place of business" defined.

1. "Established place of business" means an enclosed building or structure owned either in fee or leased with sufficient space to conduct the business of the dealer and large enough to accommodate the office or offices of the dealer and to provide a safe place to keep the books and other records of the business of the dealer, at which site or location the principal portion of the dealer's business is conducted. 2. The books and records of a dealer must be kept and maintained at the dealer's established place of business and be open to inspection during usual business hours by any authorized agent of the Division. (Added to NRS by 1975, 1571; A 1977, 1453; 1979, 1215)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.097 - "Factory-built housing" defined.

"Factory-built housing" has the meaning ascribed to it in NRS 461.080. (Added to NRS by 2009, 1900)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.100 - "Firm" defined.

"Firm" means a corporation, partnership, association or governmental agency of the United States or of any state. (Added to NRS by 1973, 1066)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.101 - "Franchise" defined.

"Franchise" means a written agreement between a franchisor and franchisee which establishes that the franchisee will sell or distribute new or used manufactured homes, mobile homes, manufactured buildings, commercial coaches, factory-built housing or related goods or services under, or operate using, the systems, trademark, service mark, trade name, logo or other commercial symbol of the franchisor. (Added to NRS by 2009, 1900)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.1013 - "Franchisee" defined.

"Franchisee" means any natural person or entity that, pursuant to a franchise, sells or distributes new or used manufactured homes, mobile homes, manufactured buildings, commercial coaches, factory-built housing or related goods or services under, or operates using, the systems, trademark, service mark, trade name, logo or other commercial symbol of the franchisor. (Added to NRS by 2009, 1900)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.1017 - "Franchisor" defined.

"Franchisor" means any natural person or entity that owns the overall rights to the systems, trademark, service mark, trade name, logo or other commercial symbol of the franchisor and grants a franchise for their use by a franchisee. (Added to NRS by 2009, 1900)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.102 - "General serviceperson" defined.

1. "General serviceperson" means a person who owns or is the responsible managing employee of a business which: (a) Installs or repairs the awnings, roofing, skirting, plumbing, heating or electrical systems of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing; (b) Installs, removes or prepares for transport a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing at the site where it will be or has been used for occupancy; or (c) Reconstructs a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing by the alteration, addition or substitution of substantial or essential parts. 2. The term does not include: (a) A licensed manufacturer engaged in the installation, repair or service of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing that was manufactured by the licensed manufacturer; (b) The owner or purchaser of a manufactured home, mobile home or manufactured building or factory-built housing who uses the manufactured home, mobile home or manufactured building or factory-built housing as his or her private residence; or (c) The owner or purchaser of a commercial coach who uses the commercial coach for his or her own industrial, professional or commercial purposes. (Added to NRS by 2005, 1625; A 2009, 1903)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.104 - "Installation" defined.

1. "Installation" means the complete operation of fixing in place a manufactured home, mobile home or commercial coach for occupancy. 2. The term includes, without limitation, pier blocking, prefabricated footings, ground anchoring and the connection to utility terminals on the site. (Added to NRS by 1979, 1201; A 1983, 777)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.110 - "Label of compliance" defined.

"Label of compliance" means a label permanently attached to: 1. A commercial coach upon the completion of the construction of the coach; or 2. A mobile home or commercial coach upon the completion of any reconstruction or alteration of the home or coach, under the authority of the Division which certifies that the mobile home or commercial coach is in compliance with standards adopted by the Division. (Added to NRS by 1973, 1066; A 1977, 1453; 1979, 1215; 1983, 778; 1993, 2052)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.112 - "Manufactured building" defined.

"Manufactured building" has the meaning ascribed to it in NRS 461.132. (Added to NRS by 2009, 1900)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.113 - "Manufactured home" defined.

1. "Manufactured home" means a structure which is: (a) Built on a permanent chassis; (b) Designed to be used with or without a permanent foundation as a dwelling when connected to utilities; (c) Transportable in one or more sections; and (d) Eight feet or more in body width or 40 feet or more in body length when transported, or, when erected on-site, contains 320 square feet or more. 2. The term includes: (a) The plumbing, heating, air-conditioning and electrical systems of the structure. (b) Any structure: (1) Which meets the requirements of paragraphs (a), (b) and (c) of subsection 1, and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under

the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq.; or (2) Built in compliance with the requirements of chapter 461 of NRS. 3. The term does not include a recreational park trailer. (Added to NRS by 1983, 775; A 1995, 2601; 2001, 1726)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.115 - "Manufacturer" defined.

"Manufacturer" means every person, including, without limitation, a partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company, or a corporation, engaged in the business of manufacturing manufactured homes, mobile homes, travel trailers, manufactured buildings, commercial coaches or factory-built housing. (Added to NRS by 1975, 1571; A 1977, 1454; 1983, 778; 2009, 1903)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.120 - "Mobile home" defined.

1. "Mobile home" means a structure which is: (a) Built on a permanent chassis; (b) Designed to be used with or without a permanent foundation as a dwelling when connected to utilities; and (c) Transportable in one or more sections. 2. The term includes the design of the body and frame and the plumbing, heating, air-conditioning and electrical systems of the mobile home. 3. The term does not include a recreational park trailer, travel trailer, commercial coach or manufactured home or any structure built in compliance with the requirements of chapter 461 of NRS. (Added to NRS by 1973, 1066; A 1975, 1579; 1977, 1454; 1979, 1216; 1983, 778; 2001, 1726)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.121 - "Modular component" defined.

"Modular component" has the meaning ascribed to it in NRS 461.145. (Added to NRS by 2009, 1900)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.122 - "Movement" defined.

"Movement" means the act of towing, pushing or otherwise propelling a manufactured home, mobile home or commercial coach upon a highway or road. (Added to NRS by 1979, 1201; A 1983, 778)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.125 - "New manufactured home," "new mobile home," "new travel trailer," "new manufactured building," "new commercial coach" and "new factory-built housing" defined.

"New manufactured home," "new mobile home," "new travel trailer," "new manufactured building," "new commercial coach" or "new factory-built housing" means a manufactured home, mobile home, travel trailer, manufactured building or commercial coach or factory-built housing, respectively, which has never been sold at retail or occupied either before or after sale for the purpose intended by the manufacturer and has never been registered with or been the subject of a certificate of title issued by the appropriate agency of authority of any other state, the District of Columbia, any territory or possession of the United States or any foreign state, province or country. (Added to NRS by 1975, 1571; A 1977, 1454; 1983, 778; 2009, 1903)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.133 - "Portable building" defined.

"Portable building" means a structure which: 1. Is at ground level, has no axles and rests on the surface of the ground; 2. Is for nonresidential use; 3. Is not a fixture or improvement to real property; 4. Is designed to be used without a permanent foundation; and 5. Contains an electrical system with a component that allows for the quick connection or disconnection of the electrical system to a source of electricity. (Added to NRS by 2011, 1629)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.1351 - "Recreational park trailer" defined.

"Recreational park trailer" has the meaning ascribed to it in NRS 482.1005. (Added to NRS by 2001, 1726)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.1353 - "Responsible managing employee" defined.

"Responsible managing employee" means the person designated by the employer to exercise authority in connection with his or her principal or employer's business in the following manner: 1. To make technical and administrative decisions. 2. To hire, superintend, promote, transfer, lay off, discipline or discharge other employees and to direct them, either personally or through others, or effectively recommend such action on behalf of his or her principal or employer. (Added to NRS by 1979, 1201)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing

HousingNRS 489.137 - "Salesperson" defined.

"Salesperson" means any person employed by a dealer or distributor under any form of contract or arrangement to sell, distribute, rent, lease, exchange or buy, or offer for sale, distribution, rental, lease or exchange, an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing to any person, and who receives or expects to receive a commission, fee or any other consideration from his or her employer. (Added to NRS by 1975, 1572; A 1977, 1455; 1983, 779; 1999, 861; 2005, 1628; 2009, 1903)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.147 - "Specialty serviceperson" defined.

1. "Specialty serviceperson" means a person who owns or is the designated responsible managing employee of a business which is limited in the scope of the work it may perform on or in a manufactured home, mobile home, manufactured building, modular component or commercial coach or factory-built housing in accordance with NRS 489.325. 2. The term does not include: (a) A licensed manufacturer engaged in the repair or service of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing that was manufactured by the licensed manufacturer; (b) The owner or purchaser of a manufactured home, mobile home or manufactured building or factory-built housing who uses the manufactured home, mobile home or manufactured building or factory-built housing as his or her private residence; or (c) The owner or purchaser of a commercial coach who uses the commercial coach for his or her own industrial, professional or commercial purposes. (Added to NRS by 2005, 1626; A 2009, 1904)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.150 - "Travel trailer" defined.

"Travel trailer" means a portable structure mounted on wheels, consisting of a vehicular chassis primarily designed as temporary living quarters for recreational, camping or travel use and designed to be drawn by another vehicle, and designated by the manufacturer as a travel trailer. The term does not include a recreational park trailer. (Added to NRS by 1973, 1066; A 1977, 1455; 1979, 1216; 2001, 1727)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.155 - "Used manufactured home," "used mobile home," "used travel trailer," "used manufactured building," "used commercial coach" and "used factory-built housing" defined.

"Used manufactured home," "used mobile home," "used travel trailer," "used manufactured building," "used commercial coach" or "used factory-built housing" means a manufactured home, mobile home, travel trailer, manufactured building or commercial coach or factory-built housing, respectively, which has been: 1. Sold, rented or leased and occupied before or after the sale, rental or lease; or 2. Registered with or been the subject of a certificate of title issued by the appropriate agency of authority of any other state, the District of Columbia, or any territory or possession of the United States or any foreign state, province or country. (Added to NRS by 1975, 1572; A 1977, 1455; 1983, 779; 2009, 1904)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.201 - Administration of chapter.

The provisions of this chapter must be administered by the Division, subject to administrative supervision by the Director of the Department of Business and Industry. (Added to NRS by 1979, 1202; A 1993, 1653)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.221 - Employees of Division: Conflicts of interest prohibited.

An employee of the Division shall not hold an interest in any firm which sells, distributes, manufactures, rebuilds or services any manufactured home, mobile home, travel trailer, manufactured building, commercial coach or factory-built housing or which installs any manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, or act as an agent for any of them. (Added to NRS by 1979, 1202; A 1983, 779; 2009, 1904)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.231 - Administrator: Powers.

1. To carry out the provisions of this chapter, the Administrator may: (a) Issue subpoenas for the attendance of witnesses or the production of books, papers and documents; and (b) Conduct hearings. 2. The Administrator may apply for and receive grants from the Secretary of Housing and Urban Development for developing and carrying out a plan for enforcement and administration of federal standards of safety and construction respecting manufactured homes offered for sale or lease in this state. 3. The Administrator may adopt regulations to ensure acceptance by the Secretary of Housing and Urban Development of the state plan for administration and enforcement of federal standards of safety and construction respecting manufactured homes in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq. 4. The Administrator may: (a) Make inspections; (b) Approve plans and specifications; (c) Provide technical services; (d) Issue licenses, permits,

certificates of title and certificates and labels of compliance and installation in such form as he or she may deem proper, including, without limitation, in electronic form; (e) Enter into reciprocal agreements with other states or private organizations that adopt and maintain standards reasonably consistent with this chapter; (f) Collect the fees provided for in this chapter; and (g) Adopt regulations necessary to carry out his or her duties under this chapter. 5. The Administrator or a representative of the Administrator may enter, at reasonable times and without notice, any mobile home park or place of business or any factory, warehouse or establishment in which manufactured homes, mobile homes, travel trailers, manufactured buildings or factory-built housing are manufactured, stored or held for sale or distribution and inspect at reasonable times in a reasonable manner the premises and books, papers, records and documents which are relevant to the manufacture, distribution and sale of manufactured homes, mobile homes, travel trailers, manufactured buildings or factory-built housing and compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq., this chapter and chapter 461 of NRS, and any regulations adopted pursuant thereto, and to compliance by landlords of mobile home parks with the prohibition in NRS 118B.140 against charging or receiving any entrance or exit fee. A magistrate shall issue a warrant to permit an inspection if the Administrator has shown: (a) Evidence that a violation of a provision of this chapter or of the prohibition in NRS 118B.140 against charging or receiving any entrance or exit fee has been committed or is being committed; or (b) That the business has been chosen for an inspection on the basis of a general administrative plan for the enforcement of the provisions of this chapter. (Added to NRS by 1979, 1202; A 1981, 85, 1852; 1983, 780; 2009, 1905; 2023, 27)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.233 - Deposit of fees and administrative fines; appointment of hearing officers or panels by Administrator.

1. All money collected from fees and administrative fines imposed pursuant to this chapter must be deposited with the State Treasurer for credit to the Account. 2. The Administrator may appoint one or more hearing officers or panels and may delegate to those hearing officers or panels the power of the Administrator to conduct hearings and other proceedings, determine violations, impose fines and penalties and take other disciplinary action authorized by the provisions of this chapter. (Added to NRS by 2005, 1628; A 2017, 3623)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.235 - Administrator: Regulation of structures built in compliance with requirements of chapter 461 of NRS.

The Administrator or a designee of the Administrator shall regulate, in accordance with the standards established by the regulations of the Division pursuant to chapter 461 of NRS, a structure built in compliance with the requirements of chapter 461 of NRS. (Added to NRS by 1995, 2601)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.241 - Regulations: Federal and national standards; issuance of certificates and labels of compliance.

The Administrator shall adopt regulations: 1. Consistent with the federal regulations governing procedure and enforcement respecting manufactured homes to administer and enforce federal construction and safety standards respecting manufactured homes in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.). 2. For the construction of commercial coaches that are reasonably consistent with nationally recognized standards. 3. For the: (a) Reconstruction; and (b) Alteration, including that done to a plumbing, heating or electrical system, of mobile homes and commercial coaches that are reasonably consistent with nationally recognized standards. 4. For the issuance of certificates and labels of compliance. The regulations must provide for, without limitation: (a) Inspection at the place of manufacture; (b) Submission and approval of plans and specifications or for the actual inspection and approval of the mobile home, travel trailer or commercial coach or acceptance of a label of compliance issued by another state or a private organization which the Administrator finds has a competent inspection program reasonably consistent with this chapter; and (c) Revocation for cause, upon notice and hearing, of the right of a manufacturer to sell mobile homes, travel trailers or commercial coaches in this state for use in this state. 5. Consistent with nationally recognized standards governing the minimum requirements for the design of travel trailers. (Added to NRS by 1979, 1208; A 1981, 1191; 1983, 781; 1993, 2052)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.251 - Regulations pertaining to safety standards and inspection; certificate of installation and label of installation prerequisite to connecting utilities.

1. The Administrator shall adopt regulations pertaining to: (a) Safety standards for the installation, support and tie down of manufactured homes, mobile homes or commercial coaches which are designed to protect the health and safety of occupants of manufactured homes, mobile homes or commercial coaches against uplift, sliding, rotation and overturning, subject to the following provisions: (1) Safety standards must be reasonably consistent with nationally recognized standards for placement, support and tie down of manufactured homes, mobile homes or commercial coaches. (2) The Administrator may designate wind pressure zones in which the regulations for tie down of manufactured homes, mobile homes or commercial coaches apply. (b) The inspection of plumbing, heating, cooling, fuel burning and electrical systems connections to a manufactured home, mobile home or commercial

coach at the time of installation of the manufactured home, mobile home or commercial coach, which regulations are designed to protect the health and safety of occupants of manufactured homes, mobile homes and commercial coaches. 2. Unless the Division determines otherwise, the plumbing, heating, cooling, fuel burning and electrical systems of a manufactured home, mobile home or commercial coach may not be connected or activated until a certificate of installation has been issued and a label of installation affixed to the manufactured home, mobile home or commercial coach. (Added to NRS by 1979, 1208; A 1983, 781)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.261 - Regulations pertaining to accessory structures.

1. The Administrator may adopt regulations pertaining to the construction, installation and use of accessory structures and devices which burn solid fuel and air-conditioning for manufactured homes and mobile homes consistent with nationally recognized construction standards, except where those standards conflict with the standards adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.) and would prevent enforcement of that act in this state. 2. As used in this section, "accessory structure" includes awnings, cabanas, carports, porches, skirting or steps established for the use of the occupant of the manufactured home or mobile home and which depends upon the manufactured home or mobile home for some or all of its structural support. (Added to NRS by 1979, 1208; A 1981, 1191; 1983, 782; 1993, 1186)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.262 - Regulations pertaining to portable buildings.

The Administrator shall adopt regulations prescribing safety standards for: 1. The construction, transportation, installation and use of a portable building; 2. The inspection of any plumbing, heating, cooling, fuel burning or electrical system contained in a portable building; and 3. The maintenance and repair of a portable building. (Added to NRS by 2011, 1630)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.263 - Regulations establishing system for issuance of permits for installation, design, approval, repair or modification.

1. The Administrator may adopt regulations establishing a system for the issuance of permits for the installation, design, approval, repair or modification of manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing. 2. The regulations may include, without limitation: (a) The requirements and procedures for applying for a permit; (b) The criteria for determining whether to issue a permit; (c) The grounds for revocation and the requirements for reinstatement of a permit; and (d) The procedures for the enforcement of a system for issuing permits. (Added to NRS by 2005, 808; A 2009, 1906)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.265 - Trust account for deposit of advance fees for payment of services of Division; regulations.

1. The Division may establish a trust account in the State Treasury in which persons who require the services of the Division may deposit advance fees for payment of those services. Unless the appropriate fee accompanies the request for service, upon providing the service the Division shall cause the account to be debited. 2. The Division shall prescribe, by regulation, the services for which advance fees may be deposited and paid for upon providing the service. 3. The trust account established pursuant to this section must be administered by the Administrator. (Added to NRS by 1995, 956)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.272 - Regulations concerning certain sales or transfers of title.

The Administrator shall adopt regulations: 1. Requiring a person who is buying or selling a manufactured home, mobile home or commercial coach pursuant to: (a) A sale to satisfy a lien; or (b) A contract for sale or other agreement by which the certificate of title does not pass immediately from the seller to the buyer upon the sale, to submit to the Administrator such information regarding the sale as the Administrator deems necessary. 2. Establishing requirements for the issuance or transfer of a certificate of title of a mobile home, manufactured home or a commercial coach in cases involving: (a) More than one transferor or transferee; (b) A transferor or transferee who holds a certificate of title in trust for another person; or (c) A sale to satisfy a lien. (Added to NRS by 1993, 233; A 2023, 28)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.281 - Regulations concerning issuance and renewal of limited dealer's license.

1. The Division shall adopt regulations for the issuance and renewal of a limited dealer's license authorizing a person other than a bank, savings and loan association, savings bank, credit union, thrift company or other financial institution to act as a reposessor or liquidator concerning manufactured homes, mobile homes or commercial coaches. 2. Regulations adopted by the Division concerning the issuance and renewal of a limited dealer's license must not require more than 2 hours of continuing education per year and the required continuing education must be limited to topics relating to the processes and procedures for the sale of a manufactured home. (Added to NRS by 1987, 2087; A 2005, 1607)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.285 - Regulations concerning continuing education requirements for dealers, distributors, general servicepersons, specialty servicepersons, responsible managing employees and salespersons.

1. The Division shall adopt regulations concerning continuing education requirements for dealers, distributors, general servicepersons, specialty servicepersons, responsible managing employees and salespersons. The regulations must include the: (a) Criteria for determining what qualifies as continuing education; (b) Criteria for approving educational and training programs; (c) Requirements for submitting evidence of completion; and (d) Grounds and procedures for granting an extension of time within which to comply with continuing education requirements. 2. In adopting regulations pursuant to subsection 1, the Division shall: (a) Allow for alternative subjects, instructors, schools and sources of programs, with consideration for specialized areas of practice, availability and proximity of resources to the licensees and applicants, and the time and expense required to participate in the programs. (b) Approve courses offered by generally accredited educational institutions and private vocational schools if those courses otherwise qualify as continuing education. (c) Approve training and educational programs and seminars offered by: (1) Individual sponsors; (2) Manufactured housing firms and businesses such as dealers, distributors, general servicepersons, specialty servicepersons, manufacturers and suppliers of the various components for constructing such homes or coaches, including heating and air-conditioning systems, material for roofing and siding, skirting, awnings and other components; (3) Professional and industry-related organizations; and (4) Other organized educational programs concerning technical or specialized subjects, including in-house training programs offered by an employer for his or her employees and participation in meetings and conferences of industry-related organizations. (d) Solicit advice and assistance from persons and organizations that are knowledgeable in the construction, sale, distribution, installation, rebuilding and servicing of manufactured homes, mobile homes, manufactured buildings, commercial coaches or factory-built housing and the method of educating licensees. 3. The Division is not responsible for the costs of any continuing education program, but may participate in the funding of those programs subject to legislative appropriations. 4. As used in this section, "industry-related organizations" includes, without limitation, the: (a) Manufactured Housing Institute; (b) Manufactured Home Community Owners; (c) Nevada Association of Manufactured Home Owners, Inc.; (d) Nevada Association of Realtors; (e) Nevada Housing Alliance; (f) Modular Building Institute; and (g) Any other organization approved by the Division. (Added to NRS by 1997, 2986; A 2001, 486; 2005, 1629; 2009, 1906)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.287 - Enforcement of regulations; inspections.

1. Except as otherwise provided in subsection 2, a city or county building department may, with the written approval of the Division, enforce all regulations adopted pursuant to this chapter and make all inspections within its jurisdiction required by those regulations regarding the installation and tie down of manufactured homes, mobile homes or commercial coaches. Those inspections must be conducted in compliance with the provisions of this chapter and the regulations adopted pursuant to this chapter. 2. If a city or county building department fails to enforce the regulations adopted pursuant to this chapter or make the inspections required by subsection 1, the Division shall enforce those regulations and make the inspections in that jurisdiction, and may, at no cost to the local governing body, engage an independent contractor to perform any inspection. (Added to NRS by 1993, 1185; A 2005, 808)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.288 - Adoption of ordinances and regulations by local governing body; preemption of more stringent ordinances and regulations; exception.

Except as otherwise provided in NRS 278.02095: 1. A local governing body may adopt ordinances and regulations which, except for ordinances and regulations regarding any prerequisites to the classification of a manufactured home or mobile home as real property pursuant to NRS 361.244, are no more stringent than the provisions of this chapter, the regulations adopted pursuant to this chapter and applicable federal statutes and regulations. Compliance with an ordinance or regulation of a local governing body does not excuse any person from compliance with this chapter and the regulations adopted pursuant to this chapter. 2. The provisions of this chapter and the regulations adopted pursuant to this chapter supersede and preempt any ordinance or regulation of a local governing body that is more stringent than those provisions, except for an ordinance or regulation regarding any prerequisites to the classification of a manufactured home or mobile home as real property pursuant to NRS 361.244. (Added to NRS by 1993, 1185; A 1999, 3466)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.289 - Variances for local governing bodies.

A local governing body may apply to the Administrator for a variance, within the geographical jurisdiction of the local governing body, from any of the regulations adopted pursuant to this chapter. The Administrator may, for good cause shown, grant such a variance. (Added to NRS by 1993, 1185)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.291 - Enforcement of statutes and regulations: Notice of violation; penalty; liability for costs of enforcement.

1. If the Administrator finds a violation of this chapter or of the prohibition in NRS 118B.140 against charging or receiving an entrance or exit fee, or of any regulation adopted pursuant to this chapter, the Administrator may issue a notice of violation to the person alleged to have violated the provision. The notice of violation must set forth the violation which the Administrator alleges with particularity and specify the corrective action which is to be taken and the time within which the action must be taken. If the person is alleged to have violated the prohibition in NRS 118B.140 against charging or receiving an entrance or exit fee, the notice of violation must specify that the fee be repaid in full, and may specify any other corrective action which the Administrator deems necessary. 2. Any person who fails to take the corrective action required in a notice of violation is guilty of a misdemeanor and the Administrator may: (a) Apply to the district court for the judicial district in which the violation is alleged to have occurred for an injunction and any other relief which the court may grant to compel compliance; (b) Request that the district attorney of the county in which the violation is alleged to have occurred prosecute the person for the violation; (c) If the person is alleged to have violated the prohibition in NRS 118B.140 against charging or receiving an entrance or exit fee, assess a penalty against the person equal to three times the amount of the fee which was charged or received; or (d) If the person is alleged to have violated NRS 489.311 and while acting without a license is alleged to have caused damage to a mobile home, manufactured home or commercial coach, require that the person reimburse the owner of the mobile home, manufactured home or commercial coach for the cost of repairing such damage and assess a penalty against that person equal to the estimated cost of such repairs. 3. The assessment of a penalty pursuant to paragraph (c) or (d) of subsection 2 is a contested case. 4. Any person who is found to have violated a provision of this chapter, the prohibition in NRS 118B.140 against charging or receiving an entrance or exit fee, or a regulation adopted pursuant to this chapter, is liable for the cost incurred by the Division in enforcing the provision or regulation. (Added to NRS by 1981, 1852; A 1985, 344; 1997, 211)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.293 - Enforcement of subpoenas issued by Administrator.

1. If any person to whom the Administrator has directed a subpoena refuses to attend, testify or produce evidence which the subpoena requires, the Administrator may present a petition to the district court for the judicial district in which the investigation or hearing is being carried on, setting forth that: (a) Notice has been given of the time and place at which the person was required to attend, testify or produce evidence; (b) A subpoena has been served on the witness or custodian of the evidence in sufficient time to enable the witness to comply with its provisions; and (c) The person has failed or refused to attend, to answer questions, or to produce evidence required by the subpoena, and asking that the court issue an order compelling the person to attend and to testify or produce the evidence specified in the subpoena. 2. When the district court receives a petition from the Administrator, it shall order the person to whom the subpoena was directed to appear at a time and place fixed by the court in its order, which must be not more than 10 days after the date of the order, and show cause why the person should not be held in contempt. A certified copy of the order must be served on the person to whom the subpoena was directed. 3. If it appears to the court that the subpoena was properly issued by the Administrator and that there is not sufficient reason that the person failed or refused to appear, the court shall order the person to appear at the time and place fixed by the court and to testify or produce the required evidence. If the person fails to comply with the order of the court, the person must be punished as for a contempt of court. (Added to NRS by 1981, 1851)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.295 - Order to vacate used manufactured home, used mobile home or used commercial coach.

1. If an inspection reveals that a used manufactured home, used mobile home or used commercial coach is constructed or maintained in violation of this chapter, the Division may order its use discontinued and the used manufactured home, used mobile home or used commercial coach, or any portion thereof, vacated. 2. The order to vacate must be served upon the person using the used manufactured home, used mobile home or used commercial coach and copies of the order must also be posted at or upon each exit of the used manufactured home, used mobile home or used commercial coach. 3. The order to vacate must include a reasonable time within which the violation may be corrected. 4. A person shall not occupy or use the used manufactured home, used mobile home or used commercial coach in violation of the order to vacate. (Added to NRS by 1981, 1190; A 1983, 783; 1985, 344)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.297 - Order to stop work.

1. Whenever any construction, rebuilding or other work is performed in violation of this chapter or any regulation adopted pursuant to this chapter, the Division may order the work stopped. 2. The order to stop work must be served upon the person doing the work or upon the person causing the work to be done. The person served with the order shall immediately cease the work until authorized by the Division to continue it. 3. A copy of the order to stop work must be posted at or upon a recognized entrance of the used manufactured home, used mobile home or used commercial coach. (Added to NRS by 1981, 1190; A 1983, 783)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.298 - Division to develop and implement process for determining whether person's criminal history will disqualify person from obtaining a license pursuant to chapter; fee; quarterly reports.

1. The Division shall develop and implement a process by which a person with a criminal history may petition the Division to

review the criminal history of the person to determine if the person's criminal history will disqualify the person from obtaining a license pursuant to this chapter. 2. Not later than 90 days after a petition is submitted to the Division pursuant to subsection 1, the Division shall inform the person of the determination of the Division of whether the person's criminal history will disqualify the person from obtaining a license. The Division is not bound by its determination of disqualification or qualification and may rescind such a determination at any time. 3. The Division may provide instructions to a person who receives a determination of disqualification to remedy the determination of disqualification. A person may resubmit a petition pursuant to subsection 1 not earlier than 6 months after receiving instructions pursuant to this subsection if the person remedies the determination of disqualification. 4. A person with a criminal history may petition the Division at any time, including, without limitation, before obtaining any education or paying any fee required to obtain a license from the Division. 5. A person may submit a new petition to the Division not earlier than 2 years after the final determination of the initial petition submitted to the Division. 6. The Division may impose a fee of up to \$50 upon the person to fund the administrative costs in complying with the provisions of this section. The Division may waive such fees or allow such fees to be covered by funds from a scholarship or grant. 7. The Division may post on its Internet website: (a) The requirements to obtain a license from the Division; and (b) A list of crimes, if any, that would disqualify a person from obtaining a license from the Division. 8. The Division may request the criminal history record of a person who petitions the Division for a determination pursuant to subsection 1. To the extent consistent with federal law, if the Division makes such a request of a person, the Division shall require the person to submit his or her criminal history record which includes a report from: (a) The Central Repository for Nevada Records of Criminal History; and (b) The Federal Bureau of Investigation. 9. A person who petitions the Division for a determination pursuant to subsection 1 shall not submit false or misleading information to the Division. 10. The Division shall, on or before the 20th day of January, April, July and October, submit to the Director of the Legislative Counsel Bureau in an electronic format prescribed by the Director, a report that includes: (a) The number of petitions submitted to the Division pursuant to subsection 1; (b) The number of determinations of disqualification made by the Division pursuant to subsection 1; (c) The reasons for such determinations; and (d) Any other information that is requested by the Director or which the Division determines would be helpful. 11. The Director shall transmit a compilation of the information received pursuant to subsection 10 to the Legislative Commission quarterly, unless otherwise directed by the Commission. (Added to NRS by 2019, 2935)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.301 - License for manufacturing plant: Requirements; regulations.

1. In order to engage in business in this state or be entitled to any other license or permit required by this chapter, each manufacturing plant must be issued a license for the manufacturing plant by the Division. 2. The Division shall adopt regulations providing for the issuance of the license for the manufacturing plant. (Added to NRS by 1979, 1205; A 1983, 784)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.305 - License for branch office of dealer, distributor, general serviceperson or specialty serviceperson.

To open a branch office, a dealer, distributor, general serviceperson or specialty serviceperson must: 1. Obtain a license from the Division to operate the branch office; and 2. Provide for direct supervision of the branch office, either alone or by employing a responsible managing employee. (Added to NRS by 1981, 1191; A 1987, 1862; 2005, 1629; 2009, 1907)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.311 - License to engage in business of dealer, distributor, manufacturer, general serviceperson or specialty serviceperson: Requirements.

1. Except as otherwise provided by NRS 489.331, no person may engage or offer to engage in the business of a dealer, distributor, manufacturer, general serviceperson or specialty serviceperson in this State, or be entitled to any other license or permit required by this chapter, until the person has applied for and has been issued a license by the Division. 2. For the purposes of this section, a person engages in the business of a dealer, distributor, manufacturer, general serviceperson or specialty serviceperson in this State if the person, without limitation, submits a bid to perform any activity requiring a license pursuant to this section. (Added to NRS by 1979, 1203; A 1981, 1853; 1983, 784; 2005, 809, 1630; 2009, 1907)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.321 - License to engage in business of manufacturer, dealer, distributor, general serviceperson or specialty serviceperson: Application; issuance; provisional license; expiration and renewal. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] License to engage in business of manufacturer, dealer, distributor, general serviceperson or specialty serviceperson: Application; issuance; provisional license; expiration and renewal. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An application for a manufacturer's, dealer's, distributor's, general serviceperson's or specialty serviceperson's license must be filed upon forms supplied by the Division and include the social security number of the applicant. The applicant must furnish: (a) Any proof the Division may deem necessary that the applicant is a manufacturer, dealer, distributor, general serviceperson or specialty serviceperson. (b) Any proof the Division may require that the applicant has an established place of business. (c) Any proof the Division may require of the applicant's good character and reputation and fitness to engage in the activities for which the license is sought. (d) A complete set of the applicant's fingerprints and written permission authorizing the Administrator to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. The Administrator may exchange with the Central Repository and the Federal Bureau of Investigation any information relating to the fingerprints of an applicant under this section. (e) In the case of a dealer in new manufactured homes, an instrument in the form prescribed by the Division executed by or on behalf of the manufacturer certifying that the applicant is an authorized franchise dealer for the make or makes concerned. (f) A reasonable fee fixed by regulation. (g) In the case of a dealer, distributor or general serviceperson, proof of passing the examination required under subsection 1 of NRS 489.351. (h) In the case of a specialty serviceperson, proof of passing the examination required under subsection 1 of NRS 489.351 or proof that the examination has been waived pursuant to subsection 2 of NRS 489.351. (i) Any additional requirements the Division may from time to time prescribe by regulation. 2. Within 60 days after the receipt of a complete application, the Division shall issue or deny the license. 3. The Administrator may issue a provisional license pending receipt of the report from the Federal Bureau of Investigation. Upon receipt of the report and a determination by the Administrator that the applicant is qualified, the Division shall issue to the applicant a dealer's, manufacturer's, distributor's, general serviceperson's or specialty serviceperson's license containing the applicant's name and the address of the applicant's fixed place of business. 4. Each license is valid for a period of 2 years after the date of issuance and may be renewed for like consecutive periods upon application to and approval by the Division. (Added to NRS by 1979, 1203; A 1981, 1853; 1983, 144, 784; 1987, 1862; 1997, 2083; 2003, 2856; 2005, 1630; 2007, 381; 2009, 1907) 1. Applications for a manufacturer's, dealer's, distributor's, general serviceperson's or specialty serviceperson's license must be filed upon forms supplied by the Division, and the applicant shall furnish: (a) Any proof the Division may deem necessary that the applicant is a manufacturer, dealer, distributor, general serviceperson or specialty serviceperson. (b) Any proof the Division may require that the applicant has an established place of business. (c) Any proof the Division may require of the applicant's good character and reputation and fitness to engage in the activities for which the license is sought. (d) A complete set of the applicant's fingerprints and written permission authorizing the Administrator to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. The Administrator may exchange with the Central Repository and the Federal Bureau of Investigation any information respecting the fingerprints of an applicant under this section. (e) In the case of a dealer in new manufactured homes, an instrument in the form prescribed by the Division executed by or on behalf of the manufacturer certifying that the applicant is an authorized franchise dealer for the make or makes concerned. (f) A reasonable fee fixed by regulation. (g) In the case of a dealer, distributor or general serviceperson, proof of passing the examination required under subsection 1 of NRS 489.351. (h) In the case of a specialty serviceperson, proof of passing the examination required under subsection 1 of NRS 489.351 or proof that the examination has been waived pursuant to subsection 2 of NRS 489.351. (i) Any additional requirements the Division may from time to time prescribe by regulation. 2. Within 60 days after receipt of a complete application, the Division shall issue or deny the license. 3. The Administrator may issue a provisional license pending receipt of the report from the Federal Bureau of Investigation. Upon receipt of the report and a determination by the Administrator that the applicant is qualified, the Division shall issue to the applicant a dealer's, manufacturer's, distributor's, general serviceperson's or specialty serviceperson's license certificate containing the applicant's name and the address of the applicant's fixed place of business. 4. Each license is valid for a period of 2 years after the date of issuance and may be renewed for like consecutive periods upon application to and approval by the Division. (Added to NRS by 1979, 1203; A 1981, 1853; 1983, 144, 784; 1987, 1862; 1997, 2083; 2003, 2856; 2005, 1630, 1631; 2007, 381, 382; 2009, 1907, 1908, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing
NRS 489.323 - Proof of completion of continuing education required for renewal of license of dealer, distributor, general serviceperson, specialty serviceperson, responsible managing employee or salesperson; waiver.

1. Except as otherwise provided in subsection 2, if a licensee is a dealer, distributor, general serviceperson, specialty serviceperson, responsible managing employee or salesperson, the Division shall not renew a license issued to that licensee until the licensee has submitted proof satisfactory to the Division that the licensee has, during the 2-year period immediately preceding the renewal of the license, completed at least 8 hours of continuing education approved by the Division pursuant to NRS 489.285. 2. The Administrator may waive the requirement for continuing education set forth in subsection 1 for a licensee who is a specialty serviceperson if: (a) The licensee holds a license issued by the State Contractors' Board; and (b) The Administrator determines that, based upon the license described in paragraph (a) and the services provided by the licensee, it is in the best interest of this State for the Administrator to waive the requirement for continuing education for the licensee. (Added to NRS by 1997, 2987; A 2001, 487; 2005, 1631; 2009, 1909; 2013, 45)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.325 - Regulations providing for licensing of specialty servicepersons.

1. The Administrator may adopt regulations which provide for the licensing of specialty servicepersons. A person licensed as a specialty serviceperson pursuant to this section must be limited in the scope of the work he or she may perform to installation or repair in one of the following categories: (a) Awnings, roofing or skirting; (b) Plumbing; (c) Heating and air-conditioning systems; (d) Electrical systems; or (e) Any other category that may be similarly licensed by the State Contractors' Board. 2. The Administrator shall provide in those regulations for: (a) The imposition of reasonable fees for application, examination and licensure. (b) The creation and administration of a written or oral examination for each category of limited licensure. (c) Minimum qualifications for such a license, including, without limitation, the passage of any applicable examination required pursuant to subsection 1 of NRS 489.351, unless waived pursuant to subsection 2 of NRS 489.351. 3. A person who is licensed as a specialty serviceperson shall comply with each statute and regulation which applies to general servicepersons, including, without limitation, the payment of a fee required pursuant to subparagraph 1 of paragraph (c) of subsection 2 of NRS 489.4971. (Added to NRS by 1993, 827; A 1999, 861; 2003, 587; 2005, 1631; 2007, 383)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.331 - Authority to sell used manufactured and mobile homes in connection with sale of real property without license issued pursuant to this chapter.

A licensed real estate broker and his or her licensed salespersons may, without applying for or obtaining any license issued pursuant to the provisions of this chapter, sell used manufactured homes and used mobile homes when the sale is in connection with the sale of a fee simple interest in real property and the used manufactured home or used mobile home is situated on the real property sold. (Added to NRS by 1979, 1204; A 1983, 785; 1991, 1326; 2005, 664)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.336 - Limited lien resale licenses and permits authorizing landlord or manager of mobile home park to sell used mobile home: Regulations; authorized use.

1. The Division shall adopt regulations for the issuance of limited lien resale licenses and permits authorizing a landlord or manager to sell a used mobile home if: (a) The mobile home is located in a mobile home park that the landlord or manager owns, leases or manages; and (b) The landlord or manager purchased the mobile home at a sale to enforce a lien pursuant to NRS 108.270 to 108.367, inclusive, or acquired the mobile home through a voluntary surrender by the owner of the mobile home. 2. The regulations must specify the requirements for the issuance of a license or permit, including, without limitation, any educational requirements. 3. A person who is issued a license or permit pursuant to the regulations may sell a used mobile home in accordance with the license or permit. 4. As used in this section: (a) "Landlord" has the meaning ascribed to it in NRS 118B.014. (b) "Manager" has the meaning ascribed to it in NRS 118B.0145. (c) "Mobile home park" has the meaning ascribed to "manufactured home park" in NRS 118B.017. (Added to NRS by 2001, 1947; A 2009, 1909; 2015, 518)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.341 - License for salesperson or responsible managing employee: Requirements; issuance; provisional license; expiration; limitations; transfer. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] License for salesperson or responsible managing employee: Requirements; issuance; provisional license; expiration; limitations; transfer. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. A person shall not act as a salesperson in this State or as a responsible managing employee for a person who sells, leases, distributes, reconstructs, improves, repairs or installs any manufactured home, mobile home, manufactured building, commercial coach or factory-built housing subject to the provisions of this chapter without first having received a license from the Division. Before issuing such a license, the Division shall require: (a) An application, signed and verified by the applicant, stating that the applicant desires to act as a salesperson or responsible managing employee and providing the applicant's residential address and social security number and the name and address of his or her employer. (b) Proof of the employment of the applicant at the time the application is filed. An applicant for a license as a responsible managing employee shall submit proof of 2 years' experience within the previous 4 years in the business in which the applicant is seeking to be licensed as a responsible managing employee. (c) Proof of the applicant's good character and reputation and fitness to act as a salesperson or responsible managing employee. (d) A complete set of the applicant's fingerprints and written permission authorizing the Administrator to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. The Administrator may exchange with the Central Repository and the Federal Bureau of Investigation any information relating to the fingerprints of an applicant. (e) A statement as to whether any previous application of the applicant has been denied or license

revoked. (f) Payment of a reasonable license fee established by regulation. (g) The applicant to have passed the examination required by NRS 489.351. (h) Any other information the Division deems necessary. 2. Within 60 days after the receipt of a complete application, the Division shall issue or deny the license. 3. The Administrator may issue a provisional license pending receipt of the report from the Federal Bureau of Investigation. Upon receipt of the report and a determination by the Administrator that the applicant is qualified, the Administrator shall issue to the applicant a license as a salesperson or a responsible managing employee. The license must contain the licensee's name and the address of his or her employer's place of business. 4. Each license is valid for 2 years after the date of issuance and may be renewed for like consecutive periods upon application to and approval by the Division. 5. A person licensed pursuant to this section shall not engage in sales activity other than for the account of, or for and in behalf of, a single employer who is a licensed dealer or distributor. 6. A license issued pursuant to this section may be transferred to another licensed employer upon application and the payment of a transfer fee of \$10. When a salesperson or responsible managing employee holding a current license leaves the employment of one dealer, distributor, general serviceperson or specialty serviceperson for that of another, the new employer may employ the salesperson or responsible managing employee pending the transfer of the license if the transfer is completed within 10 days. 7. A license issued pursuant to this section must be posted in a conspicuous place on the premises of the employer for whom the holder of the license is licensed. 8. If a salesperson or responsible managing employee ceases to be employed by a licensed dealer, distributor, general serviceperson or specialty serviceperson, his or her license to act as a salesperson or responsible managing employee is automatically suspended and the person's right to act in that capacity immediately ceases, and he or she shall not engage in such an activity until reemployed by a licensed dealer, distributor, general serviceperson or specialty serviceperson. Every licensed salesperson and responsible managing employee shall report in writing to the Division every change in his or her place of employment or termination of employment within 5 days after the date of making the change. (Added to NRS by 1979, 1204; A 1981, 1854; 1983, 786; 1991, 1326; 1997, 2084; 2003, 2857; 2005, 1632; 2009, 1909) 1. A person shall not act as a salesperson in this State or as a responsible managing employee for a person who sells, leases, distributes, reconstructs, improves, repairs or installs any manufactured home, mobile home, manufactured building, commercial coach or factory-built housing subject to the provisions of this chapter without first having received a license from the Division. Before issuing such a license, the Division shall require: (a) An application, signed and verified by the applicant, stating that the applicant desires to act as a salesperson or responsible managing employee and providing the applicant's residential address and the name and address of his or her employer. (b) Proof of the employment of the applicant at the time the application is filed. An applicant for a license as a responsible managing employee shall submit proof of 2 years' experience within the previous 4 years in the business in which the applicant is seeking to be licensed as a responsible managing employee. (c) Proof of the applicant's good character and reputation and fitness to act as a salesperson or responsible managing employee. (d) A complete set of the applicant's fingerprints and written permission authorizing the Administrator to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. The Administrator may exchange with the Central Repository and the Federal Bureau of Investigation any information respecting the fingerprints of an applicant. (e) A statement as to whether any previous application of the applicant has been denied or license revoked. (f) Payment of a reasonable license fee established by regulation. (g) The applicant to have passed the examination required by NRS 489.351. (h) Any other information the Division deems necessary. 2. Within 60 days after receipt of a complete application, the Division shall issue or deny the license. 3. The Administrator may issue a provisional license pending receipt of the report from the Federal Bureau of Investigation. Upon receipt of the report and a determination by the Administrator that the applicant is qualified, the Administrator shall issue to the applicant a license as a salesperson or a responsible managing employee. The license must contain the licensee's name and the address of his or her employer's place of business. 4. Each license is valid for 2 years after the date of issuance and may be renewed for like consecutive periods upon application to and approval by the Division. 5. A person licensed pursuant to this section shall not engage in sales activity other than for the account of or for and in behalf of a single employer who is a licensed dealer or distributor. 6. A license issued pursuant to this section may be transferred to another licensed employer upon application and the payment of a transfer fee of \$10. When a salesperson or responsible managing employee holding a current license leaves the employment of one dealer, distributor, general serviceperson or specialty serviceperson for that of another, the new employer may employ the salesperson or responsible managing employee pending the transfer of the license if the transfer is completed within 10 days. 7. A license issued pursuant to this section must be posted in a conspicuous place on the premises of the employer for whom the holder of the license is licensed. 8. If a salesperson or responsible managing employee ceases to be employed by a licensed dealer, distributor, general serviceperson or specialty serviceperson, his or her license to act as a salesperson or responsible managing employee is automatically suspended and the person's right to act in that capacity immediately ceases, and he or she shall not engage in such an activity until reemployed by a licensed dealer, distributor, general serviceperson or specialty serviceperson. Every licensed salesperson and responsible managing employee shall report in writing to the Division every change in his or her place of employment or termination of employment within 5 days after the date of making the change. (Added to NRS by 1979, 1204; A 1981, 1854; 1983, 786; 1991, 1326; 1997, 2084; 2003, 2857; 2005, 1632, 1633; 2009, 1909, 1911, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing
NRS 489.342 - Payment of child support: Statement by applicant for license; grounds for denial of license; duty of

Division. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. A natural person who applies for the issuance or renewal of a manufacturer's, dealer's, distributor's, general serviceperson's, specialty serviceperson's, salesperson's or responsible managing employee's license shall submit to the Division the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant. 2. The Division shall include the statement required pursuant to subsection 1 in: (a) The application or any other forms that must be submitted for the issuance or renewal of the license; or (b) A separate form prescribed by the Division. 3. A manufacturer's, dealer's, distributor's, general serviceperson's, specialty serviceperson's, salesperson's or responsible managing employee's license may not be issued or renewed by the Division if the applicant is a natural person who: (a) Fails to submit the statement required pursuant to subsection 1; or (b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order. 4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Division shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage. (Added to NRS by 1997, 2082; A 2005, 1634; 2009, 1912)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.343 - Partnership, limited partnership, limited-liability partnership, limited-liability limited partnership, limited-liability company or corporation doing business as manufacturer, dealer, distributor, general serviceperson or specialty serviceperson.

1. Every partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company doing business as a manufacturer, dealer, distributor, general serviceperson or specialty serviceperson in this State shall designate one of its members, and every corporation doing business as a manufacturer, dealer, distributor, general serviceperson or specialty serviceperson in this State shall designate one of its officers, to submit an application for a manufacturer's, dealer's, distributor's, general serviceperson's or specialty serviceperson's license. 2. The Division shall issue a manufacturer's, dealer's, distributor's, general serviceperson's or specialty serviceperson's license to the member or officer on behalf of the corporation, company or partnership upon: (a) The designated member or officer, in the case of a dealer, distributor, general serviceperson or specialty serviceperson, successfully passing the examination required pursuant to subsection 1 of NRS 489.351 unless, in the case of a specialty serviceperson, the examination is waived pursuant to subsection 2 of NRS 489.351; and (b) Compliance with all other requirements of law or any other additional requirements the Division may from time to time prescribe by regulation by the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company, or corporation, as well as by the designated member or officer. 3. Upon receipt of the license, the designated member or officer is entitled to perform all the acts authorized by a license issued by the Division, except: (a) That the license issued entitles the designated member or officer to act pursuant to the terms and conditions of the license issued by the Division only as officer or agent of the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company, or corporation, and not on his or her own behalf; and (b) That if the person designated by the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company, or corporation: (1) Is refused a license by the Division; or (2) Ceases to be connected with the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership, limited-liability company or corporation, the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership, limited-liability company, or corporation may designate another person who shall make application and qualify as in the first instance. (Added to NRS by 1995, 955; A 2005, 1635; 2007, 383; 2009, 1912)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.344 - Member or officer of partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company or corporation who performs specified acts to obtain separate applicable license.

Each member or officer of a partnership, limited partnership, limited-liability partnership, limited-liability limited partnership or limited-liability company, or a corporation who will perform or engage in any of the acts specified in NRS 489.076, 489.081, 489.102, 489.115 or 489.147, other than the member or officer designated for that purpose by the partnership, limited partnership, limited-liability partnership, limited-liability limited partnership, limited-liability company, or the corporation, in the manner provided in NRS 489.343, must apply for and take out a separate manufacturer's, dealer's, distributor's, general serviceperson's or specialty serviceperson's license in his or her own name. The license issued to any such member or officer of a partnership, company or corporation entitles the member or officer to act as a manufacturer, dealer, distributor, general serviceperson or specialty serviceperson only as an officer or agent of the partnership, limited partnership, limited-liability partnership,

limited-liability limited partnership, limited-liability company, or corporation and not on his or her own behalf. (Added to NRS by 1995, 955; A 2005, 1636; 2009, 1913)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.351 - Examination of applicant for license; waiver for specialty serviceperson in certain circumstances.

1. Except as otherwise provided in subsection 2, the Administrator shall require an oral or written examination of each applicant for a license as a dealer, distributor, responsible managing employee, salesperson, general serviceperson or specialty serviceperson. 2. The Administrator may waive the examination required pursuant to subsection 1 for an applicant for a license as a specialty serviceperson if: (a) The applicant holds another valid license issued by this State; and (b) The services performed by the applicant pursuant to that license are substantially similar to the services to be performed by the applicant as a specialty serviceperson. (Added to NRS by 1979, 1205; A 1981, 1856; 1989, 1267; 2005, 1636; 2007, 384; 2009, 1914)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.357 - License not to be used by person other than to whom issued; disciplinary action.

1. A license issued pursuant to this chapter must not be used for any purpose by any person other than the person to whom the license is issued. 2. The holder of such a license shall not assign, transfer or otherwise authorize the use of the license by any other person. 3. In addition to any other remedy or penalty authorized pursuant to this chapter, if the holder of a license violates any provision of this section, the violation is cause for the automatic cancellation and revocation of the license. (Added to NRS by 2005, 1626)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.381 - Disciplinary action against licensees.

The Division may impose an administrative fine of not more than \$1,000 per violation, and may deny, suspend or revoke any license issued under this chapter or reissue the license subject to reasonable conditions upon any of the grounds set forth in NRS 489.391 to 489.421, inclusive, which constitute grounds for disciplinary action. If discipline is imposed pursuant to this section, the costs of the proceeding, including investigative costs and attorney's fees, may be recovered by the Division. (Added to NRS by 1979, 1205; A 1993, 899; 1997, 96)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.391 - Grounds for disciplinary action: Failure to establish place of business; conducting business from unauthorized location; insolvency; furnishing false information; failure to prove employment or good character; other conduct; obtaining contents of examination.

The following grounds, among others, constitute grounds for disciplinary action under NRS 489.381: 1. Except for a salesperson, failure of the applicant to have an established place of business or conducting business from a location that is not authorized by the Division. 2. Financial insolvency of the applicant or licensee. 3. Material misstatement in the application or otherwise furnishing false information to the Division. 4. Failure of a salesperson or applicant for licensing as a salesperson to establish by proof satisfactory to the Division that he or she is employed by a licensed dealer. 5. Failure of an applicant for a license to provide proof satisfactory to the Division of the applicant's good character and reputation and fitness to engage in the activities for which the license is sought. 6. Any conduct before licensing which was in fact unknown to the Division and would have been grounds for denial of a license had the Division been aware of the conduct. 7. Obtaining or disclosing the contents of an examination given by the Division. (Added to NRS by 1979, 1205; A 1983, 787; 1997, 96; 2005, 1636)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.401 - Grounds for disciplinary action: Deceptive advertising; misrepresentation; failure to disclose; failure to provide copy of certificate of installation; inducing falsification of credit application; failure to obtain acknowledgment of notice.

The following grounds, among others, constitute grounds for disciplinary action pursuant to NRS 489.381: 1. The intentional publication, circulation or display of any advertising which constitutes a deceptive trade practice as that term is defined in NRS 598.0915 to 598.0925, inclusive. 2. Failure to include in any advertising the name of the licensed dealer, distributor, general serviceperson or specialty serviceperson, or the name under which the person is doing business. 3. Making any substantial misrepresentation or false promise which is likely to influence, persuade or induce, or continually failing to fulfill promises to sell, breaching agreements or contracts or making false promises by any means. 4. Failure to disclose all terms and conditions of a sale, purchase or lease or offer to sell, purchase or lease a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing. 5. Failure to disclose to a person with whom the licensed dealer or distributor is dealing with regard to the sale, distribution, purchase or lease of a manufactured home any material facts, structural defects or other material information which the licensed dealer or distributor knew, or which by the exercise of reasonable care and diligence should have known, concerning the manufactured home or concerning the sale, distribution, purchase or lease of the manufactured home. 6. Failure to comply with the provisions of NRS 489.595. 7. Representing to any lender, guaranteeing agency or other interested party, orally or

through the preparation of false documents: (a) An amount in excess of the actual sales price; (b) A false amount as the down payment, earnest money deposit or other valuable consideration; (c) Terms differing from those actually agreed upon; or (d) False information on a credit application. 8. Inducing an applicant to falsify a credit application. 9. Failure to obtain from the holder of any lien or security interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing within 10 days before the closure of a sale a written acknowledgment that the holder of the lien or security interest has received written notification of the sale. (Added to NRS by 1979, 1206; A 1983, 787; 1985, 2261; 1989, 651; 1991, 2047; 1993, 1186; 1997, 96; 2005, 1636; 2009, 1914)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.411 - Grounds for disciplinary action: Compensation from certain exclusive agreements; conflicts of interest; paying unlicensed person; commingling; allowing unlicensed person to engage in acts requiring licensure; failure to account for or remit money or to discharge final judgment; acting as agent and undisclosed principal.

The following grounds, among others, constitute grounds for disciplinary action under NRS 489.381: 1. Claiming, demanding or receiving a fee, compensation or commission under any exclusive agreement, authorizing or employing a licensee to sell, distribute, buy or exchange a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing for compensation or commission, where the agreement does not contain a definite specified date of final and complete termination, does not set forth the terms and conditions of the exclusive agreement or is not signed by both the licensee and the owner. 2. While the employee, agent or fiduciary of a licensee, soliciting, accepting or agreeing to accept any benefit, fee, commission or compensation for the performance of any of the acts specified in this chapter from any person except the licensee with whom he or she is associated or employed. 3. Paying a commission or other compensation to any person or employing any person for performing the services of a person required to be licensed under this chapter who has not first secured a license pursuant to this chapter. 4. Commingling the money or other property of his or her principals with his or her own or converting the money of others to his or her own use. 5. Knowingly permitting a person whose license has been revoked or suspended or who does not hold a valid license to engage on behalf of the licensed dealer or distributor in acts that require a license. 6. In the case of a salesperson, failing to give to the licensed dealer or distributor by whom the salesperson is employed, as soon as practicable after receipt, a deposit or other money or consideration entrusted to him or her by a person dealing with the salesperson as a representative of the licensed dealer or distributor. 7. Failing within a reasonable time to account for or to remit any money coming into his or her possession which belongs to others. 8. Failure or refusal by a licensee to pay or otherwise discharge any final judgment rendered and entered against the licensee which arises out of the conduct of the licensee's business licensed under this chapter. 9. Acting in the dual capacity of agent and undisclosed principal in a transaction. (Added to NRS by 1979, 1206; A 1983, 788; 1997, 97; 2009, 1915)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.416 - Grounds for disciplinary action: Substandard or unsafe workmanship; failure to honor warranty or other guarantee; performing act requiring licensure in grossly negligent or incompetent manner.

The following grounds, among others, constitute grounds for disciplinary action under NRS 489.381: 1. Workmanship which: (a) Is not commensurate with standards of the trade in general; (b) Is below standards adopted by the Division or the codes and standards adopted pursuant to this chapter and chapter 461 of NRS, and any regulations adopted pursuant thereto; or (c) Endangers the life and safety of an occupant of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing. 2. Failure to honor any warranty or other guarantee given by a licensee for workmanship or material as a condition of securing a contract, or of selling, distributing, leasing, reconstructing, improving, repairing or installing any manufactured home, mobile home, manufactured building, commercial coach, factory-built housing or accessory structure. 3. Gross negligence or incompetence in performing an act for which a license is required pursuant to this chapter. (Added to NRS by 1983, 776; A 1997, 98; 2009, 1915)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.421 - Grounds for disciplinary action: Revocation or denial of license; failure to maintain license or to respond to notice; failure to take corrective action or permit access; violation of order, agreement or law; convictions and certain pleas; fraudulent dealing.

The following grounds, among others, constitute grounds for disciplinary action under NRS 489.381: 1. Revocation or denial of a license issued pursuant to this chapter or an equivalent license in any other state, territory or country. 2. Failure of the licensee to maintain any other license required by any political subdivision of this State. 3. Failure to respond to a notice served by the Division as provided by law within the time specified in the notice. 4. Failure to take the corrective action required in a notice of violation issued pursuant to NRS 489.291. 5. Failure or refusing to permit access by the Administrator to documentary materials set forth in NRS 489.231. 6. Disregarding or violating any order of the Administrator, any agreement with the Division, or any provision of this chapter or any regulation adopted under it. 7. Conviction of a misdemeanor for violation of any of the provisions of this chapter. 8. Conviction of or entering a plea of guilty, guilty but mentally ill or nolo contendere to: (a) A felony relating to the position for which the applicant has applied or the licensee has been licensed pursuant to this chapter; or (b) A crime of moral turpitude in this State or any other state, territory or country. 9. Any other conduct that constitutes deceitful, fraudulent or dishonest dealing. (Added to NRS by 1979, 1206; A 1981, 1299; 1983, 380, 788; 1987, 1863; 1995, 2475; 1997, 98; 2003, 1497, 2702; 2007, 1465)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.423 - Disciplinary action against licensed dealer or distributor for knowledge of unlawful act of employee or associate or failure to maintain adequate supervision; disciplinary action against general serviceperson or specialty serviceperson for knowledge of unlawful act of employee or associate.

1. Upon a finding that a licensed dealer or distributor knew, or by the exercise of reasonable care and diligence should have known, of any unlawful act or violation of a provision of this chapter by a salesperson, general serviceperson, specialty serviceperson or any other person who is employed by or associated with the licensed dealer or distributor, the Administrator may suspend or revoke the license of the licensed dealer or distributor and impose an administrative fine upon him or her of not more than \$1,000. 2. Upon a finding that a licensed dealer or distributor failed to maintain adequate supervision of a salesperson, general serviceperson or specialty serviceperson who, while employed by or associated with the licensed dealer or distributor, committed any unlawful act or violated a provision of this chapter, the Administrator may suspend or revoke the license of the licensed dealer or distributor and impose an administrative fine upon him or her of not more than \$1,000. 3. Upon a finding that a licensed general serviceperson or specialty serviceperson knew, or by the exercise of reasonable care and diligence should have known, of any unlawful act or violation of a provision of this chapter by any person who is employed by or associated with the licensed general serviceperson or specialty serviceperson, the Administrator may suspend or revoke the license of the licensed general serviceperson or specialty serviceperson and impose an administrative fine upon him or her of not more than \$1,000. (Added to NRS by 1997, 95; A 2005, 1637; 2009, 1916)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.425 - Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Division receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a manufacturer's, dealer's, distributor's, general serviceperson's, specialty serviceperson's, salesperson's or responsible managing employee's license, the Division shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Division receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. 2. The Division shall reinstate a manufacturer's, dealer's, distributor's, general serviceperson's, specialty serviceperson's, salesperson's or responsible managing employee's license that has been suspended by a district court pursuant to NRS 425.540 if the Division receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560. (Added to NRS by 1997, 2082; A 2005, 1637; 2009, 1916)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.426 - Advance fees: Persons authorized to accept; accounting of use; regulations; disciplinary action.

1. A person who charges or collects an advance fee shall, within 3 months after charging or collecting such a fee, furnish to his or her principal an accounting of the use of the money. The Administrator also may require an accounting by the person of the use of the money. 2. A person shall not accept an advance fee listing unless the person is a dealer, responsible managing employee or salesperson who is licensed pursuant to this chapter. 3. The Administrator may adopt regulations concerning advance fee listings and the charging and collecting of an advance fee, including, but not limited to: (a) Forms to be used for advance fee agreements; and (b) Reports and forms of accounting required to be kept, made or submitted to the Division. 4. A violation of this section or the regulations adopted pursuant to this section constitutes grounds for disciplinary action against a licensee. 5. As used in this section: (a) "Advance fee" means the money contracted for, charged, claimed, collected, demanded or received for an advance fee listing of, an advertisement for or an offer to sell a manufactured home, mobile home or commercial coach, if the advance fee listing, advertisement or offer is issued to promote the sale of a manufactured home, mobile home or commercial coach or for referral to a business, to dealers or to salespersons, before the last printing or other last issuance thereof, other than by a newspaper of general circulation. (b) "Advance fee listing" includes, but is not limited to: (1) The name or a list of the names of owners, prospective buyers or exchangers, or the location of a manufactured home, mobile home or commercial coach that is offered for sale or exchange. (2) The location at which prospective or potential buyers or exchangers of manufactured homes, mobile homes or commercial coaches may be communicated with or found. (3) An agreement by which a person who is engaged in the business of promoting the sale of manufactured homes, mobile homes or commercial coaches agrees to render to an owner or buyer any service to promote the sale of the manufactured home, mobile home or commercial coach for an advance fee. (4) An agreement by which a person agrees to locate or to promote the sale of a manufactured home, mobile home or commercial coach for an advance fee. The term does not include any publication issued for general circulation. (Added to NRS by 1991, 1325)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built

HousingNRS 489.431 - Investigation by Administrator; disciplinary action.

1. The Administrator may on his or her own motion, and shall upon receiving a complaint, investigate the actions of any licensee or any other person who assumes to act in the capacity of a licensee in this State. A complaint must be verified and filed with the Division within 2 years after the act complained of. 2. If the Administrator finds that the licensee or other person has acted in violation of this chapter, and that the violation is not repeated or continuing, the Administrator may attempt to secure a correction of the violation or satisfaction for the complainant from the licensee or other person. If the Administrator's attempt fails or if the Administrator determines that disciplinary action is necessary, the Administrator may take disciplinary action. 3. If the Administrator finds that the violation is being repeatedly or continuously committed, or if in the Administrator's discretion the violation warrants disciplinary action, the Administrator may take disciplinary action without seeking correction or satisfaction. (Added to NRS by 1979, 1207)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.436 - Bidding, contracting or otherwise acting in capacity of licensee without having license: Cease and desist order; injunction; fine.

1. The Administrator or a designee of the Administrator shall issue an order to cease and desist to any person or combination of persons who: (a) Engages in the business or acts in the capacity of a licensee within this State, including, without limitation, commencing any work for which a license is required pursuant to this chapter; or (b) Submits a bid or enters into a contract for a job located within this State for which a license is required pursuant to this chapter, without having a license issued pursuant to this chapter, unless that person or combination of persons is exempt from licensure pursuant to this chapter. The order must be served personally or by certified mail and is effective upon receipt. 2. If it appears that any person or combination of persons has engaged in acts or practices which constitute a violation of this chapter or the violation of an order issued pursuant to subsection 1, the Administrator may request the Attorney General, the district attorney of the county in which the alleged violation occurred or the district attorney of any other county in which that person or combination of persons maintains a place of business or resides, to apply on behalf of the Administrator to the district court for an injunction restraining the person or combination of persons from acting in violation of this chapter. Upon a proper showing, a temporary restraining order, a preliminary injunction or a permanent injunction may be granted. The Administrator, as plaintiff in the action, is not required to prove any irreparable injury. 3. In seeking injunctive relief against any person or combination of persons for an alleged violation of this chapter, it is sufficient to allege that the person or combination of persons, upon a certain day and in a certain county of this State: (a) Engaged in the business or acted in the capacity of a licensee within this State; or (b) Submitted a bid or entered into a contract for a job located within this State for which a license is required pursuant to this chapter, and the person or combination of persons did not have a license issued pursuant to this chapter and was not exempt from licensure pursuant to this chapter, without alleging any further or more particular facts concerning the matter. 4. The issuance of a restraining order or an injunction does not relieve the person or combination of persons against whom the restraining order or injunction is issued from criminal prosecution for practicing without a license. 5. If the court finds that any person or combination of persons has willfully violated an order issued pursuant to subsection 1, it shall impose a fine of not less than \$250 nor more than \$1,000 for each violation of the order. (Added to NRS by 2005, 1626)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.441 - Hearings before Administrator.

1. The applicant or licensee may, within 30 days after receipt of the notice of denial or complaint, petition the Administrator in writing for a hearing. 2. Upon filing the petition, a date for hearing must be fixed, which must be within 30 days after the date on which the petition was filed. 3. Within 20 days after the hearing, the Administrator shall make written findings of fact and conclusions. (Added to NRS by 1979, 1207)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.451 - Commercial coach to bear certificate and label of compliance; limitation.

Every commercial coach which is rented, leased or sold or offered for rent, lease or sale in this State must bear a certificate and label of compliance issued by this State if the commercial coach was manufactured on or after July 1, 1977. (Added to NRS by 1979, 1207; A 1981, 1192; 1983, 789; 1993, 2053)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.461 - Compliance with local building codes and ordinances not required if certificate and label issued; exception.

Except as otherwise provided in NRS 278.02095, a manufactured home, mobile home, travel trailer or commercial coach for which a certificate and label of compliance has been issued pursuant to the provisions of this chapter is not required to comply with any local building codes or ordinances prescribing standards for plumbing, heating, electrical systems, body and frame design and construction requirements. (Added to NRS by 1979, 1208; A 1983, 789; 1999, 3467)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built

HousingNRS 489.481 - Regulations providing fees for certificates, labels, licenses and other services provided by Division.

The Division shall adopt regulations providing fees for: 1. Certificates of installation; 2. Labels of installation; 3. Certificates of compliance; 4. Labels of compliance; 5. Certificates of title; 6. Licenses of manufacturers, dealers, distributors, salespersons, responsible managing employees, general servicepersons and specialty servicepersons; 7. Licenses for branch offices; and 8. Any other services provided by the Division. (Added to NRS by 1979, 1209; A 1983, 789; 2005, 1638; 2009, 1916; 2023, 28)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.4971 - Persons who may file claim against licensee; satisfaction of claim; fees for licensure and renewal; payments; service of copy of complaint upon commencement of action.

1. Any person who entered into an agreement for the sale, purchase, lease, distribution, alteration, repair, remodeling or manufacture of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing may file a claim against a person licensed pursuant to the provisions of this chapter. Such a claim may be satisfied by the Account. 2. Upon the issuance or renewal of the following licenses by the Division, the licensee must pay, in addition to the original or renewal license fee, a fee: (a) For a dealer's, distributor's or manufacturer's original license, or for any original limited dealer's license which authorizes a limited dealer to act as a reposessor or liquidator, of \$1,000. (b) For a dealer's, distributor's or manufacturer's renewal license, or a renewal of any limited dealer's license which authorizes a limited dealer to act as a reposessor or liquidator, of \$600. (c) For an original or renewal license for: (1) A general serviceperson or specialty serviceperson, of \$150. (2) A salesperson, of \$75. (3) A responsible managing employee, of \$100. Except as otherwise provided in NRS 489.265, fees collected pursuant to this section must be deposited in the State Treasury for credit to the Account. 3. A payment from the Account to satisfy the claim of a person specified in subsection 1 against a person who is licensed pursuant to this chapter must be made only upon an appropriate court order that is issued in an action for fraud, misrepresentation or deceit relating to an act for which a license is required pursuant to this chapter. 4. If a person specified in subsection 1 commences an action specified in subsection 3 against a person who is licensed pursuant to this chapter, the person specified in subsection 1 must serve a copy of the complaint upon the Administrator within 30 days after the action is commenced. (Added to NRS by 1981, 1849; A 1983, 790; 1987, 1864, 2088; 1989, 1472; 1993, 1187; 1995, 956; 2001, 487; 2003, 1410; 2005, 1638; 2009, 1917; 2017, 3623)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.4975 - Recovery from Account: Procedure; hearing; limitation.

1. If a purchaser of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing obtains a final judgment in any court of competent jurisdiction against any licensee under this chapter in an action specified in subsection 3 of NRS 489.4971, the judgment creditor may, upon the termination of all proceedings, including appeals in connection with any judgment, file a verified petition in the court in which the judgment was entered for an order directing payment from the Account in the amount of actual damages included in the judgment and unpaid, but not more than \$25,000 per judgment and the liability of the Account may not exceed \$100,000 for any licensee. 2. A copy of the petition must be served upon the Administrator and an affidavit of service filed with the court. The petition and each copy of the petition served pursuant to this subsection must set forth the grounds which entitle the judgment creditor to recover from the Account and must include a copy of: (a) The final judgment specified in subsection 1; (b) The complaint upon which the final judgment was entered; and (c) If assets are known to exist, the writ of execution that was returned unsatisfied. 3. The court shall act upon the petition within 30 days after service and, upon the hearing of the petition, the judgment creditor must show that: (a) The judgment creditor is not the spouse of the judgment debtor, or the personal representative of that spouse. (b) The judgment creditor has complied with all the requirements of NRS 489.4971 to 489.4989, inclusive. (c) The judgment creditor has obtained a judgment of the kind described in subsection 1, stating the amount of the judgment and the amount owing on it at the date of the petition. (d) A writ of execution has been issued upon the judgment and that no assets of the judgment debtor liable to be levied upon in satisfaction of the judgment could be found, or that the amount realized on the sale of any of them that were found under the execution was insufficient to satisfy the judgment, stating the amount so realized and the balance remaining due. (e) The judgment creditor and the Division have made reasonable searches and inquiries to ascertain whether the judgment debtor possesses real or personal property or other assets, liable to be sold or applied in satisfaction of the judgment. (f) The petition has been filed not more than 1 year after the termination of all proceedings, including reviews and appeals, in connection with the judgment. 4. A person licensed pursuant to this chapter shall not recover from the Account for damages related to a transaction in which the person acted in his or her capacity as a licensee. (Added to NRS by 1981, 1849; A 1999, 862; 2001, 488; 2003, 1410; 2009, 1917)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.4977 - Administrator may answer petition; compromise of claims.

1. The Administrator may answer and defend any action against the Account in the name of the defendant and may use any appropriate method of review on behalf of the Account. 2. The judgment set forth in the petition must be considered as prima facie evidence only and the findings of fact in it are not conclusive for the purposes of this chapter. 3. The Administrator may, subject to court approval, compromise a claim based upon the application of the judgment creditor. The Administrator shall not be bound by any prior compromise of the judgment debtor. (Added to NRS by 1981, 1850)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.4979 - Court order requiring payment from Account.

After the hearing, if the court finds that a claim may be made against the Account, the court shall enter an order directing the Administrator to pay from the Account an amount within the limitations set by NRS 489.4975 and 489.4983. (Added to NRS by 1981, 1851)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.4981 - Automatic suspension of license upon court order requiring payment; conditions for reinstatement of license.

If the Administrator pays any amount in settlement of a claim or towards satisfaction of a judgment against a licensee from the Account, the license is automatically suspended upon the effective date of an order by the court authorizing payment from the Account. A licensee may not be granted reinstatement until the licensee has repaid in full, plus interest at the rate of 12 percent per annum, the amount paid from the Account on his or her behalf. Interest is to be computed from the date payment from the Account is made. (Added to NRS by 1981, 1851; A 1983, 790)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.4983 - Distribution of payment if claims exceed Account's maximum liability; satisfaction of unpaid claims when balance becomes sufficient.

1. Whenever multiple claims against a licensee are filed against the Account and they exceed in the aggregate \$100,000, the maximum liability of the Account for the licensee must be distributed among the claimants in the ratio that their respective claims bear to the total of all claims, or in any other manner that the court may find equitable. 2. The distribution must be made without regard to the order of priority in which the claims were filed or judgments entered. 3. Upon the petition of the Administrator, the court may require all claimants and prospective claimants to be joined in one action so that the respective rights of all claimants may be equitably determined. 4. If, at any time, the money deposited in the Account is insufficient to satisfy any authorized claim or portion of a claim, the Administrator shall, when sufficient money has been deposited in the Account, satisfy the unpaid claims or portions thereof, in the order that the claims or portions thereof were originally filed, plus accumulated interest at the rate of 6 percent per annum. (Added to NRS by 1981, 1850)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.4985 - Administrator's right to subrogation.

When the Administrator has paid from the Account any sum to the judgment creditor, the Administrator is subrogated to all other rights of the judgment creditor and the judgment creditor shall assign all his or her right, title and interest in the judgment to the Administrator and any amount and interest so recovered by the Administrator on the judgment must be deposited in the Account. (Added to NRS by 1981, 1851)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.4987 - Waiver of rights.

The failure of a person to comply with any of the provisions of NRS 489.4971 to 489.4989, inclusive, constitutes a waiver of any rights under those sections. (Added to NRS by 1981, 1851; A 2017, 3624)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.4989 - Disciplinary action against licensee not restricted for violation of law or regulation.

Nothing contained in NRS 489.4971 to 489.4989, inclusive, limits the authority of the Administrator to take disciplinary action against a licensee for a violation of any of the provisions of this chapter or of the regulations of the Division, nor does the repayment in full of obligations to the Account by any licensee nullify or modify the effect of any other disciplinary proceeding brought pursuant to the provisions of this chapter or the regulations adopted under it. (Added to NRS by 1981, 1851; A 2017, 3624)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.501 - Dealer to complete report of sale when new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing is sold; buyer to sign acknowledgment of taxes; distribution of report of sale.

1. When a new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing is sold in this State by a dealer, the dealer shall complete a report of sale. The report of sale must be in a form prescribed by the Division. 2. The dealer shall require the buyer to sign an acknowledgment of taxes, on a form prescribed by the Division. A dealer who sells a new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing shall deliver the buyer's copy of the acknowledgment of taxes to the buyer at the time of sale and submit another copy within 30 days after the date of the sale to the county assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing will be located. 3. The dealer shall submit the report of

sale and the manufacturer's certificate or statement of origin to the Division within 30 days after the execution of all instruments which the contract of sale required to be executed at the time of sale or within 30 days after the date of sale, whichever is later, unless an extension of time is granted by the Division. 4. A dealer who sells a new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing shall deliver a copy of the report of sale to the buyer at the time of sale and submit another copy within 30 days after the date of the sale to the county assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing will be located. (Added to NRS by 1979, 1210; A 1981, 1192; 1983, 791; 1997, 190, 1588; 2009, 1918; 2023, 28)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.511 - Dealer to complete dealer's report of sale when used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is sold; distribution of dealer's report of sale; buyer to sign acknowledgment of taxes; submission of information to Division when title does not pass immediately to buyer.

1. If a used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is sold in this State by a dealer, the dealer shall complete a dealer's report of sale. The report must be in a form prescribed by the Division. 2. The dealer shall submit the dealer's report of sale to the Division within 45 days after the execution of all instruments which the contract of sale requires to be executed at the time of the sale, unless an extension of time is granted by the Division, together with the endorsed certificate of title previously issued. The dealer shall furnish one copy of the report of sale to the buyer at the time of the sale. Within 45 days after the sale, the dealer shall furnish one copy of the report of sale to the assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing will be located. 3. The dealer shall require the buyer to sign an acknowledgment of taxes, on a form prescribed by the Division. The dealer shall deliver the buyer's copy of the acknowledgment to the buyer at the time of sale and submit another copy to the county assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is to be located. 4. If a used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is sold by a dealer pursuant to an installment contract or other agreement by which the certificate of title does not pass immediately from the seller to the buyer upon the sale, the dealer shall submit to the Division any information required by the regulations adopted by the Administrator pursuant to NRS 489.272. (Added to NRS by 1979, 1211; A 1983, 791; 1993, 233; 1997, 190; 1999, 2778; 2005, 1639; 2009, 1919; 2023, 29)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.521 - Sale of used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing by person who is not dealer: Information to be submitted to Division and county assessor; regulations.

1. If a used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is sold in this State by a person who is not a dealer, the seller or buyer, or both, shall: (a) Within 45 days after the sale, submit to the Division and to the county assessor of the county in which the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is located the information required by the regulations adopted by the Administrator pursuant to subsection 2; and (b) If the used or rebuilt manufactured home, mobile home, manufactured building or commercial coach or used or rebuilt factory-built housing is sold by a person who is not a dealer pursuant to an installment contract or other agreement by which the certificate of title does not pass immediately from the seller to the buyer upon the sale, submit to the Division any information required by the regulations adopted by the Administrator pursuant to NRS 489.272. 2. The Administrator shall adopt regulations prescribing the information that is required to be submitted to the Division and county assessor pursuant to paragraph (a) of subsection 1. (Added to NRS by 1979, 1211; A 1983, 792; 1993, 234; 1997, 1589; 2005, 1639; 2009, 1920; 2023, 30)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.531 - Verification of payment of property taxes on used manufactured home or used mobile home prerequisite to issuance of certificate.

The Division shall not issue a certificate of title of a used manufactured home or used mobile home unless the county assessor of the county in which the manufactured home or mobile home was situated at the time of sale has provided to the Division, on a form prescribed by the Division, verification that all personal property taxes on that manufactured home or mobile home for the fiscal year have been paid. (Added to NRS by 1979, 1209; A 1981, 1193; 1983, 792; 1991, 2107; 1993, 98; 2023, 30)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.541 - Issuance of certificate of title.

1. Except as otherwise provided in subsections 4 and 5, upon receipt of the documents required by the Division, the Division shall issue a certificate of title. 2. If no security interest is created or exists in connection with the sale, the certificate of title must be issued to the buyer. 3. If a security interest is created by the sale, the certificate of title must be issued to the secured party or an

assignee thereof, and must show the name of the registered owner. 4. The Division shall not issue a certificate of title for a mobile home that has been determined to be substandard until the conditions that rendered the mobile home substandard are abated. 5. The Division shall not issue a certificate of title for factory-built housing that constitutes real property pursuant to subsection 4 of NRS 361.244. (Added to NRS by 1979, 1210; A 1993, 2053; 2009, 1920; 2023, 31)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.561 - Issuance of certificate when transferee unable to present previously issued certificate.

Whenever an application is made to the Division for title of a manufactured home, mobile home or commercial coach previously titled and the applicant is unable to present the certificate of title previously issued because it is lost or being unlawfully detained by one in possession or is not otherwise available, the Division may receive the application and examine the circumstances of the case and require the filing of affidavits or other information. When the Division is satisfied that the applicant is entitled to a certificate of title, or pursuant to NRS 489.562, it may issue the certificate on the manufactured home, mobile home or commercial coach. (Added to NRS by 1979, 1210; A 1983, 793; 2019, 2424; 2023, 31)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.562 - Application for new certificate of title under certain circumstances; filing, form and amount of bond; recovery on bond; right of action does not exist.

1. If an applicant who is seeking a certificate of title is unable to provide the information required by the Division pursuant to NRS 489.561 and satisfy the Division that the applicant is entitled to a certificate of title pursuant to that section, the applicant may obtain a new certificate of title from the Division by: (a) Filing a bond with the Division that meets the requirements of subsection 3; and (b) Allowing the Division to inspect the manufactured home, mobile home or commercial coach for compliance with the safety standards and other requirements provided in regulations adopted by the Administrator pursuant to NRS 489.251. 2. Any person damaged by the issuance of a certificate of title pursuant to this section has a right of action to recover on the bond for any breach of its conditions, except the aggregate liability of the surety to all persons must not exceed the amount of the bond. 3. The bond required pursuant to subsection 1 must be: (a) In a form prescribed by the Division; (b) Executed by the applicant as principal and by a corporation qualified under the laws of this State as surety; (c) In an amount equal to one and one-half times the most recent assessed value assigned by the relevant county assessor to the manufactured home, mobile home or commercial coach; and (d) Conditioned to indemnify any: (1) Prior owner or lienholder of the manufactured home, mobile home or commercial coach, and his or her successors in interest; (2) Subsequent purchaser of the manufactured home, mobile home or commercial coach, and his or her successors in interest; or (3) Person acquiring a security interest in the manufactured home, mobile home or commercial coach, and his or her successors in interest, against any expense, loss or damage because of the issuance of the certificate of title or because of any defect in or undisclosed security interest in the applicant's right or title to the manufactured home, mobile home or commercial coach or the applicant's interest in the manufactured home, mobile home or commercial coach. 4. A right of action does not exist in favor of any person by reason of any action or failure to act on the part of the Division or any officer or employee thereof in carrying out the provisions of this section, or in giving or failing to give any information concerning the legal ownership of a manufactured home, mobile home or commercial coach or the existence of a certificate of title obtained pursuant to this section. (Added to NRS by 2019, 2422; A 2023, 31)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.564 - Certificate of title in beneficiary form: Request; application; fee; restriction upon issuance; contents; signatures and transactions; duties of Division.

1. The owner or joint owners of a manufactured home, mobile home or commercial coach may request the Division to issue a certificate of title in beneficiary form for the manufactured home, mobile home or commercial coach, as applicable, which includes a directive to the Division to transfer the certificate of title upon the death of the owner or upon the death of all joint owners to a beneficiary named on the face of the certificate of title. 2. A request made pursuant to subsection 1 must be submitted on an application made available by the Division and must: (a) Contain a notarized signature of the owner or each joint owner; and (b) Be accompanied by the fee for the issuance of a certificate of title. 3. A certificate of title in beneficiary form may not be issued to a person who holds an interest in a manufactured home, mobile home or commercial coach as a tenant in common with another person. 4. A certificate of title in beneficiary form must include after the name of the owner or after the names of joint owners the words "transfer on death to" or the abbreviation "TOD" followed by the name of the beneficiary. 5. During the lifetime of a sole owner or before the death of the last surviving joint owner: (a) The signature or consent of the beneficiary is not required for any transaction relating to a manufactured home, mobile home or commercial coach for which a certificate of title in beneficiary form has been issued; and (b) The certificate of title in beneficiary form may be revoked or the beneficiary changed at any time by: (1) Sale of the manufactured home, mobile home or commercial coach with proper assignment and delivery of the certificate of title to another person; or (2) Filing an application with, and paying a fee to, the Division to reissue the certificate of title with no designation of a beneficiary or with the designation of a different beneficiary. 6. The interest of the beneficiary in a manufactured home, mobile home or commercial coach on the death of the sole owner or on the death of the last surviving joint owner is subject to any contract of sale, assignment or ownership or security interest to which the owner or owners of the manufactured home, mobile home or commercial coach were subject during their lifetime. 7. Except as otherwise provided in paragraph (b) of subsection

5, the designation of a beneficiary in a certificate of title in beneficiary form may not be changed or revoked by will, any other instrument or a change in circumstances, or otherwise changed or revoked. 8. The Division shall, upon: (a) Proof of death of one of the owners, of two or more joint owners or of a sole owner; and (b) Payment of the fee for a certificate of title, issue a new certificate of title for the manufactured home, mobile home or commercial coach to the surviving owner or owners or, if none, to the beneficiary, subject to any security interest. 9. For the purposes of complying with the provisions of subsection 8, the Division may rely on a death certificate, record or report that constitutes prima facie evidence of death. 10. The transfer on death of a manufactured home, mobile home or commercial coach pursuant to this section is not considered as testamentary and is not subject to administration pursuant to the provisions of title 12 of NRS. 11. As used in this section: (a) "Beneficiary" means a person or persons designated to become the owner or owners of a manufactured home, mobile home or commercial coach on the death of the preceding owner or owners. (b) "Certificate of title in beneficiary form" means a certificate of title of a manufactured home, mobile home or commercial coach that indicates the present owner or owners of the manufactured home, mobile home or commercial coach and designates a beneficiary. (Added to NRS by 2019, 2423; A 2023, 32)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.571 - Issuance of certificate to secured parties; delivery of certificate following performance of contract or security agreement.

1. Whenever a security interest is created in a manufactured home, mobile home or commercial coach, the certificate of title must be delivered to the Division with a statement signed by the debtor showing the date of the security agreement, the names and addresses of the debtor and the secured party. 2. The Division shall issue to the secured party a certificate of title with the name and address of the secured party and the name and address of the registered owner noted on it. If the security interest is subsequently acquired by another person, or if there is a change in the name or address of the secured party, the secured party shall apply to the Division for a corrected certificate of title. 3. When the contract or terms of the security agreement have been fully performed, the seller or other secured party who holds the certificate of title shall deliver the certificate to the person legally entitled to it with proper evidence of the termination or release of the security interest. (Added to NRS by 1979, 1211; A 1983, 793; 1991, 1723; 2023, 33)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.581 - Rights and duties of debtor and secured party; perfection and release of security interest.

Compliance with the provisions of this chapter relating to a security interest in a manufactured home, mobile home or commercial coach is sufficient for the perfection and release of that security interest. In all other respects the rights and duties of the debtor and secured party are governed by the Uniform Commercial Code—Secured Transactions and chapter 97 of NRS to the extent applicable. (Added to NRS by 1979, 1211; A 1983, 793; 1985, 303)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.585 - Regulations.

The Administrator shall adopt regulations pertaining to: 1. The issuance of a certificate of title pursuant to NRS 489.562; and 2. The issuance and revocation of a certificate of title in beneficiary form and a change in beneficiary for such a certificate of title pursuant to NRS 489.564. (Added to NRS by 2019, 2424; A 2023, 34)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.591 - Division required to adopt regulations concerning issuance.

The Division shall adopt regulations concerning the issuance of: 1. Certificates of installation issued by the Division which certify that the manufactured home, mobile home or commercial coach was installed in compliance with regulations adopted by the Division. 2. Labels of installation issued by the Division which must be attached to a manufactured home, mobile home or commercial coach after the certificate of installation has been issued and removed when the manufactured home, mobile home or commercial coach is moved from the location it occupied when the certificate was issued. (Added to NRS by 1979, 1209; A 1983, 782)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.593 - Certificates of installation: Contents.

Each certificate of installation issued by the Division for a manufactured home or mobile home must include the following information: 1. The name of the Administrator; 2. The address and telephone number of each office of the Division; 3. The legal rights of owners of manufactured homes and mobile homes; 4. The procedure for filing a complaint with the Administrator; 5. The procedure for resolution of disputes between owners of manufactured homes or mobile homes and persons licensed by the Division; and 6. Any other information prescribed by the Administrator. (Added to NRS by 1991, 2047)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.595 - Certificates of installation: Dealer required to provide copy to purchaser of new manufactured home; sample copies.

A dealer shall provide a copy of the certificate of installation described in NRS 489.593 to each purchaser of a new manufactured home. The Division shall make available sample copies of certificates of installation to all licensed dealers for distribution to prospective purchasers. (Added to NRS by 1991, 2047)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.596 - Training regarding inspections necessary for issuance of certificates of installation and labels of installation.

1. The Division, in cooperation with manufacturers and organizations concerned with manufactured homes and mobile homes, shall conduct one or more training programs each year regarding appropriate methods and techniques for conducting any inspections necessary for the issuance of certificates of installation and labels of installation for manufactured homes and mobile homes. 2. The Division shall pay for the expenses of conducting the programs from money in the Account. (Added to NRS by 1993, 1185; A 2017, 3624)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.5965 - Issuance of certificate of installation or label of installation without completing training program prohibited.

No person may issue a certificate of installation or label of installation for a manufactured home or mobile home unless the person has successfully completed, within the preceding 12 months, a training program conducted pursuant to NRS 489.596. (Added to NRS by 1993, 1186)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.597 - Administrator required to adopt regulations.

The Administrator shall adopt regulations to carry out the provisions of NRS 489.593 to 489.5965, inclusive. (Added to NRS by 1991, 2047; A 1993, 1187)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.611 - Permit required for movement upon highways or roads; exceptions.

1. Except as provided in subsection 2, no manufactured home, mobile home or commercial coach may be moved upon the highways or roads of this state through use of any valid license plate unless a proper trip permit is obtained and displayed. 2. NRS 489.621 to 489.661, inclusive, do not apply to manufactured homes, mobile homes or commercial coaches moved: (a) Through this state from and to points outside Nevada. (b) Into this state with a valid license plate or permit from another state. (c) With any valid license plate when movement is from: (1) The place of manufacture of the manufactured home, mobile home or commercial coach to the place of business of a dealer licensed under this chapter; (2) One dealer lot to another; or (3) A dealer lot to the place of delivery to that dealer's buyer. (Added to NRS by 1979, 1212; A 1983, 794)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.621 - Application; fee and required proof; expiration; use.

1. Except as otherwise provided in NRS 489.611, any person who moves a manufactured home, mobile home or commercial coach upon any highway or road in this state shall, before that movement, apply to the county assessor for a trip permit. The assessor of the county from which the manufactured home, mobile home or commercial coach is to be moved shall issue a trip permit for each section of the manufactured home, mobile home or commercial coach upon application presented in the form prescribed by the Division, payment of a fee of \$5 for each permit, and proof satisfactory to the assessor of ownership and that all property taxes, for the full year in which the permit is to be used, and use taxes if applicable, levied against the manufactured home, mobile home or commercial coach and its contents have been paid. 2. The trip permit authorizes movement over the highways and roads for not more than 5 consecutive working days following the date of issuance and the application and permit respectively must be used in lieu only of any certificate of registration and vehicle license number plate required by law. (Added to NRS by 1979, 1213; A 1981, 1193; 1983, 794; 1989, 1832)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.631 - Contents of application; duties of county assessor.

1. The application for a trip permit must contain any information required by the Division, and the name of the owner of the manufactured home, mobile home or commercial coach, the make, model and serial number of the manufactured home, mobile home or commercial coach, the location of the place from which it was moved, the address of the place to which it is to be moved, the amount of all property taxes paid for the manufactured home, mobile home or commercial coach for the year in which the permit will be used, the expiration date of the permit and the signature of the county assessor or designee of the county assessor. 2. The county assessor shall, within 10 days after issuing the trip permit, forward a copy of the application: (a) To the Division; and (b) To the assessor of the county where the manufactured home, mobile home or commercial coach will be located, unless the manufactured home, mobile home or commercial coach is to leave this state. 3. The county assessor shall also provide a copy of the

application: (a) For use by the operator of the vehicle moving the manufactured home, mobile home or commercial coach and the operator shall keep a copy of the application in his or her possession at all times during the movement. (b) To the owner of the manufactured home, mobile home or commercial coach. (Added to NRS by 1979, 1213; A 1983, 794; 1989, 1832)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.641 - Size, shape, form and display of permit.

1. The Division shall determine the size, shape and form of the trip permit which may be part of a single form also containing the application for the permit. Each permit must bear the month and day of expiration in numerals of sufficient size to be plainly readable from a reasonable distance during daylight. 2. The trip permit must be prominently displayed on the rear of each section of the manufactured home, mobile home or commercial coach in the manner prescribed by the Division at all times during which the manufactured home, mobile home or commercial coach is moved upon any highway or road. The permit must be made and displayed in a manner that renders the permit unusable when removed from the manufactured home, mobile home or commercial coach. (Added to NRS by 1979, 1213; A 1981, 1194; 1983, 795)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.651 - Supplies of forms; disposition of fees.

1. The Division shall provide each county assessor with a sufficient quantity of application and permit forms. 2. The assessor or an appropriate officer shall remit one-half of the fee collected for the trip permit monthly to the Division for deposit in the Account. (Added to NRS by 1979, 1214; A 1985, 303; 2017, 3624)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.661 - Violations; penalty; seizure of manufactured home, mobile home or commercial coach.

1. Any person who moves a manufactured home, mobile home or commercial coach in violation of the provisions of NRS 489.611 to 489.651, inclusive, is guilty of a misdemeanor. 2. If a manufactured home, mobile home or commercial coach is moved upon any highway or road in the State in violation of any of the provisions of NRS 489.611 to 489.651, inclusive, the Division, any member of the Nevada Highway Patrol or any peace officer in the State shall seize and hold the manufactured home, mobile home or commercial coach until presented with a copy of the application and trip permit required by NRS 489.621 to 489.661, inclusive. (Added to NRS by 1979, 1214; A 1983, 795)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.701 - Smoke detectors required for mobile homes, commercial coaches, travel trailers and manufactured homes sold or used for residential purposes in State; interconnectivity devices.

1. Any mobile home, commercial coach or travel trailer sold or used for residential purposes in this State must be equipped with a smoke detector which meets standards approved by the State Fire Marshal. 2. Any manufactured home sold or used for residential purposes in this State must be equipped with a smoke detector which meets federal construction and safety standards for manufactured homes in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.). 3. An interconnectivity device for smoke detectors is not required to be installed in a mobile home or manufactured home that was not designed and produced by the manufacturer to accommodate such a device. (Added to NRS by 1979, 986; A 1983, 795; 2005, 2333)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.706 - Newly constructed mobile and manufactured homes: Minimal standards for plumbing fixtures and certain landscaping fixtures.

1. Each manufactured home or mobile home on which construction begins on or after March 1, 1992, and before March 1, 1993, must incorporate the following minimal standards for plumbing fixtures: (a) A toilet which uses water must not be installed unless its consumption of water does not exceed 3.5 gallons of water per flush. (b) A shower apparatus which uses more than 3 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 3 gallons of water or less per minute. (c) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater than 3 gallons per minute. 2. Each manufactured home or mobile home on which construction begins on or after March 1, 1993, and before January 1, 2020, must incorporate the following minimal standards for plumbing fixtures: (a) A toilet which uses water must not be installed unless its consumption of water does not exceed 1.6 gallons of water per flush. (b) A shower apparatus which uses more than 2.5 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 2.5 gallons of water or less per minute. (c) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater than 2.5 gallons per minute. 3. Each manufactured home or mobile home on which construction begins on or after January 1, 2020: (a) If the WaterSense program established by the United States Environmental Protection Agency has developed a final product specification for a type of toilet, shower apparatus, urinal or faucet, must not install any toilet, shower apparatus, urinal or faucet that has not been certified under the WaterSense program. (b) If the WaterSense program has not developed a final product specification for a type of toilet, shower apparatus, urinal or faucet, must not install any toilet, shower apparatus, urinal or faucet that does not comply with any

applicable requirements of federal law and the building code of the county or city. 4. For the purposes of subsection 3, a plumbing fixture is considered certified under the WaterSense program if the fixture meets the requirements of paragraph (a) or (b) of subsection 6 of NRS 278.582. 5. Each manufactured home or mobile home on which construction begins on or after January 1, 2024: (a) If the WaterSense program established by the United States Environmental Protection Agency has developed a final product specification for an irrigation controller or spray sprinkler body, must not install any irrigation controller or spray sprinkler body that has not been certified under the WaterSense program. (b) If the WaterSense program has not developed a final product specification for a type of irrigation controller or spray sprinkler body, must not install any irrigation controller or spray sprinkler body that does not comply with any applicable requirements of federal law and the building code of the county or city. 6. For the purposes of subsection 5, a landscape fixture is considered certified under the WaterSense program if the fixture meets the requirements of paragraph (a) or (b) of subsection 6 of NRS 278.582. (Added to NRS by 1991, 1169; A 2019, 2104; 2023, 1277)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.711 - Dealer exempt from property tax on inventory.

Notwithstanding the provisions of chapters 361 and 482 of NRS or any other law, no dealer may be required to pay any property tax, either as tax on inventory or on individual manufactured homes, mobile homes or commercial coaches, on any manufactured home, mobile home or commercial coach of which the dealer takes possession and holds for sale in the ordinary course of business. (Added to NRS by 1979, 1212; A 1983, 795)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.715 - Disclosure of terms and conditions of offer to be contained in signed document; submission of signed offer.

1. Full disclosure of all terms and conditions of an offer to sell, buy or lease a used manufactured home, used mobile home or used commercial coach must be set forth in writing and signed by the seller, buyer and dealer. 2. Any offer to purchase or lease a used manufactured home, used mobile home or used commercial coach must be submitted within 5 days after the offer is made to the owner or the authorized agent of the owner for approval or disapproval. The offer must be in writing and signed and dated by the person making the offer and by the dealer. 3. As used in this section, "authorized agent" does not include a dealer or an employee or agent of the dealer. (Added to NRS by 1981, 1190; A 1983, 796; 1999, 862)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.7152 - Form of contracts to be used by dealer for sale and listing of manufactured home, mobile home or commercial coach; disciplinary action for failure to use forms.

The Administrator shall prescribe the form of the contracts that must be used by a dealer for the sale and listing for sale of a manufactured home, mobile home or commercial coach. A dealer who fails to use the forms prescribed by the Administrator pursuant to this section is subject to disciplinary action pursuant to NRS 489.381. (Added to NRS by 1999, 860; A 2005, 664, 1640)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.7154 - Contract for sale or exchange of interest in mobile home, manufactured home, manufactured building or commercial coach or factory-built housing: Essential provisions required before buyer may sign; dealer authorized to insert certain information after contract signed by buyer; regulations.

1. Except as otherwise provided in subsection 2, a dealer shall not obtain or attempt to obtain the signature of a buyer on a contract for the sale or exchange of an interest in a mobile home, manufactured home, manufactured building or commercial coach or factory-built housing if any of the essential provisions of the contract are not set forth in the contract. 2. The dealer may insert: (a) The identification number or identifying marks of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing; and (b) The date the first installment payment for the sale or exchange is due from the buyer, into the blank spaces of a contract after the contract has been signed by a buyer if the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing was not delivered to the buyer on the date the contract was executed. 3. The Administrator shall prescribe, by regulation, the essential provisions of a contract. (Added to NRS by 1999, 860; A 2009, 1921)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.7156 - Requirements for enforceability of brokerage agreement granting dealer exclusive right to assist, solicit or negotiate sale or exchange of interest in manufactured home, mobile home, manufactured building or commercial coach or factory-built housing.

A brokerage agreement that includes a provision that grants a dealer the exclusive right to assist, solicit or negotiate the sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing on behalf of a client is enforceable if the agreement: 1. Is in writing; 2. Sets forth the date the brokerage agreement expires; 3. Does not require the client to perform any act concerning the brokerage agreement after the agreement expires; and 4. Is signed by the client or the client's representative and the dealer or the dealer's representative. (Added to NRS by 1999, 859; A 2009, 1921)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built

HousingNRS 489.7158 - Brokerage agreements: Duties of dealer; dealer prohibited from entering unless dealer determines client able to deliver good title.

1. A dealer who has entered into a brokerage agreement with a client for the sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing shall: (a) Seek the price and terms for the sale or exchange that are set forth in the brokerage agreement or are approved by the client; (b) Present all offers made to or by the client as soon as practicable; (c) Disclose to the client all the material facts known by the dealer concerning the sale or exchange; (d) Advise the client to obtain advice from an expert concerning any matters that are beyond the knowledge or expertise of the dealer; (e) As soon as practicable, account for all money and property the dealer receives in which the client may have a financial interest; and (f) As soon as practicable, deliver to each party a copy of the executed contract for the sale or exchange. 2. A dealer shall not enter into a brokerage agreement with a client for the sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing unless the dealer has determined that the client will be able to deliver good title upon the execution of the sale or exchange of the interest in the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing. (Added to NRS by 1999, 859; A 2009, 1921)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.716 - Work pertinent to sale, installation and occupancy of manufactured home: Authority of certain dealers to enter into written agreements with providers of service; buyer not to be required to obtain services from specific provider of services; written disclosure; provider of services required under certain circumstances to enter into written agreement with person for whom services will be performed.

1. A dealer of new manufactured homes who is licensed pursuant to chapter 624 of NRS may enter into written agreements pursuant to which appropriately licensed providers of service agree to perform work pertinent to the sale, installation and occupancy of a manufactured home. If such a dealer enters into such a written agreement, the dealer is responsible for the workmanship and completion of all parts of the project involving the sale, installation and occupancy of the manufactured home, including, without limitation, any work performed by a provider of service pursuant to the written agreement. 2. A dealer of manufactured homes, regardless of whether the dealer is licensed pursuant to chapter 624 of NRS, shall not require a buyer of a manufactured home to obtain services to be performed pertinent to the sale, installation or occupancy of the manufactured home from a specific provider of services. The dealer shall disclose to the buyer in writing the fact that the dealer is prohibited from requiring the buyer to obtain such services from a specific provider of services. 3. Before performing any work, a provider of services shall enter into a written agreement with each person for whom the provider of services will perform work which is pertinent to the sale, installation or occupancy of a manufactured home, including, without limitation, a dealer of manufactured homes, a person who owns a manufactured home and any person who is purchasing a manufactured home. The written agreement must include provisions specifying: (a) The scope of work; (b) The cost for completion of the work; (c) The date on which work will begin; (d) The anticipated date for completion of the work; and (e) That no additional work may be performed and no additional costs may be charged unless agreed to in writing before the additional work is performed or costs are incurred. 4. As used in this section, "provider of services" means any person who performs work pertinent to the sale, installation and occupancy of a manufactured home. (Added to NRS by 2003, 586; A 2007, 384; 2013, 349)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.717 - Dealer prohibited from requiring purchaser to obtain loan or financing from specific person; disclosure of prohibition to purchaser; regulations.

1. A dealer shall not require a person to obtain a loan or financing from the dealer or any other person as a condition to the purchase, sale or exchange of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing. 2. A dealer shall disclose the substance of subsection 1 to each person with whom the dealer agrees to purchase, sell or exchange a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing. The Division may adopt regulations concerning the form and manner of the disclosure. (Added to NRS by 1987, 2087; A 2009, 1922)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.721 - Deposit of receipts from sale of commercial coach in fiduciary account.

Any dealer who does not have title to a commercial coach must deposit any money received from the sale of that commercial coach in a fiduciary account until the sale is completed or terminated. (Added to NRS by 1979, 1212; A 1981, 1299)

2024 Nevada Revised StatutesChapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built HousingNRS 489.723 - Money received by dealer concerning sale or exchange of interest in manufactured home, mobile home, manufactured building or commercial coach or factory-built housing: Duties of dealer; distribution of money; exceptions.

1. Any money that a dealer receives from a client or other person concerning the sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing must be accounted for by the dealer when: (a) The sale or exchange of the interest in the manufactured home, mobile home, manufactured building, commercial coach or

factory-built housing is executed; or (b) The contract for the sale or exchange of the interest in the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is rescinded by the dealer, client or any other person, whichever occurs earlier. 2. The dealer shall: (a) Prepare or cause to be prepared a written itemized statement concerning each expenditure or deduction of money made by the dealer; (b) Deliver or cause to be delivered to each person from whom the dealer received money a copy of the written itemized statement; and (c) Maintain a copy of the written itemized statement at the dealer's place of business. 3. Except as otherwise provided in a brokerage agreement or an escrow agreement signed by the parties to a sale or exchange of an interest in a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing and the escrow agent or escrow officer licensed pursuant to the provisions of chapter 645A or 692A of NRS, no money concerning that sale or exchange held by a dealer may be distributed until: (a) An application for: (1) A certificate of title for the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing; or (2) A certificate of title that does not pass immediately upon the sale or transfer of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, has been submitted to the Division in a form prescribed by the Division; (b) Each person who has a financial interest in the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing has executed a document in a form prescribed by the Division that releases or waives the person's interest; and (c) Each party to the sale or exchange has complied with the requirements for the sale or exchange that are set forth in the regulations adopted pursuant to the provisions of this chapter. (Added to NRS by 1999, 858; A 2009, 1922; 2023, 34)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.7235 - Authority of Division to investigate and audit financial account related to business of dealer or distributor; regulations governing scope of audit.

1. The Division may investigate and audit any financial account, including, without limitation, any trust account, related to the business of a dealer or distributor if: (a) The Division has reasonable cause to believe that the dealer or distributor is using or has used the account to carry on the business of the dealer or distributor; and (b) The Division: (1) Has reasonable cause to believe or has received a credible complaint that the dealer or distributor is insolvent or is in a financial condition, or has engaged in a financial practice, which creates a substantial risk of insolvency; or (2) Determines that the investigation and audit are reasonably necessary to assist the Division in administering or enforcing any provision of law. 2. The Administrator shall adopt regulations prescribing the scope of an audit conducted pursuant to this section. 3. As used in this section, "insolvency" or "insolvent" means a condition under which a dealer or distributor is unable to meet the liabilities of his or her business as they become due in the regular course of business and which creates a substantial risk of harm to the public or a consumer. (Added to NRS by 2009, 1900)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.724 - Money received by dealer on behalf of principal or another: Deposit in escrow account or separate trust account; maintenance of records and other requirements of dealer concerning separate trust account; responsibility and liability of dealer for money; certain information to be provided to Division concerning separate trust account.

1. All down payments, deposits of earnest money, proceeds of loans or other money which a dealer receives on behalf of his or her principal or any other person must be deposited in: (a) An escrow account maintained by an escrow agent or escrow officer licensed pursuant to chapter 645A or 692A of NRS; or (b) A separate checking account, which must be designated a trust account, in a financial institution in this State whose deposits are insured by an agency of the Federal Government or by a private insurer approved pursuant to NRS 672.755. 2. Every dealer required to maintain a separate or trust account shall keep records of all money deposited therein. The records must clearly indicate the date and from whom the dealer received money, the date deposited, the dates of withdrawals and other pertinent information concerning the transaction, and must show clearly for whose account the money is deposited and to whom the money belongs. All such records and money are subject to inspection and audit by the Division and its authorized representatives pursuant to NRS 489.7235. All such separate trust accounts must designate the dealer as trustee and provide for the withdrawal of money without previous notice. The dealer shall balance each separate trust account at least monthly. The dealer shall provide to the Division, on a form provided by the Division, an annual accounting which shows an annual reconciliation of each separate trust account. 3. All money deposited in a separate trust account from down payments, deposits of earnest money, proceeds of loans or other money received by a dealer from a person pursuant to a written contract signed by the dealer and that person must not be withdrawn from the account except to pay specific expenses as authorized by the written contract. The dealer is personally responsible and liable for such money at all times. A dealer shall not permit any advance payment of money belonging to another person to be deposited in the dealer's business or personal account or to be commingled with any money the dealer has on deposit. 4. Each dealer shall notify the Division of the names of the financial institutions in which the dealer maintains trust accounts and specify the names of the accounts on forms provided by the Division. (Added to NRS by 1983, 379; A 1985, 810; 1997, 212; 1999, 1506; 2009, 1923)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.727 - Dealer prohibited from commingling money or other property.

A dealer shall not commingle the money or other property of a seller or purchaser of a manufactured home or a mobile home with his or her own. (Added to NRS by 1983, 380; A 1983, 799)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.729 - Dealer required to satisfy outstanding security interest in mobile home, manufactured home, manufactured building or commercial coach or factory-built housing taken in trade.

If a licensed dealer takes a mobile home, manufactured home, manufactured building or commercial coach or factory-built housing in trade on the purchase of another such home, building or coach and there is an outstanding security interest, the licensed dealer shall satisfy the outstanding security interest within 30 days after the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing is taken in trade on the purchase of the other home, building or coach. (Added to NRS by 1987, 147; A 2009, 1923)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.731 - Restrictions on leasing of vacant lots.

Unless further restricted by a local ordinance, if more than 80 percent of the lots in the park where it is situated are occupied, it is unlawful for a dealer, general serviceperson, specialty serviceperson or salesperson to rent or lease a vacant mobile home lot unless:

1. Within 60 days he or she takes up residence in a manufactured home or mobile home placed upon the lot; or
2. He or she releases the lot to a qualified tenant. After the expiration of 60 days after the date of rental of the lot to the dealer, general serviceperson, specialty serviceperson or salesperson, any qualified tenant is entitled, upon written request to the landlord, to obtain release of the lot. (Added to NRS by 1979, 1880; A 1983, 796; 2005, 1640)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.741 - Limitation of actions against Division and its employees.

No right of action exists in favor of any person by reason of any action or failure to act on the part of the Division or any of its officers or employees in carrying out the provisions of this chapter, or in giving or failing to give any information concerning the legal ownership of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing or the existence of a security interest in it. (Added to NRS by 1979, 1212; A 1983, 796; 2009, 1924)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.751 - Implied warranty by dealer of working order of essential systems.

1. Unless otherwise specifically waived in writing by the buyer, for each sale in which the dealer is the seller or an agent of the seller, there is an implied warranty by the dealer that all the essential systems are in working order upon the execution of the sale. For the purposes of this subsection, the words "as is" or any similar words do not constitute a waiver of the implied warranty unless the words specifically refer to a specific component of an essential system. 2. As used in this section, "essential system" means the heating, air-conditioning, electrical, plumbing and drainage systems of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing. (Added to NRS by 1999, 860; A 2009, 1924)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.756 - Established place of business to display sign; contents; conformance to regulations.

Each established place of business, including each branch office of that business, must display a sign that: 1. Includes the name under which business is conducted pursuant to a license issued pursuant to this chapter; and 2. Conforms to any regulations adopted by the Division relating to the size and placement of the sign. (Added to NRS by 2005, 1626)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.770 - Definitions.

As used in NRS 489.770 to 489.780, inclusive, unless the context otherwise requires, the words and terms defined in NRS 489.772 and 489.774 have the meanings ascribed to them in those sections. (Added to NRS by 2003, 1340)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.772 - "Transferee" defined.

"Transferee" means any person who purchases, leases or otherwise takes possession or attempts to purchase, lease or otherwise take possession of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing or any interest therein from a transferor. (Added to NRS by 2003, 1340; A 2009, 1924)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.774 - "Transferor" defined.

"Transferor" means any person who: 1. Sells or leases or attempts to sell or lease a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing or any interest therein to a transferee; or 2. Transfers or attempts to transfer a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing or any interest therein to a transferee in any other manner. (Added to NRS by 2003, 1340; A 2009, 1924)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.776 - Duties of transferor or agent; when disclosure not required; regulations.

1. Except as otherwise provided in this section and unless required to make a disclosure pursuant to NRS 40.770, if a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing is or has been the site of a crime that involves the manufacturing of any material, compound, mixture or preparation which contains any quantity of methamphetamine, a transferor or his or her agent who has actual knowledge of such information shall disclose the information to a transferee or his or her agent. 2. The disclosure described in subsection 1 is not required if: (a) All materials and substances involving methamphetamine have been removed from or remediated on the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing by an entity certified or licensed to do so; or (b) The manufactured home, mobile home, manufactured building, commercial coach or factory-built housing has been deemed safe for habitation by the board of health. 3. The disclosure described in subsection 1 is not required for any sale or other transfer or intended sale or other transfer of a manufactured home, mobile home, manufactured building or commercial coach or factory-built housing by a transferor: (a) To any co-owner of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing, the spouse of the transferor or a person related within the third degree of consanguinity or affinity to the transferor; or (b) If the transferor is a dealer and this is the first sale or transfer of a new manufactured home, new mobile home, new manufactured building or new commercial coach or new factory-built housing. 4. The Division may adopt regulations to carry out the provisions of this section. 5. As used in this section, "board of health" has the meaning ascribed to it in NRS 439.4797. (Added to NRS by 2003, 1340; A 2009, 828, 1924)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.778 - Potential liability of transferor and agent to transferee; options of transferee upon disclosure; rights and remedies additional.

1. A transferor or his or her agent, or both, who violates any provision of NRS 489.776 may be held liable to the transferee in any action at law or in equity. 2. An agent of a transferee who has actual knowledge of any information required to be disclosed pursuant to NRS 489.776 may be held liable to the transferee in any action at law or in equity if the agent fails to disclose that information to the transferee. 3. If a transferor makes a disclosure pursuant to NRS 489.776, the transferee may: (a) Rescind the agreement to purchase, lease or take possession of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing; (b) Make the agreement to purchase, lease or take possession of the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing contingent upon the repair of any damage to the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing that has been caused by the manufacturing of any material, compound, mixture or preparation which contains any quantity of methamphetamine; or (c) Accept the manufactured home, mobile home, manufactured building, commercial coach or factory-built housing with the damage as disclosed by the transferor without further recourse. 4. The rights and remedies provided by this section are in addition to any other rights or remedies that may exist at law or in equity. (Added to NRS by 2003, 1340; A 2009, 1925)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.780 - Grounds for disciplinary action against licensed dealer or salesperson.

The failure of a licensed dealer or salesperson to make the disclosure required pursuant to NRS 489.776 constitutes grounds for disciplinary action pursuant to NRS 489.381. (Added to NRS by 2003, 1341; A 2005, 1641)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.801 - Manufacture or sale of noncomplying unit; sale without certificate or label of compliance; false certification; notification of defects; failure to permit access; disclosure of contents of examination; use of unsafe unit.

1. It is unlawful for any person to manufacture any manufactured home, mobile home, travel trailer or commercial coach unless the manufactured home, mobile home, travel trailer or commercial coach and its components and systems are constructed and assembled according to the standards prescribed pursuant to the provisions of this chapter. 2. It is unlawful for any person knowingly to sell or offer for sale any manufactured home which has been constructed on or after June 15, 1976, unless the manufactured home and its components and systems have been constructed and assembled according to the standards prescribed pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.). 3. Any person who knowingly sells or offers to sell in this state any manufactured home, mobile home or commercial coach for which a certificate or label of compliance is required under this chapter, which does not bear a certificate or label of compliance, is liable for the penalties provided in NRS 489.811 and 489.821. 4. It is unlawful for any person to issue a certification which states that a manufactured home conforms to all applicable federal standards for safety and construction if that person, in the exercise of due care, has reason to know that the certification is false or misleading in any material respect. 5. It is unlawful for a manufacturer to fail to furnish notification of defects relating to construction or safety, as required by the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C. § 5414). 6. It is unlawful for any person to fail or refuse to permit access by the Administrator to the documentary materials set forth in NRS 489.231. 7. It is unlawful for any person, without authorization from the Division, to disclose or obtain the contents of an examination given by the Division. 8. It is unlawful for any person to use a

manufactured home or mobile home as living quarters or for human occupancy, respectively, if the manufactured home or mobile home violates a standard of safety set forth in regulations adopted pursuant to subsection 1 of NRS 489.251, concerning installation, tie down, and support of manufactured homes and mobile homes. (Added to NRS by 1979, 1207; A 1981, 1194; 1983, 796, 797)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.806 - Bidding, contracting or otherwise acting in capacity of licensee without having license: Prohibition; prosecution; payment of costs and damages; violative bids and contracts deemed void.

1. It is unlawful for any person or combination of persons to: (a) Engage in the business or act in the capacity of a licensee within this State, including, without limitation, commencing any work for which a license is required pursuant to this chapter; or (b) Submit a bid or enter into a contract for a job located within this State for which a license is required pursuant to this chapter, without having a license issued pursuant to this chapter, unless that person or combination of persons is exempt from licensure pursuant to this chapter. 2. The district attorneys in this State shall prosecute all violations of this section which occur in their respective counties, unless the violations are prosecuted by the Attorney General. Upon the request of the Administrator, the Attorney General shall prosecute any violation of this section in lieu of prosecution by the district attorney. 3. In addition to any other remedy or penalty authorized pursuant to this chapter, any person or combination of persons convicted of violating any provision of subsection 1 may be required to pay: (a) Court costs and the costs of prosecution; (b) Reasonable costs of the investigation of the violation to the Division; (c) Damages the person or combination of persons caused as a result of the violation up to the amount of any pecuniary gain from the violation; or (d) Any combination of paragraphs (a), (b) and (c). 4. If any person or combination of persons submits a bid or enters into a contract in violation of subsection 1, the bid or contract shall be deemed void. (Added to NRS by 2005, 1627)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.811 - Civil penalties.

1. Except as otherwise provided in subsection 5, any person who violates any of the provisions of this chapter is liable to the State for a civil penalty of not more than \$1,000 for each violation. Each violation of this chapter or any regulation or order issued under it constitutes a separate violation with respect to each manufactured home, mobile home, manufactured building, commercial coach or factory-built housing and with respect to each failure or refusal to allow or perform an act required by this chapter or regulation or order, except that the maximum civil penalty is \$1,000,000 for any related series of violations occurring within 1 year after the first violation. 2. Before the adoption of any regulation for whose violation a civil penalty may be imposed, the Administrator shall give at least 30 days' written notice to every licensed manufacturer, dealer, distributor, general serviceperson and specialty serviceperson, and every other interested party who has requested the notice. 3. An action to enforce a civil penalty must be brought in a court of competent jurisdiction in the county in which the defendant has his or her principal place of business. 4. All money collected as civil penalties pursuant to the provisions of this chapter must be deposited in the Account. 5. This section does not apply to a manufacturer, distributor or dealer of travel trailers. (Added to NRS by 1979, 1214; A 1983, 798; 2005, 1641; 2009, 1925; 2017, 3624)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.814 - Administrative fines for certain violations related to licensing.

1. If any person or combination of persons violates the provisions of NRS 489.311 or subsection 1 of NRS 489.806, the Administrator may impose an administrative fine of not less than \$1,000 nor more than \$10,000 for each violation. 2. An administrative fine imposed pursuant to this section is in addition to any other remedy or penalty authorized pursuant to this chapter. 3. If the administrative fine is not paid when due, the fine must be recovered in a civil action brought by the Attorney General on behalf of the Administrator. (Added to NRS by 2005, 1628)

2024 Nevada Revised Statutes Chapter 489 - Manufactured Homes; Mobile Homes and Similar Vehicles; Factory-Built Housing NRS 489.821 - Criminal penalties for certain actions and violations.

1. A person is guilty of a gross misdemeanor who knowingly: (a) Makes any false entry on any certificate of origin or certificate of title. (b) Furnishes false information to the Division concerning any security interest. (c) Files with the Administrator any notice, statement or other document required under the provisions of this chapter which is false or contains any material misstatement of fact. (d) Whether acting individually or as a director, officer or agent of a corporation, violates a provision of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq., this chapter and chapter 461 of NRS, and any regulations adopted pursuant thereto, causing a condition which endangers the health or safety of a purchaser of a manufactured home. 2. A dealer is guilty of a gross misdemeanor who knowingly: (a) Fails to maintain a trust account as required by NRS 489.724. (b) Commingles the money or other property of a seller or purchaser of a manufactured home, manufactured building or mobile home or factory-built housing with his or her own. (c) Fails to cooperate or comply with or knowingly impedes or interferes with any investigation or audit conducted by the Division pursuant to NRS 489.7235. (d) Acts as a dealer while insolvent or engages in any financial practice which creates a substantial risk of insolvency. 3. Except as otherwise provided in this section, any person who knowingly or willfully violates any provision of this chapter is guilty of a misdemeanor. 4. Subsection 3 does not apply to a manufacturer of travel trailers. (Added to NRS by 1979, 1214; A 1981, 1195; 1983, 380, 798; 2009, 1926; 2023,

