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ASSEMBLY BILL NO. 96—ASSEMBLYMAN ARAUJO

PREFILED FEBRUARY 2, 2017

Referred to Committee on Transportation

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

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

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

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

**Legislative Counsel’s Digest:**

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

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



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

- 1       **Section 1.** NRS 706.741 is hereby amended to read as follows:  
2       706.741 1. An owner or operator of a motor vehicle that is  
3 used for the transportation of passengers or property is not subject to  
4 the provisions of this chapter governing fully regulated carriers if:
- 5       (a) The owner or operator , *or any person who directly or*  
6 *indirectly controls, is controlled by or is under common control*  
7 *with the owner or operator,* of the motor vehicle:
- 8           (1) Holds a nonrestricted license and is a resort hotel;  
9           (2) Is not in the business of transporting passengers or  
10 property;  
11           (3) Does not charge a fee for transporting passengers or  
12 property;  
13           (4) Provides transportation only to its customers, guests,  
14 casino hosts, key employees, officers and directors; and  
15           (5) Marks the vehicle with the ~~owner's or operator's~~ name  
16 or logo ~~of~~ *of the owner or operator, or any person who controls, is*  
17 *controlled by or is under common control with the owner or*  
18 *operator,* which must be at least 2 inches in height and be visible  
19 from a distance of at least 50 feet; and
- 20       (b) The use of the motor vehicle is related to the business of the  
21 resort hotel for which the nonrestricted license *of the owner or*  
22 *operator, or any person who controls, is controlled by or is under*  
23 *common control with the owner or operator,* was issued.
- 24       2. ~~1.A.1~~ *The owner or operator , or any person who directly or*  
25 *indirectly controls, is controlled by or is under common control*  
26 *with the owner or operator,* of a motor vehicle specified in  
27 subsection 1 shall regularly inspect the motor vehicle and maintain a  
28 record of the inspection for at least 3 years after the date of the  
29 inspection. Each record maintained pursuant to this subsection must  
30 be made available for inspection or audit by the Authority or its  
31 designee at any time during regular business hours.
- 32       3. As used in this section:
- 33       (a) *“Control” means the possession, directly or indirectly, of*  
34 *the power to direct or cause the direction of the management and*  
35 *policies of an owner or operator of a motor vehicle specified in*  
36 *subsection 1 or the power to veto any major policy decision of the*  
37 *owner or operator, whether through the ownership of voting*  
38 *securities, by agreement or otherwise.*
- 39       (b) “Nonrestricted license” has the meaning ascribed to it in  
40 NRS 463.0177; and  
41 ~~(b)~~ (c) “Resort hotel” has the meaning ascribed to it in  
42 NRS 463.01865.



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

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