

**PROPOSED REGULATION OF THE
NEVADA TRANSPORTATION AUTHORITY**

LCB File No. R043-23

September 18, 2023

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

AUTHORITY: § 1, NRS 706.171 and 706.4477.

A REGULATION relating to towing; revising provisions governing the documentation required for the towing of a vehicle which is not requested by the owner of the vehicle, law enforcement or local government; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law imposes certain conditions on the towing of a motor vehicle which is requested by a person other than the owner of the vehicle, an agent of the owner of the vehicle, a law enforcement officer or other person who is employed to enforce the laws, ordinances or codes of a local government. Such conditions require, without limitation, that: (1) the person requesting the towing be the owner of the real property from which the vehicle is towed or an authorized agent of the owner; and (2) the owner or the authorized agent of the owner sign a specific request for the towing. (NRS 706.4477) Existing regulations require a specific request for such towing to be in writing and to be signed by the owner or the authorized agent of the owner within 24 hours before the removal of the vehicle. (NAC 706.4275) This regulation authorizes a specific request for such towing to be in an electronic format authorized by the Nevada Transportation Authority and to be signed electronically. This regulation also requires the specific request to be signed within 72 hours before the removal of the vehicle.

Section 1. NAC 706.4275 is hereby amended to read as follows:

706.4275 1. Except as otherwise provided in subsection 2, if the owner of real property or an authorized agent of the owner makes a specific request pursuant to subsection 1 of NRS 706.4477 for the towing of a vehicle from the real property, the specific request must:

- (a) Be in writing ~~or~~ *or in an electronic format authorized by the Authority;*
 - (b) Be signed, *in writing or electronically*, within ~~24~~ 72 hours before the removal of the vehicle, by the owner of the real property or the authorized agent; and
 - (c) Include, without limitation:
 - (1) The name, address and telephone number of the residence or business where the vehicle to be towed is located;
 - (2) The type of ownership interest or other relationship of the person making the specific request to the real property from which the vehicle will be towed;
 - (3) The make, model, license plate number and, if possible, vehicle identification number of the vehicle to be towed from the property;
 - (4) The reason for the removal of the vehicle from the real property; and
 - (5) The date and time that the specific request for towing was made.
2. If the owner of a residential complex or an authorized agent of the owner makes a specific request pursuant to subsection 2 of NRS 706.4477 for the towing of a vehicle from the residential complex, the tow carrier:
- (a) Must, before towing the vehicle, verify that the owner of the residential complex or authorized agent of the owner:
 - (1) Issued the specific request in writing or in an electronic format authorized by the Authority;
 - (2) Signed the specific request ~~for authorized the specific request electronically, in a format authorized by the Authority,]~~ *, in writing or electronically*, not more than ~~24~~ 72 hours before the towing of the vehicle; and

(3) If the specific request is *made* pursuant to subparagraph (1), (2) or (3) of paragraph (b) of subsection 2 of NRS 706.4477, affixed to the vehicle not less than 48 hours before the towing of the vehicle a sticker which provides the date and time after which the vehicle is to be towed.

(b) May tow the vehicle if the owner of the residential complex or authorized agent of the owner verifies that the vehicle meets one of the requirements of paragraph (b) of subsection 2 of NRS 706.4477.

3. If the operator of a tow car tows a vehicle pursuant to a specific request described in subsection 1, the operator of a tow car shall:

(a) Upon request of the owner of the vehicle or an authorized agent of the owner, provide a ~~photocopy~~ *copy* of the specific request for towing; and

(b) Delete from the ~~photocopy~~ *copy* of the specific request the information required pursuant to subparagraphs (1) and (2) of paragraph (c) of subsection 1.

4. As used in this section, “authorized agent” may include a resident or tenant of the residential complex if he or she has been so authorized by the owner of the residential complex.