

**PROPOSED REGULATION OF THE
NEVADA TRANSPORTATION AUTHORITY**

LCB File No. R044-23

September 19, 2023

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

AUTHORITY: § 1, NRS 706.171, 706.4467.

A REGULATION relating to tow cars; revising requirements concerning the disposition of cargo and personal property in the possession of a tow car operator as the result of a tow; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the operator of a tow car to protect from theft or damage any cargo or personal property which comes into the possession of the operator as the result of a tow. (NRS 706.4467) Existing regulations authorize the operator of a tow car to sell or otherwise dispose of cargo and personal property that is left unclaimed 48 hours before the disposition of the associated vehicle. (NAC 706.440) This regulation authorizes the sale or disposal of cargo and personal property that is unclaimed 96 hours before the final disposition of the associated vehicle.

Section 1. NAC 706.440 is hereby amended to read as follows:

706.440 1. The operator of a tow car shall not use or hold any cargo or personal property as a bailment for the rates and charges incurred in towing a vehicle, except that cargo may be held as security for payment of charges associated with cleaning the area where the cargo has spilled or for loading, transporting, securing or storing the cargo.

2. Accessories and equipment for a towed vehicle shall be deemed part of the vehicle rather than personal property for the purposes of this section.

3. Cargo and personal property left unclaimed ~~48~~ 96 hours before the final disposition is to be made of the associated vehicle may be sold or otherwise disposed of by the operator of a tow car.