

## CHAPTER 487 - REPAIR, REMOVAL AND DISPOSAL OF VEHICLES

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### GENERAL PROVISIONS

**SECTION 487.001**      **Applicability of chapter to mobile homes.**

1. The provisions of this chapter, except [SECTION 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 [SECTION 482.1005](#).

## REPORTING OF CERTAIN VEHICLES

### TOWING AND REMOVAL OF CERTAIN VEHICLES

**SECTION 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; residential real property; costs to be borne by owner of vehicle; other rights and remedies.**

1. Except as otherwise provided in subsections 3 and 4, 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. 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 towing and storage must be borne by the owner of the vehicle, as that term is defined in [SECTION 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.

(1) Lawfully towed, order the owner of the vehicle to pay 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; or

(2) Unlawfully towed, order the owner or person in lawful possession of the property who authorized the towing to pay 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; and

(b) Determine the actual cost incurred in towing and storing the vehicle.

5. 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 the provisions of this section.

## **ABANDONED VEHICLES**

### **SECTION 487.205 Tribal Council findings and declaration.**

1. The Tribal Council 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 Reservation.

(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 Tribal Council declares that the policy of this State is:

(a) To prohibit the abandonment of vehicles and to enforce such prohibition with adequate penalties.

**SECTION 487.210 Definitions.** As used in [SECTION 487.210](#) to [487.300](#), inclusive, unless the context otherwise requires:

1. “Abandoned vehicle” means a vehicle:

(a) If the vehicle is discovered upon Tribal lands, that the owner has discarded.

(b) If the vehicle is discovered upon Tribal or private property other than Tribal 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 [SECTION 487.250](#).

2. “Tribal lands” has the meaning ascribed to it in [NRS 321.5963](#).

**SECTION 487.230 Certain peace officers, tribal 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 [SECTION 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 Manufactured Housing Division of the Department of Business and Industry, special investigator employed by the office of a district attorney, tribal prosecutor or Tribal Council, marshal or police officer, a marshal or park ranger who is part of a unit of specialized law enforcement established pursuant to [SECTION 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.

#### **SECTION 487.235 Removal of vehicles abandoned on Tribal 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 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.

#### **SECTION 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.

**SECTION 487.290 Unlawful possession of unregistered vehicles unfit for use; exceptions.**

1. Unless the person first obtains a license pursuant to [SECTION 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.

**SECTION 487.300 Penalty.** Every person who violates any provision of [SECTION 487.281](#) or [487.290](#) is guilty of a **Category D Offense**.