

ASSEMBLY BILL NO. 379—ASSEMBLYMEN ELLISON; FIORE,
HAMBRICK, HANSEN AND OSCARSON

MARCH 18, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions governing the disposal of abandoned recreational vehicles. (BDR 43-593)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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.

AN ACT relating to vehicles; authorizing a person to apply for a letter of abandonment for an abandoned recreational vehicle under certain circumstances; requiring a municipal solid waste landfill to accept a recreational vehicle for disposal under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law sets forth the procedure for disposal of an abandoned vehicle.
2 (NRS 487.205-487.300) **Section 1** of this bill authorizes an owner or occupant of
3 private property who discovers an abandoned recreational vehicle on that property
4 to apply for a letter of abandonment for the recreational vehicle. **Section 1** also sets
5 forth the procedure for obtaining a letter of abandonment for a recreational vehicle.
6 **Section 5** of this bill requires a municipal solid waste landfill to accept a
7 recreational vehicle for disposal if: (1) the person disposing of the recreational
8 vehicle provides the title to the recreational vehicle which indicates that he or she is
9 the owner of the vehicle or has obtained a letter of abandonment from the
10 Department of Motor Vehicles; and (2) accepting the recreational vehicle for
11 disposal does not violate any applicable federal or state law concerning the
12 operation of the municipal solid waste landfill.

13 Existing law sets forth the requirements for the manufacture, sale, distribution,
14 alteration, transportation and installation in this State of manufactured homes,
15 mobile homes, travel trailers, manufactured buildings, commercial coaches and
16 factory-built housing. (Chapter 489 of NRS) A “commercial coach” is defined to
17 mean a structure without motive power which is designed and equipped for human
18 occupancy for industrial, professional or commercial purposes. (NRS 489.062)
19 **Section 4** of this bill specifically excludes a special commercial coach from the
20 existing definition of a “commercial coach.” **Section 2** of this bill defines a “special
21 purpose commercial coach” to mean a structure without motive power, not intended
22 for general public use, which is designed and equipped for human occupancy for



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23 industrial, professional or commercial purposes. **Section 2** specifically excludes
24 from the definition of “special commercial coach” any recreational park trailer,
25 portable building or commercial coach.

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

1 **Section 1.** Chapter 487 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *In addition to the procedure for disposing of an abandoned*
4 *vehicle set forth in NRS 487.205 to 487.300, inclusive, if a*
5 *recreational vehicle is abandoned on private property and is*
6 *discovered by the owner or occupant of the property, the person*
7 *who discovers the recreational vehicle may apply for a letter of*
8 *abandonment for the recreational vehicle. The issuance of a letter*
9 *of abandonment pursuant to this section divests any other person*
10 *of any interest in the abandoned recreational vehicle.*

11 2. *Before applying for a letter of abandonment, the owner or*
12 *occupant of the property where the abandoned recreational*
13 *vehicle is located shall:*

14 (a) *If the abandoned recreational vehicle has a serial number,*
15 *vehicle identification number or registration number or other*
16 *means of identifying any owner of the abandoned recreational*
17 *vehicle, obtain the last known address of the owner and notify the*
18 *owner by registered or certified letter to the last known address of*
19 *the owner that, if ownership is not claimed and the abandoned*
20 *recreational vehicle is not removed within 60 days, the owner or*
21 *occupant of the property where the abandoned recreational*
22 *vehicle is located will apply for a letter of abandonment. The*
23 *owner or occupant of the property where the abandoned*
24 *recreational vehicle is located is not required to send a registered*
25 *or certified letter if an owner cannot be located or if an address for*
26 *an owner cannot be ascertained.*

27 (b) *Place a notice in a newspaper of general circulation*
28 *published in the county in which the abandoned recreational*
29 *vehicle is located, describing the abandoned recreational vehicle*
30 *and the location where the abandoned recreational vehicle was*
31 *discovered and providing the serial or vehicle identification*
32 *number or any other identifying information relating to the*
33 *abandoned recreational vehicle. The owner or occupant of the*
34 *property where the abandoned recreational vehicle is located shall*
35 *state in the notice that, if the abandoned recreational vehicle is not*
36 *claimed and removed within 60 days after the publication date of*
37 *the newspaper, the owner or occupant of the property where the*



1 *abandoned recreational vehicle is located will apply for a letter of*
2 *abandonment.*

3 *3. An owner or occupant of the property where the*
4 *abandoned recreational vehicle is located may apply to the*
5 *Department for a letter of abandonment upon the expiration of:*

6 *(a) Sixty days after the date on which the owner or occupant of*
7 *the property where the abandoned recreational vehicle is located*
8 *mails the registered or certified letter pursuant to paragraph (a) of*
9 *subsection 2, if such a letter is required; or*

10 *(b) Sixty days after the date of publication of the notice*
11 *required by paragraph (b) of subsection 2,*
12 *↳ whichever is later.*

13 *4. An application for a letter of abandonment for an*
14 *abandoned recreational vehicle must contain:*

15 *(a) A completed application form prescribed by the*
16 *Department;*

17 *(b) Proof that the letter required by paragraph (a) of*
18 *subsection 2 was mailed at least 60 days before the submission of*
19 *the application or a detailed explanation of the unsuccessful steps*
20 *taken to identify all owners of the abandoned recreational vehicle;*

21 *(c) Proof that a notice was printed in a newspaper as required*
22 *by paragraph (b) of subsection 2 at least 60 days before the*
23 *submission of the application;*

24 *(d) A clear and accurate photograph of the abandoned*
25 *recreational vehicle; and*

26 *(e) The serial number, vehicle identification number or*
27 *registration number, if any, of the abandoned recreational vehicle.*

28 *5. The Department may charge and collect a fee for issuing a*
29 *letter of abandonment pursuant to this section, which must not*
30 *exceed the actual cost to the Department of issuing the letter of*
31 *abandonment.*

32 *6. Upon receipt of the materials and information required in*
33 *subsection 4 and any fees required pursuant to subsection 5, the*
34 *Department shall enter the application upon the records of its*
35 *office and issue to the applicant a letter of abandonment for the*
36 *abandoned recreational vehicle.*

37 *7. As used in this section, "recreational vehicle" has the*
38 *meaning ascribed to it in NRS 482.101.*

39 **Sec. 2.** Chapter 489 of NRS is hereby amended by adding
40 thereto a new section to read as follows:

41 *"Special purpose commercial coach" means a structure*
42 *without motive power, not intended for general public use, which*
43 *is designed and equipped for human occupancy for industrial,*
44 *professional or commercial purposes. The term does not include a*
45 *recreational park trailer, portable building or commercial coach.*



1 **Sec. 3.** NRS 489.031 is hereby amended to read as follows:
2 489.031 As used in this chapter, unless the context otherwise
3 requires, the words and terms defined in NRS 489.036 to 489.155,
4 inclusive, *and section 2 of this act* have the meanings ascribed to
5 them in those sections.

6 **Sec. 4.** NRS 489.062 is hereby amended to read as follows:
7 489.062 “Commercial coach” means a structure without
8 motive power which is designed and equipped for human occupancy
9 for industrial, professional or commercial purposes. The term does
10 not include a recreational park trailer , ~~for~~ portable building ~~H~~ *or*
11 *special purpose commercial coach.*

12 **Sec. 5.** Chapter 444 of NRS is hereby amended by adding
13 thereto a new section to read as follows:

14 *A municipal solid waste landfill shall accept a recreational*
15 *vehicle for disposal if:*

- 16 1. *The person disposing of the recreational vehicle provides:*
17 (a) *The title to the recreational vehicle, indicating that he or*
18 *she is the owner; or*
19 (b) *A letter of abandonment issued by the Department of*
20 *Motor Vehicles pursuant to section 1 of this act; and*
21 2. *Accepting the recreational vehicle for disposal does not*
22 *violate any applicable federal or state law or regulation relating to*
23 *the operation of the municipal solid waste landfill.*

24 **Sec. 6.** NRS 444.450 is hereby amended to read as follows:
25 444.450 As used in NRS 444.440 to 444.620, inclusive, *and*
26 *section 5 of this act*, unless the context otherwise requires, the
27 words and terms defined in NRS 444.460 to 444.501, inclusive,
28 have the meanings ascribed to them in those sections.

29 **Sec. 7.** NRS 444.580 is hereby amended to read as follows:
30 444.580 *Except as otherwise provided in section 5 of this act:*

31 1. Any district board of health created pursuant to NRS
32 439.362 or 439.370 and any governing body of a municipality may
33 adopt standards and regulations for the location, design,
34 construction, operation and maintenance of solid waste disposal
35 sites and solid waste management systems or any part thereof more
36 restrictive than those adopted by the State Environmental
37 Commission, and any district board of health may issue permits
38 thereunder.

39 2. Any district board of health created pursuant to NRS
40 439.362 or 439.370 may adopt such other regulations as are
41 necessary to carry out the provisions of NRS 444.440 to 444.620,
42 inclusive ~~H~~ , *and section 5 of this act.* Such regulations must not
43 conflict with regulations adopted by the State Environmental
44 Commission.



1 **Sec. 8.** This act becomes effective on July 1, 2013.

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