

PROPOSED ORDINANCE AS ORIGINALLY INTRODUCED ON AUGUST 17, 2021

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BILL NO. _____

SUMMARY – An ordinance to amend Clark County Code Title 4, Chapter 4.28 to impose a fee to be charged and collected when a passenger car is shared through a peer-to-peer car sharing program, as required by Senate Bill 389 of the 2021 Legislative Session; and providing for other matters properly related thereto.

ORDINANCE NO. _____

(of Clark County, Nevada)

AN ORDINANCE TO AMEND CLARK COUNTY CODE TITLE 4, CHAPTER 4.28 TO IMPOSE A FEE TO BE CHARGED AND COLLECTED WHEN A PASSENGER CAR IS SHARED THROUGH A PEER-TO-PEER CAR SHARING PROGRAM, AS REQUIRED BY SENATE BILL 389 OF THE 2021 LEGISLATIVE SESSION; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE. Title 4, Chapter 4.28, Section 4.28.020 of the Clark County Code is hereby amended to read as follows:

4.28.020 – Fee imposed.

(a) There is imposed a fee upon the lease of a passenger car by a short-term lessor or when a shared vehicle that is a passenger car is shared through a peer-to-peer car sharing program by a shared vehicle owner in the county in the amount of two percent of the total amount for which the passenger car was leased or the total amount for which the shared vehicle was shared with

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the shared vehicle driver, excluding any taxes or other fees imposed by a governmental entity.

As used in this chapter, "lease" and "short-term lessor" have the meanings ascribed to them in NRS 482.053 and "passenger car", "peer-to-peer car sharing program", "shared vehicle", "shared vehicle driver" and "shared vehicle owner" have the meanings ascribed to them in Sections 7.5, 8, 9, 10 and 11 of Senate Bill 389 from the 2021 Nevada State Legislative Session, respectively.

(b) The fee imposed pursuant to Section 4.28.020(a) does not apply to replacement vehicles. As used in this chapter, "replacement vehicle" means a vehicle that is:

- (1) Rented temporarily by or on behalf of a person or leased to a person by a facility that repairs motor vehicles or a motor vehicle dealer; and
- (2) Used by the person in place of a motor vehicle owned by the person that is unavailable for use because of mechanical breakdown, repair, service, damage, or loss as defined in the owner's policy or liability insurance for the motor vehicle.

SECTION TWO. If any provision, section, paragraph, sentence, clause, or phrase of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining parts of this ordinance. It is the intent of the County Commission in adopting this ordinance that no portion or provision thereof shall become inoperative or fail by reason of any invalidity or unconstitutionality of any other portion or provision, and to this end all provisions of this ordinance are declared to be severable.

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SECTION THREE. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION FOUR. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the _____ day of _____, 2021.

PROPOSED BY: Commissioner _____

PASSED on the _____ day of _____, 2021.

AYES: _____

NAYS: _____

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ABSTAINING: _____

ABSENT: _____

BOARD OF COUNTY COMMISSIONERS

BY: _____
MARILYN KIRKPATRICK, Chair

ATTEST:

LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after
the _____ day of _____ 2021.