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Insurance; primary and excess coverage

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Insurance

Insurance; primary and excess coverage

NEV. REV. STAT. § 690B.025 (amended).
AB 282 (Committee on Commerce); 1987 STAT. Ch 200

Existing law provides that if two or more insurance policies¹ are in effect when a vehicle² operated by a person³ in pursuit of a certain business⁴ is involved in an incident, the policy issued to the business must be considered primary.⁵ Chapter 200 limits existing law when a vehicle is lent to a customer by a garageman⁶ for use during completion of repairs⁷ or service on the customer's own vehicle.⁸ Under those circumstances, Chapter 200 specifies that the customer's policy is primary.⁹ In addition, Chapter 200 requires the garageman to provide notice to the customer that the customer's policy of insurance will provide primary coverage while the customer is operating the vehicle.¹⁰

CH

1. NEV. REV. STAT. § 679A.112 2 (definition of policy).

2. NEV. REV. STAT. § 598.690 3 (definition of motor vehicle).

3. The same provisions also apply to an agent or employee of the person. NEV. REV. STAT. § 690B.025 1(a).

4. *Id.* § 690B.025 1(a) (includes the business of selling, repairing, servicing, delivering, testing, road testing, parking or storing motor vehicles).

5. *Id.* § 690B.025 1(b) (amended by 1987 Nev. Stat. ch. 200, sec. 1, at ___) (any other policy provides excess coverage). If another person operates the vehicle, the policy issued to the operator is deemed primary. *Id.* If the vehicle is operated in a pursuit other than business, the operator's policy must be deemed primary and any policy issued to the business must be considered to provide excess coverage. *Id.* § 690B.025 1 (amended by 1987 Nev. Stat. ch. 200, sec. 1, at ___). *See generally* NEV. REV. STAT. § 687B.145 (proration of recovery or benefits between policies of casualty insurance).

6. NEV. REV. STAT. § 598.690 2 (definition of garageman).

7. *Id.* § 598.690 5 (definition of repair).

8. 1987 Nev. Stat. ch. 200, sec. 1, at ___ (enacting NEV. REV. STAT. § 690B.025 1(c)).

9. *Id.*

10. *Id.*