

Nevada Department of Public Safety

HIGHWAY PATROL DIVISION

{ Interim Legislative Study of Traffic Violations



Nevada Revised Statute

Authority to Arrest Pursuant to Warrant

NRS 480.360 Duties of personnel [Nevada State Trooper]: The duties of the personnel of the Nevada Highway Patrol include, without limitation:

1. To police the public highways of this State, to enforce and to aid in enforcing thereon all the traffic laws of the State of Nevada and to enforce all other laws of this State when:

(a) In the apprehension or pursuit of an offender or suspected offender;

(b) Making arrests for crimes committed in their presence or upon or adjacent to the highways of this State; or

(c) Making arrests pursuant to a warrant in the officer's possession or communicated to the officer.

2. To investigate crashes on all primary and secondary highways within the State of Nevada resulting in personal injury, property damage or death, and to gather evidence to prosecute any person guilty of any violation of the law contributing to the happening of such a crash.

3. In conjunction with the Department of Motor Vehicles, to enforce the provisions of [chapters 365, 366, 408, 482 to 486, inclusive, 487 and 706](#) of NRS.

4. To enforce the provisions of laws and regulations relating to motor carriers, the safety of their vehicles and equipment, and their transportation of hazardous materials and other cargo.

5. To maintain the repository for information concerning hazardous materials in Nevada and to carry out its duties pursuant to [chapter 459](#) of NRS concerning the transportation of hazardous materials.

6. To perform such other duties in connection with those specified in this section as may be imposed by the Director.

(Added to NRS by [2001, 2536](#); A [2001, 2639](#); [2005, 676](#); [2007, 2927](#); [2015, 1621](#))



Departmental Policy

Policy 411 – Citation Releases

411.3.1 FIELD CITATIONS

In most misdemeanor cases an arrestee 18 years or older may be released on citation provided the individual can be satisfactorily identified, **there is no outstanding arrest warrant for the individual** and none of the below described disqualifying circumstances are present (NRS 171.1771).

411.3.3 DISQUALIFYING CIRCUMSTANCES

A person arrested for a misdemeanor may not be released on a notice to appear if one of the following situations is present:

- (c) There are one or more outstanding arrest warrants for the person.**
 - 1. This does not apply to a warrant issued for a misdemeanor where there is no indication that person failed to appear on the charge (NRS 171.122).

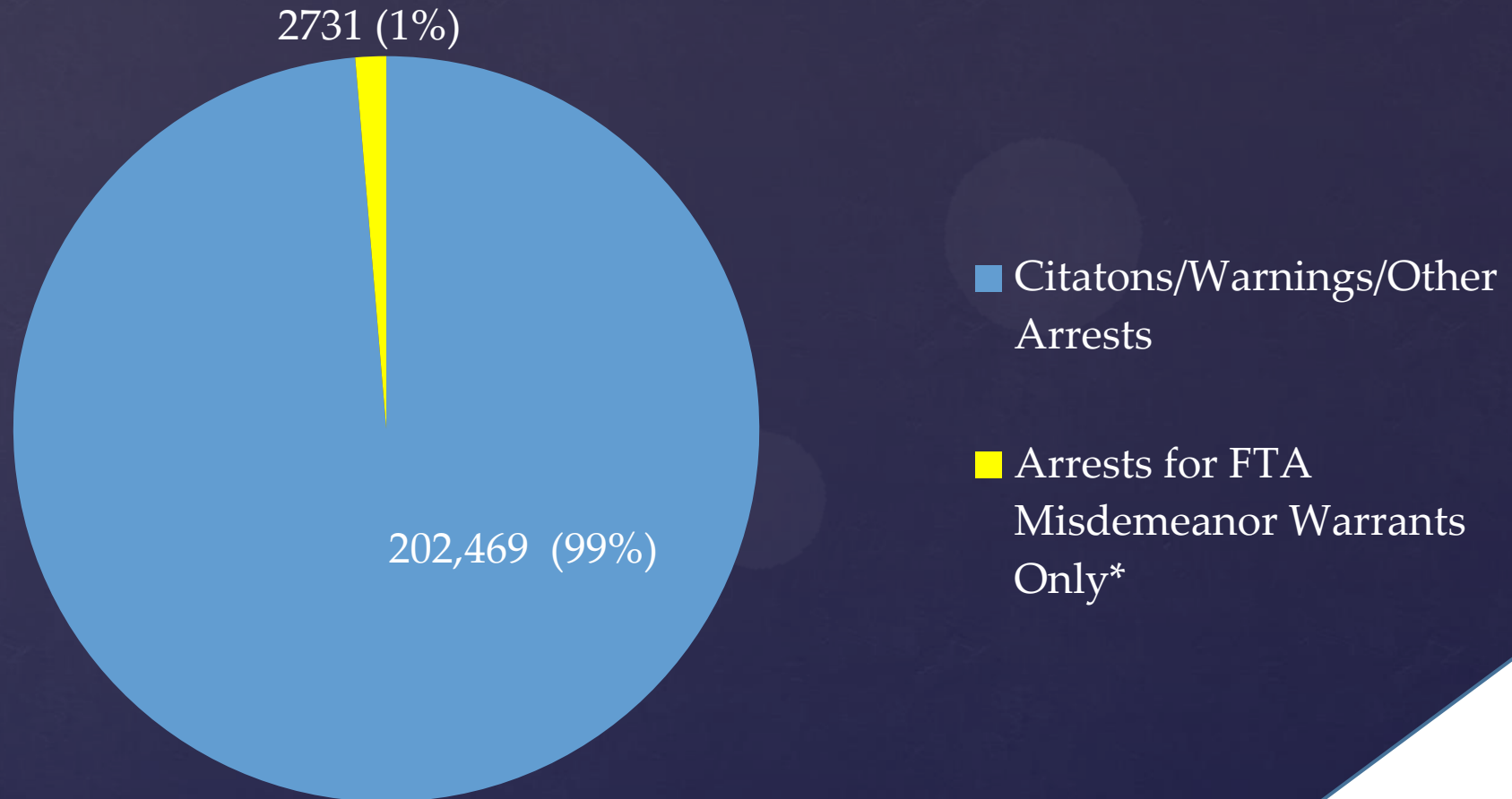


Division Training and Practice

The general practice of Nevada Highway Patrol Troopers is not to conduct warrant checks during routine traffic stops. Warrants are generally checked when a Trooper has suspicion that a warrant may exist, checking a driver license status, or in furtherance of a criminal investigation.



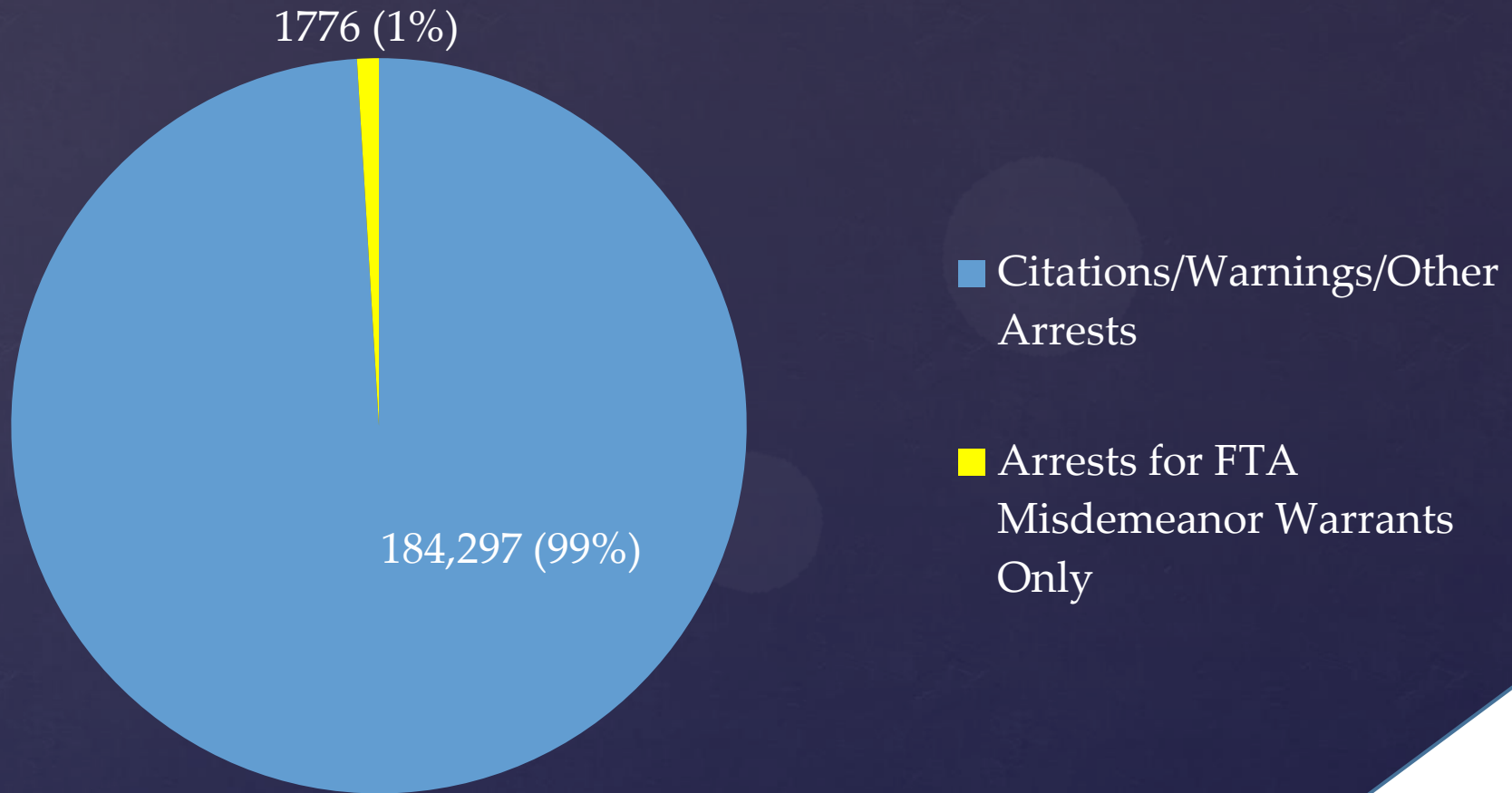
2016 NHP All Enforcement Activity



*Includes all FTA Misdemeanor Warrants

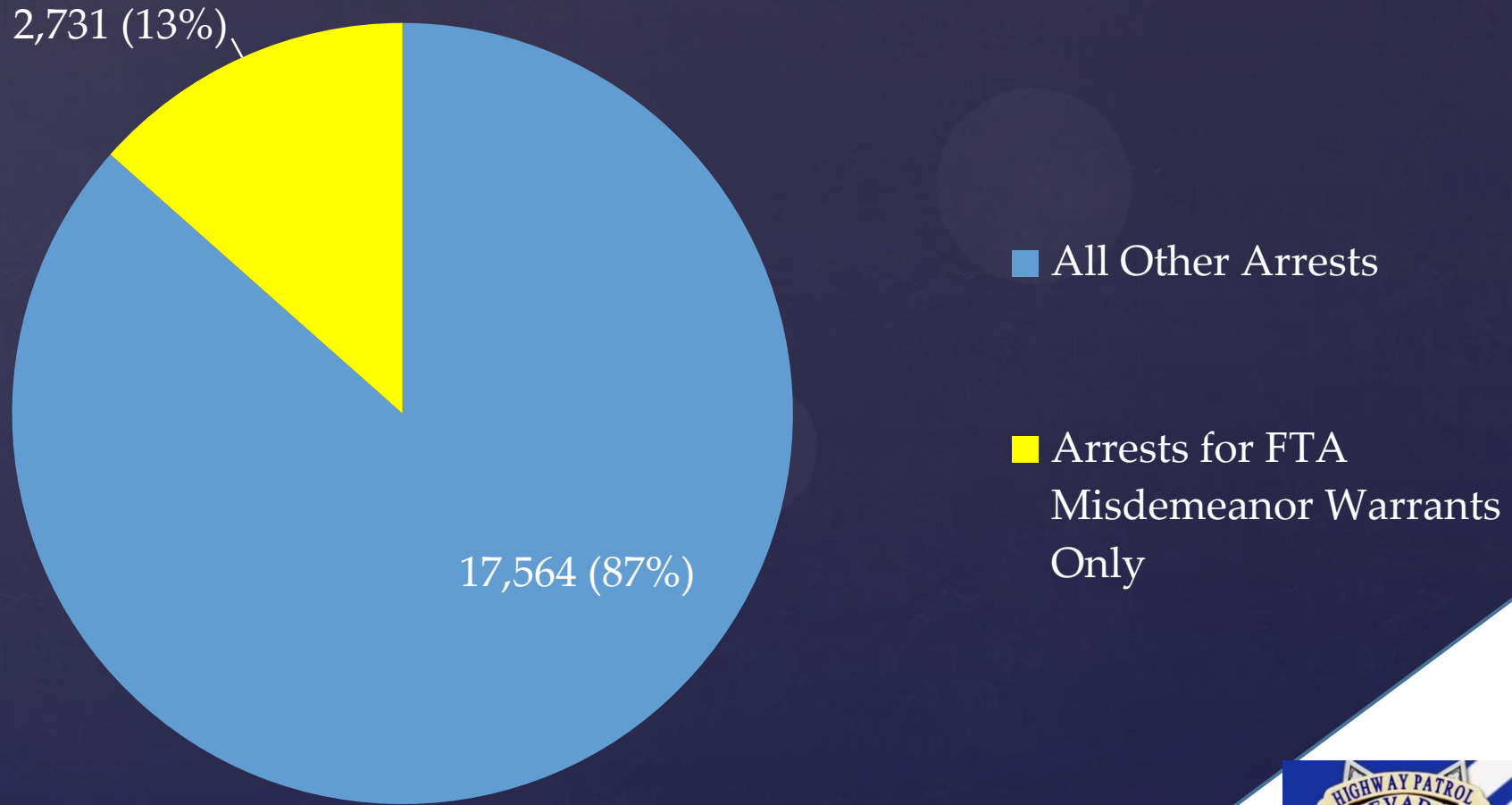


2017 NHP All Enforcement Activity (as of 12/12/17)

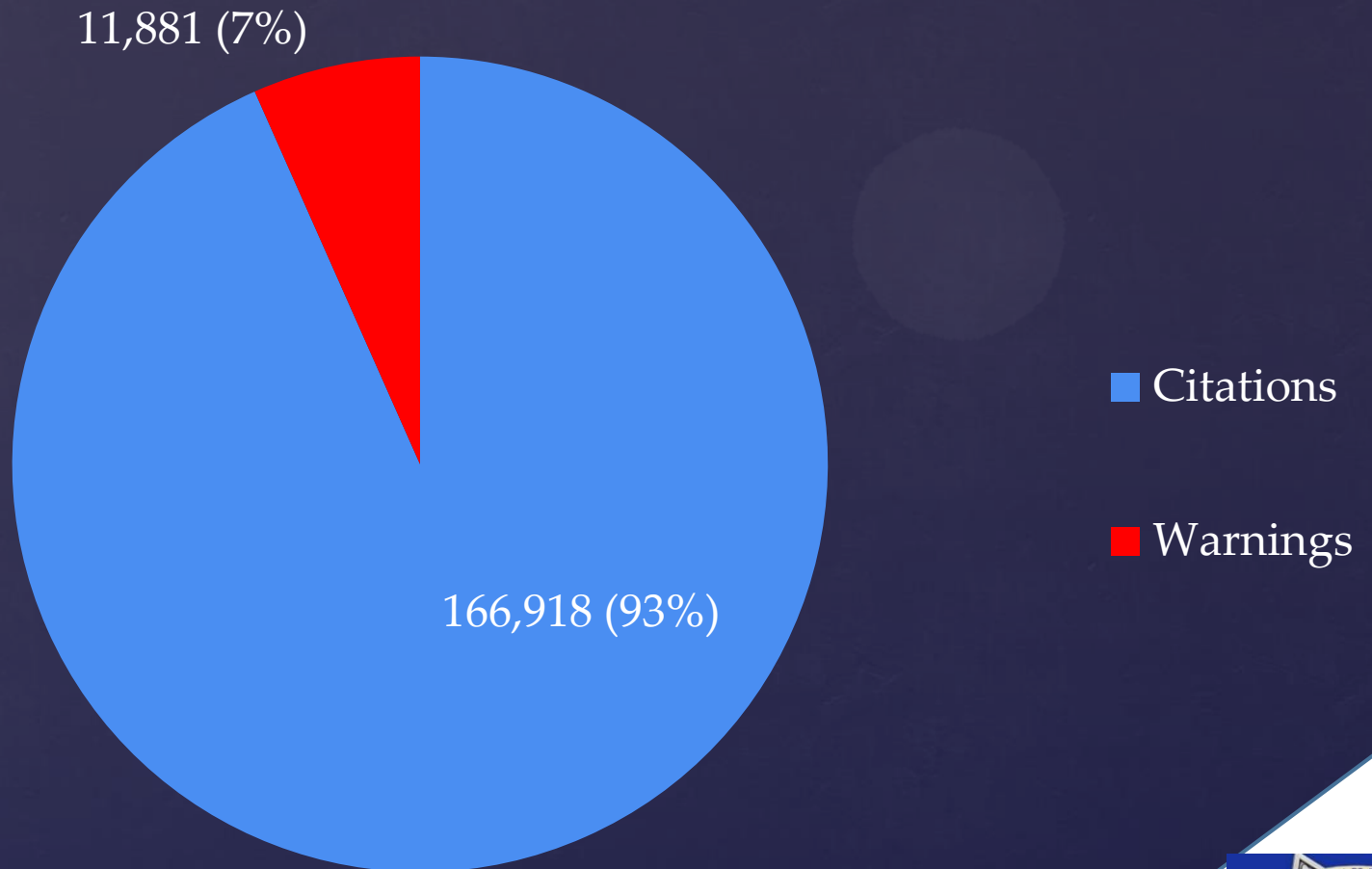


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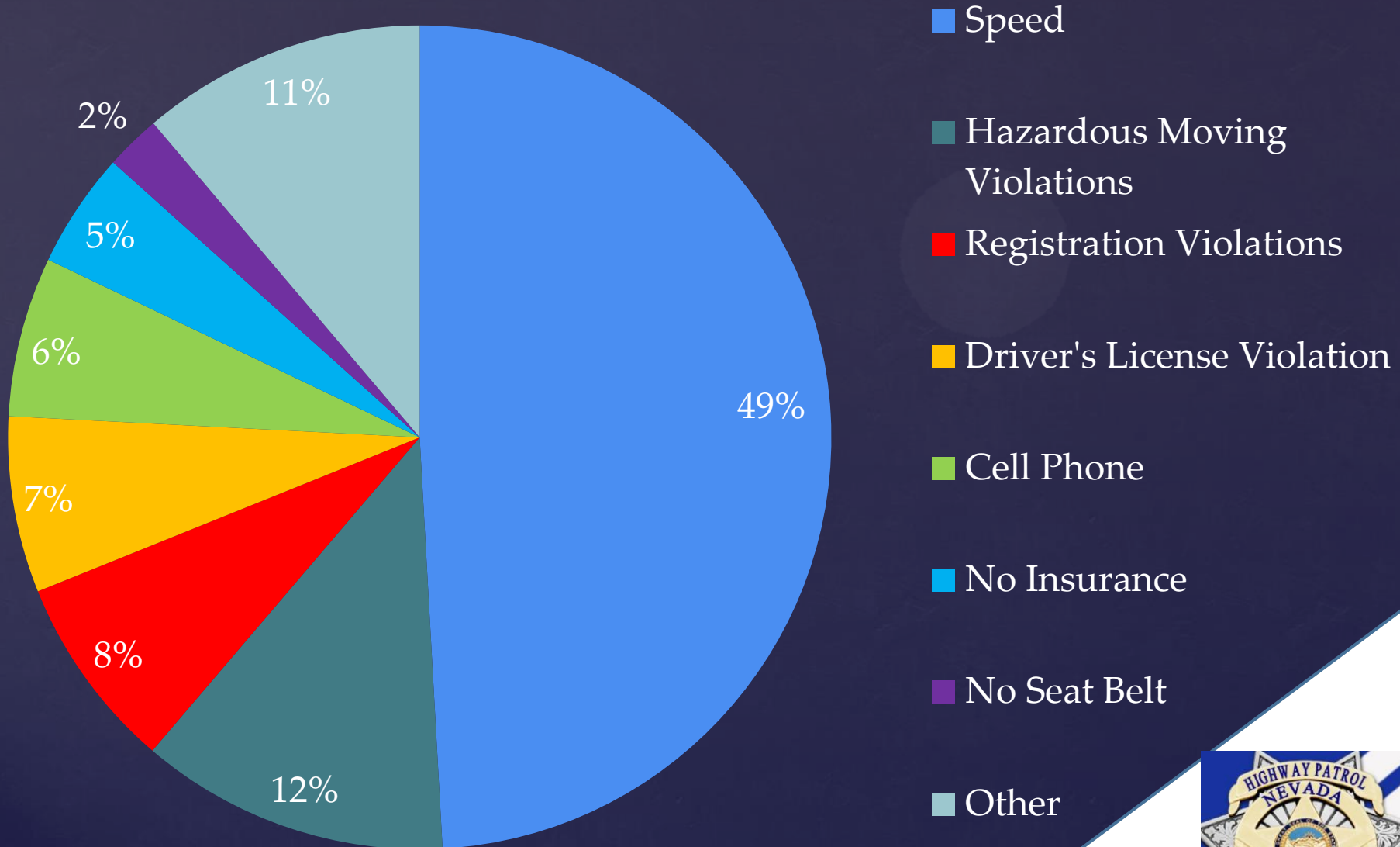
2016 Arrests



2017 Traffic Only (as of 12/12/17)



2017 Citations By Offense (as of 12/12/17)



Fail To Yield To Emergency Vehicle
 Stopped Emergency Vehicle With Flashing
 Lights/Duty Of Driver
 Violation Of Hov/Carpool Lane Regulations
 Child Restraints Required
 Resident With Non Nv Registration
 Tinting Of Windshield Or Windows Of Vehicle
 Nevada Trip Permit Required
 Log Book Violations
 Fail To Yield Right Of Way To Pedestrian
 Illegal Stop/Stand Or Park
 Driving On Right Side Of Road Required
 Non Resident Driving Privilege Suspended
 Hit And Run Property Damage (M)
 Open Container In Vehicle Alcohol
 Drive On Instruct Permit
 Fail to Obey Red Traffic Light
 No Passing Zones
 Failure To Signal
 Failure To Change Address On Registration
 fail decrease speed use due care
 Fail To Yield Right Of Way Left Turn
 Max Weight Tandem Axle
 Duty To Give Information And Render Aid(M)
 Improper Turn At Intersection
 Disobeying Directions Of Traffic Control Devices
 Improper Overtaking Of Vehicle On Right
 Fail to pay full attention to driving
 Impeding Traffic
 Turn Signals Required 100 Ft City/300 Ft Freeway
 Spilling Load On Highway Prohibited
 Improper U Turns
 Crossing At Other Than Crosswalks
 Car - Tail Lamps Required
 Restricted License Violations
 Permitting Unlicensed Person To Drive
 School Zone Speed 1-20 Over Limit

Illegal Parking On Highway
 Operation In Excess Of Declared Gross Weight
 Failure To Report Accident To Police(M)
 Stop Lamps Required
 Proof Of Financial Responsibility
 Motorcycle Endorsement Required
 Head Lights Required/Inoperable
 Defective Tire
 Fail To Yield Right Of Way From Private Way
 Improper use of Registration/license plate
 Unsafe Backing
 Disobey One Way Signs
 Lighted Lamps Required/Hours of Darkness
 No Seat Belt - CFR
 Improper Passing Of Vehicle
 Hours Of Service Violations
 No Medical Certificate
 Illegal Parking Signposted Narrow Highway
 No Commercial Drivers License
 Windshields And Windows Must Be Unobstructed
 Improper Overtaking Of Vehicle On Left
 Fail To Dim Lights
 Improper Turn On Divided Highway
 Fail To Yield Right Of Way Onto Cont Access Hwy
 Fail To Obey Limitations On Overtaking On Left
 Operate Unsafe Vehicle
 Tire Chains/Snow Tires/Traction Devices Required
 Breakaway Device
 No Us Dot Number On Vehicle
 Brake Lights
 Windshield Broken
 Display blue lights on non emergency vehicle
 Center Turn Lane Violation
 Brakes Multiple Violations
 Pedestrian Solicit Ride/Business Or Hitchhiking
 License Plate Lamps Required
 Obey Local Laws

Basic Speed Over 75 Mph
 Lights Multiple Violations Misdemeanor
 Fail To Obey Police Officers
 Drivers License Class Violation
 Improper Load Securement-Tie Downs
 Drive Thru Priv Prop To Avoid Signal
 Evade/Elude/Fail To Stop On Signal Of Police
 Illegal Parking In Handicapped Zone
 Headgear And Eye Protection Requirements
 Head Lamps Required
 Unlaw To Drive Between Vehicles - Motorcycle/Moped
 No U-Turn in Active School Zone
 Fail To Obey Flagman
 Possessioen Of Suspended Drivers License
 Driving On Closed Highway
 Surrender Of Cancelled/Revoked Registration
 Tire Insufficient Tread
 No Annual Inspection
 Fail To Stop On Signal Of Peace Officer
 Fail To Yield Right Of Way Uncontrolled Intersect
 Improper Color Of Lamps
 Exhaust System Modified To Make Noise
 Mudguards Required
 Muffler Excessive Fumes Prohibited
 Lights/Lamps Inoperative
 Passing A School Bus With Red Lights Flashing
 Pedestrian On Highway When Sidewalks Provided
 Mountain Driving
 Pedestrian Fail To Obey Traffic Control Device
 Obstructing Drivers View
 Car - Turn Signals Required
 Fire Extinguisher
 Poss Of More Than One Drivers License Prohibited

*Other Violations (11%)
 include, but not limited to



Computer Systems

NHP – Spillman and Brazos

Courts – Odyssey, Justware, Court View

NHP's tracking system is not able to reflect the number of people taken into custody on the sole basis of traffic violations or FTA Warrants.

Contact was made with Reno Justice Court, Clark County Justice and District Court, Elko Justice Court, and Tonopah Justice Court. Their case management systems were also not able to reflect the number of individuals arrested by NHP solely based on traffic violations or FTA Warrants.



Questions

