

SENATE BILL NO. 410—SENATORS MANENDO AND PARKS

MARCH 20, 2017

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to reckless driving. (BDR 43-72)

FISCAL NOTE: Effect on Local Government: No. 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 driving; revising provisions relating to the punishment imposed for certain unauthorized speed contests or certain acts of reckless driving if the unauthorized speed contests or reckless driving proximately cause the death of or substantial bodily harm to another person; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, it is considered reckless driving if a person drives a vehicle
2 in or organizes an unauthorized speed contest on a public highway, or if the driver
3 of a motor vehicle is the proximate cause of a collision with a pedestrian or a
4 person riding a bicycle while the driver is violating certain traffic laws concerning:
5 (1) the duty of due care to pedestrians and persons riding bicycles; (2) crosswalks;
6 (3) school crossing guards, school zones and school crossing zones; and (4)
7 speeding. (NRS 484B.270, 484B.280, 484B.283, 484B.350, 484B.363, 484B.600,
8 484B.653) A person who commits reckless driving under such circumstances, or a
9 person who organizes an unauthorized speed contest on a public highway, is guilty
10 of a misdemeanor and, in addition to any punishment for the underlying traffic
11 offense, shall be punished by a fine and community service, and may be imprisoned
12 in the county jail for not more than 6 months. The punishment also includes a
13 driver’s license suspension, and may include the impoundment of any vehicle
14 registered to the violator if the vehicle is used in the unauthorized speed contest.
15 (NRS 484B.653) **Section 9** of this bill newly provides that such a person, if his or
16 her violation proximately causes the death of or substantial bodily harm to another
17 person, is guilty of a category B felony and shall be punished by imprisonment in
18 the state prison for a minimum term of not less than 1 year and a maximum term of
19 not more than 6 years and by a fine of not less than \$2,000 but not more than
20 \$5,000. **Sections 1-8** of this bill make conforming changes to various provisions of
21 NRS concerning the underlying traffic offenses.



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

- 1 **Section 1.** NRS 483.460 is hereby amended to read as follows:
2 483.460 1. Except as otherwise provided by specific statute,
3 the Department shall revoke the license, permit or privilege of any
4 driver upon receiving a record of his or her conviction of any of the
5 following offenses, when that conviction has become final, and the
6 driver is not eligible for a license, permit or privilege to drive for
7 the period indicated:
- 8 (a) For a period of 3 years if the offense is:
- 9 (1) A violation of subsection 6 **or** 7 of NRS 484B.653.
10 (2) A third or subsequent violation within 7 years of NRS
11 484C.110 or 484C.120.
12 (3) A violation of NRS 484C.110 or 484C.120 resulting in a
13 felony conviction pursuant to NRS 484C.400 or 484C.410.
14 (4) A violation of NRS 484C.430 or a homicide resulting
15 from driving or being in actual physical control of a vehicle while
16 under the influence of intoxicating liquor or a controlled substance
17 or resulting from any other conduct prohibited by NRS 484C.110,
18 484C.130 or 484C.430.
- 19 ➤ The period during which such a driver is not eligible for a
20 license, permit or privilege to drive must be set aside during any
21 period of imprisonment and the period of revocation must resume
22 when the Department is notified pursuant to NRS 209.517 or
23 213.12185 that the person has completed the period of
24 imprisonment or that the person has been placed on residential
25 confinement or parole.
- 26 (b) For a period of 1 year if the offense is:
- 27 (1) Any other manslaughter, including vehicular
28 manslaughter as described in NRS 484B.657, resulting from the
29 driving of a motor vehicle or felony in the commission of which a
30 motor vehicle is used, including the unlawful taking of a motor
31 vehicle.
32 (2) Failure to stop and render aid as required pursuant to the
33 laws of this State in the event of a motor vehicle crash resulting in
34 the death or bodily injury of another.
35 (3) Perjury or the making of a false affidavit or statement
36 under oath to the Department pursuant to NRS 483.010 to 483.630,
37 inclusive, or pursuant to any other law relating to the ownership or
38 driving of motor vehicles.
39 (4) Conviction, or forfeiture of bail not vacated, upon three
40 charges of reckless driving committed within a period of 12 months.



1 (5) A second violation within 7 years of NRS 484C.110 or
2 484C.120 and the driver is not eligible for a restricted license during
3 any of that period.

4 (6) A violation of NRS 484B.550.

5 (c) For a period of 90 days, if the offense is a first violation
6 within 7 years of NRS 484C.110 or 484C.120.

7 2. The Department shall revoke the license, permit or privilege
8 of a driver convicted of violating NRS 484C.110 or 484C.120 who
9 fails to complete the educational course on the use of alcohol and
10 controlled substances within the time ordered by the court and shall
11 add a period of 90 days during which the driver is not eligible for a
12 license, permit or privilege to drive.

13 3. When the Department is notified by a court that a person
14 who has been convicted of a first violation within 7 years of NRS
15 484C.110 has been permitted to enter a program of treatment
16 pursuant to NRS 484C.320, the Department shall reduce by one-half
17 the period during which the person is not eligible for a license,
18 permit or privilege to drive, but shall restore that reduction in time if
19 notified that the person was not accepted for or failed to complete
20 the treatment.

21 4. The Department shall revoke the license, permit or privilege
22 to drive of a person who is required to install a device pursuant to
23 NRS 484C.460 but who operates a motor vehicle without such a
24 device:

25 (a) For 3 years, if it is his or her first such offense during the
26 period of required use of the device.

27 (b) For 5 years, if it is his or her second such offense during the
28 period of required use of the device.

29 5. A driver whose license, permit or privilege is revoked
30 pursuant to subsection 4 is not eligible for a restricted license during
31 the period set forth in paragraph (a) or (b) of that subsection,
32 whichever applies.

33 6. In addition to any other requirements set forth by specific
34 statute, if the Department is notified that a court has ordered the
35 revocation, suspension or delay in the issuance of a license pursuant
36 to title 5 of NRS, NRS 176.064, 206.330 or 392.148, chapters 484A
37 to 484E, inclusive, of NRS or any other provision of law, the
38 Department shall take such actions as are necessary to carry out the
39 court's order.

40 7. As used in this section, "device" has the meaning ascribed to
41 it in NRS 484C.450.

42 **Sec. 2.** NRS 483.490 is hereby amended to read as follows:

43 483.490 1. Except as otherwise provided in this section, after
44 a driver's license has been suspended or revoked for an offense
45 other than a second violation within 7 years of NRS 484C.110, and



1 one-half of the period during which the driver is not eligible for a
2 license has expired, the Department may, unless the statute
3 authorizing the suspension prohibits the issuance of a restricted
4 license, issue a restricted driver's license to an applicant permitting
5 the applicant to drive a motor vehicle:

6 (a) To and from work or in the course of his or her work, or
7 both; or

8 (b) To acquire supplies of medicine or food or receive regularly
9 scheduled medical care for himself, herself or a member of his or
10 her immediate family.

11 ➤ Before a restricted license may be issued, the applicant must
12 submit sufficient documentary evidence to satisfy the Department
13 that a severe hardship exists because the applicant has no alternative
14 means of transportation and that the severe hardship outweighs the
15 risk to the public if the applicant is issued a restricted license.

16 2. A person who has been ordered to install a device in a motor
17 vehicle pursuant to NRS 484C.460:

18 (a) Shall install the device not later than 21 days after the date
19 on which the order was issued; and

20 (b) May not receive a restricted license pursuant to this section
21 until:

22 (1) After at least 1 year of the period during which the person
23 is not eligible for a license, if the person was convicted of:

24 (I) A violation of NRS 484C.430 or a homicide resulting
25 from driving or being in actual physical control of a vehicle while
26 under the influence of intoxicating liquor or a controlled substance
27 or resulting from any other conduct prohibited by NRS 484C.110,
28 484C.130 or 484C.430; or

29 (II) A violation of NRS 484C.110 that is punishable as a
30 felony pursuant to NRS 484C.410 or 484C.420;

31 (2) After at least 180 days of the period during which the
32 person is not eligible for a license, if the person was convicted of a
33 violation of subsection 6 *or* 7 of NRS 484B.653; or

34 (3) After at least 45 days of the period during which the
35 person is not eligible for a license, if the person was convicted of a
36 first violation within 7 years of NRS 484C.110.

37 3. If the Department has received a copy of an order requiring a
38 person to install a device in a motor vehicle pursuant to NRS
39 484C.460, the Department shall not issue a restricted driver's
40 license to such a person pursuant to this section unless the applicant
41 has submitted proof of compliance with the order and subsection 2.

42 4. Except as otherwise provided in NRS 62E.630, after a
43 driver's license has been revoked or suspended pursuant to title 5 of
44 NRS or NRS 392.148, the Department may issue a restricted



1 driver's license to an applicant permitting the applicant to drive a
2 motor vehicle:

3 (a) If applicable, to and from work or in the course of his or her
4 work, or both; or

5 (b) If applicable, to and from school.

6 5. After a driver's license has been suspended pursuant to NRS
7 483.443, the Department may issue a restricted driver's license to an
8 applicant permitting the applicant to drive a motor vehicle:

9 (a) If applicable, to and from work or in the course of his or her
10 work, or both;

11 (b) To receive regularly scheduled medical care for himself,
12 herself or a member of his or her immediate family; or

13 (c) If applicable, as necessary to exercise a court-ordered right to
14 visit a child.

15 6. A driver who violates a condition of a restricted license
16 issued pursuant to subsection 1 or by another jurisdiction is guilty of
17 a misdemeanor and, if the license of the driver was suspended or
18 revoked for:

19 (a) A violation of NRS 484C.110, 484C.210 or 484C.430;

20 (b) A homicide resulting from driving or being in actual
21 physical control of a vehicle while under the influence of
22 intoxicating liquor or a controlled substance or resulting from any
23 other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430;
24 or

25 (c) A violation of a law of any other jurisdiction that prohibits
26 the same or similar conduct as set forth in paragraph (a) or (b),
27 → the driver shall be punished in the manner provided pursuant to
28 subsection 2 of NRS 483.560.

29 7. The periods of suspensions and revocations required
30 pursuant to this chapter and NRS 484C.210 must run consecutively,
31 except as otherwise provided in NRS 483.465 and 483.475, when
32 the suspensions must run concurrently.

33 8. Whenever the Department suspends or revokes a license, the
34 period of suspension, or of ineligibility for a license after the
35 revocation, begins upon the effective date of the revocation or
36 suspension as contained in the notice thereof.

37 **Sec. 3.** NRS 484B.270 is hereby amended to read as follows:

38 484B.270 1. The driver of a motor vehicle shall not
39 intentionally interfere with the movement of a person lawfully
40 riding a bicycle or an electric bicycle.

41 2. When overtaking or passing a bicycle or electric bicycle
42 proceeding in the same direction, the driver of a motor vehicle shall
43 exercise due care and:



1 (a) If there is more than one lane for traffic proceeding in the
2 same direction, move the vehicle to the lane to the immediate left, if
3 the lane is available and moving into the lane is reasonably safe; or

4 (b) If there is only one lane for traffic proceeding in the same
5 direction, pass to the left of the bicycle or electric bicycle at a safe
6 distance, which must be not less than 3 feet between any portion of
7 the vehicle and the bicycle or electric bicycle, and shall not move
8 again to the right side of the highway until the vehicle is safely clear
9 of the overtaken bicycle or electric bicycle.

10 3. The driver of a motor vehicle shall yield the right-of-way to
11 any person riding a bicycle or an electric bicycle or a pedestrian as
12 provided in subsection 6 of NRS 484B.297 on the pathway or lane.
13 The driver of a motor vehicle shall not enter, stop, stand, park or
14 drive within a pathway or lane provided for bicycles or electric
15 bicycles except:

16 (a) When entering or exiting an alley or driveway;

17 (b) When operating or parking a disabled vehicle;

18 (c) To avoid conflict with other traffic;

19 (d) In the performance of official duties;

20 (e) In compliance with the directions of a police officer; or

21 (f) In an emergency.

22 4. Except as otherwise provided in subsection 3, the driver of a
23 motor vehicle shall not enter or proceed through an intersection
24 while driving within a pathway or lane provided for bicycles or
25 electric bicycles.

26 5. The driver of a motor vehicle shall:

27 (a) Exercise due care to avoid a collision with a person riding a
28 bicycle or an electric bicycle; and

29 (b) Give an audible warning with the horn of the vehicle if
30 appropriate and when necessary to avoid such a collision.

31 6. If, while violating any provision of subsections 1 to 5,
32 inclusive, the driver of a motor vehicle is the proximate cause of a
33 collision with a person riding a bicycle, the driver is subject to the
34 additional penalty set forth in subsection 4 *or* 7 of NRS 484B.653.

35 7. The operator of a bicycle or an electric bicycle shall not:

36 (a) Intentionally interfere with the movement of a motor vehicle;
37 or

38 (b) Overtake and pass a motor vehicle unless the operator can do
39 so safely without endangering himself or herself or the occupants of
40 the motor vehicle.

41 **Sec. 4.** NRS 484B.280 is hereby amended to read as follows:

42 484B.280 1. A driver of a motor vehicle shall:

43 (a) Exercise due care to avoid a collision with a pedestrian;

44 (b) Give an audible warning with the horn of the vehicle if
45 appropriate and when necessary to avoid such a collision; and



1 (c) Exercise proper caution upon observing a pedestrian:

2 (1) On or near a highway, street or road;

3 (2) At or near a bus stop or bench, shelter or transit stop for
4 passengers of public mass transportation or in the act of boarding a
5 bus or other public transportation vehicle; or

6 (3) In or near a school zone or a school crossing zone marked
7 in accordance with NRS 484B.363 or a marked or unmarked
8 crosswalk.

9 2. If, while violating any provision of this section, the driver of
10 a motor vehicle is the proximate cause of a collision with a
11 pedestrian, the driver is subject to the additional penalty set forth in
12 subsection 4 *or* 7 of NRS 484B.653.

13 3. A person who violates any provision of subsection 1 may be
14 subject to the additional penalty set forth in NRS 484B.135.

15 **Sec. 5.** NRS 484B.283 is hereby amended to read as follows:

16 484B.283 1. Except as otherwise provided in NRS 484B.287,
17 484B.290 and 484B.350:

18 (a) When official traffic-control devices are not in place or not
19 in operation, the driver of a vehicle shall yield the right-of-way,
20 slowing down or stopping if need be so to yield, to a pedestrian
21 crossing the highway within a crosswalk when the pedestrian is
22 upon the half of the highway upon which the vehicle is traveling, or
23 when the pedestrian is approaching so closely from the opposite half
24 of the highway as to be in danger.

25 (b) A pedestrian shall not suddenly leave a curb or other place of
26 safety and walk or run into the path of a vehicle which is so close
27 that it is impossible for the driver to yield.

28 (c) Whenever a vehicle is stopped at a marked crosswalk or at
29 an unmarked crosswalk at an intersection, the driver of any other
30 vehicle approaching from the rear shall not overtake and pass the
31 stopped vehicle until the driver has determined that the vehicle
32 being overtaken was not stopped for the purpose of permitting a
33 pedestrian to cross the highway.

34 (d) Whenever signals exhibiting the words "Walk" or "Don't
35 Walk" are in place, such signals indicate as follows:

36 (1) While the "Walk" indication is illuminated, pedestrians
37 facing the signal may proceed across the highway in the direction of
38 the signal and must be given the right-of-way by the drivers of all
39 vehicles.

40 (2) While the "Don't Walk" indication is illuminated, either
41 steady or flashing, a pedestrian shall not start to cross the highway
42 in the direction of the signal, but any pedestrian who has partially
43 completed the crossing during the "Walk" indication shall proceed
44 to a sidewalk, or to a safety zone if one is provided.



1 (3) Whenever the word "Wait" still appears in a signal, the
2 indication has the same meaning as assigned in this section to the
3 "Don't Walk" indication.

4 (4) Whenever a signal system provides a signal phase for the
5 stopping of all vehicular traffic and the exclusive movement of
6 pedestrians, and "Walk" and "Don't Walk" indications control
7 pedestrian movement, pedestrians may cross in any direction
8 between corners of the intersection offering the shortest route within
9 the boundaries of the intersection when the "Walk" indication is
10 exhibited, and when signals and other official traffic-control devices
11 direct pedestrian movement in the manner provided in this section
12 and in NRS 484B.307.

13 2. If, while violating paragraph (a) or (c) of subsection 1, the
14 driver of a motor vehicle is the proximate cause of a collision with a
15 pedestrian, the driver is subject to the additional penalty set forth in
16 subsection 4 *or* 7 of NRS 484B.653.

17 3. A person who violates any provision of subsection 1 may be
18 subject to the additional penalty set forth in NRS 484B.135.

19 **Sec. 6.** NRS 484B.350 is hereby amended to read as follows:

20 484B.350 1. The driver of a vehicle:

21 (a) Shall stop in obedience to the direction or traffic-control
22 signal of a school crossing guard; and

23 (b) Shall not proceed until the highway is clear of all persons,
24 including, without limitation, the school crossing guard.

25 2. A person who violates subsection 1 is guilty of a
26 misdemeanor.

27 3. If, while violating subsection 1, the driver of a motor vehicle
28 is the proximate cause of a collision with a pedestrian or a person
29 riding a bicycle, the driver is subject to the additional penalty set
30 forth in subsection 4 *or* 7 of NRS 484B.653.

31 4. As used in this section, "school crossing guard" means a
32 volunteer or paid employee of a local authority, local law
33 enforcement agency or school district whose duties include assisting
34 pupils to cross a highway.

35 **Sec. 7.** NRS 484B.363 is hereby amended to read as follows:

36 484B.363 1. A person shall not drive a motor vehicle at a
37 speed in excess of 15 miles per hour in an area designated as a
38 school zone except:

39 (a) On a day on which school is not in session;

40 (b) During the period from a half hour after school is no longer
41 in operation to a half hour before school is next in operation;

42 (c) If the zone is designated by an operational speed limit
43 beacon, during the hours when the pupils of the school are in class
44 and the yellow lights of the speed limit beacon are not flashing in
45 the manner which indicates that the speed limit is in effect; or



1 (d) If the zone is not designated by an operational speed limit
2 beacon, during the times when the sign designating the school zone
3 indicates that the speed limit is not in effect.

4 2. A person shall not drive a motor vehicle at a speed in excess
5 of 25 miles per hour in an area designated as a school crossing zone
6 except:

7 (a) On a day on which school is not in session;

8 (b) During the period from a half hour after school is no longer
9 in operation to a half hour before school is next in operation;

10 (c) If the zone is designated by an operational speed limit
11 beacon, during the hours when the pupils of the school are in class
12 and the yellow lights of the speed limit beacon are not flashing in
13 the manner which indicates that the speed limit is in effect; or

14 (d) If the zone is not designated by an operational speed limit
15 beacon, during the times when the sign designating the school zone
16 indicates that the speed limit is not in effect.

17 3. The driver of a vehicle shall not make a U-turn in an area
18 designated as a school zone or school crossing zone except:

19 (a) When there are no children present;

20 (b) On a day on which school is not in session;

21 (c) During the period from a half hour after school is no longer
22 in operation to a half hour before school is next in operation;

23 (d) If the zone is designated by an operational speed limit
24 beacon, during the hours when the pupils of the school are in class
25 and the yellow lights of the speed limit beacon are not flashing in
26 the manner which indicates that the speed limit is in effect; or

27 (e) If the zone is not designated by an operational speed limit
28 beacon, during the times when the sign designating the school zone
29 or school crossing zone indicates that the speed limit is not in effect.

30 4. The driver of a vehicle shall not overtake and pass another
31 vehicle traveling in the same direction in an area designated as a
32 school zone or school crossing zone except:

33 (a) On a day on which the school is not in session;

34 (b) During the period from a half hour after school is no longer
35 in operation to a half hour before school is next in operation;

36 (c) If the zone is designated by an operational speed limit
37 beacon, during the hours when the pupils of the school are in class
38 and the yellow lights of the speed limit beacon are not flashing in
39 the manner which indicates that the speed limit is in effect; or

40 (d) If the zone is not designated by an operational speed limit
41 beacon, during the times when the sign designating the school zone
42 or school crossing zone indicates that the speed limit is not in effect.

43 5. The governing body of a local government or the
44 Department of Transportation shall designate school zones and
45 school crossing zones. An area must not be designated as a school



1 zone if imposing a speed limit of 15 miles per hour would be unsafe
2 because of higher speed limits in adjoining areas.

3 6. Each such governing body and the Department of
4 Transportation shall provide signs to mark the beginning and end of
5 each school zone and school crossing zone which it respectively
6 designates. Each sign marking the beginning of such a zone must
7 include a designation of the hours when the speed limit is in effect
8 or that the speed limit is in effect when children are present.

9 7. With respect to each school zone and school crossing zone
10 in a school district, the superintendent of the school district or his or
11 her designee, in conjunction with the Department of Transportation
12 and the governing body of the local government that designated the
13 school zone or school crossing zone and after consulting with the
14 principal of the school and the agency that is responsible for
15 enforcing the speed limit in the zone, shall determine the times
16 when the speed limit is in effect.

17 8. If, while violating any provision of subsections 1 to 4,
18 inclusive, the driver of a motor vehicle is the proximate cause of a
19 collision with a pedestrian or a person riding a bicycle, the driver is
20 subject to the additional penalty set forth in subsection 4 *or* 7 of
21 NRS 484B.653.

22 9. As used in this section, "speed limit beacon" means a device
23 which is used in conjunction with a sign and equipped with two or
24 more yellow lights that flash alternately to indicate when the speed
25 limit in a school zone or school crossing zone is in effect.

26 **Sec. 8.** NRS 484B.600 is hereby amended to read as follows:

27 484B.600 1. It is unlawful for any person to drive or operate
28 a vehicle of any kind or character at:

29 (a) A rate of speed greater than is reasonable or proper, having
30 due regard for the traffic, surface and width of the highway, the
31 weather and other highway conditions.

32 (b) Such a rate of speed as to endanger the life, limb or property
33 of any person.

34 (c) A rate of speed greater than that posted by a public authority
35 for the particular portion of highway being traversed.

36 (d) In any event, a rate of speed greater than 80 miles per hour.

37 2. If, while violating any provision of subsection 1, the driver
38 of a motor vehicle is the proximate cause of a collision with a
39 pedestrian or a person riding a bicycle, the driver is subject to the
40 additional penalty set forth in subsection 4 *or* 7 of NRS 484B.653.

41 3. A person who violates any provision of subsection 1 may be
42 subject to the additional penalty set forth in NRS 484B.130 or
43 484B.135.

44 **Sec. 9.** NRS 484B.653 is hereby amended to read as follows:

45 484B.653 1. It is unlawful for a person to:



1 (a) Drive a vehicle in willful or wanton disregard of the safety of
2 persons or property.

3 (b) Drive a vehicle in an unauthorized speed contest on a public
4 highway.

5 (c) Organize an unauthorized speed contest on a public highway.

6 ➔ A violation of paragraph (a) or (b) of this subsection or
7 subsection 1 of NRS 484B.550 constitutes reckless driving.

8 2. If, while violating the provisions of subsections 1 to 5,
9 inclusive, of NRS 484B.270, NRS 484B.280, paragraph (a) or (c) of
10 subsection 1 of NRS 484B.283, NRS 484B.350, subsections 1 to 4,
11 inclusive, of NRS 484B.363 or subsection 1 of NRS 484B.600, the
12 driver of a motor vehicle is the proximate cause of a collision with a
13 pedestrian or a person riding a bicycle, the violation constitutes
14 reckless driving.

15 3. A person who violates paragraph (a) of subsection 1 is guilty
16 of a misdemeanor and:

17 (a) For the first offense, shall be punished:

18 (1) By a fine of not less than \$250 but not more than \$1,000;
19 or

20 (2) By both fine and imprisonment in the county jail for not
21 more than 6 months.

22 (b) For the second offense, shall be punished:

23 (1) By a fine of not less than \$1,000 but not more than
24 \$1,500; or

25 (2) By both fine and imprisonment in the county jail for not
26 more than 6 months.

27 (c) For the third and each subsequent offense, shall be punished:

28 (1) By a fine of not less than \$1,500 but not more than
29 \$2,000; or

30 (2) By both fine and imprisonment in the county jail for not
31 more than 6 months.

32 4. ~~1A~~ *Except as otherwise provided in subsection 7, a* person
33 who violates paragraph (b) or (c) of subsection 1 or commits a
34 violation which constitutes reckless driving pursuant to subsection 2
35 is guilty of a misdemeanor and:

36 (a) For the first offense:

37 (1) Shall be punished by a fine of not less than \$250 but not
38 more than \$1,000;

39 (2) Shall perform not less than 50 hours, but not more than
40 99 hours, of community service; and

41 (3) May be punished by imprisonment in the county jail for
42 not more than 6 months.

43 (b) For the second offense:

44 (1) Shall be punished by a fine of not less than \$1,000 but
45 not more than \$1,500;



1 (2) Shall perform not less than 100 hours, but not more than
2 199 hours, of community service; and

3 (3) May be punished by imprisonment in the county jail for
4 not more than 6 months.

5 (c) For the third and each subsequent offense:

6 (1) Shall be punished by a fine of not less than \$1,500 but
7 not more than \$2,000;

8 (2) Shall perform 200 hours of community service; and

9 (3) May be punished by imprisonment in the county jail for
10 not more than 6 months.

11 5. In addition to any fine, community service and
12 imprisonment imposed upon a person pursuant to subsection 4 **H or**
13 **7**, the court:

14 (a) Shall issue an order suspending the driver's license of the
15 person for a period of not less than 6 months but not more than 2
16 years and requiring the person to surrender all driver's licenses then
17 held by the person;

18 (b) Within 5 days after issuing an order pursuant to paragraph
19 (a), shall forward to the Department any licenses, together with a
20 copy of the order;

21 (c) For the first offense, may issue an order impounding, for a
22 period of 15 days, any vehicle that is registered to the person who
23 violates paragraph (b) or (c) of subsection 1 if the vehicle is used in
24 the commission of the offense; and

25 (d) For the second and each subsequent offense, shall issue an
26 order impounding, for a period of 30 days, any vehicle that is
27 registered to the person who violates paragraph (b) or (c) of
28 subsection 1 if the vehicle is used in the commission of the offense.

29 6. Unless a greater penalty is provided pursuant to subsection 4
30 of NRS 484B.550, a person who does any act or neglects any duty
31 imposed by law while driving or in actual physical control of any
32 vehicle in willful or wanton disregard of the safety of persons or
33 property, if the act or neglect of duty proximately causes the death
34 of or substantial bodily harm to another person, is guilty of a
35 category B felony and shall be punished by imprisonment in the
36 state prison for a minimum term of not less than 1 year and a
37 maximum term of not more than 6 years and by a fine of not less
38 than \$2,000 but not more than \$5,000.

39 7. *Unless a greater penalty is provided pursuant to subsection*
40 *4 of NRS 484B.550, a person who violates paragraph (b) or (c) of*
41 *subsection 1 or commits a violation which constitutes reckless*
42 *driving pursuant to subsection 2, if the violation proximately*
43 *causes the death of or substantial bodily harm to another person,*
44 *is guilty of a category B felony and shall be punished by*
45 *imprisonment in the state prison for a minimum term of not less*



1 *than 1 year and a maximum term of not more than 6 years and by*
2 *a fine of not less than \$2,000 but not more than \$5,000.*

3 8. A person who violates any provision of this section may be
4 subject to any additional penalty set forth in NRS 484B.130 or
5 484B.135 unless the person is subject to the penalty provided
6 pursuant to subsection 4 of NRS 484B.550.

7 ~~8.~~ 9. As used in this section, "organize" means to plan,
8 schedule or promote, or assist in the planning, scheduling or
9 promotion of, an unauthorized speed contest on a public highway,
10 regardless of whether a fee is charged for attending the unauthorized
11 speed contest.



