
ASSEMBLY BILL NO. 434—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE COMMITTEE TO STUDY THE
ADVISABILITY AND FEASIBILITY OF TREATING
CERTAIN TRAFFIC AND RELATED
VIOLATIONS AS CIVIL INFRACTIONS)

MARCH 25, 2019

Referred to Committee on Judiciary

SUMMARY—Revises various provisions relating to offenses.
(BDR 14-428)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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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 offenses; revising provisions relating to imprisonment or community service ordered for a convicted person; creating a new class of misdemeanor called a petty misdemeanor and providing the punishment therefor; reducing the punishment for various traffic and related offenses from a misdemeanor to a petty misdemeanor; revising provisions relating to the payment of administrative assessments, fines and court fees; requiring any fine paid or forfeiture of bail by a person who commits certain offenses to be credited to the State Permanent School Fund; revising provisions relating to speeding violations; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides that if a person other than an indigent person is
2 delinquent in the payment of an administrative assessment, fine or forfeiture, the
3 court may order the person to be imprisoned for a period of 1 day for each \$75
4 of the amount owed. (NRS 176.065, 176.075) **Sections 1 and 2** of this bill increase
5 the amount of credit received for each day of imprisonment to \$150 and establish
6 the circumstances in which a person is considered to be indigent.

7 Existing law authorizes a court to order a convicted person to perform
8 supervised community service in certain circumstances. (NRS 176.087) **Section 3**



9 of this bill provides that for each hour of community service performed by a person,
10 the court is required to provide a credit of not less than \$10 toward the payment of
11 any fine that was imposed against the person for the commission of the offense for
12 which community service was ordered.

13 **Section 4** of this bill creates a new misdemeanor class called a petty
14 misdemeanor and provides that: (1) the punishment therefor is a fine of not more
15 than \$1,000; and (2) in lieu of all or part of such a fine, a person may be sentenced
16 to perform a fixed period of community service. **Section 3** provides that the period
17 of community service fixed by the court for a petty misdemeanor must not exceed
18 100 hours. **Sections 11-27, 29-31 and 33-41** of this bill reduce the punishment for
19 various specified traffic offenses from a misdemeanor to a petty misdemeanor.
20 **Sections 10 and 32** of this bill make conforming changes.

21 **Section 6** of this bill provides that if a court imposes upon a person an
22 administrative assessment, fine or court fee for a violation of any provision of
23 chapters 484A to 484E, inclusive, of NRS, and the court allows any such
24 administrative assessment, fine or court fee to be paid in installments, the payments
25 must be applied first to the unpaid balance of an administrative assessment, then to
26 the unpaid balance of a fine and finally to the unpaid balance of a court fee. **Section**
27 **7** of this bill provides that if a traffic citation issued to a person contains more than
28 one offense charged, or if a person has been issued more than one traffic citation
29 that is outstanding, any payment made by the person must be applied to one offense
30 or one citation, as applicable, in the order set forth in **section 6**, until all
31 administrative assessments, fines and court fees due for the offense or citation are
32 paid in full. **Section 7** provides that payments must continue to be applied in such a
33 manner until all administrative assessments, fines and court fees due for all offenses
34 charged or all outstanding traffic citations are paid in full.

35 **Section 8** of this bill establishes provisions relating to fees which courts
36 authorize a defendant to pay in lieu of requiring the defendant to complete a course
37 of traffic safety for the purpose of reducing the demerit points accumulated by the
38 defendant and sets forth the purposes for which such money must be used by a
39 court.

40 Existing law prohibits a local authority from enacting certain ordinances
41 relating to traffic offenses. (NRS 484A.400) **Section 9** of this bill provides that if a
42 person commits any offense for which a local authority is prohibited from enacting
43 an ordinance, any fine paid or forfeiture of bail by the person must be paid into the
44 State Treasury for credit to the State Permanent School Fund.

45 Existing law prohibits a person from driving or operating a vehicle at a rate of
46 speed that exceeds the posted speed limit or is otherwise improper under the
47 circumstances. (NRS 484B.600) **Section 28** of this bill generally provides that if a
48 person is issued a traffic citation for speeding, the violation must be reduced from a
49 moving traffic violation to a violation that is not a moving traffic violation if the
50 person pays the entire amount of the fine due before the date on which the person is
51 required to appear in court. **Section 28** also requires that any fine imposed must not
52 exceed \$10 for each mile per hour a person travels above the posted speed limit or
53 the proper rate of speed at which the person should be traveling, as applicable.

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

1 **Section 1.** NRS 176.065 is hereby amended to read as follows:
2 176.065 1. Except as otherwise provided in subsection 2,
3 when a person is sentenced to both fine and imprisonment, or to pay



1 a forfeiture in addition to imprisonment, the court may, pursuant to
2 NRS 62B.420 or 176.064, order that the person be confined in the
3 state prison, the city or county jail or a detention facility, whichever
4 is designated in the person's sentence of imprisonment, for an
5 additional period of 1 day for each ~~[\$75]~~ **\$150** of the amount until
6 the administrative assessment and the fine or forfeiture are satisfied
7 or the maximum term of imprisonment prescribed by law for the
8 offense committed has elapsed, whichever is earlier, but the
9 person's eligibility for parole is governed only by the person's
10 sentence of imprisonment.

11 2. The provisions of this section do not apply to indigent
12 persons. *For the purposes of this subsection, a person is indigent if*
13 *the person:*

14 (a) *Receives public assistance, as that term is defined in*
15 *NRS 422A.065;*

16 (b) *Resides in public housing, as that term is defined in*
17 *NRS 315.021;*

18 (c) *Has a household income that is less than 200 percent of the*
19 *federally designated level signifying poverty; or*

20 (d) *Is housed in a public or private mental health facility.*

21 **Sec. 2.** NRS 176.075 is hereby amended to read as follows:

22 176.075 1. Except as otherwise provided in subsection 2,
23 when a person is sentenced to pay a fine or forfeiture without an
24 accompanying sentence of imprisonment, the court may, pursuant to
25 NRS 62B.420 or 176.064, order that the person be confined in the
26 city or county jail or detention facility for a period of not more than
27 1 day for each ~~[\$75]~~ **\$150** of the amount until the administrative
28 assessment and the fine or forfeiture are satisfied.

29 2. The provisions of this section do not apply to indigent
30 persons. *For the purposes of this subsection, a person is indigent if*
31 *the person:*

32 (a) *Receives public assistance, as that term is defined in*
33 *NRS 422A.065;*

34 (b) *Resides in public housing, as that term is defined in*
35 *NRS 315.021;*

36 (c) *Has a household income that is less than 200 percent of the*
37 *federally designated level signifying poverty; or*

38 (d) *Is housed in a public or private mental health facility.*

39 **Sec. 3.** NRS 176.087 is hereby amended to read as follows:

40 176.087 1. Except where the imposition of a specific criminal
41 penalty is mandatory, a court may order a convicted person to
42 perform supervised community service:

43 (a) In lieu of all or a part of *any fine that may be imposed for*
44 *the commission of a petty misdemeanor or* any fine or



1 imprisonment that may be imposed for the commission of a
2 misdemeanor; or

3 (b) As a condition of probation granted for another offense.

4 2. The community service must be performed for and under the
5 supervising authority of a county, city, town or other political
6 subdivision or agency of the State of Nevada or a charitable
7 organization that renders service to the community or its residents.

8 3. The court may require the convicted person to deposit with
9 the court a reasonable sum of money to pay for the cost of policies
10 of insurance against liability for personal injury and damage to
11 property or for industrial insurance, or both, during those periods in
12 which the person performs the community service, unless, in the
13 case of industrial insurance, it is provided by the authority for which
14 the person performs the community service.

15 4. The following conditions apply to any such community
16 service imposed by the court:

17 (a) The court must fix the period of community service that is
18 imposed as punishment or a condition of probation and distribute
19 the period over weekends or over other appropriate times that will
20 allow the convicted person to continue employment and to care for
21 the person's family. The period of community service fixed by the
22 court must not exceed, for a:

23 (1) *Petty misdemeanor, 100 hours;*

24 (2) Misdemeanor, 200 hours;

25 ~~(2)~~ (3) Gross misdemeanor, 600 hours; or

26 ~~(3)~~ (4) Felony, 1,000 hours.

27 (b) A supervising authority listed in subsection 2 must agree to
28 accept the convicted person for community service before the court
29 may require the convicted person to perform community service for
30 that supervising authority. The supervising authority must be located
31 in or be the town or city of the convicted person's residence or, if
32 that placement is not possible, one located within the jurisdiction of
33 the court or, if that placement is not possible, the authority may be
34 located outside the jurisdiction of the court.

35 (c) Community service that a court requires pursuant to this
36 section must be supervised by an official of the supervising
37 authority or by a person designated by the authority.

38 (d) The court may require the supervising authority to report
39 periodically to the court or to a probation officer the convicted
40 person's performance in carrying out the punishment or condition of
41 probation.

42 *5. For each hour of community service that is performed by a*
43 *person pursuant to this section, the court must provide a credit of*
44 *not less than \$10 toward the payment of any fine that was imposed*



1 *against the person for the commission of the offense for which the*
2 *person was ordered to perform community service.*

3 **Sec. 4.** Chapter 193 of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *1. Every person convicted of a petty misdemeanor shall be*
6 *punished by a fine of not more than \$1,000.*

7 *2. In lieu of all or a part of the fine which may be imposed*
8 *pursuant to subsection 1, the convicted person may be sentenced*
9 *to perform a fixed period of community service pursuant to the*
10 *conditions prescribed in NRS 176.087.*

11 **Sec. 5.** Chapter 484A of NRS is hereby amended by adding
12 thereto the provisions set forth as sections 6 to 9, inclusive, of this
13 act.

14 **Sec. 6.** *In accordance with section 7 of this act and any*
15 *provision of law that further specifies the order in which more*
16 *than one administrative assessment, fine or court fee that is*
17 *imposed upon a person must be paid, including, without*
18 *limitation, NRS 176.0611 and 176.0613, if a court imposes upon a*
19 *person an administrative assessment, fine or court fee for a*
20 *violation of any provision of chapters 484A to 484E, inclusive, of*
21 *NRS, and the court permits any such administrative assessment,*
22 *fine or court fee to be paid in installments, the payments must be*
23 *applied in the following order:*

24 *1. To pay the unpaid balance of an administrative*
25 *assessment;*

26 *2. To pay the unpaid balance of a fine; and*

27 *3. To pay the unpaid balance of a court fee.*

28 **Sec. 7.** *1. If a traffic citation that is issued to a person*
29 *contains more than one offense charged, or if a person has been*
30 *issued more than one traffic citation that is outstanding, any*
31 *payment made by the person must be applied, in accordance with*
32 *the provisions of section 6 of this act, to one offense or one*
33 *citation, as applicable, until all administrative assessments, fines*
34 *and court fees due for that offense or citation are paid in full.*

35 *2. Once all administrative assessments, fines and court fees*
36 *due for an offense or citation are paid in full, any remaining*
37 *portion of a payment made by a person must be applied to the next*
38 *offense or citation, as applicable, until all administrative*
39 *assessments, fines and court fees due for that offense or citation*
40 *are paid in full.*

41 *3. Payments made by a person must continue to be applied in*
42 *the manner set forth in this section until all administrative*
43 *assessments, fines and court fees due for all offenses charged or*
44 *all outstanding traffic citations are paid in full.*



1 **Sec. 8. 1. Except as otherwise provided in this section, if a**
2 *court authorizes a defendant who pleads guilty, guilty but mentally*
3 *ill or nolo contendere to, or who is found guilty or guilty but*
4 *mentally ill of, a violation of chapters 484A to 484E, inclusive, to*
5 *pay a fee for the purpose of reducing demerit points, in lieu of*
6 *requiring the defendant to complete a course of traffic safety for*
7 *the purpose of reducing demerit points, the court must include the*
8 *fee in the sentence, in addition to any other penalty or*
9 *administrative assessment provided by law, and render a judgment*
10 *against the defendant for the fee.*

11 **2. The money collected for the fee imposed pursuant to this**
12 *section must not be deducted from any fine imposed by the court*
13 *but must be collected from the defendant in addition to the fine.*
14 *The money collected for such a fee must be stated separately on*
15 *the court's docket. If the court cancels a fine because the fine has*
16 *been determined to be uncollectible, any balance of the fine and*
17 *the fee remaining unpaid shall be deemed to be uncollectible and*
18 *the defendant is not required to pay them. If a fine is determined*
19 *to be uncollectible, the defendant is not entitled to a refund of any*
20 *amount of the fine or fee that the defendant has paid.*

21 **3. A court shall, if requested by a defendant, allow a fee**
22 *imposed pursuant to this section to be paid in installments under*
23 *terms established by the court.*

24 **4. The money collected for a fee pursuant to this section in**
25 *municipal court must be paid by the clerk of the court to the city*
26 *treasurer on or before the fifth day of each month for the*
27 *preceding month. On or before the 15th day of that month, the city*
28 *treasurer shall deposit the money received for each such fee with*
29 *the State Controller for credit to a special account in the State*
30 *General Fund administered by the Office of Court Administrator.*

31 **5. The money collected for a fee pursuant to this section in**
32 *justice courts must be paid by the clerk of the court to the county*
33 *treasurer on or before the fifth day of each month for the*
34 *preceding month. On or before the 15th day of that month, the*
35 *county treasurer shall deposit the money received for each such*
36 *fee with the State Controller for credit to a special account in the*
37 *State General Fund administered by the Office of Court*
38 *Administrator.*

39 **6. Money that is apportioned to a court from specialty courts**
40 *fees pursuant to this section must be used by the court to:*

41 **(a) Pay for any level of treatment, including, without**
42 *limitation, psychiatric care, required for successful completion*
43 *and testing of persons who participate in the program; and*

44 **(b) Improve the operations of the specialty court program by**
45 *any combination of:*



- 1 (1) *Acquiring necessary capital goods;*
- 2 (2) *Providing for personnel to staff and oversee the*
- 3 *specialty court program;*
- 4 (3) *Providing training and education to personnel;*
- 5 (4) *Studying the management and operation of the*
- 6 *program;*
- 7 (5) *Conducting audits of the program;*
- 8 (6) *Providing for district attorney and public defender*
- 9 *representation;*
- 10 (7) *Acquiring or using appropriate technology;*
- 11 (8) *Providing capital for building facilities necessary to*
- 12 *house persons who participate in the program;*
- 13 (9) *Providing funding for employment programs for*
- 14 *persons who participate in the program; and*
- 15 (10) *Providing funding for statewide public information*
- 16 *campaigns necessary to deter driving under the influence of*
- 17 *intoxicating liquor or a controlled substance.*

18 7. *As used in this section:*

19 (a) *“Office of Court Administrator” means the Office of Court*

20 *Administrator created by NRS 1.320; and*

21 (b) *“Specialty court program” means a program established by*

22 *a court to facilitate testing, treatment and oversight of certain*

23 *persons over whom the court has jurisdiction and who the court*

24 *has determined suffer from a mental illness or who abuse alcohol*

25 *or drugs. Such a program includes, without limitation, a program*

26 *established pursuant to NRS 176A.250 or 453.580.*

27 **Sec. 9.** *If a person commits any offense for which a local*

28 *authority is prohibited from enacting an ordinance pursuant to*

29 *subsection 3 of NRS 484A.400, any fine paid or forfeiture of bail*

30 *by the person must be paid into the State Treasury for credit to the*

31 *State Permanent School Fund.*

32 **Sec. 10.** NRS 484A.630 is hereby amended to read as follows:

33 484A.630 1. Whenever a person is halted by a peace officer

34 for any violation of chapters 484A to 484E, inclusive, of NRS

35 punishable as a *petty misdemeanor or* misdemeanor and is not taken

36 before a magistrate as required or permitted by NRS 484A.720 and

37 484A.730, the peace officer may prepare a traffic citation manually

38 or electronically in the form of a complaint issuing in the name of

39 “The State of Nevada,” containing a notice to appear in court, the

40 name and address of the person, the state registration number of the

41 person’s vehicle, if any, the number of the person’s driver’s license,

42 if any, the offense charged, including a brief description of the

43 offense and the NRS citation, the time and place when and where

44 the person is required to appear in court, and such other pertinent

45 information as may be necessary. The peace officer shall sign the



1 citation and deliver a copy of the citation to the person charged with
2 the violation. If the citation is prepared electronically, the peace
3 officer shall sign the copy of the citation that is delivered to the
4 person charged with the violation.

5 2. The time specified in the notice to appear must be at least 5
6 days after the alleged violation unless the person charged with the
7 violation demands an earlier hearing.

8 3. The place specified in the notice to appear must be before a
9 magistrate, as designated in NRS 484A.750.

10 4. The person charged with the violation may give his or her
11 written promise to appear in court by signing at least one copy of the
12 traffic citation prepared by the peace officer and thereupon
13 the peace officer shall not take the person into physical custody for
14 the violation. If the citation is prepared electronically, the peace
15 officer shall indicate on the electronic record of the citation whether
16 the person charged gave his or her written promise to appear. A
17 copy of the citation that is signed by the person charged or the
18 electronic record of the citation which indicates that the person
19 charged gave his or her written promise to appear suffices as proof
20 of service.

21 5. If the person charged with the violation refuses to sign a
22 copy of the traffic citation but accepts a copy of the citation
23 delivered by the peace officer:

24 (a) The acceptance shall be deemed personal service of the
25 notice to appear in court;

26 (b) A copy of the citation signed by the peace officer suffices as
27 proof of service; and

28 (c) The peace officer shall not take the person into physical
29 custody for the violation.

30 **Sec. 11.** NRS 484B.165 is hereby amended to read as follows:

31 484B.165 1. Except as otherwise provided in this section, a
32 person shall not, while operating a motor vehicle on a highway in
33 this State:

34 (a) Manually type or enter text into a cellular telephone or other
35 handheld wireless communications device, or send or read data
36 using any such device to access or search the Internet or to engage
37 in nonvoice communications with another person, including,
38 without limitation, texting, electronic messaging and instant
39 messaging.

40 (b) Use a cellular telephone or other handheld wireless
41 communications device to engage in voice communications with
42 another person, unless the device is used with an accessory which
43 allows the person to communicate without using his or her hands,
44 other than to activate, deactivate or initiate a feature or function on
45 the device.



1 2. The provisions of this section do not apply to:

2 (a) A paid or volunteer firefighter, emergency medical
3 technician, advanced emergency medical technician, paramedic,
4 ambulance attendant or other person trained to provide emergency
5 medical services who is acting within the course and scope of his or
6 her employment.

7 (b) A law enforcement officer or any person designated by a
8 sheriff or chief of police or the Director of the Department of Public
9 Safety who is acting within the course and scope of his or her
10 employment.

11 (c) A person who is reporting a medical emergency, a safety
12 hazard or criminal activity or who is requesting assistance relating
13 to a medical emergency, a safety hazard or criminal activity.

14 (d) A person who is responding to a situation requiring
15 immediate action to protect the health, welfare or safety of the
16 driver or another person and stopping the vehicle would be
17 inadvisable, impractical or dangerous.

18 (e) A person who is licensed by the Federal Communications
19 Commission as an amateur radio operator and who is providing a
20 communication service in connection with an actual or impending
21 disaster or emergency, participating in a drill, test, or other exercise
22 in preparation for a disaster or emergency or otherwise
23 communicating public information.

24 (f) An employee or contractor of a public utility who uses a
25 handheld wireless communications device:

26 (1) That has been provided by the public utility; and

27 (2) While responding to a dispatch by the public utility to
28 respond to an emergency, including, without limitation, a response
29 to a power outage or an interruption in utility service.

30 3. The provisions of this section do not prohibit the use of a
31 voice-operated global positioning or navigation system that is
32 affixed to the vehicle.

33 4. A person who violates any provision of subsection 1 is
34 guilty of a *petty* misdemeanor and:

35 (a) For the first offense within the immediately preceding 7
36 years, shall pay a fine of \$50.

37 (b) For the second offense within the immediately preceding 7
38 years, shall pay a fine of \$100.

39 (c) For the third or subsequent offense within the immediately
40 preceding 7 years, shall pay a fine of \$250.

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



1 6. The Department of Motor Vehicles shall not treat a first
2 violation of this section in the manner statutorily required for a
3 moving traffic violation.

4 7. For the purposes of this section, a person shall be deemed
5 not to be operating a motor vehicle if the motor vehicle is driven
6 autonomously and the autonomous operation of the motor vehicle is
7 authorized by law.

8 8. As used in this section:

9 (a) "Handheld wireless communications device" means a
10 handheld device for the transfer of information without the use of
11 electrical conductors or wires and includes, without limitation, a
12 cellular telephone, a personal digital assistant, a pager and a text
13 messaging device. The term does not include a device used for two-
14 way radio communications if:

15 (1) The person using the device has a license to operate the
16 device, if required; and

17 (2) All the controls for operating the device, other than the
18 microphone and a control to speak into the microphone, are located
19 on a unit which is used to transmit and receive communications and
20 which is separate from the microphone and is not intended to be
21 held.

22 (b) "Public utility" means a supplier of electricity or natural gas
23 or a provider of telecommunications service for public use who is
24 subject to regulation by the Public Utilities Commission of Nevada.

25 **Sec. 12.** NRS 484B.297 is hereby amended to read as follows:

26 484B.297 1. Except as otherwise provided in subsection 6,
27 where sidewalks are provided, it is unlawful for any pedestrian to
28 walk along and upon an adjacent highway.

29 2. Except as otherwise provided in subsection 6, pedestrians
30 walking along highways where sidewalks are not provided shall
31 walk on the left side of those highways facing the approaching
32 traffic.

33 3. A person shall not stand in a highway to solicit a ride or any
34 business from the driver or any occupant of a vehicle. A person shall
35 not, without a permit issued pursuant to NRS 244.3555 or 268.423,
36 solicit any contribution from the driver or any occupant of a vehicle.

37 4. It is unlawful for any pedestrian who is under the influence
38 of intoxicating liquors or any narcotic or stupefying drug to be
39 within the traveled portion of any highway.

40 5. The provisions of this section apply to riders of animals,
41 except that the provisions of subsections 1, 2 and 3 do not apply to a
42 peace officer who rides an animal while performing his or her duties
43 as a peace officer.

44 6. A pedestrian walking or otherwise traveling on a sidewalk
45 who encounters an obstruction to his or her mobility on the



1 sidewalk, including, without limitation, a short section of the
2 sidewalk that is missing or impassable, may proceed with due care
3 on the immediately adjacent highway to move around such an
4 obstruction. Such a pedestrian:

5 (a) Must walk or otherwise travel as far to the side of the
6 highway near the sidewalk as possible;

7 (b) May walk or otherwise travel on the highway in the direction
8 he or she was walking or traveling on the sidewalk, regardless of the
9 direction of traffic;

10 (c) May walk or otherwise travel in a lane provided for bicycles
11 or electric bicycles if the area between the lane and the sidewalk is
12 impassable; and

13 (d) Must return to the sidewalk as soon as practicable.

14 7. A person who violates the provisions of this section is guilty
15 of a *petty* misdemeanor.

16 **Sec. 13.** NRS 484B.300 is hereby amended to read as follows:

17 484B.300 1. Except as otherwise provided in NRS 484B.307,
18 it is unlawful for any driver to disobey the instructions of any
19 official traffic-control device placed in accordance with the
20 provisions of chapters 484A to 484E, inclusive, of NRS, unless at
21 the time otherwise directed by a police officer.

22 2. No provision of chapters 484A to 484E, inclusive, of NRS
23 for which such devices are required may be enforced against an
24 alleged violator if at the time and place of the alleged violation the
25 device is not in proper position and sufficiently legible to be seen by
26 an ordinarily observant person. Whenever a particular provision of
27 chapters 484A to 484E, inclusive, of NRS does not state that such
28 devices are required, the provision is effective even though no
29 devices are erected or in place.

30 3. Whenever devices are placed in position approximately
31 conforming to the requirements of chapters 484A to 484E, inclusive,
32 of NRS, such devices are presumed to have been so placed by the
33 official act or direction of a public authority, unless the contrary is
34 established by competent evidence.

35 4. Any device placed pursuant to the provisions of chapters
36 484A to 484E, inclusive, of NRS and purporting to conform to the
37 lawful requirements pertaining to such devices is presumed to
38 comply with the requirements of chapters 484A to 484E, inclusive,
39 of NRS unless the contrary is established by competent evidence.

40 5. A person who violates any provision of subsection 1 ~~may~~ :

41 (a) *Is guilty of a petty misdemeanor.*

42 (b) *May* be subject to any additional penalty set forth in NRS
43 484B.130 or 484B.135.



1 **Sec. 14.** NRS 484B.303 is hereby amended to read as follows:
2 484B.303 1. Whenever official traffic-control devices are
3 erected indicating that no right or left turn is permitted, it is
4 unlawful for any driver of a vehicle to disobey the directions of any
5 such devices.

6 2. A person who violates any provision of this section ~~[may]~~ :
7 (a) *Is guilty of a petty misdemeanor.*
8 (b) *May* be subject to any additional penalty set forth in NRS
9 484B.130 or 484B.135.

10 **Sec. 15.** NRS 484B.320 is hereby amended to read as follows:
11 484B.320 1. Except as otherwise provided in this section:

12 (a) A person shall not operate a vehicle on the highways of this
13 State if the vehicle is equipped with any device or mechanism,
14 including, without limitation, a mobile transmitter, that is capable of
15 interfering with or altering the signal of a traffic-control signal.

16 (b) A person shall not operate any device or mechanism,
17 including, without limitation, a mobile transmitter, that is capable of
18 interfering with or altering the signal of a traffic-control signal.

19 2. Except as otherwise provided in this subsection, a person
20 shall not in this State sell or offer for sale any device or mechanism,
21 including, without limitation, a mobile transmitter, that is capable of
22 interfering with or altering the signal of a traffic-control signal. The
23 provisions of this subsection do not prohibit a person from selling or
24 offering for sale:

25 (a) To a provider of mass transit, a signal prioritization device;
26 or

27 (b) To a response agency, a signal preemption device or a signal
28 prioritization device, or both.

29 3. A police officer:

30 (a) Shall, without a warrant, seize any device or mechanism,
31 including, without limitation, a mobile transmitter, that is capable of
32 interfering with or altering the signal of a traffic-control signal; or

33 (b) May, without a warrant, seize and take possession of a
34 vehicle equipped with any device or mechanism that is capable of
35 interfering with or altering the signal of a traffic-control signal,
36 including, without limitation, a mobile transmitter, if the device or
37 mechanism cannot be removed from the motor vehicle by the police
38 officer, and may cause the vehicle to be towed and impounded until:

39 (1) The device or mechanism is removed from the vehicle;
40 and

41 (2) The owner claims the vehicle by paying the cost of the
42 towing and impoundment.

43 4. Neither the police officer nor the governmental entity which
44 employs the officer is civilly liable for any damage to a vehicle
45 seized pursuant to the provisions of paragraph (b) of subsection 3



1 that occurs after the vehicle is seized but before the towing process
2 begins.

3 5. Except as otherwise provided in subsection 9, the presence
4 of any device or mechanism, including, without limitation, a mobile
5 transmitter, that is capable of interfering with or altering the signal
6 of a traffic-control signal in or on a vehicle on the highways of this
7 State constitutes prima facie evidence of a violation of this section.
8 The State need not prove that the device or mechanism in question
9 was in an operative condition or being operated.

10 6. A person who violates the provisions of subsection 1 or 2 is
11 guilty of a *petty* misdemeanor.

12 7. A person who violates any provision of subsection 1 or 2
13 may be subject to any additional penalty set forth in NRS 484B.130
14 or 484B.135.

15 8. A provider of mass transit shall not operate or cause to be
16 operated a signal prioritization device in such a manner as to impede
17 or interfere with the use by response agencies of signal preemption
18 devices.

19 9. The provisions of this section do not:

20 (a) Except as otherwise provided in subsection 8, prohibit a
21 provider of mass transit from acquiring, possessing or operating a
22 signal prioritization device.

23 (b) Prohibit a response agency from acquiring, possessing or
24 operating a signal preemption device or a signal prioritization
25 device, or both.

26 10. As used in this section:

27 (a) "Mobile transmitter" means a device or mechanism that is:

28 (1) Portable, installed within a vehicle or capable of being
29 installed within a vehicle; and

30 (2) Designed to affect or alter, through the emission or
31 transmission of sound, infrared light, strobe light or any other
32 audible, visual or electronic method, the normal operation of a
33 traffic-control signal.

34 ↪ The term includes, without limitation, a signal preemption device
35 and a signal prioritization device.

36 (b) "Provider of mass transit" means a governmental entity or a
37 contractor of a governmental entity which operates, in whole or in
38 part:

39 (1) A public transit system, as that term is defined in NRS
40 377A.016; or

41 (2) A system of public transportation referred to in
42 NRS 277A.270.

43 (c) "Response agency" means an agency of this State or of a
44 political subdivision of this State that provides services related to
45 law enforcement, firefighting, emergency medical care or public



1 safety. The term includes a nonprofit organization or private
2 company that, as authorized pursuant to chapter 450B of NRS:

3 (1) Provides ambulance service; or

4 (2) Provides the level of medical care provided by an
5 advanced emergency medical technician or paramedic to sick or
6 injured persons at the scene of an emergency or while transporting
7 those persons to a medical facility.

8 (d) "Signal preemption device" means a mobile transmitter that,
9 when activated and when a vehicle equipped with such a device
10 approaches an intersection controlled by a traffic-control signal,
11 causes:

12 (1) The signal, in the direction of travel of the vehicle, to
13 remain green if the signal is already displaying a green light;

14 (2) The signal, in the direction of travel of the vehicle, to
15 change from red to green if the signal is displaying a red light;

16 (3) The signal, in other directions of travel, to remain red or
17 change to red, as applicable, to prevent other vehicles from entering
18 the intersection; and

19 (4) The applicable functions described in subparagraphs (1),
20 (2) and (3) to continue until such time as the vehicle equipped with
21 the device is clear of the intersection.

22 (e) "Signal prioritization device" means a mobile transmitter
23 that, when activated and when a vehicle equipped with such a
24 device approaches an intersection controlled by a traffic-control
25 signal, causes:

26 (1) The signal, in the direction of travel of the vehicle, to
27 display a green light a few seconds sooner than the green light
28 would otherwise be displayed;

29 (2) The signal, in the direction of travel of the vehicle, to
30 display a green light for a few seconds longer than the green light
31 would otherwise be displayed; or

32 (3) The functions described in both subparagraphs (1) and
33 (2).

34 (f) "Traffic-control signal" means a traffic-control signal, as
35 defined in NRS 484A.290, which is capable of receiving and
36 responding to an emission or transmission from a mobile
37 transmitter.

38 **Sec. 16.** NRS 484B.323 is hereby amended to read as follows:

39 484B.323 1. A person shall not operate a vehicle in a lane
40 designated for the use of high-occupancy vehicles except in
41 conformity with the established conditions which are placed and
42 maintained on signs and other official traffic-control devices
43 pursuant to subsection 2 of NRS 484A.460 or established by
44 regulation.



1 2. A person who violates subsection 1 is guilty of a *petty*
2 misdemeanor and shall be fined \$250 for each offense.

3 3. As used in this section, "high-occupancy vehicle" means:

- 4 (a) A vehicle that is transporting more than one person;
5 (b) A motorcycle, regardless of the number of passengers;
6 (c) A bus, regardless of the number of passengers; and
7 (d) Any other vehicle designated by regulation.

8 **Sec. 17.** NRS 484B.350 is hereby amended to read as follows:

9 484B.350 1. The driver of a vehicle:

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

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

14 2. A person who violates subsection 1 is guilty of a *petty*
15 misdemeanor.

16 3. If, while violating subsection 1, the driver of a motor vehicle
17 is the proximate cause of a collision with a pedestrian or a person
18 riding a bicycle, the driver is subject to the additional penalty set
19 forth in subsection 4 of NRS 484B.653.

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

24 **Sec. 18.** NRS 484B.353 is hereby amended to read as follows:

25 484B.353 1. Except as otherwise provided in subsection 2,
26 the driver of any vehicle, when meeting or overtaking, from either
27 direction, any school bus, equipped with signs and signals required
28 by law, which has stopped to receive or discharge any pupil and is
29 displaying a flashing red light signal visible from the front and rear,
30 shall bring the vehicle to an immediate stop and shall not attempt to
31 overtake or proceed past the school bus until the flashing red signal
32 ceases operation.

33 2. The driver of a vehicle upon a divided highway need not
34 stop upon meeting or passing a school bus which is positioned in the
35 other roadway. The driver of a vehicle need not stop upon meeting
36 or passing a school bus where traffic is controlled by a traffic
37 officer.

38 3. Any person who violates any of the provisions of this
39 section is guilty :

40 (a) *For a first offense or any subsequent offense for which a*
41 *punishment is not provided for in paragraph (b) or (c), of a petty*
42 *misdemeanor and shall be punished by a fine of not less than \$250*
43 *nor more than \$500.*

44 (b) *For a second offense within 1 year after the first offense, of*
45 *a misdemeanor and* ⚠



1 ~~—(a) shall be punished by a fine of not less than \$250 nor more~~
2 ~~than \$500 and the driver's license of the person must be~~
3 ~~suspended for 6 months.~~

4 (c) For a third or any subsequent offense within 2 years after the
5 most recent offense, *of a misdemeanor and* shall be punished by a
6 fine of not more than \$1,000 and the driver's license of the person
7 must be suspended for not more than 1 year.

8 ~~[(b) For a second offense within 1 year after the first offense,~~
9 ~~shall be punished by a fine of not less than \$250 nor more than \$500~~
10 ~~and the driver's license of the person must be suspended for 6~~
11 ~~months.]~~

12 ~~—(c) For a first offense or any subsequent offense for which a~~
13 ~~punishment is not provided for in paragraph (a) or (b), shall be~~
14 ~~punished by a fine of not less than \$250 nor more than \$500.]~~

15 **Sec. 19.** NRS 484B.450 is hereby amended to read as follows:

16 484B.450 1. A person shall not stop, stand or park a vehicle,
17 except when necessary to avoid conflict with other traffic or in
18 compliance with law or the directions of a police officer or official
19 traffic-control device, in any of the following places:

- 20 (a) On a sidewalk;
- 21 (b) In front of a public or private driveway;
- 22 (c) Within an intersection;
- 23 (d) Within 15 feet of a fire hydrant in a place where parallel
24 parking is permitted, or within 20 feet of a fire hydrant if angle
25 parking is permitted and a local ordinance requires the greater
26 distance;
- 27 (e) On a crosswalk;
- 28 (f) Within 20 feet of a crosswalk;
- 29 (g) Within 30 feet upon the approach to any official traffic-
30 control signal located at the side of a highway;
- 31 (h) Between a safety zone and the adjacent curb or within 30
32 feet of points on the curb immediately opposite the ends of a safety
33 zone;
- 34 (i) Within 50 feet of the nearest rail of a railroad;
- 35 (j) Within 20 feet of a driveway entrance to any fire station and,
36 on the side of a highway opposite the entrance to any fire station,
37 within 75 feet of that entrance;
- 38 (k) Alongside or opposite any highway excavation or
39 obstruction when stopping, standing or parking would obstruct
40 traffic;
- 41 (l) On the highway side of any vehicle stopped or parked at the
42 edge of or curb of a highway;
- 43 (m) Upon any bridge or other elevated structure or within a
44 highway tunnel;



1 (n) Except as otherwise provided in subsection 2, within 5 feet
2 of a public or private driveway; and

3 (o) At any place where official traffic-control devices prohibit
4 stopping, standing or parking.

5 2. The provisions of paragraph (n) of subsection 1 do not apply
6 to a person operating a vehicle of the United States Postal Service if
7 the vehicle is being operated for the official business of the United
8 States Postal Service.

9 3. A person shall not move a vehicle not owned by the person
10 into any prohibited area or away from a curb to a distance which is
11 unlawful.

12 4. A local authority may place official traffic-control devices
13 prohibiting or restricting the stopping, standing or parking of
14 vehicles on any highway where in its opinion stopping, standing or
15 parking is dangerous to those using the highway or where the
16 vehicles which are stopping, standing or parking would unduly
17 interfere with the free movement of traffic. It is unlawful for any
18 person to stop, stand or park any vehicle in violation of the
19 restrictions stated on those devices.

20 *5. A person who violates any provision of this section is guilty*
21 *of a petty misdemeanor.*

22 **Sec. 20.** NRS 484B.457 is hereby amended to read as follows:

23 484B.457 1. Except as otherwise provided in this section,
24 every vehicle stopped or parked upon a highway where there are
25 adjacent curbs must be stopped or parked with the right-hand wheels
26 of the vehicle parallel to and within 18 inches of the right-hand curb.

27 2. Local authorities may by ordinance permit parking of
28 vehicles with the left-hand wheels adjacent to and within 18 inches
29 of the left-hand curb of a one-way highway.

30 3. Local authorities may by ordinance permit angle parking on
31 any highway, except that angle parking must not be permitted on
32 any highway constructed and maintained by the Department of
33 Transportation under the authority granted by chapter 408 of NRS
34 unless the Department has determined that the highway is of
35 sufficient width to permit angle parking without interfering with the
36 free movement of traffic.

37 4. The Department of Transportation with respect to highways
38 under its jurisdiction may place official traffic-control devices
39 prohibiting or restricting the stopping, standing or parking of
40 vehicles on any such highway where, in its opinion, such stopping,
41 standing or parking is dangerous to those using the highway or
42 where the stopping, standing or parking of vehicles would unduly
43 interfere with the free movement of traffic thereon. It is unlawful for
44 any person to stop, stand or park any vehicle in violation of the
45 restrictions stated on those devices.



1 **5. A person who violates any provision of this section is guilty**
2 **of a petty misdemeanor.**

3 **Sec. 21.** NRS 484B.467 is hereby amended to read as follows:

4 484B.467 1. Any parking space designated for persons who
5 are handicapped must be indicated by a sign:

6 (a) Bearing the international symbol of access with or without
7 the words "Parking," "Handicapped Parking," "Handicapped
8 Parking Only" or "Reserved for the Handicapped," or any other
9 word or combination of words indicating that the space is
10 designated for persons who are handicapped;

11 (b) Stating "Minimum fine of \$250 for use by others" or
12 equivalent words; and

13 (c) The bottom of which must be not less than 4 feet above the
14 ground.

15 2. In addition to the requirements of subsection 1, a parking
16 space designated for persons who are handicapped which:

17 (a) Is designed for the exclusive use of a vehicle with a side-
18 loading wheelchair lift; and

19 (b) Is located in a parking lot with 60 or more parking spaces,
20 ↪ must be indicated by a sign using a combination of words to state
21 that the space is for the exclusive use of a vehicle with a side-
22 loading wheelchair lift.

23 3. If a parking space is designed for the use of a vehicle with a
24 side-loading wheelchair lift, the space which is immediately
25 adjacent and intended for use in the loading and unloading of a
26 wheelchair into or out of such a vehicle must be indicated by a sign:

27 (a) Stating "No Parking" or similar words which indicate that
28 parking in such a space is prohibited;

29 (b) Stating "Minimum fine of \$250 for violation" or similar
30 words indicating that the minimum fine for parking in such a space
31 is \$250; and

32 (c) The bottom of which must not be less than 4 feet above the
33 ground.

34 4. An owner of private property upon which is located a
35 parking space described in subsection 1, 2 or 3 shall erect and
36 maintain or cause to be erected and maintained any sign required
37 pursuant to subsection 1, 2 or 3, whichever is applicable. If a
38 parking space described in subsection 1, 2 or 3 is located on public
39 property, the governmental entity having control over that public
40 property shall erect and maintain or cause to be erected and
41 maintained any sign required pursuant to subsection 1, 2 or 3,
42 whichever is applicable.

43 5. A person shall not park a vehicle in a space designated for
44 persons who are handicapped by a sign that meets the requirements



1 of subsection 1, whether on public or privately owned property,
2 unless the person is eligible to do so and the vehicle displays:

3 (a) A special license plate or plates issued pursuant to
4 NRS 482.384;

5 (b) A special or temporary parking placard issued pursuant to
6 NRS 482.384;

7 (c) A special or temporary parking sticker issued pursuant to
8 NRS 482.384;

9 (d) A special license plate or plates, a special or temporary
10 parking sticker, or a special or temporary parking placard displaying
11 the international symbol of access issued by another state or a
12 foreign country; or

13 (e) A special license plate or plates for a veteran with a
14 disability issued pursuant to NRS 482.3765, 482.377, 482.3775,
15 482.378 or 482.3783.

16 6. Except as otherwise provided in this subsection, a person
17 shall not park a vehicle in a space that is reserved for the exclusive
18 use of a vehicle with a side-loading wheelchair lift and is designated
19 for persons who are handicapped by a sign that meets the
20 requirements of subsection 2, whether on public or privately owned
21 property, unless:

22 (a) The person is eligible to do so;

23 (b) The vehicle displays the special license plate, plates or
24 placard set forth in subsection 5; and

25 (c) The vehicle is equipped with a side-loading wheelchair lift.

26 ➤ A person who meets the requirements of paragraphs (a) and (b)
27 may park a vehicle that is not equipped with a side-loading
28 wheelchair lift in such a parking space if the space is in a parking lot
29 with fewer than 60 parking spaces.

30 7. A person shall not park in a space which:

31 (a) Is immediately adjacent to a space designed for use by a
32 vehicle with a side-loading wheelchair lift; and

33 (b) Is designated as a space in which parking is prohibited by a
34 sign that meets the requirements of subsection 3,

35 ➤ whether on public or privately owned property.

36 8. A person shall not use a plate, sticker or placard set forth in
37 subsection 5 to park in a space designated for persons who are
38 handicapped unless he or she is a person with a permanent
39 disability, disability of moderate duration or temporary disability, a
40 veteran with a disability or the driver of a vehicle in which any such
41 person is a passenger.

42 9. A person with a permanent disability, disability of moderate
43 duration or temporary disability to whom a:

44 (a) Special license plate, or a special or temporary parking
45 sticker, has been issued pursuant to NRS 482.384 shall not allow



1 any other person to park the vehicle, motorcycle or moped
2 displaying the special license plate or special or temporary parking
3 sticker in a space designated for persons who are handicapped
4 unless the person with the permanent disability, disability of
5 moderate duration or temporary disability is a passenger in the
6 vehicle or on the motorcycle or moped, or is being picked up or
7 dropped off by the driver of the vehicle, motorcycle or moped, at the
8 time that the vehicle, motorcycle or moped is parked in the space
9 designated for persons who are handicapped.

10 (b) Special or temporary parking placard has been issued
11 pursuant to NRS 482.384 shall not allow any other person to park
12 the vehicle which displays the special or temporary parking placard
13 in a space designated for persons who are handicapped unless the
14 person with the permanent disability, disability of moderate duration
15 or temporary disability is a passenger in the vehicle, or is being
16 picked up or dropped off by the driver of the vehicle, at the time that
17 it is parked in the space designated for persons who are
18 handicapped.

19 10. A person who violates any of the provisions of subsections
20 5 to 9, inclusive, is guilty : ~~of a misdemeanor and shall be~~
21 ~~punished.~~

22 (a) Upon the first offense, *of a petty misdemeanor and shall be*
23 *punished* by a fine of \$250.

24 (b) Upon the second offense, *of a petty misdemeanor and shall*
25 *be punished* by a fine of \$250 and not less than 8 hours, but not
26 more than 50 hours, of community service.

27 (c) Upon the third or subsequent offense, *of a misdemeanor and*
28 *shall be punished* by a fine of not less than \$500, but not more than
29 \$1,000 and not less than 25 hours, but not more than 100 hours, of
30 community service.

31 **Sec. 22.** NRS 484B.520 is hereby amended to read as follows:

32 484B.520 1. A local authority may erect, pursuant to
33 ordinance, official traffic-control devices regulating the stopping,
34 standing or parking of vehicles on any highway under its
35 jurisdiction.

36 2. When devices are erected giving notice thereof, it is
37 unlawful for any person to stop, stand or park a vehicle for longer
38 than the time designated by any such sign.

39 *3. A person who violates any provision of subsection 2 is*
40 *guilty of a petty misdemeanor.*

41 **Sec. 23.** NRS 484B.523 is hereby amended to read as follows:

42 484B.523 1. When parking meters are erected by any local
43 authority pursuant to an adopted ordinance giving notice thereof, it
44 is unlawful for any person to stop, stand or park a vehicle in any
45 metered parking zone for a period of time longer than designated by



1 such parking meters upon a deposit of a coin of United States
2 currency of the designated denomination.

3 2. Every vehicle shall be parked wholly within the metered
4 parking space for which the meter shows parking privilege has been
5 granted.

6 3. It is unlawful for any unauthorized person to remove, deface,
7 tamper with, open, willfully break, destroy or damage any parking
8 meter, or willfully to manipulate any parking meter in such a
9 manner that the indicator will fail to show the correct amount of
10 unexpired time before a violation occurs.

11 **4. A person who violates the provisions of:**

12 **(a) Subsection 1 or 2 is guilty of a petty misdemeanor.**

13 **(b) Subsection 3 is guilty of a misdemeanor.**

14 **Sec. 24.** NRS 484B.550 is hereby amended to read as follows:

15 484B.550 1. Except as otherwise provided in this section, the
16 driver of a motor vehicle who willfully fails or refuses to bring the
17 vehicle to a stop, or who otherwise flees or attempts to elude a peace
18 officer in a readily identifiable vehicle of any police department or
19 regulatory agency, when given a signal to bring the vehicle to a stop
20 is guilty of a *petty* misdemeanor.

21 2. The signal by the peace officer described in subsection 1
22 must be by flashing red lamp and siren.

23 3. Unless the provisions of NRS 484B.653 apply if, while
24 violating the provisions of subsection 1, the driver of the motor
25 vehicle:

26 (a) Is the proximate cause of damage to the property of any
27 other person; or

28 (b) Operates the motor vehicle in a manner which endangers or
29 is likely to endanger any other person or the property of any other
30 person,

31 the driver is guilty of a category B felony and shall be punished
32 by imprisonment in the state prison for a minimum term of not less
33 than 1 year and a maximum term of not more than 6 years, or by a
34 fine of not more than \$5,000, or by both fine and imprisonment.

35 4. If, while violating the provisions of subsection 1, the driver
36 of the motor vehicle is the proximate cause of the death of or bodily
37 harm to any other person, the driver is guilty of a category B felony
38 and shall be punished by imprisonment in the state prison for a
39 minimum term of not less than 2 years and a maximum term of not
40 more than 20 years, or by a fine of not more than \$50,000, or by
41 both fine and imprisonment.

42 5. If the driver of the motor vehicle is convicted of a violation
43 of NRS 484C.110 or 484C.120 arising out of the same act or
44 transaction as a violation of subsection 1, the driver is guilty of a



1 category D felony and shall be punished as provided in NRS
2 193.130 for the violation of subsection 1.

3 **Sec. 25.** NRS 484B.560 is hereby amended to read as follows:
4 484B.560 1. Except as otherwise provided in subsection 4,
5 the driver of a bus carrying passengers, or of any school bus
6 carrying any school child, or of any vehicle carrying hazardous
7 materials as that term is defined in 49 C.F.R. § 383.5, before
8 crossing at grade any track or tracks of a railroad, shall stop that
9 vehicle within 50 feet but not less than 15 feet from the nearest rail
10 of the railroad and while so stopped shall listen and look in both
11 directions along the track for any approaching train, and for signals
12 indicating the approach of a train, and shall not proceed until the
13 driver can do so safely.

14 2. After stopping as required in this section and upon
15 proceeding when it is safe to do so, the driver of any such vehicle
16 shall cross only in a gear of the vehicle that there will be no
17 necessity for changing gears while traversing the crossing and the
18 driver shall not shift gears while crossing the track or tracks.

19 3. When stopping is required at a railroad crossing the driver
20 shall keep as far to the right of the highway as possible and shall not
21 form two lanes of traffic unless the highway is marked for four or
22 more lanes of traffic.

23 4. No such stop need be made at a railroad crossing:

24 (a) Where a police officer or official traffic-control device
25 controls the movement of traffic.

26 (b) Which is marked with a device indicating that the crossing is
27 abandoned.

28 (c) Which is a streetcar crossing or is used exclusively for
29 industrial switching purposes within an area designated as a
30 business district.

31 (d) Which is marked with a sign identifying it as an exempt
32 crossing. Signs identifying a crossing as exempt may be erected
33 only:

34 (1) If the tracks are an industrial or spur line;

35 (2) By or with the consent of the appropriate state or local
36 authority which has jurisdiction over the road; and

37 (3) After the State or the local authority has held a public
38 hearing to determine whether the crossing should be designated an
39 exempt crossing.

40 5. It is unlawful for the driver of any vehicle, when crossing at
41 grade any track or tracks of a railroad, to fail to completely cross the
42 track or tracks without stopping due to insufficient:

43 (a) Space for the vehicle on the opposite side of the railroad
44 crossing; or

45 (b) Undercarriage clearance of the vehicle.



1 6. *A person who violates any provision of this section is guilty*
2 *of a petty misdemeanor.*

3 7. As used in this section, "completely cross" means to travel
4 across a railroad track or tracks in such a manner that the trailing
5 end of the vehicle is 15 feet or more past the nearest rail of the
6 railroad track or tracks.

7 **Sec. 26.** NRS 484B.563 is hereby amended to read as follows:

8 484B.563 1. It is unlawful for any person to operate or move
9 any crawler-type tractor, power shovel, derrick, roller, or any
10 vehicle, equipment or structure having a normal operating speed of
11 10 or less miles per hour or a vertical body or load clearance of less
12 than one-half inch per foot of the distance between any two adjacent
13 axles or in any event of less than 9 inches, measured above the level
14 surface of a highway, upon or across any tracks at a railroad grade
15 crossing without first complying with this section.

16 2. Before making any such crossing the person operating or
17 moving any such vehicle or equipment shall first stop the same not
18 less than 15 feet nor more than 50 feet from the nearest rail of such
19 railroad and while so stopped shall listen and look in both directions
20 along such track for any approaching train and for signals indicating
21 the approach of a train, and shall not proceed until the crossing can
22 be made safely.

23 3. No such crossing shall be made when warning is given by
24 automatic signal or crossing gates or a flagger or otherwise of the
25 immediate approach of a railroad train or car. If a flagger is
26 provided by the railroad, movement over the crossing shall be under
27 the direction of the flagger.

28 4. *A person who violates any provision of this section is guilty*
29 *of a petty misdemeanor.*

30 **Sec. 27.** NRS 484B.593 is hereby amended to read as follows:

31 484B.593 1. The Department of Transportation or a local
32 authority, after considering the advice of the Nevada Bicycle and
33 Pedestrian Advisory Board, may with respect to any controlled-
34 access highway under its jurisdiction:

35 (a) Require a permit for the use of the highway by pedestrians,
36 bicycles or other nonmotorized traffic or by any person operating a
37 power cycle; or

38 (b) If it determines that the use of the highway for such a
39 purpose would not be safe, prohibit the use of the highway by
40 pedestrians, bicycles or other nonmotorized traffic.

41 2. Any person who violates any prohibition or restriction
42 enacted pursuant to subsection 1 is guilty of a *petty* misdemeanor.

43 **Sec. 28.** NRS 484B.600 is hereby amended to read as follows:

44 484B.600 1. It is unlawful for any person to drive or operate
45 a vehicle of any kind or character at:



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

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

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

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

9 2. If, while violating any provision of subsection 1, the driver
10 of a motor vehicle is the proximate cause of a collision with a
11 pedestrian or a person riding a bicycle, the driver is subject to the
12 additional penalty set forth in subsection 4 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.130 or
15 484B.135.

16 ***4. If a person is issued a traffic citation for a violation of any***
17 ***provision of subsection 1 and an additional penalty is not imposed***
18 ***against the person pursuant to subsection 4 of NRS 484B.653, the***
19 ***violation must be reduced from a moving traffic violation to a***
20 ***violation that is not a moving traffic violation if the person pays***
21 ***the entire amount of the fine due before the date on which the***
22 ***person is required to appear in court pursuant to the citation.***

23 ***5. Any fine imposed pursuant to subsection 1 must not exceed***
24 ***\$10 for each mile per hour a person travels above the posted speed***
25 ***limit or the proper rate of speed at which the person should be***
26 ***traveling, as applicable.***

27 **Sec. 29.** NRS 484B.607 is hereby amended to read as follows:
28 484B.607 1. Upon approaching any traffic incident, the
29 driver of the approaching vehicle shall, in the absence of other
30 direction given by a law enforcement officer:

31 (a) Decrease the speed of the vehicle to a speed that is
32 reasonable and proper, pursuant to the criteria set forth in subsection
33 1 of NRS 484B.600;

34 (b) Proceed with caution;

35 (c) Be prepared to stop; and

36 (d) If possible, drive in a lane that is not adjacent to the lane or
37 lanes where the traffic incident is located unless roadway, traffic,
38 weather or other conditions make doing so unsafe or impossible.

39 2. A person who violates subsection 1 is guilty of a ***petty***
40 misdemeanor.

41 3. As used in this section, "traffic incident" means any vehicle,
42 person, condition or other traffic hazard which is located on or near
43 a roadway and which poses a danger to the flow of traffic or to a
44 person involved in, responding to or assisting with the traffic
45 hazard. The term includes, without limitation:



1 (a) An authorized emergency vehicle which is stopped and is
2 making use of flashing lights meeting the requirements of
3 subsection 3 of NRS 484A.480;

4 (b) A tow car which is stopped and is making use of flashing
5 amber warning lights meeting the requirements of NRS 484B.748;

6 (c) An authorized vehicle used by the Department of
7 Transportation which is stopped or moving at a speed slower than
8 the normal flow of traffic and which is making use of flashing
9 amber warning lights meeting the requirements of subsection 1 of
10 NRS 484D.185 or lamps that emit nonflashing blue light meeting
11 the requirements of NRS 484D. 200;

12 (d) A public utility vehicle which is stopped or moving at a
13 speed slower than the normal flow of traffic and is making use of
14 flashing amber warning lights meeting the requirements of
15 NRS 484D.195;

16 (e) An authorized vehicle of a local governmental agency which
17 is stopped or moving at a speed slower than the normal flow of
18 traffic and is making use of flashing amber warning lights meeting
19 the requirements of NRS 484D.185;

20 (f) Any vehicle which is stopped or moving at a speed slower
21 than the normal flow of traffic and is making use of flashing amber
22 warning lights meeting the requirements of NRS 484D.185;

23 (g) A crash scene;

24 (h) A stalled vehicle;

25 (i) Debris on the roadway; or

26 (j) A person who is out of his or her vehicle attending to a repair
27 of the vehicle.

28 **Sec. 30.** NRS 484B.630 is hereby amended to read as follows:

29 484B.630 1. On a highway that has one lane for traveling in
30 each direction, where passing is unsafe because of traffic traveling
31 in the opposite direction or other conditions, the driver of a slow-
32 moving vehicle, behind which five or more vehicles are formed in a
33 line, shall, to allow the vehicles following behind to proceed, turn
34 off the roadway:

35 (a) At the nearest place designated as a turnout by signs erected
36 by the public authority having jurisdiction over the highway; or

37 (b) In the absence of such a designated turnout, at the nearest
38 place where:

39 (1) Sufficient area for a safe turnout exists; and

40 (2) The circumstances and conditions are such that the driver
41 is able to turn off the roadway in a safe manner.

42 2. A person who violates subsection 1 is guilty of a *petty*
43 misdemeanor.

44 3. As used in this section, "slow-moving vehicle" means a
45 vehicle that is traveling at a rate of speed which is less than the



1 posted speed limit for the highway or portion of the highway upon
2 which the vehicle is traveling.

3 **Sec. 31.** NRS 484B.760 is hereby amended to read as follows:

4 484B.760 1. It is a *petty* misdemeanor for any person to do
5 any act forbidden or fail to perform any act required in NRS
6 484B.768 to 484B.783, inclusive.

7 2. The parent of any child and the guardian of any ward shall
8 not authorize or knowingly permit the child or ward to violate any
9 of the provisions of chapters 484A to 484E, inclusive, of NRS.

10 3. The provisions applicable to bicycles and electric bicycles
11 apply whenever a bicycle or an electric bicycle is operated upon any
12 highway or upon any path set aside for the exclusive use of bicycles
13 or electric bicycles subject to those exceptions stated herein.

14 **Sec. 32.** NRS 484B.900 is hereby amended to read as follows:

15 484B.900 No automobile rental agency shall be liable for any
16 traffic violation arising out of the use of a leased or rented motor
17 vehicle during the period such motor vehicle is not in the possession
18 of the agency. This section does not absolve any such agency from
19 liability for any *petty misdemeanor or* misdemeanor committed by
20 an officer, employee or agent of the agency.

21 **Sec. 33.** NRS 484B.920 is hereby amended to read as follows:

22 484B.920 1. A procession, except a funeral procession, or
23 parade, except the forces of the United States Armed Services, the
24 military forces of this State and the forces of the police and fire
25 departments, must not occupy, march or proceed along any highway
26 except in accordance with the permit issued by the proper public
27 authority.

28 2. A sound truck or other vehicle equipped with an amplifier or
29 loudspeaker must not be driven upon any highway for the purpose
30 of selling, offering for sale or advertising in any fashion except in
31 accordance with a permit issued by the proper public authority.

32 3. An oversized or overweight vehicle or equipment must not be
33 driven, occupy or proceed upon any highway except in
34 accordance with a permit issued by the Department of
35 Transportation.

36 4. The Department of Transportation, upon request, shall notify
37 a city or county immediately after a permit has been issued for an
38 oversized or overweight vehicle or equipment to be driven, occupy
39 or proceed upon any highway under the jurisdiction of that city or
40 county.

41 5. Nothing in chapters 484A to 484E, inclusive, of NRS
42 prohibits a city or county affected by the issuance of permits
43 pursuant to this section from:

44 (a) Recommending to the Department of Transportation the
45 establishment of certain routes by which oversized or overweight



1 vehicles may proceed through the city or county and any
2 modifications to those routes; or

3 (b) Notifying the Department of Transportation if the issuance
4 of a permit authorizing an oversized or overweight vehicle or
5 equipment to be driven, occupy or proceed upon a certain highway
6 would negatively impact traffic safety or flow of traffic due to
7 unique conditions in the city or county.

8 6. The Department of Transportation shall adopt regulations
9 regarding the issuance of permits for oversized or overweight
10 vehicles or equipment to be driven, occupy or proceed upon any
11 highway that is under the jurisdiction of a county whose population
12 is less than 700,000, or a city in a county whose population is less
13 than 700,000. The regulations may limit the movement of oversized
14 or overweight vehicles to certain:

- 15 (a) Routes;
- 16 (b) Hours of the day; or
- 17 (c) Days of the week,

18 → to ensure public safety.

19 7. Any person who violates any provision of this section is
20 guilty of a *petty* misdemeanor.

21 **Sec. 34.** NRS 484C.475 is hereby amended to read as follows:

22 484C.475 Any person who provides a sample of breath for a
23 device, with the intent to start a motor vehicle of another and for the
24 purpose of allowing a person required to install a device pursuant to
25 NRS 484C.210 or 484C.460 to avoid providing a sample of his or
26 her breath, is guilty of a *petty* misdemeanor.

27 **Sec. 35.** NRS 484D.285 is hereby amended to read as follows:

28 484D.285 1. The driver of a vehicle which is equipped with a
29 device for braking that uses the compression of the engine of the
30 vehicle shall not use the device at any time unless:

- 31 (a) The device is equipped with an operational muffler; or
- 32 (b) The driver reasonably believes that an emergency requires
33 the use of the device to protect the physical safety of a person or
34 others from an immediate threat of physical injury or to protect
35 against an immediate threat of damage to property.

36 2. A person who violates the provisions of this section is guilty
37 of a *petty* misdemeanor.

38 **Sec. 36.** NRS 484D.405 is hereby amended to read as follows:

39 484D.405 1. It is unlawful for any person to operate or cause
40 to be operated upon the public highways of the State of Nevada any
41 out-of-state or foreign privately owned motor vehicle equipped with
42 a red light or siren attached thereto as a part of the equipment of the
43 vehicle.

44 2. This section is not intended to repeal, amend or in any
45 manner change the existing law insofar as it applies to domestic and



1 foreign motor vehicles except in the particular instance set out in
2 subsection 1 and this section does not apply to motor vehicles
3 registered in foreign states having reciprocal arrangements made
4 with the Department in relation to the use of red lights and sirens
5 upon out-of-state motor vehicles.

6 3. A ~~[violation of]~~ *person who violates* the provisions of this
7 section is ~~[punishable]~~ *guilty of a petty misdemeanor and shall be*
8 *punished* by a fine of not more than \$250.

9 **Sec. 37.** NRS 484D.540 is hereby amended to read as follows:

10 484D.540 Violation of the provisions of NRS 484D.535 is a
11 *petty* misdemeanor. Whenever any motor vehicle is found by any
12 peace officer to be in violation of the provisions of NRS 484D.535,
13 and a notice to appear or citation is issued, it may require that the
14 person named therein shall produce in court proof that such vehicle
15 or its equipment has been made to conform to the provisions of
16 NRS 484D.535.

17 **Sec. 38.** NRS 484D.580 is hereby amended to read as follows:

18 484D.580 Whenever the driver of a vehicle is directed by a
19 peace officer or vehicle safety inspector in pursuance of assigned
20 duty, to stop and submit the mechanical condition of the vehicle or
21 its equipment to an inspection or test under conditions stated in NRS
22 484D.560, such driver shall stop and submit to such inspection or
23 test. A failure or refusal so to do or to cease operation when required
24 is a *petty* misdemeanor.

25 **Sec. 39.** NRS 484D.620 is hereby amended to read as follows:

26 484D.620 Any person operating or moving any vehicle or
27 equipment over any highway who violates any length limitation in
28 this chapter is guilty of a *petty* misdemeanor.

29 **Sec. 40.** NRS 484D.675 is hereby amended to read as follows:

30 484D.675 1. Authority for the enforcement of the provisions
31 of NRS 484D.630 to 484D.680, inclusive, is vested in certain law
32 enforcement agencies in this State.

33 2. Any category I peace officer, officer of the Nevada Highway
34 Patrol or inspector acting within his or her jurisdiction who has
35 reasonable suspicion that the weight of a vehicle and load is
36 unlawful may require the driver to stop and submit to a weighing of
37 the vehicle either by means of portable or stationary scales and may
38 require that the vehicle be driven to the nearest public scales, if they
39 are within 5 miles. Reasonable suspicion is not required before use
40 of any device that weighs a vehicle without requiring the driver to
41 stop the vehicle or leave the roadway.

42 3. An officer of the Nevada Highway Patrol, a category I peace
43 officer or an inspector upon weighing a vehicle and load as provided
44 in subsection 2 who determines that the weight is unlawful may
45 require the driver to stop in a suitable place and remove such portion



1 of the load as may be necessary to reduce the gross weight of the
2 vehicle to those limits permitted under NRS 484D.630 to 484D.680,
3 inclusive. All materials so unloaded must be cared for by the carrier
4 of the material and at the carrier's expense. The officer of the
5 Nevada Highway Patrol, category I peace officer or inspector may
6 allow the driver of the inspected vehicle to continue on his or her
7 journey if any overload does not exceed by more than 5 percent the
8 limitations prescribed by NRS 484D.630 to 484D.680, inclusive, but
9 the penalties provided in NRS 484D.680 must be imposed for the
10 overload violation.

11 4. Any driver of a vehicle who fails or refuses to stop and
12 submit the vehicle and load to a weighing, or who fails or refuses
13 when directed by an officer of the Nevada Highway Patrol, a
14 category I peace officer or an inspector upon a weighing of the
15 vehicle to stop and otherwise comply with the provisions of NRS
16 484D.630 to 484D.680, inclusive, is guilty of a *petty* misdemeanor.

17 5. As used in this section:

18 (a) "Category I peace officer" means a peace officer, as defined
19 in NRS 289.460, who:

20 (1) Has received specialized training concerning vehicle
21 weight enforcement;

22 (2) Is certified by the Commercial Vehicle Safety Alliance to
23 perform a North American Standard Inspection; and

24 (3) Has completed a vehicle weight enforcement training
25 program that is specific to this State and conducted by the Nevada
26 Highway Patrol.

27 (b) "Inspector" means an inspector of the Department of Motor
28 Vehicles or the Department of Public Safety who has completed a
29 vehicle weight enforcement training program that is specific to this
30 State and conducted by the Nevada Highway Patrol.

31 (c) "Law enforcement agency" has the meaning ascribed to it in
32 NRS 202.873.

33 (d) "North American Standard Inspection" has the meaning
34 ascribed to it in 49 C.F.R. § 350.105.

35 **Sec. 41.** NRS 484D.745 is hereby amended to read as follows:

36 484D.745 1. It is unlawful for any person to operate or move
37 any vehicle or equipment described in NRS 484D.615 or 484D.685
38 to 484D.725, inclusive, over any highway without first obtaining a
39 permit, or to violate or evade any of the terms or conditions of the
40 permit when issued. A person violating any of the provisions of
41 NRS 484D.685 to 484D.740, inclusive, is guilty of a *petty*
42 misdemeanor.

43 2. Any person operating or moving any vehicle or equipment
44 described in NRS 484D.615 or 484D.685 to 484D.725, inclusive,
45 over any highway under the authorization of a permit for continuous



- 1 use or multiple trips over a limited time and who violates any
- 2 weight limitation in excess of the weight authorized by the permit
- 3 must be punished, upon conviction, as provided in NRS 484D.680.

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