

ASSEMBLY BILL NO. 116—ASSEMBLYMEN NGUYEN, YEAGER, FRIERSON, TORRES, MONROE-MORENO; ANDERSON, BENITEZ-THOMPSON, BILBRAY-AXELROD, BROWN-MAY, CARLTON, COHEN, CONSIDINE, DURAN, FLORES, GONZÁLEZ, GORELOW, JAUREGUI, KRASNER, MARTINEZ, MARZOLA, BRITTNEY MILLER, C.H. MILLER, ORENTLICHER, PETERS, SUMMERS-ARMSTRONG, THOMAS AND WATTS

FEBRUARY 11, 2021

JOINT SPONSORS: SENATORS CANNIZZARO, SCHEIBLE; AND BROOKS

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to traffic offenses. (BDR 43-491)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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 vehicles; establishing civil penalties for certain traffic and related violations; defining certain traffic and vehicle violations as misdemeanors; creating procedures for civil infractions for traffic and related violations to be adjudicated; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law provides that a violation of any provision of existing law relating  
2 to driver’s licenses, any traffic law or ordinance, any provision of existing law  
3 governing motorcycles or any provision of existing law relating to off-highway  
4 vehicles is a misdemeanor, unless a different penalty is prescribed for the violation  
5 by a specific statute. (NRS 483.530, 483.620, 484A.900, 486.381, 490.520)  
6 **Sections 14, 22, 40, 71 and 72** of this bill provide that a violation of any provision  
7 of these existing laws is a civil infraction unless a criminal penalty is prescribed for  
8 the violation by a specific statute. **Sections 5, 16-21, 41, 44, 49, 69 and 72** of this  
9 bill maintain the designation of certain traffic and related offenses as



10 misdemeanors. **Sections 51-56** of this bill revise the penalties for speeding.  
11 **Sections 15, 45-48, 50, 52, 57, 59-61, 64, 65 and 67** of this bill specifically  
12 designate certain traffic and related violations as civil infractions. **Sections 1, 4, 6-**  
13 **8, 10, 13, 37-39, 42, 43, 58, 68, 70 and 76-78** of this bill make conforming changes  
14 by including references to the new civil infraction system where necessary.  
15 **Sections 2, 3, 55, 62, 63 and 66** of this bill make conforming changes by  
16 substituting the term "civil penalty" for "fine" and the term "notice of civil  
17 infraction" for "citation."

18 **Sections 9, 11 and 12** of this bill provide that, for the purposes of a person's  
19 driving record, the commission of a traffic or related violation that is punishable as  
20 a civil infraction pursuant to this bill is treated the same as a conviction for a traffic  
21 or related violation under existing law.

22 **Sections 23-36** of this bill enact procedures for the imposition of a civil penalty  
23 against a person who violates a provision of law that is punishable as a civil  
24 infraction pursuant to this bill.

25 **Section 24** of this bill requires each traffic enforcement agency in this State to  
26 provide notices of civil infraction that a peace officer may issue to a person who  
27 has allegedly committed the civil infraction. **Section 26** of this bill authorizes a  
28 peace officer who has reasonable cause to believe that a person has violated a  
29 provision of law punishable as a civil infraction pursuant to this bill to halt and  
30 detain the person as is reasonably necessary to investigate the alleged violation and  
31 serve a notice of civil infraction for the alleged violation, and **section 28** of this bill  
32 requires a peace officer who has stopped a driver for such an alleged violation to  
33 demand proof of the insurance required to be maintained by existing law. **Section**  
34 **27** of this bill specifies the information that is required to be provided in the notice  
35 of civil infraction issued to the person who allegedly committed the civil infraction.  
36 **Sections 25 and 29** of this bill provide that when the peace officer manually or  
37 electronically files the original or a copy of the notice of civil infraction with a  
38 court having jurisdiction over the alleged violation or with its traffic violations  
39 bureau, the notice is a complaint for the purposes of initiating a civil case.

40 **Section 30** of this bill requires a person to respond to a notice of civil infraction  
41 not later than 90 judicial days after it has been issued by not contesting the notice  
42 and paying all monetary penalties and assessments specified in the notice,  
43 requesting a hearing to contest whether the person committed the violation set forth  
44 in the notice or requesting a hearing to explain mitigating circumstances  
45 surrounding the violation. Under **section 30**, if a person does not respond to a  
46 notice of civil infraction within 90 judicial days after it has been issued, the court is  
47 required to notify the person of the failure to respond. If the person does not  
48 respond to the notice of civil infraction within 30 judicial days after receipt of  
49 the notice of the failure to respond, the court is required to find that the person  
50 committed the civil infraction and assess a monetary penalty and administrative  
51 assessments against the person. **Sections 31 and 32** of this bill, respectively,  
52 establish procedures for a hearing at which a person may contest whether he or she  
53 committed the violation and a hearing at which a person may explain mitigating  
54 circumstances surrounding the violation. **Section 33** of this bill makes the Nevada  
55 Rules of Civil Procedure inapplicable to these hearings. **Section 34** of this bill: (1)  
56 establishes a maximum civil penalty of \$500 for a violation of law punishable as a  
57 civil infraction pursuant to this bill and provides that any such civil penalty  
58 collected by a justice court for a violation of a law of this State must be deposited  
59 into the State Permanent School Fund; (2) requires the court to order the person  
60 who committed the civil infraction to pay an administrative assessment in the same  
61 amount that the person would have been required to pay if the violation were a  
62 criminal offense; (3) authorizes a court to waive or reduce civil penalties and  
63 administrative assessments imposed for a civil infraction or enter into a payment  
64 plan under certain circumstances; and (4) authorizes a court to order a person to



65 attend a course of traffic safety approved by the Department of Motor Vehicles  
66 under certain circumstances. **Section 35** of this bill authorizes the court to order a  
67 person who has committed a violation of law punishable as a civil infraction  
68 pursuant to this bill to perform community service under certain circumstances.  
69 **Section 36** of this bill authorizes a court to take certain actions to collect a civil  
70 penalty or any administrative assessment or fee associated with the civil penalty.

71 **Sections 74 and 75** of this bill grant to justice and municipal courts jurisdiction  
72 to hear and dispose of violations of law that are punishable as civil infractions  
73 pursuant to this bill. **Section 73** of this bill authorizes certain justice courts to  
74 appoint referees to take testimony and recommend orders and judgments to the  
75 justice of the peace in cases involving a violation of law that is punishable as a civil  
76 infraction pursuant to this bill.

77 **Section 79** of this bill establishes provisions governing the hearing and  
78 disposition of civil infractions committed by juveniles.

79 **Section 80** of this bill provides that the amendatory provisions of this bill apply  
80 retroactively to any person who has committed an offense for which this bill  
81 establishes a civil penalty, unless the person was convicted of the offense before  
82 January 1, 2023. **Section 80** further requires: (1) each court in this State to cancel  
83 each outstanding bench warrant issued by the court for a person who failed to  
84 appear in the court in response to a citation issued for an offense for which this bill  
85 establishes a civil penalty; and (2) the Central Repository for Nevada Records of  
86 Criminal History to remove from each database or compilation of records of  
87 criminal history maintained by the Central Repository all records of bench warrants  
88 issued for a person who failed to appear in court in response to a citation for an  
89 offense for which this bill establishes a civil penalty.

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

1 **Section 1.** NRS 483.2521 is hereby amended to read as  
2 follows:

3 483.2521 1. Except as otherwise provided in subsection 4,  
4 the Department may issue a driver's license to a person who is 16 or  
5 17 years of age if the person:

6 (a) Except as otherwise provided in subsection 2, has completed:

7 (1) A course in automobile driver education pursuant to NRS  
8 389.090; or

9 (2) A course provided by a school for training drivers which  
10 is licensed pursuant to NRS 483.700 to 483.780, inclusive, and  
11 which complies with the applicable regulations governing the  
12 establishment, conduct and scope of automobile driver education  
13 adopted by the State Board of Education pursuant to NRS 389.090;

14 (b) Except as otherwise provided in subsection 3, has at least 50  
15 hours of supervised experience in driving a motor vehicle with a  
16 restricted license, instruction permit or restricted instruction permit  
17 issued pursuant to NRS 483.267, 483.270 or 483.280, including,  
18 without limitation, at least 10 hours of experience in driving a motor  
19 vehicle during darkness;



1 (c) Except as otherwise provided in subsection 3, submits to the  
2 Department, on a form provided by the Department, a log which  
3 contains the dates and times of the hours of supervised experience  
4 required pursuant to this section and which is signed:

5 (1) By his or her parent or legal guardian; or

6 (2) If the person applying for the driver's license is an  
7 emancipated minor, by a licensed driver who is at least 21 years of  
8 age or by a licensed driving instructor,

9 ↪ who attests that the person applying for the driver's license has  
10 completed the training and experience required pursuant to  
11 paragraphs (a) and (b);

12 (d) Submits to the Department:

13 (1) A written statement signed by the principal of the public  
14 school in which the person is enrolled or by a designee of the  
15 principal and which is provided to the person pursuant to  
16 NRS 392.123;

17 (2) A written statement signed by the parent or legal  
18 guardian of the person which states that the person is excused from  
19 compulsory attendance pursuant to NRS 392.070;

20 (3) A copy of the person's high school diploma or certificate  
21 of attendance; or

22 (4) A copy of the person's certificate of general educational  
23 development or an equivalent document;

24 (e) Has not been found to be responsible for a motor vehicle  
25 crash during the 6 months before applying for the driver's license;

26 (f) Has not been convicted of *or found by a court to have*  
27 *committed* a moving traffic violation or *convicted of* a crime  
28 involving alcohol or a controlled substance during the 6 months  
29 before applying for the driver's license; and

30 (g) Has held an instruction permit for not less than 6 months  
31 before applying for the driver's license.

32 2. If a course described in paragraph (a) of subsection 1 is not  
33 offered within a 30-mile radius of a person's residence, the person  
34 may, in lieu of completing such a course as required by that  
35 paragraph, complete an additional 50 hours of supervised experience  
36 in driving a motor vehicle in accordance with paragraph (b) of  
37 subsection 1.

38 3. In lieu of the supervised experience required pursuant to  
39 paragraph (b) of subsection 1, a person applying for a Class C  
40 noncommercial driver's license may provide to the Department  
41 proof that the person has successfully completed:

42 (a) The training required pursuant to paragraph (a) of subsection  
43 1; and

44 (b) A hands-on course in defensive driving that has been  
45 approved by the Department pursuant to NRS 483.727.



1 4. A person who is 16 or 17 years of age, who has held an  
2 instruction permit issued pursuant to subsection 4 of NRS 483.280  
3 authorizing the holder of the permit to operate a motorcycle and  
4 who applies for a driver's license pursuant to this section that  
5 authorizes him or her to operate a motorcycle must comply with the  
6 provisions of paragraphs (d) to (g), inclusive, of subsection 1 and  
7 must:

8 (a) Except as otherwise provided in subsection 5, complete a  
9 course of motorcycle safety approved by the Department;

10 (b) Have at least 50 hours of experience in driving a motorcycle  
11 with an instruction permit issued pursuant to subsection 4 of NRS  
12 483.280; and

13 (c) Submit to the Department, on a form provided by the  
14 Department, a log which contains the dates and times of the hours of  
15 experience required pursuant to paragraph (b) and which is signed  
16 by his or her parent or legal guardian who attests that the person  
17 applying for the motorcycle driver's license has completed the  
18 training and experience required pursuant to paragraphs (a) and (b).

19 5. If a course described in paragraph (a) of subsection 4 is not  
20 offered within a 30-mile radius of a person's residence, the person  
21 may, in lieu of completing the course, complete an additional 50  
22 hours of experience in driving a motorcycle in accordance with  
23 paragraph (b) of subsection 4.

24 **Sec. 2.** NRS 483.2523 is hereby amended to read as follows:

25 483.2523 1. A person to whom a driver's license is issued  
26 pursuant to NRS 483.2521 shall not, during the first 6 months after  
27 the date on which the driver's license is issued, transport as a  
28 passenger a person who is under 18 years of age, unless the person  
29 is a member of his or her immediate family.

30 2. A person who violates the provisions of this section:

31 (a) For a first offense, must be ordered to comply with the  
32 provisions of this section for 6 months after the date on which the  
33 driver's license is issued.

34 (b) For a second or subsequent offense, must be ordered to:

35 (1) Pay a ~~fine~~ *civil penalty* in an amount not to exceed  
36 \$250;

37 (2) Comply with the provisions of this section for such  
38 additional time as determined by the court; or

39 (3) Both pay such a ~~fine~~ *civil penalty* and comply with the  
40 provisions of this section for such additional time as determined by  
41 the court.

42 3. A violation of this section:

43 (a) Is not a moving traffic violation for the purposes of NRS  
44 483.473; and



1 (b) Is not grounds for suspension or revocation of the driver's  
2 license for the purposes of NRS 483.360.

3 **Sec. 3.** NRS 483.2525 is hereby amended to read as follows:

4 483.2525 1. A peace officer shall not stop a motor vehicle for  
5 the sole purpose of determining whether the driver is violating a  
6 provision of NRS 483.2523. Except as otherwise provided in  
7 subsection 2, a [citation] *notice of civil infraction* may be issued  
8 *pursuant to sections 24 to 36, inclusive, of this act* for a violation  
9 of NRS 483.2523 only if the violation is discovered when the  
10 vehicle is halted or its driver is arrested for another alleged violation  
11 or offense.

12 2. A peace officer shall not issue a [citation] *notice of civil*  
13 *infraction pursuant to sections 24 to 36, inclusive, of this act* to a  
14 person for operating a motor vehicle in violation of NRS 483.2523  
15 if the person provides satisfactory evidence that the person has held  
16 the driver's license for the period required pursuant to  
17 NRS 483.2523.

18 **Sec. 4.** NRS 483.330 is hereby amended to read as follows:

19 483.330 1. The Department may require every applicant for a  
20 driver's license, including a commercial driver's license issued  
21 pursuant to NRS 483.900 to 483.940, inclusive, to submit to an  
22 examination. The examination may include:

23 (a) A test of the applicant's ability to understand official devices  
24 used to control traffic;

25 (b) A test of the applicant's knowledge of practices for safe  
26 driving and the traffic laws of this State;

27 (c) Except as otherwise provided in subsection 2, a test of the  
28 applicant's eyesight; and

29 (d) Except as otherwise provided in subsection 3, an actual  
30 demonstration of the applicant's ability to exercise ordinary and  
31 reasonable control in the operation of a motor vehicle of the type or  
32 class of vehicle for which he or she is to be licensed.

33 ↪ The examination may also include such further physical and  
34 mental examination as the Department finds necessary to determine  
35 the applicant's fitness to drive a motor vehicle safely upon the  
36 highways. If the Department requires an applicant to submit to a test  
37 specified in paragraph (b), the Department shall ensure that the test  
38 includes at least one question testing the applicant's knowledge of  
39 the provisions of NRS 484B.165.

40 2. The Department may provide by regulation for the  
41 acceptance of a report from an ophthalmologist, optician,  
42 optometrist, physician or advanced practice registered nurse in lieu  
43 of an eye test by a driver's license examiner.

44 3. If the Department establishes a type or classification of  
45 driver's license to operate a motor vehicle of a type which is not



1 normally available to examine an applicant's ability to exercise  
2 ordinary and reasonable control of such a vehicle, the Department  
3 may, by regulation, provide for the acceptance of an affidavit from  
4 a:

- 5 (a) Past, present or prospective employer of the applicant; or
- 6 (b) Local joint apprenticeship committee which had jurisdiction  
7 over the training or testing, or both, of the applicant,  
8 ↪ in lieu of an actual demonstration.

9 4. The Department may waive an examination pursuant to  
10 subsection 1 for a person applying for a Nevada driver's license who  
11 possesses a valid driver's license of the same type or class issued by  
12 another jurisdiction unless that person:

13 (a) Has not attained 21 years of age, except that the Department  
14 may, based on the driving record of the applicant, waive the  
15 examination to demonstrate the applicant's ability to exercise  
16 ordinary and reasonable control in the operation of a motor vehicle  
17 of the same type or class of vehicle for which he or she is to be  
18 licensed;

19 (b) Has had his or her license or privilege to drive a motor  
20 vehicle suspended, revoked or cancelled or has been otherwise  
21 disqualified from driving during the immediately preceding 4 years;

22 (c) Has been convicted of a violation of NRS 484C.130 or,  
23 during the immediately preceding 7 years, of a violation of NRS  
24 484C.110, 484C.120 or 484C.430 or a law of any other jurisdiction  
25 that prohibits the same or similar conduct;

26 (d) Has restrictions to his or her driver's license which the  
27 Department must reevaluate to ensure the safe driving of a motor  
28 vehicle by that person;

29 (e) Has had three or more convictions of *, or findings by a court*  
30 *of having committed*, moving traffic violations on his or her driving  
31 record during the immediately preceding 4 years; or

32 (f) Has been convicted of any of the offenses related to the use  
33 or operation of a motor vehicle which must be reported pursuant to  
34 the provisions of Part 1327 of Title 23 of the Code of Federal  
35 Regulations relating to the National Driver Register Problem Driver  
36 Pointer System during the immediately preceding 4 years.

37 5. The Department shall waive the fee prescribed by NRS  
38 483.410 not more than one time for administration of the  
39 examination required pursuant to this section for a homeless child or  
40 youth under the age of 25 years who submits a signed affidavit on a  
41 form prescribed by the Department stating that the child or youth is  
42 homeless and under the age of 25 years.

43 6. As used in this section, "homeless child or youth" has the  
44 meaning ascribed to it in 42 U.S.C. § 11434a.



1     **Sec. 5.** NRS 483.340 is hereby amended to read as follows:

2     483.340 1. The Department shall, upon payment of the  
3 required fee, issue to every qualified applicant a driver's license  
4 indicating the type or class of vehicles the licensee may drive.

5     2. The Department shall adopt regulations prescribing the  
6 information that must be contained on a driver's license.

7     3. The Department may issue a driver's license for purposes of  
8 identification only for use by officers of local police and sheriffs'  
9 departments, agents of the Investigation Division of the Department  
10 of Public Safety while engaged in special undercover investigations  
11 relating to narcotics or prostitution or for other undercover  
12 investigations requiring the establishment of a fictitious identity,  
13 federal agents while engaged in undercover investigations,  
14 investigators employed by the Attorney General while engaged in  
15 undercover investigations, criminal investigators employed by the  
16 Secretary of State while engaged in undercover investigations and  
17 agents of the Nevada Gaming Control Board while engaged in  
18 investigations pursuant to NRS 463.140. An application for such a  
19 license must be made through the head of the police or sheriff's  
20 department, the Chief of the Investigation Division of the  
21 Department of Public Safety, the director of the appropriate federal  
22 agency, the Attorney General, the Secretary of State or his or her  
23 designee or the Chair of the Nevada Gaming Control Board. Such a  
24 license is exempt from the fees required by NRS 483.410. The  
25 Department, by regulation, shall provide for the cancellation of any  
26 such driver's license upon the completion of the special  
27 investigation for which it was issued.

28     4. Except as otherwise provided in NRS 239.0115, information  
29 pertaining to the issuance of a driver's license pursuant to  
30 subsection 3 is confidential.

31     5. It is ~~unlawful~~ *a misdemeanor* for any person to use a  
32 driver's license issued pursuant to subsection 3 for any purpose  
33 other than the special investigation for which it was issued.

34     6. At the time of the issuance or renewal of the driver's license,  
35 the Department shall:

36     (a) Give the holder the opportunity to have indicated on his or  
37 her driver's license that the holder wishes to be a donor of all or part  
38 of his or her body pursuant to NRS 451.500 to 451.598, inclusive, or  
39 to refuse to make an anatomical gift of his or her body or part  
40 thereof.

41     (b) Give the holder the opportunity to have indicated whether he  
42 or she wishes to donate \$1 or more to the Anatomical Gift Account  
43 created by NRS 460.150.

44     (c) Provide to each holder who is interested in becoming a donor  
45 information relating to anatomical gifts, including the procedure for





1 registering as a donor with the donor registry with which the  
2 Department has entered into a contract pursuant to this paragraph.  
3 To carry out this paragraph, the Department shall, on such terms as  
4 it deems appropriate, enter into a contract with a donor registry that  
5 is in compliance with the provisions of NRS 451.500 to 451.598,  
6 inclusive.

7 (d) If the Department has established a program for imprinting a  
8 symbol or other indicator of a medical condition on a driver's  
9 license pursuant to NRS 483.3485, give the holder the opportunity  
10 to have a symbol or other indicator of a medical condition imprinted  
11 on his or her driver's license.

12 (e) Provide to the holder information instructing the holder how  
13 to register with the Next-of-Kin Registry pursuant to NRS 483.653  
14 if he or she so chooses.

15 7. If the holder wishes to make a donation to the Anatomical  
16 Gift Account, the Department shall collect the donation and deposit  
17 the money collected in the State Treasury for credit to the  
18 Anatomical Gift Account.

19 8. The Department shall submit to the donor registry with  
20 which the Department has entered into a contract pursuant to  
21 paragraph (c) of subsection 6 information from the records of the  
22 Department relating to persons who have drivers' licenses that  
23 indicate the intention of those persons to make an anatomical gift.  
24 The Department shall adopt regulations to carry out the provisions  
25 of this subsection.

26 **Sec. 6.** NRS 483.400 is hereby amended to read as follows:

27 483.400 1. The Department shall maintain files of  
28 applications for licenses. Such files shall contain:

29 (a) All applications denied and on each thereof note the reasons  
30 for such denial.

31 (b) All applications granted.

32 (c) The name of every licensee whose license has been  
33 suspended or revoked by the Department and after each such name  
34 note the reasons for such action.

35 2. The Department shall also file all crash reports and abstracts  
36 of court records of convictions *or findings of the commission of*  
37 *civil infractions pursuant to sections 24 to 36, inclusive, of this act*  
38 received by it under the laws of this State, and in connection  
39 therewith maintain convenient records or make suitable notations in  
40 order that an individual record of each licensee showing the  
41 convictions *or findings* of such licensee and the traffic crashes in  
42 which the licensee was involved ~~shall be~~ *are* readily ascertainable  
43 and available for the consideration of the Department upon any  
44 application for renewal of license and at other suitable times.



1       **Sec. 7.** NRS 483.430 is hereby amended to read as follows:

2       483.430 1. The privilege of driving a motor vehicle on the  
3 highways of this State given to a nonresident under NRS 483.010 to  
4 483.630, inclusive, ~~shall be~~ **is** subject to suspension or revocation  
5 by the Department in like manner and for like cause as a driver's  
6 license issued under NRS 483.010 to 483.630, inclusive, may be  
7 suspended or revoked.

8       2. The Department is further authorized, upon receiving a  
9 record of the *entrance of an order pursuant to sections 24 to 36,*  
10 *inclusive, of this act finding that a nonresident driver of a motor*  
11 *vehicle committed a civil infraction in this State or the* conviction  
12 in this State of a nonresident driver of a motor vehicle of any  
13 *criminal* offense under the motor vehicle laws of this State, to  
14 forward a certified copy of such record to the motor vehicle  
15 administrator in the state wherein the person so *found or* convicted  
16 is a resident.

17       3. When a nonresident's driving privilege is suspended or  
18 revoked in this State, the Department shall forward a copy of the  
19 record of such action to the motor vehicle administrator in the state  
20 where such driver resides.

21       **Sec. 8.** NRS 483.443 is hereby amended to read as follows:

22       483.443 1. The Department shall, upon receiving notification  
23 from a district attorney or other public agency collecting support for  
24 children pursuant to NRS 425.510 that a court has determined that a  
25 person:

26       (a) Has failed to comply with a subpoena or warrant relating to a  
27 proceeding to establish paternity or to establish or enforce an  
28 obligation for the support of a child; or

29       (b) Is in arrears in the payment for the support of one or more  
30 children,

31       ➔ send a written notice to that person that his or her driver's license  
32 is subject to suspension.

33       2. The notice must include:

34       (a) The reason for the suspension of the license;

35       (b) The information set forth in subsections 3, 5 and 6; and

36       (c) Any other information the Department deems necessary.

37       3. If a person who receives a notice pursuant to subsection 1  
38 does not, within 30 days after receiving the notice, comply with the  
39 subpoena or warrant or satisfy the arrearage as required in NRS  
40 425.510, the Department shall suspend the license without providing  
41 the person with an opportunity for a hearing.

42       4. The Department shall suspend immediately the license of a  
43 defendant if so ordered pursuant to NRS 62B.420 or 176.064 ~~§~~ **or**  
44 *section 36 of this act.*



1 5. The Department shall reinstate the driver's license of a  
2 person whose license was suspended pursuant to this section if it  
3 receives:

4 (a) A notice from ~~the~~ *any of the following*:

5 (1) *The* district attorney or other public agency pursuant to  
6 NRS 425.510 that the person has complied with the subpoena or  
7 warrant or has satisfied the arrearage pursuant to that section . ~~f~~  
8 ~~from a~~

9 (2) *A traffic commissioner, referee, hearing master,*  
10 *municipal judge, justice of the peace or* district judge , *as*  
11 *applicable*, that a delinquency for which the suspension was ordered  
12 pursuant to NRS 176.064 *or section 36 of this act, as applicable*,  
13 has been discharged . ~~or from a~~

14 (3) *A traffic commissioner, referee, hearing master,*  
15 *municipal judge, justice of the peace or district judge, as*  
16 *applicable, that a defendant whose license was ordered to be*  
17 *suspended pursuant to section 36 of this act has been ordered to*  
18 *perform community service to discharge the delinquency for*  
19 *which the suspension was ordered pursuant to section 36 of this*  
20 *act. If the defendant does not perform the community service in a*  
21 *manner satisfactory to the court, the Department shall*  
22 *immediately suspend the license of the defendant if so ordered*  
23 *pursuant to section 36 of this act.*

24 (4) A judge of the juvenile court that an unsatisfied civil  
25 judgment for which the suspension was ordered pursuant to NRS  
26 62B.420 has been satisfied; and

27 (b) Payment of the fee for reinstatement of a suspended license  
28 prescribed in NRS 483.410.

29 6. The Department shall not require a person whose driver's  
30 license was suspended pursuant to this section to submit to the tests  
31 and other requirements which are adopted by regulation pursuant to  
32 subsection 1 of NRS 483.495 as a condition of the reinstatement of  
33 the license.

34 **Sec. 9.** NRS 483.447 is hereby amended to read as follows:

35 483.447 A person who does not hold a valid license issued by  
36 this State or any other state and who operates a vehicle in this State  
37 shall be deemed to have future driving privileges that may be  
38 suspended if the person is *found to have committed a civil*  
39 *infraction in this State pursuant to sections 24 to 36, inclusive, of*  
40 *this act or is* convicted of any *criminal* traffic offense in this State.

41 **Sec. 10.** NRS 483.448 is hereby amended to read as follows:

42 483.448 1. Except as otherwise provided in this subsection,  
43 when a person deemed to have future driving privileges pursuant to  
44 NRS 483.447 has accumulated 3 or more demerit points, but less  
45 than 12, the Department shall notify the person of this fact. If, after



1 the Department mails the notice, the person presents proof to the  
2 Department that he or she has successfully completed a course of  
3 traffic safety approved by the Department and a signed statement  
4 which indicates that the successful completion of the course was not  
5 required pursuant to a *court order entered pursuant to section 34 of*  
6 *this act or a* plea agreement, the Department shall cancel not more  
7 than 3 demerit points from the person's driving record. If such a  
8 person accumulates 12 or more demerit points before completing the  
9 course of traffic safety, the person will not be entitled to have  
10 demerit points cancelled upon the completion of the course but must  
11 have future driving privileges suspended. A person deemed to have  
12 future driving privileges may attend a course only once in 12  
13 months for the purpose of reducing demerit points. The 3 demerit  
14 points may only be cancelled from the driver's record of the person  
15 during the 12-month period immediately following the driver's  
16 successful completion of the course of traffic safety. The provisions  
17 of this subsection do not apply to a person deemed to have future  
18 driving privileges whose successful completion of a course of traffic  
19 safety was required pursuant to a *court order entered pursuant to*  
20 *section 34 of this act or a* plea agreement.

21 2. Any reduction of demerit points pursuant to this section  
22 applies only to the demerit record of the person deemed to have  
23 future driving privileges and otherwise does not affect the person's  
24 driving record with the Department or insurance record.

25 3. Notwithstanding any provision of this title to the contrary, if  
26 a person deemed to have future driving privileges accumulates  
27 demerit points, the Department shall suspend those future driving  
28 privileges:

29 (a) For the first accumulation of 12 demerit points during a 12-  
30 month period, for 6 months. Such a person is eligible for a restricted  
31 license during this 6-month period.

32 (b) For the second accumulation within 3 years of 12 demerit  
33 points during a 12-month period, for 1 year. Such a person is  
34 eligible for a restricted license during this 1-year period.

35 (c) For the third accumulation within 5 years of 12 demerit  
36 points during a 12-month period, for 1 year. Such a person is not  
37 eligible for a restricted license during this 1-year period.

38 4. The Department shall suspend for 1 year the future driving  
39 privileges of a person *who has been* convicted of a sixth traffic  
40 offense within a 5-year period, *is found to have committed a sixth*  
41 *civil infraction pursuant to sections 24 to 36, inclusive, of this act*  
42 *within a 5-year period or has accumulated a combined total of six*  
43 *civil infractions and traffic offenses within a 5-year period*, if all  
44 six *civil infractions or traffic* offenses have been assigned a value



1 of 4 or more demerit points. Such a person is not eligible for a  
2 restricted license during this 1-year period.

3 5. If the Department determines by its records that a person  
4 deemed to have future driving privileges is not eligible for a driver's  
5 license pursuant to this section, the Department shall notify the  
6 person by mail of that fact.

7 6. Except as otherwise provided in subsection 7, the  
8 Department shall suspend the future driving privileges of a person  
9 pursuant to this section 30 days after the date on which the  
10 Department mails the notice to the person required by subsection 5.

11 7. If a written request for a hearing is received by the  
12 Department:

13 (a) The suspension of the future driving privileges of the person  
14 requesting the hearing is stayed until a determination is made by the  
15 Department after the hearing.

16 (b) The hearing must be held, within 45 days after the request is  
17 received, in the county in which the person resides unless the person  
18 and the Department agree that the hearing may be held in some  
19 other county. The scope of the hearing must be limited to whether  
20 the records of the Department accurately reflect the driving history  
21 of the person.

22 **Sec. 11.** NRS 483.450 is hereby amended to read as follows:

23 483.450 1. A record of *each* conviction *and each finding*  
24 *that a person has committed a civil infraction pursuant to sections*  
25 *24 to 36, inclusive, of this act* must be made in a manner approved  
26 by the Department. The court shall provide sufficient information to  
27 allow the Department to include accurately the information  
28 regarding ~~the~~ *each* conviction *and finding* in the driver's record.

29 2. The Department shall adopt regulations prescribing the  
30 information necessary to record ~~the~~ *each* conviction *and finding*  
31 in the driver's record.

32 3. Every court, including a juvenile court, having jurisdiction  
33 over violations of the provisions of NRS 483.010 to 483.630,  
34 inclusive, or any other law of this State or municipal ordinance  
35 regulating the operation of motor vehicles on highways, shall  
36 forward to the Department:

37 (a) If the court is other than a juvenile court, ~~the~~ *each* record of  
38 the conviction of any person in that court for a violation of any such  
39 laws other than regulations governing standing or parking ~~the~~ *and*  
40 *each record of the finding that any person has committed a civil*  
41 *infraction pursuant to sections 24 to 36, inclusive, of this act;* or

42 (b) If the court is a juvenile court, a record of any finding that a  
43 child has violated a traffic law or ordinance other than one  
44 governing standing or parking,



1 ↪ within 5 days after the conviction or finding, and may  
2 recommend the suspension of the driver's license of the person  
3 convicted *or found to have committed a civil infraction* or *the* child  
4 found in violation of a traffic law or ordinance.

5 4. If a record forwarded to the Department pursuant to  
6 subsection 3 is a record of the conviction of , *or a record of a*  
7 *finding of the commission of a civil infraction pursuant to sections*  
8 *24 to 36, inclusive, of this act against,* a person who holds a  
9 commercial driver's license, the Department shall, within 5 days  
10 after the date on which it receives such a record, transmit notice of  
11 the conviction *or finding* to the Commercial Driver's License  
12 Information System.

13 5. For the purposes of NRS 483.010 to 483.630, inclusive:

14 (a) "Conviction" has the meaning prescribed by regulation  
15 pursuant to NRS 481.052.

16 (b) A forfeiture of bail or collateral deposited to secure a  
17 defendant's appearance in court, if the forfeiture has not been  
18 vacated, is equivalent to a conviction.

19 6. ~~[The]~~ *If a court mails records of conviction or of findings*  
20 *of the commission of a civil infraction pursuant to sections 24 to*  
21 *36, inclusive, of this act, the* necessary expenses of mailing *such*  
22 records ~~[of conviction]~~ to the Department as required by this section  
23 must be paid by the court charged with the duty of forwarding those  
24 records. ~~[of conviction.]~~

25 7. As used in this section, "Commercial Driver's License  
26 Information System" has the meaning ascribed to it in  
27 NRS 483.904.

28 **Sec. 12.** NRS 483.473 is hereby amended to read as follows:

29 483.473 1. As used in this section, "traffic violation" means  
30 conviction of a moving traffic violation in any municipal court,  
31 justice court or district court in this State ~~[ ]~~ *or a finding by any*  
32 *municipal court or justice court in this State that a person has*  
33 *committed a civil infraction pursuant to sections 24 to 36,*  
34 *inclusive, of this act.* The term includes a finding by a juvenile court  
35 that a child has violated a traffic law or ordinance other than one  
36 governing standing or parking. The term does not include a  
37 conviction or a finding by a juvenile court of a violation of the speed  
38 limit posted by a public authority under the circumstances described  
39 in subsection 1 of NRS 484B.617.

40 2. The Department shall establish a uniform system of demerit  
41 points for various traffic violations occurring within this State  
42 affecting the driving privilege of any person who holds a driver's  
43 license issued by the Department and persons deemed to have future  
44 driving privileges pursuant to NRS 483.447. The system must be



1 based on the accumulation of demerits during a period of 12  
2 months.

3 3. The system must be uniform in its operation, and the  
4 Department shall set up a schedule of demerits for each traffic  
5 violation, depending upon the gravity of the violation, on a scale of  
6 one demerit point for a minor violation of any traffic law to eight  
7 demerit points for an extremely serious violation of the law  
8 governing traffic violations. If a conviction of two or more traffic  
9 violations committed on a single occasion is obtained, points must  
10 be assessed for one offense **⊠ or civil infraction**, and if the point  
11 values differ, points must be assessed for the offense **or civil**  
12 **infraction** having the greater point value. Details of the violation  
13 must be submitted to the Department by the court where the  
14 conviction **or finding** is obtained. The Department may provide for  
15 a graduated system of demerits within each category of violations  
16 according to the extent to which the traffic law was violated.

17 **Sec. 13.** NRS 483.475 is hereby amended to read as follows:

18 483.475 1. Except as otherwise provided in this subsection,  
19 when a person who holds a driver's license has accumulated 3 or  
20 more demerit points, but less than 12, the Department shall notify  
21 the person of this fact. If, after the Department mails the notice, the  
22 driver presents proof to the Department that he or she has  
23 successfully completed a course of traffic safety approved by the  
24 Department and a signed statement which indicates that the  
25 successful completion of the course was not required pursuant to a  
26 plea agreement **⊠ or court order entered pursuant to section 34 of**  
27 **this act**, the Department shall cancel not more than 3 demerit points  
28 from the person's driving record. If the driver accumulates 12 or  
29 more demerit points before completing the course of traffic safety,  
30 the person will not be entitled to have demerit points cancelled upon  
31 the completion of the course, but must have his or her license  
32 suspended. A person may attend a course only once in 12 months  
33 for the purpose of reducing demerit points. The 3 demerit points  
34 may only be cancelled from a driver's record during the 12-month  
35 period immediately following the driver's successful completion of  
36 the course of traffic safety. The provisions of this subsection do not  
37 apply to a person whose successful completion of a course of traffic  
38 safety was required pursuant to a plea agreement **⊠ or court order**  
39 **entered pursuant to section 34 of this act.**

40 2. Any reduction of demerit points applies only to the demerit  
41 record of the driver and does not affect the person's driving record  
42 with the Department or insurance record.

43 3. The Department shall use a cumulative period for the  
44 suspension of licenses pursuant to subsection 1. The periods of  
45 suspension are:



1 (a) For the first accumulation of 12 demerit points during a 12-  
2 month period, 6 months. A driver whose license is suspended  
3 pursuant to this paragraph is eligible for a restricted license during  
4 the suspension.

5 (b) For the second accumulation within 3 years of 12 demerit  
6 points during a 12-month period, 1 year. A driver whose license is  
7 suspended pursuant to this paragraph is eligible for a restricted  
8 license during the suspension.

9 (c) For the third accumulation within 5 years of 12 demerit  
10 points during a 12-month period, 1 year. A driver whose license is  
11 suspended pursuant to this paragraph is not eligible for a restricted  
12 license during the suspension.

13 4. The Department shall suspend for 1 year the license of a  
14 driver who is convicted of a sixth traffic offense within 5 years, *is*  
15 *found to have committed a sixth civil infraction punishable*  
16 *pursuant to sections 24 to 36, inclusive, of this act within 5 years*  
17 *or has accumulated a combined total of six civil infractions and*  
18 *offenses within 5 years*, if all six *civil infractions or* offenses have  
19 been assigned a value of ~~four~~ 4 or more demerit points. A driver  
20 whose license is suspended pursuant to this subsection is not eligible  
21 for a restricted license during the suspension.

22 5. If the Department determines by its records that the license  
23 of a driver must be suspended pursuant to this section, it shall notify  
24 the driver by mail that his or her privilege to drive is subject to  
25 suspension.

26 6. Except as otherwise provided in subsection 7, the  
27 Department shall suspend the license 30 days after it mails the  
28 notice required by subsection 5.

29 7. If a written request for a hearing is received by the  
30 Department:

31 (a) The suspension of the license is stayed until a determination  
32 is made by the Department after the hearing.

33 (b) The hearing must be held within 45 days after the request is  
34 received in the county where the driver resides unless the driver and  
35 the Department agree that the hearing may be held in some other  
36 county. The scope of the hearing must be limited to whether the  
37 records of the Department accurately reflect the driving history of  
38 the driver.

39 **Sec. 14.** NRS 483.530 is hereby amended to read as follows:

40 483.530 1. Except as otherwise provided in ~~subsection~~  
41 *subsections 2 ~~1~~ and 3*, it is a misdemeanor for any person:

42 (a) To display or cause or permit to be displayed or possess any  
43 cancelled, revoked, suspended, fictitious, fraudulently altered or  
44 fraudulently obtained driver's license;





1 (b) To alter, forge, substitute, counterfeit or use an unvalidated  
2 driver's license;

3 (c) To lend his or her driver's license to any other person or  
4 knowingly permit the use thereof by another;

5 (d) To display or represent as one's own any driver's license not  
6 issued to him or her;

7 (e) To fail or refuse to surrender to the Department, a peace  
8 officer or a court upon lawful demand any driver's license which  
9 has been suspended, revoked or cancelled;

10 (f) To permit any unlawful use of a driver's license issued to  
11 him or her; *or*

12 (g) ~~[(To do any act forbidden, or fail to perform any act required,~~  
13 ~~by NRS 483.010 to 483.630, inclusive; or~~

14 ~~—(h)]~~ To photograph, photostat, duplicate or in any way  
15 reproduce any driver's license or facsimile thereof in such a manner  
16 that it could be mistaken for a valid license, or to display or possess  
17 any such photograph, photostat, duplicate, reproduction or facsimile  
18 unless authorized by this chapter.

19 2. Except as otherwise provided in this subsection, a person  
20 who uses a false or fictitious name in any application for a driver's  
21 license or identification card or who knowingly makes a false  
22 statement or knowingly conceals a material fact or otherwise  
23 commits a fraud in any such application is guilty of a category E  
24 felony and shall be punished as provided in NRS 193.130. If the  
25 false statement, knowing concealment of a material fact or other  
26 commission of fraud described in this subsection relates solely to  
27 the age of a person, including, without limitation, to establish false  
28 proof of age to game, purchase alcoholic beverages or purchase  
29 cigarettes or other tobacco products, the person is guilty of a  
30 misdemeanor.

31 3. *It is a civil infraction punishable pursuant to sections 24 to*  
32 *36, inclusive, of this act for any person to display or cause or*  
33 *permit to be displayed, possess, or fail or refuse to surrender to the*  
34 *Department any cancelled driver's license if the sole reason for*  
35 *the cancellation was the failure of the person to pay the fee for the*  
36 *issuance or renewal of the driver's license as the result of a check*  
37 *or other method of payment being returned to the Department or*  
38 *otherwise dishonored upon presentation because there was*  
39 *insufficient money or credit with the drawee or financial*  
40 *institution to pay the check or other method of payment or because*  
41 *a person stopped payment on the check or other method of*  
42 *payment.*

43 **Sec. 15.** NRS 483.550 is hereby amended to read as follows:

44 483.550 1. ~~[(H)]~~ *Except as otherwise provided in NRS*  
45 *483.560, it is ~~[(unlawful)]~~ a civil infraction punishable pursuant to*



1 *sections 24 to 36, inclusive, of this act* for any person to drive a  
2 motor vehicle upon a public street or highway in this State without  
3 being the holder of a valid driver's license.

4 2. The court shall require any person ~~found to have violated~~  
5 *found to have violated* this section to obtain a valid driver's license  
6 or produce a notice of disqualification from the Department.

7 **Sec. 16.** NRS 483.570 is hereby amended to read as follows:

8 483.570 No person whose driving privilege as a nonresident  
9 has been cancelled, suspended or revoked, as provided in NRS  
10 483.010 to 483.630, inclusive, shall drive any motor vehicle upon  
11 the highways of this State while such privilege is cancelled,  
12 suspended or revoked. *It is a misdemeanor for any person to*  
13 *violate this section.*

14 **Sec. 17.** NRS 483.575 is hereby amended to read as follows:

15 483.575 1. A person with epilepsy shall not operate a motor  
16 vehicle if that person has been informed by a physician or an  
17 advanced practice registered nurse pursuant to NRS 629.047 that his  
18 or her condition would severely impair his or her ability to safely  
19 operate a motor vehicle. *A violation of this subsection is a*  
20 *misdemeanor.*

21 2. If a physician or an advanced practice registered nurse is  
22 aware that a person has violated subsection 1 after the physician or  
23 advanced practice registered nurse has informed the person pursuant  
24 to NRS 629.047 that the person's condition would severely impair  
25 his or her ability to safely operate a motor vehicle, the physician or  
26 advanced practice registered nurse may, without the consent of the  
27 person, submit a written report to the Department that includes  
28 the name, address and age of the person. A report received by the  
29 Department pursuant to this subsection:

30 (a) Is confidential, except that the contents of the report may be  
31 disclosed to the person about whom the report is made; and

32 (b) May be used by the Department solely to determine the  
33 eligibility of the person to operate a vehicle on the streets and  
34 highways of this State.

35 3. The submission by a physician or an advanced practice  
36 registered nurse of a report pursuant to subsection 2 is solely within  
37 his or her discretion. No cause of action may be brought against a  
38 physician or an advanced practice registered nurse based on the fact  
39 that he or she did not submit such a report.

40 4. No cause of action may be brought against a physician or an  
41 advanced practice registered nurse based on the fact that he or she  
42 submitted a report pursuant to subsection 2 unless the physician or  
43 advanced practice registered nurse acted with malice, intentional  
44 misconduct, gross negligence or intentional or knowing violation of  
45 the law.



1       **Sec. 18.** NRS 483.580 is hereby amended to read as follows:  
2       483.580 A person shall not cause or knowingly permit his or  
3 her child or ward under the age of 18 years to drive a motor vehicle  
4 upon any highway when the minor is not authorized under the  
5 provisions of NRS 483.010 to 483.630, inclusive, or is in violation  
6 of any of the provisions of NRS 483.010 to 483.630, inclusive, or if  
7 the minor's license is revoked or suspended pursuant to title 5 of  
8 NRS or NRS 392.148. *It is a misdemeanor for a person to violate*  
9 *this section.*

10       **Sec. 19.** NRS 483.590 is hereby amended to read as follows:  
11       483.590 No person shall authorize or knowingly permit a  
12 motor vehicle owned by the person or under his or her control to be  
13 driven upon any highway by any person who is not authorized under  
14 NRS 483.010 to 483.630, inclusive, or in violation of any of the  
15 provisions of NRS 483.010 to 483.630, inclusive. *It is a*  
16 *misdemeanor for a person to violate this section.*

17       **Sec. 20.** NRS 483.600 is hereby amended to read as follows:  
18       483.600 No person shall employ as a driver of a motor vehicle  
19 any person not then licensed as provided in NRS 483.010 to  
20 483.630, inclusive. *It is a misdemeanor for a person to violate this*  
21 *section.*

22       **Sec. 21.** NRS 483.610 is hereby amended to read as follows:  
23       483.610 1. No person shall rent a motor vehicle to any other  
24 person unless the latter person is then duly licensed under NRS  
25 483.010 to 483.630, inclusive, or, in the case of a nonresident, then  
26 duly licensed under the laws of the state or country of his or her  
27 residence except a nonresident whose home state or country does  
28 not require that a driver be licensed.

29       2. No person shall rent a motor vehicle to another until the  
30 person has inspected the driver's license of the person to whom the  
31 vehicle is to be rented and compared and verified the signature  
32 thereon with the signature of such person written in his or her  
33 presence.

34       3. Every person renting a motor vehicle to another shall keep a  
35 record of the registration number of the motor vehicle so rented, the  
36 name and address of the person to whom the vehicle is rented, the  
37 number of the license of the latter person and the date and place  
38 when and where the license was issued. Such record shall be open to  
39 inspection by any police officer or officer of the Department.

40       4. *It is a misdemeanor for a person to violate any provision of*  
41 *this section.*

42       **Sec. 22.** NRS 483.620 is hereby amended to read as follows:  
43       483.620 It is a ~~misdemeanor~~ *civil infraction punishable*  
44 *pursuant to sections 24 to 36, inclusive, of this act* for any person  
45 to violate any of the provisions of NRS 483.010 to 483.630,



1 inclusive, unless such violation is, by NRS 483.010 to 483.630,  
2 inclusive, or other law of this State, declared to be a *misdemeanor*,  
3 *gross misdemeanor* or felony.

4 **Sec. 23.** Chapter 484A of NRS is hereby amended by adding  
5 thereto the provisions set forth as sections 24 to 36, inclusive, of this  
6 act.

7 **Sec. 24. 1.** *Every traffic enforcement agency in this State*  
8 *shall provide in appropriate form notices of civil infraction*  
9 *containing notice of the civil infraction which must meet the*  
10 *requirements of sections 24 to 36, inclusive, of this act and be:*

11 (a) *Issued in books; or*

12 (b) *Available through an electronic device used to prepare*  
13 *such notices.*

14 2. *The chief administrative officer of each traffic*  
15 *enforcement agency is responsible for the issuance of such books*  
16 *and electronic devices and shall maintain a record of each book,*  
17 *each electronic device and each notice of civil infraction issued to*  
18 *individual members of the traffic enforcement agency and*  
19 *volunteers of the traffic enforcement agency appointed pursuant*  
20 *to NRS 484B.470. The chief administrative officer shall require*  
21 *and retain a receipt for every book and electronic device that is*  
22 *issued.*

23 **Sec. 25.** *A notice of civil infraction, when filed with a court*  
24 *of competent jurisdiction, shall be deemed to be a lawful*  
25 *complaint for the purpose of initiating a civil case pursuant to*  
26 *sections 24 to 36, inclusive, of this act, if the notice of civil*  
27 *infraction includes information whose truthfulness is attested as*  
28 *required for a complaint in a civil case or is prepared*  
29 *electronically.*

30 **Sec. 26.** *A peace officer in this State who has reasonable*  
31 *cause to believe that a person has violated a provision of chapters*  
32 *483 to 484E, inclusive, 486 or 490 of NRS that is a civil infraction*  
33 *may halt and detain the person as is reasonably necessary to*  
34 *investigate the alleged violation and serve a notice of civil*  
35 *infraction for the alleged violation. A peace officer who has halted*  
36 *and detained a person pursuant to this section may also detain the*  
37 *person in accordance with NRS 171.123.*

38 **Sec. 27. 1.** *When a person is halted by a peace officer in*  
39 *this State for any violation of chapters 483 to 484E, inclusive, 486*  
40 *or 490 of NRS that is a civil infraction, the peace officer may*  
41 *prepare a notice of civil infraction manually or electronically in*  
42 *the form of a complaint issuing in the name of "The State of*  
43 *Nevada," containing:*

44 (a) *A statement that the notice represents a determination by a*  
45 *peace officer that a civil infraction has been committed by the*



1 *person named in the notice and that the determination will be*  
2 *final unless contested as provided in sections 24 to 36, inclusive, of*  
3 *this act;*

4 (b) *A statement that a civil infraction is not a criminal offense;*

5 (c) *The name and address of the person who is being issued*  
6 *the notice;*

7 (d) *The state registration number of the person's vehicle, if*  
8 *any;*

9 (e) *The number of the person's driver's license, if any;*

10 (f) *The civil infraction for which the notice was issued;*

11 (g) *A statement of the options provided pursuant to sections 24*  
12 *to 36, inclusive, of this act for responding to the notice and the*  
13 *procedures necessary to exercise these options;*

14 (h) *A statement that, at any hearing to contest the*  
15 *determination set forth in the notice, the facts that constitute the*  
16 *infraction must be proved by a preponderance of the evidence and*  
17 *the person may subpoena witnesses, including, without limitation,*  
18 *the peace officer or duly authorized member or volunteer of a*  
19 *traffic enforcement agency who issued the notice; and*

20 (i) *A statement that the person must respond to the notice as*  
21 *provided in sections 24 to 36, inclusive, of this act within 90*  
22 *judicial days.*

23 2. *The peace officer issuing a notice of civil infraction*  
24 *pursuant to subsection 1 shall sign the notice and deliver a copy of*  
25 *the notice to the person charged with the civil infraction. If the*  
26 *notice is prepared electronically, the peace officer shall sign*  
27 *the copy of the notice that is delivered to the person charged with*  
28 *the violation.*

29 3. *A notice of civil infraction may be served by delivering a*  
30 *copy of the notice to the person charged with the civil infraction.*  
31 *The acceptance of a notice of civil infraction by the person*  
32 *charged with the civil infraction shall be deemed personal service*  
33 *of the notice and a copy of the notice signed by the peace officer*  
34 *constitutes proof of service. If a person charged with a civil*  
35 *infraction refuses to accept a notice of civil infraction, the copy of*  
36 *the notice signed by the peace officer constitutes proof of service.*

37 **Sec. 28.** 1. *Whenever the driver of a vehicle is stopped by a*  
38 *peace officer for violating a provision of chapters 483 to 484E,*  
39 *inclusive, 486 or 490 of NRS that is a civil infraction, except for*  
40 *violating a provision of NRS 484B.440 to 484B.523, inclusive, the*  
41 *peace officer shall demand proof of the insurance required by*  
42 *NRS 485.185 or 490.0825 and issue a citation as provided in NRS*  
43 *484A.630 if the peace officer has probable cause to believe that the*  
44 *driver of the vehicle is in violation of NRS 485.187 or subsection 5*  
45 *of NRS 490.520. If the driver of the vehicle is not the registered*



1 owner of the vehicle, a notice of civil infraction must also be  
2 issued to the owner, and in such a case the driver:

3 (a) May accept the notice on behalf of the registered owner;  
4 and

5 (b) Shall notify the registered owner of the notice within 3 days  
6 after it is issued.

7 ↳ The agency which employs the peace officer shall immediately  
8 forward a copy of the notice to the registered owner of the vehicle,  
9 by certified mail, at his or her address as it appears on the  
10 certificate of registration.

11 2. When the evidence of insurance provided by the driver of  
12 the vehicle upon the demand of the peace officer is in an  
13 electronic format displayed on a mobile electronic device, the  
14 peace officer may view only the evidence of insurance and shall  
15 not intentionally view any other content on the mobile electronic  
16 device.

17 **Sec. 29. 1.** Every peace officer, upon issuing a notice of  
18 civil infraction to an alleged violator of any provision of the motor  
19 vehicle laws of this State or of any traffic ordinance, shall file  
20 manually or, if the provisions of subsection 2 are satisfied, file  
21 electronically the original or a copy of the notice with a court  
22 having jurisdiction over the alleged offense or with its traffic  
23 violations bureau.

24 2. A copy of a notice of civil infraction that is prepared  
25 electronically and issued to an alleged violator of any provision of  
26 the motor vehicle laws of this State or of any traffic ordinance may  
27 be filed electronically with a court having jurisdiction over the  
28 alleged civil infraction or with its traffic violations bureau if the  
29 court or traffic violations bureau, respectively:

30 (a) Authorizes such electronic filing;

31 (b) Has the ability to receive and store the notice  
32 electronically; and

33 (c) Has the ability to physically reproduce the notice upon  
34 request.

35 3. Upon the filing of the original or a copy of the notice of  
36 civil infraction with a court having jurisdiction over the alleged  
37 infraction or with its traffic violations bureau, the notice may be  
38 disposed of only by an official action of a judge of the court or by  
39 the payment of a civil penalty to the traffic violations bureau by  
40 the person to whom the notice of civil infraction has been issued  
41 by the peace officer.

42 4. It is unlawful and official misconduct from any peace  
43 officer or other officer or public employee to dispose of a notice of  
44 civil infraction or copies of it or of the record of the issuance of a



1 *notice of civil infraction in a manner other than as required in this*  
2 *section.*

3 *5. The chief administrative officer of every traffic*  
4 *enforcement agency shall require the return to him or her of a*  
5 *physical copy or electronic record of every notice of civil*  
6 *infraction issued by an officer under his or her supervision to an*  
7 *alleged violator of any traffic law or ordinance and of all physical*  
8 *copies and electronic records of every notice of civil infraction*  
9 *which has been spoiled or upon which any entry has been made*  
10 *and not issued to an alleged violator.*

11 *6. The chief administrative officer of every traffic*  
12 *enforcement agency shall maintain or cause to be maintained a*  
13 *record of every notice of civil infraction issued by any peace*  
14 *officer under his or her supervision. The record must be retained*  
15 *for at least 2 years after issuance of the notice.*

16 **Sec. 30.** *1. Any person who receives a notice of civil*  
17 *infraction pursuant to section 27 of this act shall respond to the*  
18 *notice as provided in this section not later than 90 judicial days*  
19 *after the date on which the notice is issued.*

20 *2. If a person receiving a notice of civil infraction does not*  
21 *contest the determination that the person has committed the civil*  
22 *infraction set forth in the notice, the person must respond to the*  
23 *notice by indicating that the person does not contest the*  
24 *determination and submitting full payment of the monetary*  
25 *penalty, the administrative assessment and any fees to the court*  
26 *specified in the notice, or its traffic violations bureau, in person,*  
27 *by mail or through the Internet or other electronic means.*

28 *3. If a person receiving a notice of civil infraction wishes to*  
29 *contest the determination that the person has committed the civil*  
30 *infraction set forth in the notice, the person must respond by*  
31 *requesting in person, by mail or through the Internet or other*  
32 *electronic means a hearing for that purpose. The court shall notify*  
33 *the person in writing of the time, place and date of the hearing,*  
34 *but the date of the hearing must not be earlier than 7 judicial days*  
35 *after the court provides notice of the hearing.*

36 *4. If a person receiving a notice of civil infraction does not*  
37 *wish to contest the determination that the person has committed*  
38 *the civil infraction set forth in the notice but wishes to explain*  
39 *mitigating circumstances surrounding the civil infraction, the*  
40 *person must respond by requesting in person, by mail or through*  
41 *the Internet or other electronic means a hearing for that purpose*  
42 *or by submitting in person, by mail or through the Internet or*  
43 *other electronic means a written statement of the mitigating*  
44 *circumstances. If the person receiving the notice of civil*  
45 *infraction:*



1 (a) Requests a hearing, the court must notify the person in  
2 writing of the time, place and date of the hearing.

3 (b) Submits a written statement of mitigating circumstances,  
4 the court must consider the written statement and determine  
5 whether to reduce the monetary penalty imposed for the civil  
6 infraction based on that statement. The court may reduce any  
7 moving violation to a nonmoving violation based on the statement  
8 of mitigating circumstances.

9 5. If any person issued a notice of civil infraction fails to  
10 respond to the notice of civil infraction within 90 judicial days  
11 after the date on which the notice of civil infraction is issued, the  
12 court must notify the person of the failure to respond by mailing a  
13 notice of the failure to respond to the last known address of the  
14 person by registered or certified mail. If the person does not  
15 respond to the notice of civil infraction in the manner specified by  
16 subsection 2, 3 or 4 within 30 judicial days after receipt of notice  
17 of the failure to respond, the court must enter an order pursuant  
18 to section 34 of this act finding that the person committed the civil  
19 infraction and assessing the monetary penalty and administrative  
20 assessments prescribed for the civil infraction. A person who has  
21 been issued a notice of civil infraction and who fails to respond to  
22 the notice of civil infraction as required by this section may not  
23 appeal an order entered pursuant to this section.

24 6. If any person issued a notice of civil infraction fails to  
25 appear at a hearing requested pursuant to subsection 3 or 4, the  
26 court must enter an order pursuant to section 34 of this act finding  
27 that the person committed the civil infraction and assessing the  
28 monetary penalty and administrative assessments prescribed for  
29 the civil infraction. A person who has been issued a notice of civil  
30 infraction and who fails to appear at a hearing requested pursuant  
31 to subsection 3 or 4 may not appeal an order entered pursuant to  
32 this subsection.

33 **Sec. 31. 1.** If, pursuant to subsection 3 of section 30 of this  
34 act, a person receiving a notice of civil infraction requests a  
35 hearing to contest the determination that the person has  
36 committed the civil infraction set forth in the notice, the hearing  
37 must be conducted in accordance with this section.

38 2. The person who requested the hearing may be represented  
39 by counsel. If the violation set forth in the notice of civil infraction  
40 is a violation of:

41 (a) An ordinance adopted by the governing body of an  
42 incorporated city, the city attorney may represent the city at the  
43 hearing.

44 (b) The laws of this State or an ordinance other than an  
45 ordinance described in paragraph (a), the district attorney of the





1 county may represent the State, county or town, as applicable, at  
2 the hearing.

3 3. A hearing conducted pursuant to this section must be  
4 conducted by the court without a jury. In lieu of the personal  
5 appearance at the hearing by the peace officer who issued the  
6 notice of civil infraction, the court may consider the information  
7 contained in the notice of civil infraction and any other written  
8 statement submitted under oath by the peace officer. The person  
9 named in the notice of civil infraction may subpoena witnesses,  
10 including, without limitation, the peace officer who issued the  
11 notice, and has the right to present evidence and examine  
12 witnesses present in court.

13 4. The State has the burden of proving by a preponderance of  
14 the evidence that the person named in the notice of civil infraction  
15 committed a civil infraction.

16 5. After consideration of the evidence and argument, the  
17 court shall determine whether a civil infraction was committed by  
18 the person named in the notice of civil infraction. If it has not  
19 been established by a preponderance of the evidence that the  
20 infraction was committed by the person named in the notice, the  
21 court must enter an order dismissing the notice of civil infraction  
22 in the court's records. If it has been established by a  
23 preponderance of the evidence that the infraction was committed,  
24 the court must enter in the court's records an order pursuant to  
25 section 34 of this act.

26 6. An appeal from the court's determination or order may be  
27 taken in the same manner as any other civil appeal from a  
28 municipal court or justice court, as applicable, except that:

29 (a) The notice of appeal must be filed not later than 5 judicial  
30 days after the court enters in the court's records an order  
31 pursuant to section 34 of this act; and

32 (b) If the appellant is the person charged with the civil  
33 infraction, any bond required to be given by the appellant in order  
34 to secure a stay of execution of the order of the court during the  
35 pendency of the appeal must equal the amount of the monetary  
36 penalty and administrative assessments which the court has  
37 ordered the appellant to pay pursuant to section 34 of this act. Any  
38 bond must be forfeited if the order of the court is affirmed on  
39 appeal.

40 **Sec. 32. 1.** If, pursuant to subsection 4 of section 30 of this  
41 act, a person receiving a notice of civil infraction requests a  
42 hearing to explain mitigating circumstances surrounding the  
43 infraction, the proceeding must be an informal proceeding and the  
44 person requesting the hearing may not subpoena witnesses. The  
45 determination that the person named in the notice of civil



1 *infraction committed the civil infraction set forth in the notice may*  
2 *not be contested at a hearing held for the purpose of explaining*  
3 *mitigating circumstances.*

4 *2. After the court has heard the explanation of the mitigating*  
5 *circumstances surrounding the commission of the infraction, the*  
6 *court must enter in the court's records an order pursuant to*  
7 *section 34 of this act.*

8 *3. No appeal may be taken from a determination or order of*  
9 *the court pursuant to this section.*

10 **Sec. 33.** *Except as otherwise provided in sections 24 to 36,*  
11 *inclusive, of this act, the Nevada Rules of Civil Procedure do not*  
12 *apply to a civil case initiated pursuant to sections 24 to 36,*  
13 *inclusive, of this act.*

14 **Sec. 34.** *1. A person who is found to have committed a civil*  
15 *infraction shall be punished by a civil penalty of not more than*  
16 *\$500 per violation unless a greater civil penalty is authorized by*  
17 *specific statute. On or before the fifth day of each month, a justice*  
18 *court shall pay to the State Controller any civil penalty imposed*  
19 *and collected by the justice court pursuant to this subsection for a*  
20 *violation of a law of this State. The State Controller shall deposit*  
21 *the money into the State Permanent School Fund.*

22 *2. If a person is found to have committed a civil infraction, in*  
23 *addition to any civil penalty imposed on the person, the court shall*  
24 *order the person to pay the administrative assessments set forth in*  
25 *NRS 176.059, 176.0611, 176.0613 and 176.0623 in the amount*  
26 *that the person would be required to pay if the civil penalty were a*  
27 *fine imposed on a defendant who pleads guilty or guilty but*  
28 *mentally ill or is found guilty or guilty but mentally ill of a*  
29 *misdemeanor. If, in lieu of a civil penalty, the court authorizes a*  
30 *person to successfully complete a course of traffic safety approved*  
31 *by the Department of Motor Vehicles, the court must order the*  
32 *person to pay the amount of the administrative assessment that*  
33 *corresponds to the civil penalty for which the defendant would*  
34 *have otherwise been responsible. The administrative assessments*  
35 *imposed pursuant to this subsection must be collected and*  
36 *distributed in the same manner as the administrative assessments*  
37 *imposed and collected pursuant to NRS 176.059, 176.0611,*  
38 *176.0613 and 176.0623.*

39 *3. If the court determines that a civil penalty or*  
40 *administrative assessment imposed pursuant to this section is:*

41 *(a) Excessive in relation to the financial resources of the*  
42 *defendant, the court may waive or reduce the fine accordingly.*

43 *(b) Not within the defendant's present financial ability to pay,*  
44 *the court may enter into a payment plan with the person.*



1       4. A court having jurisdiction over a civil infraction pursuant  
2 to sections 24 to 36, inclusive, of this act may:

3       (a) In addition to ordering a person who is found to have  
4 committed a civil infraction to pay a civil penalty and  
5 administrative assessments pursuant to this section, order the  
6 person to successfully complete a course of traffic safety approved  
7 by the Department of Motor Vehicles.

8       (b) Order a person who is found to have committed a civil  
9 infraction to successfully complete a course of traffic safety  
10 approved by the Department of Motor Vehicles as a condition to  
11 obtaining a waiver or reduction of the civil penalty which the  
12 court has ordered the person to pay.

13       **Sec. 35. 1.** Except where the imposition of a specific civil  
14 penalty is mandatory, a court may order a person who is found to  
15 have committed a civil infraction pursuant to sections 24 to 36,  
16 inclusive, of this act to perform community service that is  
17 supervised in accordance with subsection 2:

18       (a) In lieu of all or a part of any civil penalty or administrative  
19 assessment, or both, that may be imposed for the commission of  
20 the civil infraction; or

21       (b) As all or part of the punishment for the commission of the  
22 civil infraction.

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

27       3. The court may require the person who committed the civil  
28 infraction to deposit with the court a reasonable sum of money to  
29 pay for the cost of policies of insurance against liability for  
30 personal injury and damage to property or for industrial  
31 insurance, or both, during those periods in which the person  
32 performs the community service, unless, in the case of industrial  
33 insurance, it is provided by the authority for which the person  
34 performs the community service.

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

37       (a) The court must fix the period of community service that is  
38 imposed and distribute the period over weekends or over other  
39 appropriate times that will allow the person to continue  
40 employment and to care for his or her family. The period of  
41 community service fixed by the court must not exceed 200 hours.

42       (b) A supervising authority listed in subsection 2 must agree to  
43 accept the person for community service before the court may  
44 require the person to perform community service for that  
45 supervising authority. The supervising authority must be located



1 *in or be the town or city of the person's residence or, if that*  
2 *placement is not possible, one located within the jurisdiction of the*  
3 *court or, if that placement is not possible, the authority may be*  
4 *located outside the jurisdiction of the court.*

5 *(c) Community service that a court requires pursuant to this*  
6 *section must be supervised by an official of the supervising*  
7 *authority or by a person designated by the authority.*

8 *(d) The court may require the supervising authority to report*  
9 *periodically to the court the person's performance in carrying out*  
10 *the community service.*

11 *(e) A person performing community service in lieu of the*  
12 *payment of a civil penalty must receive credit toward the civil*  
13 *penalty at a rate per hour of community service performed that is*  
14 *equal to at least \$10 or the state minimum wage for an employee*  
15 *who is not provided health benefits by his or her employer,*  
16 *whichever is greater.*

17 **Sec. 36. 1.** *If a civil penalty, administrative assessment or*  
18 *fee is imposed upon a person who is found to have committed a*  
19 *civil infraction pursuant to sections 24 to 36, inclusive, of this act,*  
20 *whether or not the civil penalty, administrative assessment or fee*  
21 *is in addition to any other punishment, and the civil penalty,*  
22 *administrative assessment or fee or any part of it remains unpaid*  
23 *after the time established by the court for its payment, the*  
24 *delinquent person is liable for a collection fee, to be imposed by*  
25 *the court at the time it finds that the civil penalty, administrative*  
26 *assessment or fee is delinquent, of:*

27 *(a) Not more than \$100, if the amount of the delinquency is*  
28 *less than \$2,000.*

29 *(b) Not more than \$500, if the amount of the delinquency is*  
30 *\$2,000 or greater, but is less than \$5,000.*

31 *(c) Ten percent of the amount of the delinquency, if the*  
32 *amount of the delinquency is \$5,000 or greater.*

33 **2.** *The court may, on its own motion or at the request of the*  
34 *city or county in which the court has jurisdiction, enter a civil*  
35 *judgment for the amount due in favor of the city or county, as*  
36 *applicable. A civil judgment entered pursuant to this subsection*  
37 *may be enforced in the manner provided by law for the*  
38 *enforcement of a judgment for money rendered in a civil action*  
39 *except that the judgment and any lien for the judgment expires 10*  
40 *years after the date the judgment was docketed and may not be*  
41 *renewed. Except as otherwise provided in subsection 3, if the court*  
42 *has entered a civil judgment pursuant to this subsection, the court*  
43 *may, in order of priority:*

44 *(a) Request that the city or county in which the court has*  
45 *jurisdiction undertake collection of the delinquency, including,*



1 *without limitation, the original amount of the civil judgment*  
2 *entered pursuant to this subsection and the collection fee, by*  
3 *attachment or garnishment of the property, wages or other money*  
4 *receivable of the delinquent person.*

5 *(b) Order the suspension of the driver's license of the*  
6 *delinquent person. If the delinquent person does not possess a*  
7 *driver's license, the court may prohibit him or her from applying*  
8 *for a driver's license for a specified period. If the delinquent*  
9 *person is already the subject of a court order suspending or*  
10 *delaying the issuance of his or her driver's license, the court may*  
11 *order the additional suspension or delay, as appropriate, to apply*  
12 *consecutively with the previous order. At the time the court issues*  
13 *an order suspending the driver's license of a delinquent person*  
14 *pursuant to this paragraph, the court shall require the delinquent*  
15 *person to surrender to the court all driver's licenses then held by*  
16 *him or her. The court shall, within 5 days after issuing the order,*  
17 *forward to the Department of Motor Vehicles the licenses, together*  
18 *with a copy of the order. At the time the court issues an order*  
19 *pursuant to this paragraph delaying the ability of a delinquent*  
20 *person to apply for a driver's license, the court shall, within 5 days*  
21 *after issuing the order, forward to the Department a copy of the*  
22 *order. The Department shall report a suspension pursuant to this*  
23 *paragraph to an insurance company or its agent inquiring about*  
24 *the delinquent person's driving record, but such a suspension*  
25 *must not be considered for the purpose of rating or underwriting.*

26 *(c) Issue an order directing the delinquent person to show*  
27 *cause why he or she should not be found guilty of contempt and*  
28 *deal with the delinquent person as for contempt of court. The*  
29 *order to show cause must be mailed to the address of the*  
30 *delinquent person as indicated on the notice of civil infraction*  
31 *issued to the person. If the person is found guilty of contempt, the*  
32 *person may be confined in the city or county jail or detention*  
33 *facility for a period of not more than 1 day for each \$150 of the*  
34 *amount due until the amounts due are satisfied.*

35 *3. If the delinquent person notifies the court that he or she*  
36 *will perform community service to discharge the delinquency and:*

37 *(a) The city or county is undertaking any action to collect the*  
38 *delinquency pursuant to paragraph (a) of subsection 2, the city or*  
39 *county shall cease undertaking any such actions for the collection*  
40 *of the delinquency. If the delinquent person does not perform the*  
41 *community service in a manner satisfactory to the court, the court*  
42 *may request that the city or county undertake actions to collect the*  
43 *delinquency pursuant to paragraph (a) of subsection 2.*

44 *(b) The court has ordered the suspension of the driver's*  
45 *license of the delinquent person pursuant to paragraph (b) of*



1 subsection 2, the traffic commissioner, referee, hearing master,  
2 municipal judge, justice of the peace or district judge, as  
3 applicable, shall notify the Department of Motor Vehicles to  
4 reinstate the driver's license of the delinquent person pursuant to  
5 NRS 483.443. If the delinquent person does not perform the  
6 community service in a manner satisfactory to the court, the court  
7 may order the suspension of the driver's license of the delinquent  
8 person in the manner specified in paragraph (b) of subsection 2.

9 (c) The court has issued an order pursuant to paragraph (c) of  
10 subsection 2, the court must not find the delinquent person guilty  
11 of contempt. If the delinquent person does not perform the  
12 community service in a manner satisfactory to the court, the  
13 court may issue another order pursuant to paragraph (c) of  
14 subsection 2.

15 4. Money collected from a collection fee imposed pursuant to  
16 subsection 1 must be distributed in the following manner:

17 (a) Except as otherwise provided in paragraph (d), if the  
18 money is collected by or on behalf of a municipal court, the money  
19 must be deposited in a special fund in the appropriate city  
20 treasury. The city may use the money in the fund only to develop  
21 and implement a program for the collection of civil penalties,  
22 administrative assessments and fees and to hire additional  
23 personnel necessary for the success of such a program.

24 (b) Except as otherwise provided in paragraph (d), if the  
25 money is collected by or on behalf of a justice court or district  
26 court, the money must be deposited in a special fund in the  
27 appropriate county treasury. The county may use the money in the  
28 special fund only to:

29 (1) Develop and implement a program for the collection of  
30 civil penalties, administrative assessments and fees and to hire  
31 additional personnel necessary for the success of such a program:  
32 or

33 (2) Improve the operations of a court by providing funding  
34 for:

35 (I) A civil law self-help center; or

36 (II) Court security personnel and equipment for a  
37 regional justice center that includes the justice courts of that  
38 county.

39 (c) Except as otherwise provided in paragraph (d), if the  
40 money is collected by a state entity, the money must be deposited in  
41 an account, which is hereby created in the State Treasury. The  
42 Court Administrator may use the money in the account only to  
43 develop and implement a program for the collection of civil  
44 penalties, administrative assessments and fees in this State and to



1 *hire additional personnel necessary for the success of such a*  
2 *program.*

3 *(d) If the money is collected by a collection agency, after the*  
4 *collection agency has been paid its fee pursuant to the terms of the*  
5 *contract, any remaining money must be deposited in the state, city*  
6 *or county treasury, whichever is appropriate, to be used only for*  
7 *the purposes set forth in paragraph (a), (b) or (c).*

8 **Sec. 37.** NRS 484A.400 is hereby amended to read as follows:

9 484A.400 1. The provisions of chapters 484A to 484E,  
10 inclusive, of NRS are applicable and uniform throughout this State  
11 on all highways to which the public has a right of access, to which  
12 persons have access as invitees or licensees or such other premises  
13 as provided by statute.

14 2. Except as otherwise provided in subsection 3 and unless  
15 otherwise provided by specific statute, any local authority may enact  
16 by ordinance traffic regulations which cover the same subject matter  
17 as the various sections of chapters 484A to 484E, inclusive, of NRS  
18 if the provisions of the ordinance are not in conflict with chapters  
19 484A to 484E, inclusive, of NRS, or regulations adopted pursuant  
20 thereto. It may also enact by ordinance regulations requiring the  
21 registration and licensing of bicycles.

22 3. A local authority shall not enact an ordinance:

23 (a) Governing the registration of vehicles and the licensing of  
24 drivers;

25 (b) Governing the duties and obligations of persons involved in  
26 traffic crashes, other than the duties to stop, render aid and provide  
27 necessary information;

28 (c) Providing a penalty for an offense for which the penalty  
29 prescribed by chapters 484A to 484E, inclusive, of NRS is greater  
30 than that imposed for a misdemeanor; ~~for~~

31 *(d) Providing a criminal penalty for a violation of chapters*  
32 *484A to 484E, inclusive, of NRS for which the penalty prescribed*  
33 *by those chapters is a civil penalty; or*

34 *(e) Requiring a permit for a vehicle, or to operate a vehicle, on a*  
35 *highway in this State.*

36 4. No person convicted or adjudged guilty or guilty but  
37 mentally ill of *, or found to have committed a civil infraction*  
38 *pursuant to sections 24 to 36, inclusive, of this act for*, a violation  
39 of a traffic ordinance may be charged or tried in any other court in  
40 this State for the same offense.

41 **Sec. 38.** NRS 484A.600 is hereby amended to read as follows:

42 484A.600 A governmental entity and any agent thereof shall  
43 not use photographic, video or digital equipment for gathering  
44 evidence to be used for the issuance of a traffic citation *or notice of*  
45 *civil infraction pursuant to section 27 of this act* for a violation of



1 chapters 484A to 484E, inclusive, of NRS unless the equipment is  
2 held in the hand or installed temporarily or permanently within a  
3 vehicle or facility of a law enforcement agency.

4 **Sec. 39.** NRS 484A.650 is hereby amended to read as follows:

5 484A.650 1. Whenever the driver of a vehicle is stopped by a  
6 peace officer for violating a provision of chapters 484A to 484E,  
7 inclusive, of NRS, except for violating a provision of NRS  
8 484B.440 to 484B.523, inclusive, the officer shall demand proof of  
9 the insurance required by NRS 485.185 or 490.0825 and issue a  
10 citation as provided in NRS 484A.630 if the officer has probable  
11 cause to believe that the driver of the vehicle is in violation of NRS  
12 485.187 or subsection ~~4~~ 5 of NRS 490.520. If the driver of the  
13 vehicle is not the owner, a citation must also be issued to the owner,  
14 and in such a case the driver:

15 (a) May sign the citation on behalf of the owner; and

16 (b) Shall notify the owner of the citation within 3 days after it is  
17 issued.

18 ↪ The agency which employs the peace officer shall immediately  
19 forward a copy of the citation to the registered owner of the vehicle,  
20 by certified mail, at his or her address as it appears on the certificate  
21 of registration.

22 2. When the evidence of insurance provided by the driver of  
23 the vehicle upon the demand of the peace officer is in an electronic  
24 format displayed on a mobile electronic device, the peace officer  
25 may view only the evidence of insurance and shall not intentionally  
26 view any other content on the mobile electronic device.

27 **Sec. 40.** NRS 484A.900 is hereby amended to read as follows:

28 484A.900 1. It is unlawful and, unless otherwise declared in  
29 chapters 484A to 484E, inclusive, of NRS with respect to a  
30 particular offense, it is a ~~misdemeanor~~ *civil infraction punishable*  
31 *pursuant to sections 24 to 36, inclusive, of this act* for any person  
32 to do any act forbidden or fail to perform any act required in  
33 chapters 484A to 484E, inclusive, of NRS.

34 2. The court may order any person who , *within a 1-year*  
35 *period*, is twice convicted of violating , *or found to have committed*  
36 *a civil infraction punishable pursuant to sections 24 to 36,*  
37 *inclusive, of this act for a violation of*, a provision of chapters 484A  
38 to 484E, inclusive, of NRS to pay tuition for and attend a school for  
39 driver training which is approved by the Department for retraining  
40 such drivers. The person so ordered may choose from those so  
41 approved the school which the person will attend. A person who  
42 willfully fails to comply with such an order is guilty of a  
43 misdemeanor.





1       **Sec. 41.** NRS 484B.100 is hereby amended to read as follows:  
2       484B.100 It is ~~unlawful~~ *a misdemeanor* for any person  
3 willfully to fail or refuse to comply with any lawful order or  
4 direction of any police officer while the officer is performing the  
5 duties of the officer in the enforcement of chapters 484A to 484E,  
6 inclusive, of NRS.

7       **Sec. 42.** NRS 484B.130 is hereby amended to read as follows:  
8       484B.130 1. Except as otherwise provided in subsections 2  
9 and 6, a person who is ~~convicted of~~ *found to have committed* a  
10 violation of a speed limit, or *convicted of or found to have*  
11 *committed a violation* of NRS 484B.150, 484B.163, 484B.165,  
12 484B.200 to 484B.217, inclusive, 484B.223, 484B.227, 484B.300,  
13 484B.303, 484B.317, 484B.320, 484B.327, 484B.330, 484B.403,  
14 484B.587, 484B.600, 484B.603, 484B.650, 484B.653, 484B.657,  
15 484C.110 or 484C.120, that occurred:

16       (a) In an area designated as a temporary traffic control zone; and  
17       (b) At a time when the workers who are performing  
18 construction, maintenance or repair of the highway or other work  
19 are present, or when the effects of the act may be aggravated  
20 because of the condition of the highway caused by construction,  
21 maintenance or repair, including, without limitation, reduction in  
22 lane width, reduction in the number of lanes, shifting of lanes from  
23 the designated alignment and uneven or temporary surfaces,  
24 including, without limitation, modifications to road beds, cement-  
25 treated bases, chip seals and other similar conditions,

26       ↪ shall, *if the violation is a criminal offense*, be punished by  
27 imprisonment or by a fine, or both, for a term or an amount equal to  
28 and in addition to the term of imprisonment or amount of the fine, or  
29 both, that the court imposes for the primary offense ~~;~~ *or shall, if*  
30 *the violation is a civil infraction punishable pursuant to sections*  
31 *24 to 36, inclusive, of this act, be punished by a civil penalty in an*  
32 *amount equal to and in addition to the civil penalty imposed that*  
33 *the court imposes for the primary civil infraction.* Any term of  
34 imprisonment imposed pursuant to this subsection runs  
35 consecutively with the sentence prescribed by the court for the  
36 crime. This subsection does not create a separate offense ~~;~~ *or civil*  
37 *infraction*, but provides an additional penalty for the primary  
38 offense ~~;~~ *or civil infraction*, whose imposition is contingent upon  
39 the finding of the prescribed fact.

40       2. ~~The~~ *If a violation described in subsection 1 is:*  
41       (a) *A criminal offense, the* additional penalty imposed pursuant  
42 to subsection 1 must not exceed a total of \$1,000, 6 months of  
43 imprisonment or 120 hours of community service.



1 *(b) A civil infraction punishable pursuant to sections 24 to 36,*  
2 *inclusive, of this act, the additional penalty imposed pursuant to*  
3 *subsection 1 must not exceed a total of \$250.*

4 3. Except as otherwise provided in subsection 5, a  
5 governmental entity that designates an area or authorizes the  
6 designation of an area as a temporary traffic control zone in which  
7 construction, maintenance or repair of a highway or other work is  
8 conducted, or the person with whom the governmental entity  
9 contracts to provide such service, shall cause to be erected:

10 (a) A sign located before the beginning of such an area stating  
11 "DOUBLE PENALTIES IN WORK ZONES" to indicate a double  
12 penalty may be imposed pursuant to this section;

13 (b) A sign to mark the beginning of the temporary traffic control  
14 zone; and

15 (c) A sign to mark the end of the temporary traffic control zone.

16 4. A person who otherwise would be subject to an additional  
17 penalty pursuant to this section is not relieved of any criminal  
18 liability *or liability for a civil infraction* because signs are not  
19 erected as required by subsection 3 if the violation results in injury  
20 to any person performing highway construction or maintenance or  
21 other work in the temporary traffic control zone or in damage to  
22 property in an amount equal to \$1,000 or more.

23 5. The requirements of subsection 3 do not apply to an area  
24 designated as a temporary traffic control zone:

25 (a) Pursuant to an emergency which results from a natural or  
26 other disaster and which threatens the health, safety or welfare of  
27 the public; or

28 (b) On a public highway where the posted speed limit is 25  
29 miles per hour or less and that provides access to or is appurtenant  
30 to a residential area.

31 6. A person who would otherwise be subject to an additional  
32 penalty pursuant to this section is not subject to an additional  
33 penalty if the violation occurred in a temporary traffic control zone  
34 for which signs are not erected pursuant to subsection 5, unless the  
35 violation results in injury to any person performing highway  
36 construction or maintenance or other work in the temporary traffic  
37 control zone or in damage to property in an amount equal to \$1,000  
38 or more.

39 **Sec. 43.** NRS 484B.135 is hereby amended to read as follows:

40 484B.135 1. Except as otherwise provided in subsections 2  
41 and 4, a person who is ~~convicted of~~ *found to have committed*  
42 *violation of a speed limit, or convicted of or found to have*  
43 *committed a violation* of NRS 484B.150, 484B.163, 484B.165,  
44 484B.200 to 484B.217, inclusive, 484B.223, 484B.227, 484B.280,  
45 484B.283, 484B.287, 484B.300, 484B.303, 484B.307, 484B.317,



1 484B.320, 484B.327, 484B.403, 484B.600, 484B.603, 484B.650,  
2 484B.653, 484B.657, 484C.110 or 484C.120, that occurred in an  
3 area designated as a pedestrian safety zone may :

4 *(a) If the violation is a criminal offense*, be punished by  
5 imprisonment or by a fine, or both, for a term or an amount equal to  
6 and in addition to the term of imprisonment or amount of the fine, or  
7 both, that the court imposes for the primary offense.

8 *(b) If the violation is a civil infraction punishable pursuant to*  
9 *sections 24 to 36, inclusive, of this act, be punished by a civil*  
10 *penalty in an amount equal to and in addition to the civil penalty*  
11 *imposed that the court imposes for the primary infraction.*

12 ↪ Any term of imprisonment imposed pursuant to this subsection  
13 runs consecutively with the sentence prescribed by the court for the  
14 crime. This subsection does not create a separate offense ~~§~~ *or civil*  
15 *infraction* but provides an additional penalty for the primary offense  
16 ~~§~~ *or civil infraction*, whose imposition is discretionary with the  
17 court and contingent upon the finding of the prescribed fact.

18 2. ~~¶The~~ *If a violation described in subsection 1 is:*

19 *(a) A criminal offense, the* additional penalty imposed pursuant  
20 to subsection 1 must not exceed a total of \$1,000, 6 months of  
21 imprisonment or 120 hours of community service.

22 *(b) A civil infraction punishable pursuant to sections 24 to 36,*  
23 *inclusive, of this act, the additional penalty imposed pursuant to*  
24 *subsection 1 must not exceed a total of \$250.*

25 3. A governmental entity that designates a pedestrian safety  
26 zone shall cause to be erected:

27 (a) A sign located before the beginning of the pedestrian safety  
28 zone which provides notice that higher fines *and civil penalties* may  
29 apply in pedestrian safety zones;

30 (b) A sign to mark the beginning of the pedestrian safety zone;  
31 and

32 (c) A sign to mark the end of the pedestrian safety zone.

33 4. A person who would otherwise be subject to an additional  
34 penalty pursuant to this section is not subject to such an additional  
35 penalty if, with respect to the pedestrian safety zone in which the  
36 violation occurred:

37 (a) A sign is not erected before the beginning of the pedestrian  
38 safety zone as required by paragraph (a) of subsection 3 to provide  
39 notice that higher fines *and civil penalties* may apply in pedestrian  
40 safety zones; or

41 (b) Signs are not erected as required by paragraphs (b) and (c) of  
42 subsection 3 to mark the beginning and end of the pedestrian safety  
43 zone.

44 5. The governing body of a local government or the  
45 Department of Transportation may designate a pedestrian safety



1 zone on a highway if the governing body or the Department of  
2 Transportation:

3 (a) Makes findings as to the necessity and appropriateness of a  
4 pedestrian safety zone, including, without limitation, any  
5 circumstances on or near a highway which make an area of the  
6 highway dangerous for pedestrians; and

7 (b) Complies with the requirements of subsection 3 and NRS  
8 484A.430 and 484A.440.

9 **Sec. 44.** NRS 484B.150 is hereby amended to read as follows:

10 484B.150 1. It is ~~unlawful~~ *a misdemeanor* for a person to  
11 drink an alcoholic beverage while the person is driving or in actual  
12 physical control of a motor vehicle upon a highway.

13 2. Except as otherwise provided in this subsection, it is  
14 ~~unlawful~~ *a misdemeanor* for a person to have an open container of  
15 an alcoholic beverage within the passenger area of a motor vehicle  
16 while the motor vehicle is upon a highway. This subsection does not  
17 apply to:

18 (a) The passenger area of a motor vehicle which is designed,  
19 maintained or used primarily for the transportation of persons for  
20 compensation; or

21 (b) The living quarters of a house coach or house trailer,  
22 ↪ but does apply to the driver of such a motor vehicle who is in  
23 possession or control of an open container of an alcoholic beverage.

24 3. A person who violates any provision of this section may be  
25 subject to any additional penalty set forth in NRS 484B.130 or  
26 484B.135.

27 4. As used in this section:

28 (a) "Alcoholic beverage" has the meaning ascribed to it in  
29 NRS 202.015.

30 (b) "Open container" means a container which has been opened  
31 or the seal of which has been broken.

32 (c) "Passenger area" means that area of a vehicle which is  
33 designed for the seating of the driver or a passenger.

34 **Sec. 45.** NRS 484B.157 is hereby amended to read as follows:

35 484B.157 1. Except as otherwise provided in subsection 7,  
36 any person who is transporting a child who is less than 6 years of  
37 age and who weighs 60 pounds or less in a motor vehicle operated  
38 in this State which is equipped to carry passengers shall secure the  
39 child in a child restraint system which:

40 (a) Has been approved by the United States Department of  
41 Transportation in accordance with the Federal Motor Vehicle Safety  
42 Standards set forth in 49 C.F.R. Part 571;

43 (b) Is appropriate for the size and weight of the child; and

44 (c) Is installed within and attached safely and securely to the  
45 motor vehicle:



1 (1) In accordance with the instructions for installation and  
2 attachment provided by the manufacturer of the child restraint  
3 system; or

4 (2) In another manner that is approved by the National  
5 Highway Traffic Safety Administration.

6 2. *A violation of this section is a civil infraction punishable*  
7 *pursuant to sections 24 to 36, inclusive, of this act.* If a ~~defendant~~  
8 ~~pleads or~~ *person* is found ~~guilty of violating~~ *to have committed a*  
9 *violation of* the provisions of subsection 1, the court shall:

10 (a) For a first ~~offense,~~ *violation*, order the ~~defendant~~ *person*  
11 to pay a ~~fine~~ *civil penalty* of not less than \$100 or more than \$500  
12 or order the ~~defendant~~ *person* to perform not less than 10 hours or  
13 more than 50 hours of community service;

14 (b) For a second ~~offense,~~ *violation*, order the ~~defendant~~  
15 *person* to pay a ~~fine~~ *civil penalty* of not less than \$500 or more  
16 than \$1,000 or order the ~~defendant~~ *person* to perform not less than  
17 50 hours or more than 100 hours of community service; and

18 (c) For a third or subsequent ~~offense,~~ *violation*, suspend the  
19 driver's license of the ~~defendant~~ *person* for not less than 30 days  
20 or more than 180 days.

21 3. At the time of ~~sentencing,~~ *imposing a civil penalty*  
22 *pursuant to subsection 2*, the court shall provide the ~~defendant~~  
23 *person who committed the violation* with a list of persons and  
24 agencies approved by the Department of Public Safety to conduct  
25 programs of training and perform inspections of child restraint  
26 systems. The list must include, without limitation, an indication of  
27 the fee, if any, established by the person or agency pursuant to  
28 subsection 4. If, within 60 days after ~~sentencing, a defendant~~ *the*  
29 *person is found to have committed the violation, the person*  
30 provides the court with proof of satisfactory completion of a  
31 program of training provided for in this subsection, the court shall:

32 (a) If the ~~defendant~~ *person* was ~~sentenced~~ *punished* pursuant  
33 to paragraph (a) of subsection 2, waive the ~~fine~~ *civil penalty* or  
34 community service previously imposed; or

35 (b) If the ~~defendant~~ *person* was ~~sentenced~~ *punished* pursuant  
36 to paragraph (b) of subsection 2, reduce by one-half the ~~fine~~ *civil*  
37 *penalty* or community service previously imposed.

38 ↪ A ~~defendant~~ *person* is only eligible for a reduction of a ~~fine~~  
39 *civil penalty* or community service pursuant to paragraph (b) if the  
40 ~~defendant~~ *person* has not had a fine or community service waived  
41 pursuant to paragraph (a).

42 4. A person or agency approved by the Department of Public  
43 Safety to conduct programs of training and perform inspections of  
44 child restraint systems may, in cooperation with the Department ~~,~~  
45 *of Motor Vehicles*, establish a fee to be paid by ~~defendants~~



1 **persons** who are ordered to complete a program of training. The  
2 amount of the fee, if any:

3 (a) Must be reasonable; and

4 (b) May, if a **[defendant]** **person** desires to acquire a child  
5 restraint system from such a person or agency, include the cost of a  
6 child restraint system provided by the person or agency to the  
7 defendant.

8 ↪ A program of training may not be operated for profit.

9 5. For the purposes of NRS 483.473, a violation of this section  
10 is not a moving traffic violation.

11 6. A violation of this section may not be considered:

12 (a) Negligence in any civil action; or

13 (b) Negligence or reckless driving for the purposes of  
14 NRS 484B.653.

15 7. This section does not apply:

16 (a) To a person who is transporting a child in a means of public  
17 transportation, including a taxi, school bus or emergency vehicle.

18 (b) When a physician or an advanced practice registered nurse  
19 determines that the use of such a child restraint system for the  
20 particular child would be impractical or dangerous because of such  
21 factors as the child's weight, physical unfitness or medical  
22 condition. In this case, the person transporting the child shall carry  
23 in the vehicle the signed statement of the physician or advanced  
24 practice registered nurse to that effect.

25 8. As used in this section, "child restraint system" means any  
26 device that is designed for use in a motor vehicle to restrain, seat or  
27 position children. The term includes, without limitation:

28 (a) Booster seats and belt-positioning seats that are designed to  
29 elevate or otherwise position a child so as to allow the child to be  
30 secured with a safety belt;

31 (b) Integrated child seats; and

32 (c) Safety belts that are designed specifically to be adjusted to  
33 accommodate children.

34 **Sec. 46.** NRS 484B.160 is hereby amended to read as follows:

35 484B.160 1. Except as otherwise provided in subsections 2  
36 and 4, a driver shall not permit a person, with regard to a motor  
37 vehicle being operated on a paved highway, to ride upon or within  
38 any portion of the vehicle that is primarily designed or intended for  
39 carrying goods or other cargo or that is otherwise not designed or  
40 intended for the use of passengers, including, without limitation:

41 (a) Upon the bed of a flatbed truck; or

42 (b) Within the bed of a pickup truck.

43 2. A driver may permit a person to ride upon the bed of a  
44 flatbed truck or within the bed of a pickup truck if the person is:

45 (a) Eighteen years of age or older; or



1 (b) Under 18 years of age and the motor vehicle is:

2 (1) Being used in the course of farming or ranching; or

3 (2) Being driven in a parade authorized by a local authority.

4 3. A ~~citation~~ *notice of civil infraction* must be issued  
5 *pursuant to section 27 of this act* to a driver who permits a person  
6 to ride upon or within a vehicle in violation of subsection 1. A  
7 driver who is cited pursuant to this subsection shall be punished by a  
8 ~~fine~~ *civil penalty* of at least \$35 but not more than \$100.

9 4. The provisions of subsection 1 do not apply to the portion of  
10 the bed of a truck that is covered by a camper shell or slide-in  
11 camper.

12 5. A violation of this section:

13 (a) Is not a moving traffic violation for the purposes of  
14 NRS 483.473; and

15 (b) May not be considered as:

16 (1) Negligence or causation in a civil action; or

17 (2) Negligent or reckless driving for the purposes of  
18 NRS 484B.653.

19 6. As used in this section:

20 (a) "Camper shell" has the meaning ascribed to it in  
21 NRS 361.017.

22 (b) "Slide-in camper" has the meaning ascribed to it in  
23 NRS 482.113.

24 **Sec. 47.** NRS 484B.165 is hereby amended to read as follows:

25 484B.165 1. Except as otherwise provided in this section, a  
26 person shall not, while operating a motor vehicle on a highway in  
27 this State:

28 (a) Manually type or enter text into a cellular telephone or other  
29 handheld wireless communications device, or send or read data  
30 using any such device to access or search the Internet or to engage  
31 in nonvoice communications with another person, including,  
32 without limitation, texting, electronic messaging and instant  
33 messaging.

34 (b) Use a cellular telephone or other handheld wireless  
35 communications device to engage in voice communications with  
36 another person, unless the device is used with an accessory which  
37 allows the person to communicate without using his or her hands,  
38 other than to activate, deactivate or initiate a feature or function on  
39 the device.

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

41 (a) A paid or volunteer firefighter, emergency medical  
42 technician, advanced emergency medical technician, paramedic,  
43 ambulance attendant or other person trained to provide emergency  
44 medical services who is acting within the course and scope of his or  
45 her employment.



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

5 (c) A person who is reporting a medical emergency, a safety  
6 hazard or criminal activity or who is requesting assistance relating  
7 to a medical emergency, a safety hazard or criminal activity.

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

12 (e) A person who is licensed by the Federal Communications  
13 Commission as an amateur radio operator and who is providing a  
14 communication service in connection with an actual or impending  
15 disaster or emergency, participating in a drill, test, or other exercise  
16 in preparation for a disaster or emergency or otherwise  
17 communicating public information.

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

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

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

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

27 4. A person who violates any provision of subsection 1 is  
28 guilty of a ~~misdemeanor~~ *civil infraction punishable pursuant to*  
29 *sections 24 to 36, inclusive, of this act* and:

30 (a) For the first ~~offense~~ *violation* within the immediately  
31 preceding 7 years, shall pay a ~~fine~~ *civil penalty* of \$50.

32 (b) For the second ~~offense~~ *violation* within the immediately  
33 preceding 7 years, shall pay a ~~fine~~ *civil penalty* of \$100.

34 (c) For the third or subsequent ~~offense~~ *violation* within the  
35 immediately preceding 7 years, shall pay a ~~fine~~ *civil penalty* of  
36 \$250.

37 5. A person who violates any provision of subsection 1 may be  
38 subject to any additional penalty set forth in NRS 484B.130 or  
39 484B.135.

40 6. The Department of Motor Vehicles shall not treat a first  
41 violation of this section in the manner statutorily required for a  
42 moving traffic violation.

43 7. For the purposes of this section, a person shall be deemed  
44 not to be operating a motor vehicle if the motor vehicle is driven





1 autonomously and the autonomous operation of the motor vehicle is  
2 authorized by law.

3 8. As used in this section:

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

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

12 (2) All the controls for operating the device, other than the  
13 microphone and a control to speak into the microphone, are located  
14 on a unit which is used to transmit and receive communications and  
15 which is separate from the microphone and is not intended to be  
16 held.

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

20 **Sec. 48.** NRS 484B.323 is hereby amended to read as follows:

21 484B.323 1. A person shall not operate a vehicle in a lane  
22 designated for the use of high-occupancy vehicles except in  
23 conformity with the established conditions which are placed and  
24 maintained on signs and other official traffic-control devices  
25 pursuant to subsection 2 of NRS 484A.460 or established by  
26 regulation.

27 2. A person who violates subsection 1 is guilty of a  
28 ~~[misdemeanor]~~ *civil infraction punishable pursuant to sections 24*  
29 *to 36, inclusive, of this act* and shall be ~~[fined]~~ *punished by a civil*  
30 *penalty of \$250 for each offense.*

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

32 (a) A vehicle that is transporting more than one person;

33 (b) A motorcycle, regardless of the number of passengers;

34 (c) A bus, regardless of the number of passengers; and

35 (d) Any other vehicle designated by regulation.

36 **Sec. 49.** NRS 484B.330 is hereby amended to read as follows:

37 484B.330 1. It is unlawful for a driver of a vehicle to fail or  
38 refuse to comply with any signal of an authorized flagger serving in  
39 a traffic control capacity in a clearly marked area of highway  
40 construction or maintenance or any other area which has been  
41 designated as a temporary traffic control zone.

42 2. A district attorney shall prosecute all violations of  
43 subsection 1 which occur in his or her jurisdiction and which result  
44 in injury to any person performing highway construction or  
45 maintenance or performing other work within an area designated as



1 a temporary traffic control zone unless the district attorney has good  
2 cause for not prosecuting the violation. ~~In addition to any other~~  
3 ~~penalty, if~~ **If** a driver violates any provision of subsection 1 and the  
4 violation results in injury to any person performing highway  
5 construction or maintenance or performing other work within an  
6 area designated as a temporary traffic control zone, or in damage to  
7 property in an amount of not less than \$1,000, the driver **is guilty of**  
8 **a misdemeanor and** shall be punished by a fine of not less than  
9 \$1,000 or more than \$2,000, and ordered to perform 120 hours of  
10 community service.

11 3. A person who violates any provision of subsection 1 may be  
12 subject to the additional penalty set forth in subsection 1 of  
13 NRS 484B.130.

14 4. As used in this section, “authorized flagger serving in a  
15 traffic control capacity” means:

16 (a) An employee of the Department of Transportation or of a  
17 contractor performing highway construction or maintenance or  
18 performing other work within an area designated as a temporary  
19 traffic control zone for the Department of Transportation while the  
20 employee is carrying out the duties of his or her employment;

21 (b) An employee of any other governmental entity or of a  
22 contractor performing highway construction or maintenance or  
23 performing other work within an area designated as a temporary  
24 traffic control zone for the governmental entity while the employee  
25 is carrying out the duties of his or her employment; or

26 (c) Any other person employed by a private entity performing  
27 highway construction or maintenance or performing other work  
28 within an area designated as a temporary traffic control zone while  
29 the person is carrying out the duties of his or her employment if the  
30 person has satisfactorily completed training as a flagger approved or  
31 recognized by the Department of Transportation.

32 **Sec. 50.** NRS 484B.593 is hereby amended to read as follows:

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

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

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

43 2. Any person who violates any prohibition or restriction  
44 enacted pursuant to subsection 1 is guilty of a ~~misdemeanor.~~ **civil**



1 *infraction punishable pursuant to sections 24 to 36, inclusive, of*  
2 *this act.*

3 **Sec. 51.** NRS 484B.600 is hereby amended to read as follows:  
4 484B.600 1. It is unlawful for any person to drive or operate  
5 a vehicle of any kind or character at:

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

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

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

13 (d) A rate of speed that results in the injury of another person or  
14 of any property.

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

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

21 3. A person who violates any provision of subsection 1 may be  
22 subject to the additional penalty set forth in NRS 484B.130 or  
23 484B.135.

24 4. Except as otherwise provided by law, if a person is issued a  
25 traffic citation for a violation of any provision of subsection 1, the  
26 court may, in its discretion, reduce the violation from a moving  
27 traffic violation to a violation that is not a moving traffic violation.  
28 There is a presumption in favor of reducing the violation if the  
29 person pays the entire amount of the fine and all fees due before the  
30 date on which the person is first required to make an appearance  
31 relating to the citation, whether by personal appearance or through  
32 his or her counsel, but such a presumption may be overcome if the  
33 driving record of the person demonstrates a pattern of moving traffic  
34 violations.

35 5. Any fine imposed pursuant to paragraph (a), (b), (c) or (e) of  
36 subsection 1 must not exceed \$20 for each mile per hour a person  
37 travels above the posted speed limit or the proper rate of speed at  
38 which the person should be traveling, as applicable. The provisions  
39 of this subsection apply regardless of whether a person pays the  
40 entire amount of the fine and all fees due in accordance with  
41 subsection 4.

42 *6. A person who commits a violation of any provision of this*  
43 *section that causes physical injury to a person or damage to*  
44 *property shall be punished by a civil penalty of not more than*  
45 *\$1,000.*



1       **Sec. 52.** NRS 484B.607 is hereby amended to read as follows:  
2       484B.607 1. Upon approaching any traffic incident, the  
3 driver of the approaching vehicle shall, in the absence of other  
4 direction given by a law enforcement officer:

5       (a) Decrease the speed of the vehicle to a speed that is  
6 reasonable and proper, pursuant to the criteria set forth in subsection  
7 1 of NRS 484B.600;

8       (b) Proceed with caution;

9       (c) Be prepared to stop; and

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

13       2. ~~[A]~~ *Except as otherwise provided in this subsection, a*  
14 *person who violates subsection 1 is guilty of a ~~[misdemeanor.] civil~~*  
15 *infraction punishable pursuant to sections 24 to 36, inclusive, of*  
16 *this act. A person who commits a violation of subsection 1 that*  
17 *causes physical injury to a person or damage to property is guilty*  
18 *of a civil infraction and shall be punished by a civil penalty of not*  
19 *more than \$1,000.*

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

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

28       (b) A tow car which is stopped and is making use of flashing  
29 amber warning lights meeting the requirements of NRS 484B.748 or  
30 lamps that emit nonflashing blue light meeting the requirements of  
31 NRS 484D.475, or both;

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

38       (d) A vehicle, owned or operated by a person who contracts with  
39 the Department of Transportation to provide aid to motorists or to  
40 mitigate traffic incidents, which is stopped or moving at a speed  
41 slower than the normal flow of traffic and making use of lamps that  
42 emit nonflashing blue light meeting the requirements of  
43 NRS 484D.200;

44       (e) A public utility vehicle which is stopped or moving at a  
45 speed slower than the normal flow of traffic and is making use of



1 flashing amber warning lights meeting the requirements of  
2 NRS 484D.195;

3 (f) An authorized vehicle of a local governmental agency which  
4 is stopped or moving at a speed slower than the normal flow of  
5 traffic and is making use of flashing amber warning lights meeting  
6 the requirements of NRS 484D.185;

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

10 (h) A crash scene;

11 (i) A stalled vehicle;

12 (j) Debris on the roadway; or

13 (k) A person who is out of his or her vehicle attending to a  
14 repair of the vehicle.

15 **Sec. 53.** NRS 484B.610 is hereby amended to read as follows:  
16 484B.610 1. Except as otherwise provided in subsection 2  
17 and pursuant to the power granted in NRS 269.185, the town board  
18 or board of county commissioners may, by ordinance, limit the  
19 speed of motor vehicles in any unincorporated town in the county as  
20 may be deemed proper.

21 2. The Department of Transportation may establish the speed  
22 limits for motor vehicles on highways within the boundaries of any  
23 unincorporated town which are constructed and maintained under  
24 the authority granted by chapter 408 of NRS.

25 3. A person who violates any speed limit established pursuant  
26 to this section may be subject to the additional penalty set forth in  
27 NRS 484B.130.

28 *4. Except as otherwise provided in subsection 5, a person who*  
29 *violates any speed limit established pursuant to this section for the*  
30 *particular portion of the highway being traversed shall be*  
31 *punished by a civil penalty of not more than \$20 for each mile per*  
32 *hour a person travels over the posted speed limit established*  
33 *pursuant to this section.*

34 *5. A person who commits a violation of any provision of this*  
35 *section that causes physical injury to a person or damage to*  
36 *property shall be punished by a civil penalty of not more than*  
37 *\$1,000.*

38 **Sec. 54.** NRS 484B.613 is hereby amended to read as follows:  
39 484B.613 1. The Department of Transportation may establish  
40 the speed limits for motor vehicles on highways which are  
41 constructed and maintained by the Department of Transportation  
42 under the authority granted to it by chapter 408 of NRS.

43 2. Except as otherwise provided by federal law, the Department  
44 of Transportation may establish a speed limit on such highways not  
45 to exceed 80 miles per hour and may establish a lower speed limit:



1 (a) Where necessary to protect public health and safety.

2 (b) For trucks, overweight and oversized vehicles, trailers drawn  
3 by motor vehicles and buses.

4 3. A person who violates any speed limit established pursuant  
5 to this section may be subject to the additional penalty set forth in  
6 NRS 484B.130.

7 *4. Except as otherwise provided in subsection 5, a person who*  
8 *violates any speed limit established pursuant to this section for the*  
9 *particular portion of the highway being traversed shall be*  
10 *punished by a civil penalty of not more than \$20 for each mile per*  
11 *hour over the speed limit established pursuant to this section.*

12 *5. A person who commits a violation of any provision of this*  
13 *section that causes physical injury to a person or damage to*  
14 *property shall be punished by a civil penalty of not more than*  
15 *\$1,000.*

16 **Sec. 55.** NRS 484B.617 is hereby amended to read as follows:

17 484B.617 1. Except as otherwise provided in ~~[subsection]~~  
18 *subsections 3 [;] and 4*, a person driving a motor vehicle during the  
19 hours of daylight at a speed in excess of the speed limit posted by a  
20 public authority for the portion of highway being traversed shall be  
21 punished by a ~~[fine]~~ *civil penalty* of \$25 if:

22 (a) The posted speed limit is 60 miles per hour and the person is  
23 not exceeding a speed of 70 miles per hour.

24 (b) The posted speed limit is 65 miles per hour and the person is  
25 not exceeding a speed of 75 miles per hour.

26 (c) The posted speed limit is 70 miles per hour and the person is  
27 not exceeding a speed of 75 miles per hour.

28 (d) The posted speed limit is 75 miles per hour and the person is  
29 not exceeding a speed of 80 miles per hour.

30 (e) The posted speed limit is 80 miles per hour and the person is  
31 not exceeding a speed of 85 miles per hour.

32 2. A violation of the speed limit under any of the circumstances  
33 set forth in subsection 1 must not be recorded by the Department on  
34 a driver's record and shall not be deemed a moving traffic violation.

35 *3. A person who commits a violation of any provision of this*  
36 *section that causes physical injury to a person or damage to*  
37 *property shall be punished by a civil penalty of not more than*  
38 *\$1,000.*

39 *4.* The provisions of this section do not apply to a violation  
40 specified in subsection 1 that occurs in a county whose population is  
41 100,000 or more if the portion of highway being traversed is in:

42 (a) An urban area; or

43 (b) An area which is adjacent to an urban area and which has  
44 been designated by the public authority that established the posted  
45 speed limit for the portion of highway being traversed as an area



1 that requires strict observance of the posted speed limit to protect  
2 public health and safety.

3 **Sec. 56.** NRS 484B.620 is hereby amended to read as follows:

4 484B.620 1. The Department of Transportation may  
5 prescribe speed zones, and install appropriate speed signs  
6 controlling vehicular traffic on the state highway system as  
7 established in chapter 408 of NRS through hazardous areas, after  
8 necessary studies have been made to determine the need therefor,  
9 and to eliminate speed zones and remove the signs therefrom  
10 whenever the need therefor ceases to exist.

11 2. After the establishment of a speed zone and the installation  
12 of appropriate signs to control speed, it is unlawful for any person to  
13 drive a motor vehicle upon the road and in the speed zone in excess  
14 of the speed therein authorized.

15 *3. A person who violates subsection 2 shall be punished by a*  
16 *civil penalty of not more than \$20 for each mile per hour in excess*  
17 *of the speed authorized in the speed zone.*

18 **Sec. 57.** NRS 484B.630 is hereby amended to read as follows:

19 484B.630 1. On a highway that has one lane for traveling in  
20 each direction, where passing is unsafe because of traffic traveling  
21 in the opposite direction or other conditions, the driver of a slow-  
22 moving vehicle, behind which five or more vehicles are formed in a  
23 line, shall, to allow the vehicles following behind to proceed, turn  
24 off the roadway:

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

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

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

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

32 2. A person who violates subsection 1 is guilty of a  
33 ~~misdemeanor.~~ *civil infraction punishable pursuant to sections 24*  
34 *to 36, inclusive, of this act.*

35 3. As used in this section, "slow-moving vehicle" means a  
36 vehicle that is traveling at a rate of speed which is less than the  
37 posted speed limit for the highway or portion of the highway upon  
38 which the vehicle is traveling.

39 **Sec. 58.** NRS 484B.650 is hereby amended to read as follows:

40 484B.650 1. A driver commits an offense of aggressive  
41 driving if, during any single, continuous period of driving within the  
42 course of 1 mile, the driver does all the following, in any sequence:

43 (a) Commits one or more acts of speeding in violation of NRS  
44 484B.363 or 484B.600.



1 (b) Commits two or more of the following acts, in any  
2 combination, or commits any of the following acts more than once:

3 (1) Failing to obey an official traffic-control device in  
4 violation of NRS 484B.300.

5 (2) Overtaking and passing another vehicle upon the right by  
6 driving off the paved portion of the highway in violation of  
7 NRS 484B.210.

8 (3) Improper or unsafe driving upon a highway that has  
9 marked lanes for traffic in violation of NRS 484B.223.

10 (4) Following another vehicle too closely in violation of  
11 NRS 484B.127.

12 (5) Failing to yield the right-of-way in violation of any  
13 provision of NRS 484B.250 to 484B.267, inclusive.

14 (c) Creates an immediate hazard, regardless of its duration, to  
15 another vehicle or to another person, whether or not the other person  
16 is riding in or upon the vehicle of the driver or any other vehicle.

17 2. A driver may be prosecuted and convicted of an offense of  
18 aggressive driving in violation of subsection 1 whether or not the  
19 driver is ~~prosecuted or convicted~~ *issued a notice of civil infraction*  
20 *pursuant to section 27 of this act* for committing, *or is found to*  
21 *have committed*, any of the acts described in paragraphs (a) and (b)  
22 of subsection 1.

23 3. A driver who commits an offense of aggressive driving in  
24 violation of subsection 1 is guilty of a misdemeanor and:

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

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

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

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

31 (1) By a fine of not less than \$1,000 but not more than  
32 \$1,500; or

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

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

36 (1) By a fine of not less than \$1,500 but not more than  
37 \$2,000; or

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

40 4. In addition to any other penalty pursuant to subsection 3:

41 (a) For the first offense within 2 years, the court shall order the  
42 driver to attend, at the driver's own expense, a course of traffic  
43 safety approved by the Department and may issue an order  
44 suspending the driver's license of the driver for a period of not more  
45 than 30 days.





1 (b) For a second or subsequent offense within 2 years, the court  
2 shall issue an order revoking the driver's license of the driver for a  
3 period of 1 year.

4 5. To determine whether the provisions of paragraph (a) or (b)  
5 of subsection 4 apply to one or more offenses of aggressive driving,  
6 the court shall use the date on which each offense of aggressive  
7 driving was committed.

8 6. If the driver is already the subject of any other order  
9 suspending or revoking his or her driver's license, the court shall  
10 order the additional period of suspension or revocation, as  
11 appropriate, to apply consecutively with the previous order.

12 7. If the court issues an order suspending or revoking the  
13 driver's license of the driver pursuant to this section, the court shall  
14 require the driver to surrender to the court all driver's licenses then  
15 held by the driver. The court shall, within 5 days after issuing the  
16 order, forward the driver's licenses and a copy of the order to the  
17 Department.

18 8. If the driver successfully completes a course of traffic safety  
19 ordered pursuant to this section, the Department shall cancel three  
20 demerit points from his or her driving record in accordance with  
21 NRS 483.448 or 483.475, as appropriate, unless the driver would  
22 not otherwise be entitled to have those demerit points cancelled  
23 pursuant to the provisions of that section.

24 9. This section does not preclude the suspension or revocation  
25 of the driver's license of the driver, or the suspension of the future  
26 driving privileges of a person, pursuant to any other provision of  
27 law.

28 10. A person who violates any provision of subsection 1 may  
29 be subject to any additional penalty set forth in NRS 484B.130 or  
30 484B.135.

31 **Sec. 59.** NRS 484B.760 is hereby amended to read as follows:

32 484B.760 1. It is a ~~misdemeanor~~ *civil infraction*  
33 *punishable pursuant to sections 24 to 36, inclusive, of this act* for  
34 any person to do any act forbidden or fail to perform any act  
35 required in NRS 484B.768 to 484B.790, inclusive.

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

39 3. The provisions applicable to bicycles, electric bicycles and  
40 electric scooters apply whenever a bicycle, an electric bicycle or an  
41 electric scooter is operated upon any highway or upon any path set  
42 aside for the exclusive use of bicycles, electric bicycles and electric  
43 scooters subject to those exceptions stated herein.



1       **Sec. 60.** NRS 484B.900 is hereby amended to read as follows:  
2       484B.900 No automobile rental agency shall be liable for any  
3 traffic violation arising out of the use of a leased or rented motor  
4 vehicle during the period such motor vehicle is not in the possession  
5 of the agency. This section does not absolve any such agency from  
6 liability for any misdemeanor *or civil infraction punishable*  
7 *pursuant to sections 24 to 36, inclusive, of this act* committed by an  
8 officer, employee or agent of the agency.

9       **Sec. 61.** NRS 484D.285 is hereby amended to read as follows:  
10       484D.285 1. The driver of a vehicle which is equipped with a  
11 device for braking that uses the compression of the engine of the  
12 vehicle shall not use the device at any time unless:

- 13       (a) The device is equipped with an operational muffler; or
- 14       (b) The driver reasonably believes that an emergency requires  
15 the use of the device to protect the physical safety of a person or  
16 others from an immediate threat of physical injury or to protect  
17 against an immediate threat of damage to property.

18       2. A person who violates the provisions of this section is guilty  
19 of a ~~[misdemeanor.]~~ *civil infraction punishable pursuant to*  
20 *sections 24 to 36, inclusive, of this act.*

21       **Sec. 62.** NRS 484D.405 is hereby amended to read as follows:  
22       484D.405 1. It is unlawful for any person to operate or cause  
23 to be operated upon the public highways of the State of Nevada any  
24 out-of-state or foreign privately owned motor vehicle equipped with  
25 a red light or siren attached thereto as a part of the equipment of the  
26 vehicle.

27       2. This section is not intended to repeal, amend or in any  
28 manner change the existing law insofar as it applies to domestic and  
29 foreign motor vehicles except in the particular instance set out in  
30 subsection 1 and this section does not apply to motor vehicles  
31 registered in foreign states having reciprocal arrangements made  
32 with the Department in relation to the use of red lights and sirens  
33 upon out-of-state motor vehicles.

34       3. A violation of the provisions of this section is punishable by  
35 a ~~[fine]~~ *civil penalty* of not more than \$250.

36       **Sec. 63.** NRS 484D.495 is hereby amended to read as follows:  
37       484D.495 1. It is unlawful to drive a passenger car  
38 manufactured after:

39       (a) January 1, 1968, on a highway unless it is equipped with at  
40 least two lap-type safety belt assemblies for use in the front seating  
41 positions.

42       (b) January 1, 1970, on a highway unless it is equipped with a  
43 lap-type safety belt assembly for each permanent seating position  
44 for passengers. This requirement does not apply to the rear seats of  
45 vehicles operated by a police department or sheriff's office.



1 (c) January 1, 1970, unless it is equipped with at least two  
2 shoulder-harness-type safety belt assemblies for use in the front  
3 seating positions.

4 2. Any person driving, and any passenger who:

5 (a) Is 6 years of age or older; or

6 (b) Weighs more than 60 pounds, regardless of age,

7 ↪ who rides in the front or back seat of any vehicle described in  
8 subsection 1, having an unladen weight of less than 10,000 pounds,  
9 on any highway, road or street in this State shall wear a safety belt if  
10 one is available for the seating position of the person or passenger.

11 3. A ~~[citation]~~ *notice of civil infraction* must be issued  
12 *pursuant to section 27 of this act* to any driver or to any adult

13 passenger who fails to wear a safety belt as required by subsection  
14 2. If the passenger is a child who:

15 (a) Is 6 years of age or older but less than 18 years of age,  
16 regardless of weight; or

17 (b) Is less than 6 years of age but who weighs more than 60  
18 pounds,

19 ↪ a ~~[citation]~~ *notice of civil infraction* must be issued *pursuant to*  
20 *section 27 of this act* to the driver for failing to require that child to  
21 wear the safety belt, but if both the driver and that child are not  
22 wearing safety belts, only one ~~[citation]~~ *notice of civil infraction*  
23 may be issued to the driver for both violations. A ~~[citation]~~ *notice of*  
24 *civil infraction* may be issued pursuant to ~~[this-subsection]~~ *section*  
25 *27 of this act* only if the violation is discovered when the vehicle is  
26 halted or its driver arrested for another alleged violation or offense.

27 Any person who violates the provisions of subsection 2 shall be  
28 punished by a ~~[fine]~~ *civil penalty* of not more than \$25 or by a  
29 sentence to perform a certain number of hours of community  
30 service.

31 4. A violation of subsection 2:

32 (a) Is not a moving traffic violation under NRS 483.473.

33 (b) May not be considered as negligence or as causation in any  
34 civil action or as negligent or reckless driving under NRS 484B.653.

35 (c) May not be considered as misuse or abuse of a product or as  
36 causation in any action brought to recover damages for injury to a  
37 person or property resulting from the manufacture, distribution, sale  
38 or use of a product.

39 5. The Department shall exempt those types of motor vehicles  
40 or seating positions from the requirements of subsection 1 when  
41 compliance would be impractical.

42 6. The provisions of subsections 2 and 3 do not apply:

43 (a) To a driver or passenger who possesses a written statement  
44 by a physician or an advanced practice registered nurse certifying



1 that the driver or passenger is unable to wear a safety belt for  
2 medical or physical reasons;

3 (b) If the vehicle is not required by federal law to be equipped  
4 with safety belts;

5 (c) To an employee of the United States Postal Service while  
6 delivering mail in the rural areas of this State;

7 (d) If the vehicle is stopping frequently, the speed of that vehicle  
8 does not exceed 15 miles per hour between stops and the driver or  
9 passenger is frequently leaving the vehicle or delivering property  
10 from the vehicle; or

11 (e) Except as otherwise provided in NRS 484D.500, to a  
12 passenger riding in a means of public transportation, including a  
13 school bus or emergency vehicle.

14 7. It is unlawful for any person to distribute, have for sale,  
15 offer for sale or sell any safety belt or shoulder harness assembly for  
16 use in a motor vehicle unless it meets current minimum standards  
17 and specifications of the United States Department of  
18 Transportation.

19 **Sec. 64.** NRS 484D.540 is hereby amended to read as follows:

20 484D.540 Violation of the provisions of NRS 484D.535 is a  
21 ~~misdeemeanor.~~ *civil infraction punishable pursuant to sections 24*  
22 *to 36, inclusive, of this act.* Whenever any motor vehicle is found  
23 by any peace officer to be in violation of the provisions of NRS  
24 484D.535, and a notice ~~to appear or citation~~ *of civil infraction* is  
25 issued ~~it~~ *pursuant to section 27 of this act,* ~~it~~ *the notice* may  
26 require that the person named therein shall produce in court proof  
27 that such vehicle or its equipment has been made to conform to the  
28 provisions of NRS 484D.535.

29 **Sec. 65.** NRS 484D.620 is hereby amended to read as follows:

30 484D.620 Any person operating or moving any vehicle or  
31 equipment over any highway who violates any length limitation in  
32 this chapter is guilty of a ~~misdeemeanor.~~ *civil infraction*  
33 *punishable pursuant to sections 24 to 36, inclusive, of this act.*

34 **Sec. 66.** NRS 484D.680 is hereby amended to read as follows:

35 484D.680 1. Except as otherwise provided in subsection ~~5,~~  
36 ~~4,~~ a person ~~convicted of~~ *found to have committed* a violation of  
37 any limitation of weight imposed by NRS 484D.615 to 484D.675,  
38 inclusive, shall be punished by a ~~fine~~ *civil penalty* as specified in  
39 the following table:

| Pounds of Excess Weight | <del>Fine</del> <i>Civil Penalty</i> |
|-------------------------|--------------------------------------|
| 1 to 1,500 .....        | \$10                                 |
| 1,501 to 2,500 .....    | 1 cent per pound of excess weight    |
| 2,501 to 5,000 .....    | 2 cents per pound of excess weight   |



Pounds of Excess Weight

~~{Fine}~~ *Civil Penalty*

|                       |                                    |
|-----------------------|------------------------------------|
| 5,001 to 7,500.....   | 4 cents per pound of excess weight |
| 7,501 to 10,000.....  | 6 cents per pound of excess weight |
| 10,001 and over ..... | 8 cents per pound of excess weight |

2. If the resulting ~~{fine}~~ *civil penalty* is not a whole number of dollars, the nearest whole number above the computed amount must be imposed as the ~~{fine.}~~ *civil penalty*.

3. The ~~{fines}~~ *civil penalties* provided in this section are mandatory, must be collected immediately upon ~~{a determination of guilt}~~ *entry of an order imposing the penalty* and must not be reduced under any circumstances by the court.

4. ~~{Any bail allowed must not be less than the appropriate fine provided for in this section.}~~

~~{5.}~~ A person ~~{convicted of}~~ *found to have committed* a violation of a limitation of weight imposed by NRS 484D.615 to 484D.675, inclusive, shall be punished by a ~~{fine}~~ *civil penalty* that is equal to twice the amount of the ~~{fine}~~ *civil penalty* specified in subsection 1 if that violation occurred on or after February 1 but before May 1 on a highway designated by the Director of the Department of Transportation as restricted pursuant to NRS 408.214. This subsection does not create a separate offense but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.

**Sec. 67.** NRS 484D.745 is hereby amended to read as follows:

484D.745 1. It is unlawful for any person to operate or move any vehicle or equipment described in NRS 484D.615 or 484D.685 to 484D.725, inclusive, over any highway without first obtaining a permit, or to violate or evade any of the terms or conditions of the permit when issued. A person violating any of the provisions of NRS 484D.685 to 484D.740, inclusive, is guilty of a ~~{misdemeanor.}~~ *civil infraction punishable pursuant to sections 24 to 36, inclusive, of this act.*

2. Any person operating or moving any vehicle or equipment described in NRS 484D.615 or 484D.685 to 484D.725, inclusive, over any highway under the authorization of a permit for continuous use or multiple trips over a limited time and who violates any weight limitation in excess of the weight authorized by the permit must be punished, upon ~~{conviction.}~~ *being found to have committed the violation*, as provided in NRS 484D.680.

**Sec. 68.** NRS 485.135 is hereby amended to read as follows:

485.135 The Department shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this chapter, which abstract must also fully



1 designate the motor vehicles, if any, registered in the name of that  
2 person, and, if there is no record of any ~~conviction of~~ *violations by*  
3 that person of ~~violating~~ any law relating to the operation of a  
4 motor vehicle or of any injury or damage caused by that person, the  
5 Department shall so certify.

6 **Sec. 69.** NRS 486.171 is hereby amended to read as follows:

7 486.171 **1.** A person shall not authorize or knowingly permit  
8 a motorcycle, except a trimobile, owned by or under the control of  
9 the person to be driven upon any highway by any person who is not  
10 authorized pursuant to NRS 486.011 to 486.381, inclusive, to drive  
11 a motorcycle.

12 **2.** *A person who violates this section is guilty of a*  
13 *misdemeanor.*

14 **Sec. 70.** NRS 486.375 is hereby amended to read as follows:

15 486.375 **1.** A person who:

16 (a) Is a resident of this State or is a member of the Armed Forces  
17 of the United States stationed at a military installation located in  
18 Nevada;

19 (b) Is at least 21 years old;

20 (c) Holds a motorcycle driver's license or a motorcycle  
21 endorsement to a driver's license issued by the Department;

22 (d) Has held a motorcycle driver's license or endorsement for at  
23 least 2 years; and

24 (e) Is certified as an instructor of motorcycle riders by a  
25 nationally recognized public or private organization which is  
26 approved by the Director,

27 ↪ may apply to the Department for a license as an instructor for the  
28 Program.

29 **2.** The Department shall not license a person as an instructor if,  
30 within 2 years before the person submits an application for a license:

31 (a) The person has accumulated three or more demerit points  
32 pursuant to the uniform system of demerit points established  
33 pursuant to NRS 483.473, or has been convicted of *, or found to*  
34 *have committed*, traffic violations of comparable number and  
35 severity in another jurisdiction; or

36 (b) The person's driver's license was suspended or revoked in  
37 any jurisdiction.

38 **3.** The Director shall adopt standards and procedures for the  
39 licensing of instructors for the Program.

40 **Sec. 71.** NRS 486.381 is hereby amended to read as follows:

41 486.381 Any person violating any provisions of NRS 486.011  
42 to 486.361, inclusive, is guilty of a ~~misdemeanor.~~ *civil infraction*  
43 *unless a provision of those sections specifically provides that a*  
44 *particular violation is a misdemeanor, gross misdemeanor or*  
45 *felony.*



1       **Sec. 72.** NRS 490.520 is hereby amended to read as follows:  
2       490.520 1. It is a gross misdemeanor for any person  
3 knowingly to falsify:

4       (a) An off-highway vehicle dealer's report of sale, as described  
5 in NRS 490.440; or

6       (b) An application or document to obtain any license, permit,  
7 certificate of title or registration issued under the provisions of this  
8 chapter.

9       2. *It is a misdemeanor for any person to violate any of the*  
10 *provisions of NRS 490.200 to 490.450, inclusive.*

11       3. Except as otherwise provided in subsections ~~[3]~~ 4 and ~~[4,]~~ 5,  
12 it is a ~~[misdemeanor]~~ *civil infraction punishable pursuant to*  
13 *sections 24 to 36, inclusive, of this act* for any person to violate any  
14 of the provisions of this chapter unless the violation is by this  
15 section or other provision of this chapter or other law of this State  
16 declared to be a *misdemeanor*, gross misdemeanor or ~~[a]~~ felony.

17       ~~[3-]~~ 4. Except as otherwise provided in subsection ~~[4,]~~ 5, a  
18 person who violates a provision of this chapter relating to the  
19 registration or operation of an off-highway vehicle is guilty of a  
20 ~~[misdemeanor]~~ *civil infraction punishable pursuant to sections 24*  
21 *to 36, inclusive, of this act* and shall be punished by a ~~[fine]~~ *civil*  
22 *penalty* not to exceed \$100.

23       ~~[4-]~~ 5. Any person who registers a large all-terrain vehicle  
24 pursuant to NRS 490.0825 and who:

25       (a) Operates or knowingly permits the operation of the vehicle  
26 without having insurance as required by NRS 490.0825;

27       (b) Operates or knowingly permits the operation of the vehicle  
28 without having evidence of insurance of the vehicle in the  
29 possession of the operator of the vehicle; or

30       (c) Fails or refuses to surrender, upon demand, to a peace officer  
31 or to an authorized representative of the Department the evidence of  
32 insurance,

33       ↪ is guilty of a ~~[misdemeanor]~~ *civil infraction punishable*  
34 *pursuant to sections 24 to 36, inclusive, of this act* and shall be  
35 punished by a ~~[fine]~~ *civil penalty* not to exceed \$100.

36       **Sec. 73.** NRS 4.355 is hereby amended to read as follows:

37       4.355 1. A justice of the peace in a township whose  
38 population is 40,000 or more may appoint a referee to take  
39 testimony and recommend orders and a judgment:

40       (a) In any action filed pursuant to NRS 73.010;

41       (b) In any action filed pursuant to NRS 33.200 to 33.360,  
42 inclusive;

43       (c) In any action for a misdemeanor constituting a violation of  
44 chapters 484A to 484E, inclusive, of NRS, except NRS 484C.110 or  
45 484C.120; ~~[or]~~



1 (d) In any action for a misdemeanor constituting a violation of a  
2 county traffic ordinance ~~H~~; or

3 (e) *In any action to determine whether a person has committed*  
4 *a civil infraction punishable pursuant to sections 24 to 36,*  
5 *inclusive, of this act.*

6 2. The referee must meet the qualifications of a justice of the  
7 peace as set forth in NRS 4.010.

8 3. The referee:

9 (a) Shall take testimony;

10 (b) Shall make findings of fact, conclusions of law and  
11 recommendations for an order or judgment;

12 (c) May, subject to confirmation by the justice of the peace,  
13 enter an order or judgment; and

14 (d) Has any other power or duty contained in the order of  
15 reference issued by the justice of the peace.

16 4. The findings of fact, conclusions of law and  
17 recommendations of the referee must be furnished to each party or  
18 his or her attorney at the conclusion of the proceeding or as soon  
19 thereafter as possible. Within 5 days after receipt of the findings of  
20 fact, conclusions of law and recommendations, a party may file a  
21 written objection. If no objection is filed, the court shall accept the  
22 findings, unless clearly erroneous, and the judgment may be entered  
23 thereon. If an objection is filed within the 5-day period, the justice  
24 of the peace shall review the matter by trial de novo, except that if  
25 all of the parties so stipulate, the review must be confined to the  
26 record.

27 5. A referee must be paid one-half of the hourly compensation  
28 of a justice of the peace.

29 **Sec. 74.** NRS 4.370 is hereby amended to read as follows:

30 4.370 1. Except as otherwise provided in subsection 2, justice  
31 courts have jurisdiction of the following civil actions and  
32 proceedings and no others except as otherwise provided by specific  
33 statute:

34 (a) In actions arising on contract for the recovery of money only,  
35 if the sum claimed, exclusive of interest, does not exceed \$15,000.

36 (b) In actions for damages for injury to the person, or for taking,  
37 detaining or injuring personal property, or for injury to real property  
38 where no issue is raised by the verified answer of the defendant  
39 involving the title to or boundaries of the real property, if the  
40 damage claimed does not exceed \$15,000.

41 (c) Except as otherwise provided in paragraph (1), in actions for  
42 a fine, penalty or forfeiture not exceeding \$15,000, given by statute  
43 or the ordinance of a county, city or town, where no issue is raised  
44 by the answer involving the legality of any tax, impost, assessment,  
45 toll or municipal fine.





1 (d) In actions upon bonds or undertakings conditioned for the  
2 payment of money, if the sum claimed does not exceed \$15,000,  
3 though the penalty may exceed that sum. Bail bonds and other  
4 undertakings posted in criminal matters may be forfeited regardless  
5 of amount.

6 (e) In actions to recover the possession of personal property, if  
7 the value of the property does not exceed \$15,000.

8 (f) To take and enter judgment on the confession of a defendant,  
9 when the amount confessed, exclusive of interest, does not exceed  
10 \$15,000.

11 (g) Of actions for the possession of lands and tenements where  
12 the relation of landlord and tenant exists, when damages claimed do  
13 not exceed \$15,000 or when no damages are claimed.

14 (h) Of actions when the possession of lands and tenements has  
15 been unlawfully or fraudulently obtained or withheld, when  
16 damages claimed do not exceed \$15,000 or when no damages are  
17 claimed.

18 (i) Of suits for the collection of taxes, where the amount of the  
19 tax sued for does not exceed \$15,000.

20 (j) Of actions for the enforcement of mechanics' liens, where the  
21 amount of the lien sought to be enforced, exclusive of interest, does  
22 not exceed \$15,000.

23 (k) Of actions for the enforcement of liens of owners of facilities  
24 for storage, where the amount of the lien sought to be enforced,  
25 exclusive of interest, does not exceed \$15,000.

26 (l) In actions for a ~~fine~~ *civil penalty* imposed for a violation of  
27 NRS 484D.680.

28 (m) Except as otherwise provided in this paragraph, in any  
29 action for the issuance of a temporary or extended order for  
30 protection against domestic violence pursuant to NRS 33.020. A  
31 justice court does not have jurisdiction in an action for the issuance  
32 of a temporary or extended order for protection against domestic  
33 violence:

34 (1) In a county whose population is 100,000 or more and less  
35 than 700,000;

36 (2) In any township whose population is 100,000 or more  
37 located within a county whose population is 700,000 or more; or

38 (3) If a district court issues a written order to the justice court  
39 requiring that further proceedings relating to the action for the  
40 issuance of the order for protection be conducted before the district  
41 court.

42 (n) Except as otherwise provided in this paragraph, in any action  
43 for the issuance of an ex parte or extended order for protection  
44 against high-risk behavior pursuant to NRS 33.570 or 33.580. A  
45 justice court does not have jurisdiction in an action for the issuance



1 of an ex parte or extended order for protection against high-risk  
2 behavior:

3 (1) In a county whose population is 100,000 or more but less  
4 than 700,000;

5 (2) In any township whose population is 100,000 or more  
6 located within a county whose population is 700,000 or more; or

7 (3) If a district court issues a written order to the justice court  
8 requiring that further proceedings relating to the action for the  
9 issuance of the order for protection be conducted before the district  
10 court.

11 (o) In an action for the issuance of a temporary or extended  
12 order for protection against harassment in the workplace pursuant to  
13 NRS 33.200 to 33.360, inclusive.

14 (p) In small claims actions under the provisions of chapter 73 of  
15 NRS.

16 (q) In actions to contest the validity of liens on mobile homes or  
17 manufactured homes.

18 (r) In any action pursuant to NRS 200.591 for the issuance of a  
19 protective order against a person alleged to be committing the crime  
20 of stalking, aggravated stalking or harassment.

21 (s) In any action pursuant to NRS 200.378 for the issuance of a  
22 protective order against a person alleged to have committed the  
23 crime of sexual assault.

24 (t) In actions transferred from the district court pursuant to  
25 NRS 3.221.

26 (u) In any action for the issuance of a temporary or extended  
27 order pursuant to NRS 33.400.

28 (v) In any action seeking an order pursuant to NRS 441A.195.

29 (w) *In any action to determine whether a person has*  
30 *committed a civil infraction punishable pursuant to sections 24 to*  
31 *36, inclusive, of this act.*

32 2. The jurisdiction conferred by this section does not extend to  
33 civil actions, other than for forcible entry or detainer, in which the  
34 title of real property or mining claims or questions affecting the  
35 boundaries of land are involved.

36 3. Justice courts have jurisdiction of all misdemeanors and no  
37 other criminal offenses except as otherwise provided by specific  
38 statute. Upon approval of the district court, a justice court may  
39 transfer original jurisdiction of a misdemeanor to the district court  
40 for the purpose of assigning an offender to a program established  
41 pursuant to NRS 176A.250 or, if the justice court has not  
42 established a program pursuant to NRS 176A.280, to a program  
43 established pursuant to that section.



1 4. Except as otherwise provided in subsections 5 and 6, in  
2 criminal cases the jurisdiction of justices of the peace extends to the  
3 limits of their respective counties.

4 5. In the case of any arrest made by a member of the Nevada  
5 Highway Patrol, the jurisdiction of the justices of the peace extends  
6 to the limits of their respective counties and to the limits of all  
7 counties which have common boundaries with their respective  
8 counties.

9 6. Each justice court has jurisdiction of any violation of a  
10 regulation governing vehicular traffic on an airport within the  
11 township in which the court is established.

12 **Sec. 75.** NRS 5.050 is hereby amended to read as follows:

13 5.050 1. Municipal courts have jurisdiction of civil actions or  
14 proceedings:

15 (a) For the violation of any ordinance of their respective cities.

16 (b) *To determine whether a person has committed a civil*  
17 *infraction punishable pursuant to sections 24 to 36, inclusive, of*  
18 *this act.*

19 (c) To prevent or abate a nuisance within the limits of their  
20 respective cities.

21 2. Except as otherwise provided in subsection 2 of NRS  
22 173.115, the municipal courts have jurisdiction of all misdemeanors  
23 committed in violation of the ordinances of their respective cities.  
24 Upon approval of the district court, a municipal court may transfer  
25 original jurisdiction of a misdemeanor to the district court for the  
26 purpose of assigning an offender to a program established pursuant  
27 to NRS 176A.250 or, if the municipal court has not established a  
28 program pursuant to NRS 176A.280, to a program established  
29 pursuant to that section.

30 3. The municipal courts have jurisdiction of:

31 (a) Any action for the collection of taxes or assessments levied  
32 for city purposes, when the principal sum thereof does not exceed  
33 \$2,500.

34 (b) Actions to foreclose liens in the name of the city for the  
35 nonpayment of those taxes or assessments when the principal sum  
36 claimed does not exceed \$2,500.

37 (c) Actions for the breach of any bond given by any officer or  
38 person to or for the use or benefit of the city, and of any action for  
39 damages to which the city is a party, and upon all forfeited  
40 recognizances given to or for the use or benefit of the city, and upon  
41 all bonds given on appeals from the municipal court in any of the  
42 cases named in this section, when the principal sum claimed does  
43 not exceed \$2,500.

44 (d) Actions for the recovery of personal property belonging to  
45 the city, when the value thereof does not exceed \$2,500.



1 (e) Actions by the city for the collection of any damages, debts  
2 or other obligations when the amount claimed, exclusive of costs or  
3 attorney's fees, or both if allowed, does not exceed \$2,500.

4 (f) Actions seeking an order pursuant to NRS 441A.195.

5 4. Nothing contained in subsection 3 gives the municipal court  
6 jurisdiction to determine any such cause when it appears from the  
7 pleadings that the validity of any tax, assessment or levy, or title to  
8 real property, is necessarily an issue in the cause, in which case the  
9 court shall certify the cause to the district court in like manner and  
10 with the same effect as provided by law for certification of causes  
11 by justice courts.

12 **Sec. 76.** NRS 17.150 is hereby amended to read as follows:

13 17.150 1. Immediately after filing a judgment roll, the clerk  
14 shall make the proper entries of the judgment, under appropriate  
15 heads, in the docket kept by the clerk, noting thereon the hour and  
16 minutes of the day of such entries.

17 2. A transcript of the original docket or an abstract or copy of  
18 any judgment or decree of a district court of the State of Nevada or  
19 the District Court or other court of the United States in and for the  
20 District of Nevada, the enforcement of which has not been stayed on  
21 appeal, certified by the clerk of the court where the judgment or  
22 decree was rendered, may be recorded in the office of the county  
23 recorder in any county, and when so recorded it becomes a lien upon  
24 all the real property of the judgment debtor not exempt from  
25 execution in that county, owned by the judgment debtor at the time,  
26 or which the judgment debtor may afterward acquire, until the lien  
27 expires. ~~[The]~~ *Except as otherwise provided in section 36 of this*  
28 *act, the* lien continues for 6 years after the date the judgment or  
29 decree was docketed, and is continued each time the judgment or  
30 decree is renewed, unless:

31 (a) The enforcement of the judgment or decree is stayed on  
32 appeal by the execution of a sufficient undertaking as provided in  
33 the Nevada Rules of Appellate Procedure or by the Statutes of the  
34 United States, in which case the lien of the judgment or decree and  
35 any lien by virtue of an attachment that has been issued and levied  
36 in the actions ceases;

37 (b) The judgment is for arrearages in the payment of child  
38 support, in which case the lien continues until the judgment is  
39 satisfied;

40 (c) The judgment is satisfied; or

41 (d) The lien is otherwise discharged.

42 ↪ The time during which the execution of the judgment is  
43 suspended by appeal, action of the court or defendant must not be  
44 counted in computing the time of expiration.

45 3. The abstract described in subsection 2 must contain the:



- 1 (a) Title of the court and the title and number of the action;
- 2 (b) Date of entry of the judgment or decree;
- 3 (c) Names of the judgment debtor and judgment creditor;
- 4 (d) Amount of the judgment or decree; and
- 5 (e) Location where the judgment or decree is entered in the
- 6 minutes or judgment docket.

7 4. In addition to recording the information described in  
8 subsection 2, a judgment creditor who records a judgment or decree  
9 for the purpose of creating a lien upon the real property of the  
10 judgment debtor pursuant to subsection 2 shall record at that time an  
11 affidavit of judgment stating:

- 12 (a) The name and address of the judgment debtor;
- 13 (b) If the judgment debtor is a natural person:
  - 14 (1) The last four digits of the judgment debtor's driver's
  - 15 license number or identification card number and the state of
  - 16 issuance; or

- 17 (2) The last four digits of the judgment debtor's social
- 18 security number;

- 19 (c) If the lien is against real property which the judgment debtor
- 20 owns at the time the affidavit of judgment is recorded, the assessor's
- 21 parcel number and the address of the real property and a statement
- 22 that the judgment creditor has confirmed that the judgment debtor is
- 23 the legal owner of that real property; and

- 24 (d) If a manufactured home or mobile home is included within
- 25 the lien, the location and serial number of the manufactured home or
- 26 mobile home and a statement that the judgment creditor has
- 27 confirmed that the judgment debtor is the legal owner of the
- 28 manufactured home or mobile home.

29 ➔ All information included in an affidavit of judgment recorded  
30 pursuant to this subsection must be based on the personal  
31 knowledge of the affiant, and not upon information and belief.

32 5. As used in this section:

- 33 (a) "Manufactured home" has the meaning ascribed to it in
- 34 NRS 489.113.

- 35 (b) "Mobile home" has the meaning ascribed to it in
- 36 NRS 489.120.

37 **Sec. 77.** NRS 17.214 is hereby amended to read as follows:

38 17.214 1. ~~[A]~~ ***Except as otherwise provided in section 36 of***  
39 ***this act, a*** judgment creditor or a judgment creditor's successor in  
40 interest may renew a judgment which has not been paid by:

- 41 (a) Filing an affidavit with the clerk of the court where the
- 42 judgment is entered and docketed, within 90 days before the date the
- 43 judgment expires by limitation. The affidavit must be titled as an
- 44 "Affidavit of Renewal of Judgment" and must specify:



1 (1) The names of the parties and the name of the judgment  
2 creditor's successor in interest, if any, and the source and succession  
3 of his or her title;

4 (2) If the judgment is recorded, the name of the county and  
5 the document number or the number and the page of the book in  
6 which it is recorded;

7 (3) The date and the amount of the judgment and the number  
8 and page of the docket in which it is entered;

9 (4) Whether there is an outstanding writ of execution for  
10 enforcement of the judgment;

11 (5) The date and amount of any payment on the judgment;

12 (6) Whether there are any setoffs or counterclaims in favor of  
13 the judgment debtor and the amount or, if a setoff or counterclaim is  
14 unsettled or undetermined it will be allowed as payment or credit on  
15 the judgment;

16 (7) The exact amount due on the judgment;

17 (8) If the judgment was docketed by the clerk of the court  
18 upon a certified copy from any other court, and an abstract recorded  
19 with the county clerk, the name of each county in which the  
20 transcript has been docketed and the abstract recorded; and

21 (9) Any other fact or circumstance necessary to a complete  
22 disclosure of the exact condition of the judgment.

23 ➤ All information in the affidavit must be based on the personal  
24 knowledge of the affiant, and not upon information and belief.

25 (b) If the judgment is recorded, recording the affidavit of  
26 renewal in the office of the county recorder in which the original  
27 judgment is filed within 3 days after the affidavit of renewal is filed  
28 pursuant to paragraph (a).

29 2. The filing of the affidavit renews the judgment to the extent  
30 of the amount shown due in the affidavit.

31 3. The judgment creditor or the judgment creditor's successor  
32 in interest shall notify the judgment debtor of the renewal of the  
33 judgment by sending a copy of the affidavit of renewal by certified  
34 mail, return receipt requested, to the judgment debtor at his or her  
35 last known address within 3 days after filing the affidavit.

36 4. Successive affidavits for renewal may be filed within 90  
37 days before the preceding renewal of the judgment expires by  
38 limitation.

39 **Sec. 78.** NRS 62A.220 is hereby amended to read as follows:

40 62A.220 "Minor traffic offense" means a violation of any state  
41 or local law or ordinance governing the operation of a motor vehicle  
42 upon any highway within this State other than:

43 1. A violation of chapters 484A to 484E, inclusive, or 706 of  
44 NRS that causes the death of a person;

45 2. A violation of NRS 484C.110 or 484C.120; ~~or~~



1 3. A violation declared to be a felony ~~[ ]~~; or  
2 4. *A violation of a provision of chapters 483 to 484E,*  
3 *inclusive, 486 or 490 of NRS that is punishable as a civil*  
4 *infraction pursuant to sections 24 to 36, inclusive, of this act.*

5 **Sec. 79.** NRS 62B.380 is hereby amended to read as follows:

6 62B.380 1. ~~[If a child is charged with a minor traffic offense,~~  
7 ~~the] The juvenile court has exclusive jurisdiction over proceedings~~  
8 ~~concerning a child who commits a minor traffic offense or who~~  
9 ~~violates a provision of chapters 483 to 484E, inclusive, 486 or 490~~  
10 ~~of NRS that is punishable as a civil infraction pursuant to sections~~  
11 ~~24 to 36, inclusive, of this act. [may transfer the case and record to a~~  
12 ~~Justice Court or municipal court if the juvenile court determines that~~  
13 ~~the transfer is in the best interests of the child.]~~

14 2. ~~[If a case is transferred pursuant to this section:~~

15 ~~—(a) The restrictions set forth in NRS 62C.030 are applicable in~~  
16 ~~those proceedings; and~~

17 ~~—(b) A parent or guardian must accompany the child at all~~  
18 ~~proceedings.~~

19 ~~3. If the juvenile court transfers a case and record to a Justice~~  
20 ~~Court or municipal court pursuant to this section, the Justice Court~~  
21 ~~or municipal court may transfer the case and record back to the~~  
22 ~~juvenile court with the consent of the juvenile court.] If a case~~  
23 ~~concerns a child who is alleged to have violated a provision of~~  
24 ~~chapters 483 to 484E, inclusive, 486 or 490 of NRS that is~~  
25 ~~punishable as a civil infraction pursuant to sections 24 to 36,~~  
26 ~~inclusive, of this act, the child must not be treated as a child~~  
27 ~~alleged to be in need of supervision or delinquent and the juvenile~~  
28 ~~court must not adjudicate the child to be in need of supervision or~~  
29 ~~delinquent. If the juvenile court finds that the child committed the~~  
30 ~~violation, the juvenile court must impose the civil penalty~~  
31 ~~authorized by the applicable provision of law.~~

32 **Sec. 80.** 1. The legislature hereby finds and declares that:

33 (a) In *Lapinski v. State*, 84 Nev. 611, 613 (1968), the Nevada  
34 Supreme Court held that “the power to define crimes and penalties  
35 lies exclusively in the legislature.”

36 (b) The Nevada Supreme Court has further held in *Tellis v.*  
37 *State*, 84 Nev. 587, 591 (1968), *Sparkman v. State*, 95 Nev. 76, 82  
38 (1979) and *State v. Dist. Ct. (Pullin)*, 124 Nev. 564, 567-68 (2008),  
39 that the penalty for a crime is determined by the law in effect at the  
40 time the offender committed the crime and not the law in effect at  
41 the time the offender is sentenced unless the Legislature has  
42 expressed its clear intent that a statute ameliorating the penalty  
43 apply retroactively.

44 (c) The imposition of criminal penalties for certain minor traffic  
45 and related offenses is overly burdensome because it threatens



1 persons with criminal penalties, including imprisonment in county  
2 jail, for failure to pay fines, assessments and fees imposed in  
3 connection with relatively minor offenses.

4 (d) For those reasons, the Legislature is exercising its exclusive  
5 power to define the acts which subject a person to criminal penalties  
6 by making certain minor traffic and related offenses no longer  
7 subject to criminal penalties and, instead, imposing civil penalties  
8 for those offenses.

9 (e) It is unfair and unequal to impose criminal penalties on a  
10 person who is alleged to have committed a minor traffic or related  
11 offense but who has not been convicted of that offense before  
12 January 1, 2023, while a person who commits the same act on or  
13 after January 1, 2023, is subject to civil penalties rather than  
14 criminal penalties.

15 (f) To ensure the fair and equal treatment of persons who are  
16 alleged to have committed a minor traffic or related offense but who  
17 have not been convicted of that offense before January 1, 2023, and  
18 persons who commit such an offense on or after January 1, 2023,  
19 the Legislature hereby expresses its intent that the penalties set forth  
20 in this act be applied retroactively to any person who has not been  
21 convicted of an offense before January 1, 2023.

22 2. Except as otherwise provided in this section, the provisions  
23 of this act apply to a violation of any provision of law that pursuant  
24 to a provision of this act is punishable as a civil infraction pursuant  
25 to sections 24 to 36, inclusive, of this act if the violation occurred  
26 before, on or after January 1, 2023. The provisions of this act do not  
27 apply to any violation of law for which a person was convicted  
28 before January 1, 2023.

29 3. Each court in this State shall cancel each outstanding bench  
30 warrant issued for a person who failed to appear in court in response  
31 to a traffic citation issued before January 1, 2023, for a violation of  
32 law that pursuant to the provisions of this act is punishable as a civil  
33 infraction pursuant to sections 24 to 36, inclusive, of this act.

34 4. The Central Repository for Nevada Records of Criminal  
35 History shall remove from each database or compilation of records  
36 of criminal history maintained by the Central Repository all records  
37 of bench warrants issued for a person who failed to appear in court  
38 in response to a traffic citation issued before January 1, 2023, for a  
39 violation of law that pursuant to the provisions of this act is  
40 punishable as a civil infraction pursuant to sections 24 to 36,  
41 inclusive, of this act.

42 **Sec. 81.** 1. This section becomes effective upon passage and  
43 approval.

44 2. Sections 1 to 80, inclusive, of this act become effective:





- 1 (a) Upon passage and approval for the purpose of adopting any
- 2 regulations and performing any other preparatory administrative
- 3 tasks that are necessary to carry out the provisions of this act; and
- 4 (b) On January 1, 2023, for all other purposes.

