

Amendment No. 311

Assembly Amendment to Assembly Bill No. 116	(BDR 43-491)
Proposed by: Assembly Committee on Judiciary	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION	Initial and Date		SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>
Receded <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/>	Not <input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



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 to driver’s
2 licenses, any traffic law or ordinance, any provision of existing law governing motorcycles or
3 any provision of existing law relating to off-highway vehicles is a misdemeanor, unless a
4 different penalty is prescribed for the violation by a specific statute. (NRS 483.530, 483.620,
5 484A.900, 486.381, 490.520) **Sections 14, 22, 40, 71 and 72** of this bill provide that a
6 violation of any provision of these existing laws is a civil infraction unless a criminal penalty
7 is prescribed for the violation by a specific statute. **Sections 5, ~~15-21, 41-41.7, 44,~~**
8 **~~45, 47.3, 47.7, 49, 60.5, 67.2-67.8, 69 and 72~~** of this bill maintain the designation of certain
9 traffic and related offenses as misdemeanors. **Sections ~~51-56~~ 51 and 53-56** of this bill revise
10 the penalties for speeding. **Sections ~~46, 47, 47.5, 48, 50, 52, 57, 59-61,~~ 59, 60,**
11 **~~61, 64, 65 and 67~~** of this bill specifically designate certain traffic and related violations as
12 civil infractions. **Sections 37, 69.5 and 71.5 of this bill prohibit a local authority from**
13 **enacting any ordinance that provides a criminal penalty for certain traffic and related**
14 **offenses for which the penalty prescribed by law is a civil penalty.**
15 **Sections ~~1.5, 4, 6-8, 10, 13, 37-39,~~ 37, 39, 42, 43, 58, 68, 70 ~~and 76-78,~~ 76, 77**
16 **and 78** of this bill make conforming changes by including references to the new civil
17 infraction system where necessary. **Sections 2, 3, 55, 62, 63 and 66** of this bill make
18 conforming changes by substituting the term “civil penalty” for “fine” and the term ~~notice~~
19 ~~of~~ **“civil infraction, ~~for~~ citation”** for “citation.” **Section 1 of this bill defines the term “civil**

20 infraction” for purposes of the provisions of law relating to certain traffic and related
21 offenses.

22 Sections 9, 11 and 12 of this bill provide that, for the purposes of a person’s driving
23 record, the commission of a traffic or related violation that is punishable as a civil infraction
24 pursuant to this bill is treated the same as a conviction for a traffic or related violation under
25 existing law.

26 Sections ~~23-36~~ 24-36.7 of this bill enact procedures for the imposition of a civil penalty
27 against a person who violates a provision of law that is punishable as a civil infraction
28 pursuant to this bill.

29 Section 24 of this bill requires each traffic enforcement agency in this State to provide
30 ~~notices of~~ civil infraction citations that a peace officer or, in certain circumstances, a
31 prosecuting attorney, may issue to a person who has allegedly committed the civil infraction.

32 Section 26 of this bill authorizes a peace officer who has reasonable cause to believe that a
33 person has violated a provision of law punishable as a civil infraction pursuant to this bill to
34 halt and detain the person as is reasonably necessary to investigate the alleged violation and
35 ~~serve~~ issue a ~~notice of~~ civil infraction citation for the alleged violation, and section 28 of
36 this bill requires a peace officer who has stopped a driver for such an alleged violation to
37 demand proof of the insurance required to be maintained by existing law. Section 26 also
38 provides that after a person is halted and detained for such purposes, the peace officer is
39 authorized to: (1) detain the person if the person is suspected of criminal behavior or of
40 violating conditions of parole or probation; (2) search the person to determine whether
41 the person has a weapon and take any other lawful action; and (3) arrest the person if
42 probable cause exists for the arrest. Section 26 additionally provides that if the person is
43 arrested for an offense that arises out of the same facts and circumstances as the civil
44 infraction and is punishable as a misdemeanor, the offense and civil infraction may be
45 included on the same criminal complaint. Section 27 of this bill specifies the information
46 that is required to be provided in the ~~notice of~~ civil infraction citation issued to the person
47 who allegedly committed the civil infraction. Sections 25 and 29 of this bill provide that
48 when the ~~peace officer~~ original or a copy of the civil infraction citation is manually or
49 electronically ~~files the original or a copy of the notice of civil infraction~~ filed with a court
50 having jurisdiction over the alleged violation or with its traffic violations bureau, the ~~notice~~
51 citation is a complaint for the purposes of initiating a civil case.

52 Section 30 of this bill requires a person to respond to a ~~notice of~~ civil infraction citation
53 not later than 90 ~~judicial~~ calendar days after it has been issued by not contesting the ~~notice~~
54 citation and paying all monetary penalties and assessments specified in the ~~notice of~~ citation
55 or requesting a hearing to contest whether the person committed the violation set forth in the
56 ~~notice or requesting a hearing to explain mitigating circumstances surrounding the violation of~~
57 citation. Under section 30, the court is required to send to the person, not less than 30
58 days before the deadline for the person to respond to the civil infraction citation, a
59 reminder that the person must respond within 90 days after the date on which the civil
60 infraction citation is issued. Section 30 also provides that if a person does not respond to a
61 ~~notice of~~ civil infraction citation within 90 ~~judicial~~ calendar days after it has been issued,
62 ~~the court is required to notify the person of the failure to respond. If the person does not~~
63 ~~respond to the notice of civil infraction within 30 judicial days after receipt of the notice of the~~
64 ~~failure to respond,~~ the court is required to find that the person committed the civil infraction
65 and assess a monetary penalty and administrative assessments against the person ~~Sections~~
66 and require the person to pay certain expenses for witnesses that are authorized by
67 section 77.5 of this bill. Section 31 ~~and 32~~ of this bill ~~respectively, establish~~ establishes
68 the procedures for a hearing at which a person may contest whether he or she committed the
69 violation and ~~a hearing at which a person may explain mitigating circumstances surrounding~~
70 ~~the violation. Section 33 of this bill makes the Nevada Rules of Civil Procedure inapplicable~~
71 ~~to these hearings.~~ generally requires the person to post a bond in an amount equal to the
72 monetary penalty, administrative assessments and fees specified in the civil infraction
73 citation or alternatively deposit such an amount in cash with the court. Section 38.5 of
74 this bill authorizes a person who was issued a civil infraction citation and certain peace
75 officers to use a system established by a court or its traffic violations bureau to perform
76 certain authorized actions such as making a plea, stating a defense or mitigating
77 circumstances or submitting a written statement, as applicable, by mail, electronic mail,

78 over the Internet or by other electronic means in lieu of taking such actions or making a
79 statement at the hearing.

80 Section 34 of this bill: (1) establishes a maximum civil penalty of \$500 for a violation of
81 law punishable as a civil infraction pursuant to this bill and ~~provides~~ generally requires that
82 any such civil penalty collected ~~by a justice court~~ for a violation of a law of this State must
83 be ~~deposited into the State Permanent School Fund;~~ paid to the treasurer of the city in
84 which the civil infraction occurred or, if the civil infraction did not occur in a city, the
85 treasurer of the county in which the civil infraction occurred; (2) requires the court to
86 order the person who committed the civil infraction to pay an administrative assessment in the
87 same amount that the person would have been required to pay if the violation were a criminal
88 offense; (3) authorizes a court to waive or reduce civil penalties and administrative
89 assessments imposed for a civil infraction or enter into a payment plan under certain
90 circumstances; ~~and~~ (4) authorizes a court to order a person to attend a course of traffic safety
91 approved by the Department of Motor Vehicles ; and (5) authorizes a court to reduce any
92 moving violation for which a person was issued a civil infraction citation to a nonmoving
93 violation under certain circumstances. Section 35 of this bill authorizes the court to order a
94 person who has committed a violation of law punishable as a civil infraction pursuant to this
95 bill to perform community service under certain circumstances. Section 36 of this bill
96 authorizes a court and the appropriate city or county to take certain actions to collect a civil
97 penalty or any administrative assessment or fee associated with the civil penalty.

98 Section 36.3 of this bill authorizes a prosecuting attorney to elect to treat certain
99 traffic and related offenses that are punishable as a misdemeanor instead as a civil
100 infraction and establishes the actions a prosecuting attorney is required to take when
101 making such an election. Section 36.7 of this bill provides that if a person commits
102 certain traffic or related offenses while the person is under the influence of alcohol or a
103 controlled substance, the person may instead be charged with a misdemeanor.

104 Section 38 of this bill prohibits a governmental entity or any agent thereof from
105 using photographic, video or digital equipment for the purpose of gathering evidence for
106 the issuance of a civil infraction citation for a violation of a traffic law unless such
107 equipment is: (1) a portable event recording device worn or held by a peace officer; (2)
108 installed in a vehicle or a facility of a law enforcement agency; or (3) privately owned by
109 a nongovernmental entity.

110 Sections 74 and 75 of this bill grant to justice and municipal courts jurisdiction to hear
111 and dispose of violations of law that are punishable as civil infractions pursuant to this bill.
112 ~~Section~~ Sections 73 and 74.5 of this bill ~~authorizes~~ , respectively, authorize certain
113 justice courts and municipal courts to appoint referees and hearing masters, as applicable,
114 to take testimony and recommend orders and judgments to the justice of the peace or
115 municipal court in cases involving a violation of law that is punishable as a civil infraction
116 pursuant to this bill. Section 80.5 of this bill requires justice courts and municipal courts,
117 on or before January 1, 2023, to adopt rules governing the practice and procedure for
118 any action initiated relating to a provision of law that is punishable as a civil infraction
119 pursuant to this bill.

120 ~~Section 79 of this bill establishes provisions governing the hearing and disposition of civil~~
121 ~~infractions committed by juveniles.~~

122 Section 80 of this bill provides that the amendatory provisions of this bill generally apply
123 ~~retroactively~~ to any ~~person who has committed an offense for which this bill establishes a~~
124 ~~civil penalty, unless the person was convicted of the~~ offense ~~before~~ committed on or after
125 January 1, 2023 ~~;~~ , however, the provisions of section 36.3 apply to any offense
126 committed before, on or after January 1, 2023. Section 80 also provides that if a person
127 commits an offense before January 1, 2023, that is punishable as a civil infraction on or
128 after January 1, 2023, the person who committed the offense cannot be arrested for the
129 offense on or after January 1, 2023. Section 80 further requires: (1) each court in this State
130 to cancel each outstanding bench warrant issued by the court for a person who failed to appear
131 in the court in response to a citation issued for an offense for which this bill establishes a civil
132 penalty; and (2) the Central Repository for Nevada Records of Criminal History to remove
133 from each database or compilation of records of criminal history maintained by the Central
134 Repository all records of bench warrants issued for a person who failed to appear in court in
135 response to a citation for an offense for which this bill establishes a civil penalty.

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

Section 1. NRS 481.015 is hereby amended to read as follows:

481.015 1. Except as otherwise provided in this subsection, as used in this title, unless the context otherwise requires, “certificate of title” means the document issued by the Department that identifies the legal owner of a vehicle and contains the information required pursuant to subsection 2 of NRS 482.245. The definition set forth in this subsection does not apply to chapters 488 and 489 of NRS.

2. Except as otherwise provided in chapter 480 of NRS, NRS 484C.600 to 484C.640, inclusive, 486.363 to 486.375, inclusive, and chapter 488 of NRS, as used in this title, unless the context otherwise requires:

(a) “Department” means the Department of Motor Vehicles.

(b) “Director” means the Director of the Department.

3. As used in this title ~~the term “full”~~;

(a) “Civil infraction” means a violation of any provision of chapters 483 to 484E, inclusive, 486 or 490 of NRS that is not punishable as a misdemeanor, gross misdemeanor or felony.

(b) “Full legal name” means a natural person’s first name, middle name and family name or last name, without the use of initials or a nickname. The term includes a full legal name that has been changed pursuant to the provisions of NRS 483.375 or 483.8605.

~~Section 1.5.~~ **Sec. 1.5.** NRS 483.2521 is hereby amended to read as follows:

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

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

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

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

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

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

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

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

➤ who attests that the person applying for the driver’s license has completed the training and experience required pursuant to paragraphs (a) and (b);

(d) Submits to the Department:

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

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

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

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

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

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

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

15 2. If a course described in paragraph (a) of subsection 1 is not offered within a
16 30-mile radius of a person's residence, the person may, in lieu of completing such a
17 course as required by that paragraph, complete an additional 50 hours of supervised
18 experience in driving a motor vehicle in accordance with paragraph (b) of
19 subsection 1.

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

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

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

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

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

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

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

40 5. If a course described in paragraph (a) of subsection 4 is not offered within a
41 30-mile radius of a person's residence, the person may, in lieu of completing the
42 course, complete an additional 50 hours of experience in driving a motorcycle in
43 accordance with paragraph (b) of subsection 4.

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

45 483.2523 1. A person to whom a driver's license is issued pursuant to NRS
46 483.2521 shall not, during the first 6 months after the date on which the driver's
47 license is issued, transport as a passenger a person who is under 18 years of age,
48 unless the person is a member of his or her immediate family.

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

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

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

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

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

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

5 3. A violation of this section:

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

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

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

10 483.2525 1. A peace officer shall not stop a motor vehicle for the sole
11 purpose of determining whether the driver is violating a provision of NRS
12 483.2523. Except as otherwise provided in subsection 2, a *civil infraction citation*
13 ~~notice of civil infraction~~ may be issued *pursuant to sections 24 to 36, 36.7,*
14 *inclusive, of this act* for a violation of NRS 483.2523 only if the violation is
15 discovered when the vehicle is halted or its driver is arrested for another alleged
16 violation or offense.

17 2. A peace officer shall not issue a *civil infraction citation* ~~notice of civil~~
18 ~~infraction~~ *pursuant to sections 24 to 36, 36.7, inclusive, of this act* to a person
19 for operating a motor vehicle in violation of NRS 483.2523 if the person provides
20 satisfactory evidence that the person has held the driver's license for the period
21 required pursuant to NRS 483.2523.

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

23 483.330 1. The Department may require every applicant for a driver's
24 license, including a commercial driver's license issued pursuant to NRS 483.900 to
25 483.940, inclusive, to submit to an examination. The examination may include:

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

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

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

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

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

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

45 3. If the Department establishes a type or classification of driver's license to
46 operate a motor vehicle of a type which is not normally available to examine an
47 applicant's ability to exercise ordinary and reasonable control of such a vehicle, the
48 Department may, by regulation, provide for the acceptance of an affidavit from a:

49 (a) Past, present or prospective employer of the applicant; or

50 (b) Local joint apprenticeship committee which had jurisdiction over the
51 training or testing, or both, of the applicant,

52 ➤ in lieu of an actual demonstration.

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

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

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

12 (c) Has been convicted of a violation of NRS 484C.130 or, during the
13 immediately preceding 7 years, of a violation of NRS 484C.110, 484C.120 or
14 484C.430 or a law of any other jurisdiction that prohibits the same or similar
15 conduct;

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

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

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

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

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

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

33 483.340 1. The Department shall, upon payment of the required fee, issue to
34 every qualified applicant a driver's license indicating the type or class of vehicles
35 the licensee may drive.

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

38 3. The Department may issue a driver's license for purposes of identification
39 only for use by officers of local police and sheriffs' departments, agents of the
40 Investigation Division of the Department of Public Safety while engaged in special
41 undercover investigations relating to narcotics or prostitution or for other
42 undercover investigations requiring the establishment of a fictitious identity, federal
43 agents while engaged in undercover investigations, investigators employed by the
44 Attorney General while engaged in undercover investigations, criminal
45 investigators employed by the Secretary of State while engaged in undercover
46 investigations and agents of the Nevada Gaming Control Board while engaged in
47 investigations pursuant to NRS 463.140. An application for such a license must be
48 made through the head of the police or sheriff's department, the Chief of the
49 Investigation Division of the Department of Public Safety, the director of the
50 appropriate federal agency, the Attorney General, the Secretary of State or his or
51 her designee or the Chair of the Nevada Gaming Control Board. Such a license is
52 exempt from the fees required by NRS 483.410. The Department, by regulation,

1 shall provide for the cancellation of any such driver's license upon the completion
2 of the special investigation for which it was issued.

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

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

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

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

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

16 (c) Provide to each holder who is interested in becoming a donor information
17 relating to anatomical gifts, including the procedure for registering as a donor with
18 the donor registry with which the Department has entered into a contract pursuant
19 to this paragraph. To carry out this paragraph, the Department shall, on such terms
20 as it deems appropriate, enter into a contract with a donor registry that is in
21 compliance with the provisions of NRS 451.500 to 451.598, inclusive.

22 (d) If the Department has established a program for imprinting a symbol or
23 other indicator of a medical condition on a driver's license pursuant to NRS
24 483.3485, give the holder the opportunity to have a symbol or other indicator of a
25 medical condition imprinted on his or her driver's license.

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

28 7. If the holder wishes to make a donation to the Anatomical Gift Account,
29 the Department shall collect the donation and deposit the money collected in the
30 State Treasury for credit to the Anatomical Gift Account.

31 8. The Department shall submit to the donor registry with which the
32 Department has entered into a contract pursuant to paragraph (c) of subsection 6
33 information from the records of the Department relating to persons who have
34 drivers' licenses that indicate the intention of those persons to make an anatomical
35 gift. The Department shall adopt regulations to carry out the provisions of this
36 subsection.

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

38 483.400 1. The Department shall maintain files of applications for licenses.
39 Such files shall contain:

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

42 (b) All applications granted.

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

45 2. The Department shall also file all crash reports and abstracts of court
46 records of convictions *or findings of the commission of civil infractions pursuant*
47 *to sections 24 to ~~36.7~~ 36.7, inclusive, of this act* received by it under the laws of
48 this State, and in connection therewith maintain convenient records or make
49 suitable notations in order that an individual record of each licensee showing the
50 convictions *or findings* of such licensee and the traffic crashes in which the
51 licensee was involved ~~shall be~~ *are* readily ascertainable and available for the
52 consideration of the Department upon any application for renewal of license and at
53 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 highways of this
3 State given to a nonresident under NRS 483.010 to 483.630, inclusive, ~~shall be~~ **is**
4 subject to suspension or revocation by the Department in like manner and for like
5 cause as a driver's license issued under NRS 483.010 to 483.630, inclusive, may be
6 suspended or revoked.

7 2. The Department is further authorized, upon receiving a record of the
8 *entrance of an order pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of this act*
9 *finding that a nonresident driver of a motor vehicle committed a civil infraction*
10 *in this State or the* conviction in this State of a nonresident driver of a motor
11 vehicle of any *criminal* offense under the motor vehicle laws of this State, to
12 forward a certified copy of such record to the motor vehicle administrator in the
13 state wherein the person so *found or* convicted is a resident.

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

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

18 483.443 1. The Department shall, upon receiving notification from a district
19 attorney or other public agency collecting support for children pursuant to NRS
20 425.510 that a court has determined that a person:

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

24 (b) Is in arrears in the payment for the support of one or more children,
25 → send a written notice to that person that his or her driver's license is subject to
26 suspension.

27 2. The notice must include:

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

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

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

31 3. If a person who receives a notice pursuant to subsection 1 does not, within
32 30 days after receiving the notice, comply with the subpoena or warrant or satisfy
33 the arrearage as required in NRS 425.510, the Department shall suspend the license
34 without providing the person with an opportunity for a hearing.

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

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

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

40 (1) *The* district attorney or other public agency pursuant to NRS 425.510
41 that the person has complied with the subpoena or warrant or has satisfied the
42 arrearage pursuant to that section. ~~from a~~

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

47 (3) ~~A traffic commissioner, referee, hearing master, municipal judge,~~
48 ~~justice of the peace or district judge, as applicable, that a defendant whose license~~
49 ~~was ordered to be suspended pursuant to section 36 of this act has been ordered~~
50 ~~to perform community service to discharge the delinquency for which the~~
51 ~~suspension was ordered pursuant to section 36 of this act. If the defendant does~~
52 ~~not perform the community service in a manner satisfactory to the court, the~~

1 ~~Department shall immediately suspend the license of the defendant if so ordered~~
2 ~~pursuant to section 36 of this act.~~

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

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

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

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

12 483.447 A person who does not hold a valid license issued by this State or
13 any other state and who operates a vehicle in this State shall be deemed to have
14 future driving privileges that may be suspended if the person is *found to have*
15 *committed a civil infraction in this State pursuant to sections 24 to ~~36.7~~ 36.7,*
16 *inclusive, of this act or is* convicted of any *criminal* traffic offense in this State.

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

18 483.448 1. Except as otherwise provided in this subsection, when a person
19 deemed to have future driving privileges pursuant to NRS 483.447 has accumulated
20 3 or more demerit points, but less than 12, the Department shall notify the person of
21 this fact. If, after the Department mails the notice, the person presents proof to the
22 Department that he or she has successfully completed a course of traffic safety
23 approved by the Department and a signed statement which indicates that the
24 successful completion of the course was not required pursuant to a *court order*
25 *entered pursuant to section 34 of this act or a* plea agreement, the Department
26 shall cancel not more than 3 demerit points from the person's driving record. If
27 such a person accumulates 12 or more demerit points before completing the course
28 of traffic safety, the person will not be entitled to have demerit points cancelled
29 upon the completion of the course but must have future driving privileges
30 suspended. A person deemed to have future driving privileges may attend a course
31 only once in 12 months for the purpose of reducing demerit points. The 3 demerit
32 points may only be cancelled from the driver's record of the person during the 12-
33 month period immediately following the driver's successful completion of the
34 course of traffic safety. The provisions of this subsection do not apply to a person
35 deemed to have future driving privileges whose successful completion of a course
36 of traffic safety was required pursuant to a *court order entered pursuant to section*
37 *34 of this act or a* plea agreement.

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

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

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

47 (b) For the second accumulation within 3 years of 12 demerit points during a
48 12-month period, for 1 year. Such a person is eligible for a restricted license during
49 this 1-year period.

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

1 4. The Department shall suspend for 1 year the future driving privileges of a
2 person *who has been* convicted of a sixth traffic offense within a 5-year period, *is*
3 *found to have committed a sixth civil infraction pursuant to sections 24 to ~~36.7~~*
4 *36.7, inclusive, of this act within a 5-year period or has accumulated a combined*
5 *total of six civil infractions and traffic offenses within a 5-year period, if all six*
6 *civil infractions or traffic* offenses have been assigned a value of 4 or more demerit
7 points. Such a person is not eligible for a restricted license during this 1-year
8 period.

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

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

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

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

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

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

25 483.450 1. A record of *each* conviction *and each finding that a person has*
26 *committed a civil infraction pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of this*
27 *act* must be made in a manner approved by the Department. The court shall provide
28 sufficient information to allow the Department to include accurately the
29 information regarding ~~the~~ *each* conviction *and finding* in the driver's record.

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

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

36 (a) If the court is other than a juvenile court, ~~a~~ *each* record of the conviction
37 of any person in that court for a violation of any such laws other than regulations
38 governing standing or parking ~~is~~ *and each record of the finding that any person*
39 *has committed a civil infraction pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of*
40 *this act*; or

41 (b) If the court is a juvenile court, a record of any finding that a child has
42 violated a traffic law or ordinance other than one governing standing or parking,
43 within 5 days after the conviction or finding, and may recommend the
44 suspension of the driver's license of the person convicted *or found to have*
45 *committed a civil infraction* or *the* child found in violation of a traffic law or
46 ordinance.

47 4. If a record forwarded to the Department pursuant to subsection 3 is a
48 record of the conviction of, *or a record of a finding of the commission of a civil*
49 *infraction pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of this act against,*
50 a person who holds a commercial driver's license, the Department shall, within 5
51 days after the date on which it receives such a record, transmit notice of the
52 conviction *or finding* to the Commercial Driver's License Information System.

53 5. For the purposes of NRS 483.010 to 483.630, inclusive, ~~is~~

1 ~~— (a) “Conviction”]~~ **“conviction”** has the meaning prescribed by regulation
2 pursuant to NRS 481.052.

3 ~~[(b) A forfeiture of bail or collateral deposited to secure a defendant’s~~
4 ~~appearance in court, if the forfeiture has not been vacated, is equivalent to a~~
5 ~~conviction.]~~

6 6. ~~[The]~~ **If a court mails records of conviction or of findings of the**
7 **commission of a civil infraction pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of**
8 **this act, the** necessary expenses of mailing **such** records ~~[of conviction]~~ to the
9 Department as required by this section must be paid by the court charged with the
10 duty of forwarding those records. ~~[of conviction.]~~

11 7. As used in this section, “Commercial Driver’s License Information
12 System” has the meaning ascribed to it in NRS 483.904.

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

14 483.473 1. As used in this section, “traffic violation” means conviction of a
15 moving traffic violation in any municipal court, justice court or district court in this
16 State ~~[]~~ **or a finding by any municipal court or justice court in this State that a**
17 **person has committed a civil infraction pursuant to sections 24 to ~~36.7~~ 36.7,**
18 **inclusive, of this act.** The term includes a finding by a juvenile court that a child
19 has violated a traffic law or ordinance other than one governing standing or
20 parking. The term does not include a conviction or a finding by a juvenile court of a
21 violation of the speed limit posted by a public authority under the circumstances
22 described in subsection 1 of NRS 484B.617.

23 2. The Department shall establish a uniform system of demerit points for
24 various traffic violations occurring within this State affecting the driving privilege of
25 any person who holds a driver’s license issued by the Department and persons
26 deemed to have future driving privileges pursuant to NRS 483.447. The system
27 must be based on the accumulation of demerits during a period of 12 months.

28 3. The system must be uniform in its operation, and the Department shall set
29 up a schedule of demerits for each traffic violation, depending upon the gravity of
30 the violation, on a scale of one demerit point for a minor violation of any traffic law
31 to eight demerit points for an extremely serious violation of the law governing
32 traffic violations. If a conviction of two or more traffic violations committed on a
33 single occasion is obtained, points must be assessed for one offense ~~[]~~ **or civil**
34 **infraction,** and if the point values differ, points must be assessed for the offense **or**
35 **civil infraction** having the greater point value. Details of the violation must be
36 submitted to the Department by the court where the conviction **or finding** is
37 obtained. The Department may provide for a graduated system of demerits within
38 each category of violations according to the extent to which the traffic law was
39 violated.

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

41 483.475 1. Except as otherwise provided in this subsection, when a person
42 who holds a driver’s license has accumulated 3 or more demerit points, but less
43 than 12, the Department shall notify the person of this fact. If, after the Department
44 mails the notice, the driver presents proof to the Department that he or she has
45 successfully completed a course of traffic safety approved by the Department and a
46 signed statement which indicates that the successful completion of the course was
47 not required pursuant to a plea agreement ~~[]~~ **or court order entered pursuant to**
48 **section 34 of this act,** the Department shall cancel not more than 3 demerit points
49 from the person’s driving record. If the driver accumulates 12 or more demerit
50 points before completing the course of traffic safety, the person will not be entitled
51 to have demerit points cancelled upon the completion of the course, but must have
52 his or her license suspended. A person may attend a course only once in 12 months
53 for the purpose of reducing demerit points. The 3 demerit points may only be

1 cancelled from a driver's record during the 12-month period immediately following
2 the driver's successful completion of the course of traffic safety. The provisions of
3 this subsection do not apply to a person whose successful completion of a course of
4 traffic safety was required pursuant to a plea agreement ~~or~~ *or court order entered*
5 *pursuant to section 34 of this act.*

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

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

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

14 (b) For the second accumulation within 3 years of 12 demerit points during a
15 12-month period, 1 year. A driver whose license is suspended pursuant to this
16 paragraph is eligible for a restricted license during the suspension.

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

20 4. The Department shall suspend for 1 year the license of a driver who is
21 convicted of a sixth traffic offense within 5 years, *is found to have committed a*
22 *sixth civil infraction punishable pursuant to sections 24 to ~~36.1~~ 36.7, inclusive, of*
23 *this act within 5 years or has accumulated a combined total of six civil infractions*
24 *and offenses within 5 years*, if all six *civil infractions or* offenses have been
25 assigned a value of ~~four~~ 4 or more demerit points. A driver whose license is
26 suspended pursuant to this subsection is not eligible for a restricted license during
27 the suspension.

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

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

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

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

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

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

42 483.530 1. Except as otherwise provided in subsection ~~[subsections]~~ 2 and 3,
43 ~~[and 3]~~ it is a misdemeanor for any person:

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

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

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

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

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

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

5 (g) ~~[To do any act forbidden, or fail to perform any act required, by NRS
6 483.010 to 483.630, inclusive; or~~

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

11 2. Except as otherwise provided in this subsection, a person who uses a false
12 or fictitious name in any application for a driver's license or identification card or
13 who knowingly makes a false statement or knowingly conceals a material fact or
14 otherwise commits a fraud in any such application is guilty of a category E felony
15 and shall be punished as provided in NRS 193.130. If the false statement, knowing
16 concealment of a material fact or other commission of fraud described in this
17 subsection relates solely to the age of a person, including, without limitation,
18 to establish false proof of age to game, purchase alcoholic beverages or purchase
19 cigarettes or other tobacco products, the person is guilty of a misdemeanor.

20 ~~[3. It is a civil infraction punishable pursuant to sections 24 to 36, inclusive,
21 of this act for any person to display or cause or permit to be displayed, possess, or
22 fail or refuse to surrender to the Department any cancelled driver's license if the
23 sole reason for the cancellation was the failure of the person to pay the fee for the
24 issuance or renewal of the driver's license as the result of a check or other
25 method of payment being returned to the Department or otherwise dishonored
26 upon presentation because there was insufficient money or credit with the drawee
27 or financial institution to pay the check or other method of payment or because a
28 person stopped payment on the check or other method of payment.]~~

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

30 483.550 1. It ~~[Except as otherwise provided in NRS 483.560, it]~~ is unlawful
31 ~~[a civil infraction punishable pursuant to sections 24 to 36, inclusive, of this act]~~
32 for any person to drive a motor vehicle upon a public street or highway in this State
33 without being the holder of a valid driver's license. A person who violates this
34 section is guilty of a misdemeanor.

35 2. The court shall require any person convicted of violating ~~[found to have~~
36 ~~violated this section]~~ subsection 1 to obtain a valid driver's license or produce a
37 notice of disqualification from the Department.

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

39 483.570 No person whose driving privilege as a nonresident has been
40 cancelled, suspended or revoked, as provided in NRS 483.010 to 483.630,
41 inclusive, shall drive any motor vehicle upon the highways of this State while such
42 privilege is cancelled, suspended or revoked. It is a misdemeanor for any person to
43 violate this section.

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

45 483.575 1. A person with epilepsy shall not operate a motor vehicle if that
46 person has been informed by a physician or an advanced practice registered nurse
47 pursuant to NRS 629.047 that his or her condition would severely impair his or her
48 ability to safely operate a motor vehicle. A violation of this subsection is a
49 misdemeanor.

50 2. If a physician or an advanced practice registered nurse is aware that a
51 person has violated subsection 1 after the physician or advanced practice registered
52 nurse has informed the person pursuant to NRS 629.047 that the person's condition
53 would severely impair his or her ability to safely operate a motor vehicle, the

1 physician or advanced practice registered nurse may, without the consent of the
2 person, submit a written report to the Department that includes the name, address
3 and age of the person. A report received by the Department pursuant to this
4 subsection:

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

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

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

13 4. No cause of action may be brought against a physician or an advanced
14 practice registered nurse based on the fact that he or she submitted a report pursuant
15 to subsection 2 unless the physician or advanced practice registered nurse acted
16 with malice, intentional misconduct, gross negligence or intentional or knowing
17 violation of the law.

18 **Sec. 18.** NRS 483.580 is hereby amended to read as follows:

19 483.580 A person shall not cause or knowingly permit his or her child or
20 ward under the age of 18 years to drive a motor vehicle upon any highway when the
21 minor is not authorized under the provisions of NRS 483.010 to 483.630, inclusive,
22 or is in violation of any of the provisions of NRS 483.010 to 483.630, inclusive, or
23 if the minor's license is revoked or suspended pursuant to title 5 of NRS or NRS
24 392.148. *It is a misdemeanor for a person to violate this section.*

25 **Sec. 19.** NRS 483.590 is hereby amended to read as follows:

26 483.590 No person shall authorize or knowingly permit a motor vehicle
27 owned by the person or under his or her control to be driven upon any highway by
28 any person who is not authorized under NRS 483.010 to 483.630, inclusive, or in
29 violation of any of the provisions of NRS 483.010 to 483.630, inclusive. *It is a
30 misdemeanor for a person to violate this section.*

31 **Sec. 20.** NRS 483.600 is hereby amended to read as follows:

32 483.600 No person shall employ as a driver of a motor vehicle any person not
33 then licensed as provided in NRS 483.010 to 483.630, inclusive. *It is a
34 misdemeanor for a person to violate this section.*

35 **Sec. 21.** NRS 483.610 is hereby amended to read as follows:

36 483.610 1. No person shall rent a motor vehicle to any other person unless
37 the latter person is then duly licensed under NRS 483.010 to 483.630, inclusive, or,
38 in the case of a nonresident, then duly licensed under the laws of the state or
39 country of his or her residence except a nonresident whose home state or country
40 does not require that a driver be licensed.

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

45 3. Every person renting a motor vehicle to another shall keep a record of the
46 registration number of the motor vehicle so rented, the name and address of the
47 person to whom the vehicle is rented, the number of the license of the latter person
48 and the date and place when and where the license was issued. Such record shall be
49 open to inspection by any police officer or officer of the Department.

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

51 **Sec. 22.** NRS 483.620 is hereby amended to read as follows:

52 483.620 It is a ~~misdeemeanor~~ *civil infraction punishable pursuant to*
53 *sections 24 to ~~36~~, 36.7, inclusive, of this act* for any person to violate any of the

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

4 **Sec. 23.** Chapter 484A of NRS is hereby amended by adding thereto the
5 provisions set forth as sections 24 to ~~36.1~~ 36.7, inclusive, of this act.

6 **Sec. 24. 1.** *Every traffic enforcement agency in this State shall provide in*
7 *appropriate form ~~notices of~~ civil infraction citations containing notice of the*
8 *civil infraction which must meet the requirements of sections 24 to ~~36.1~~ 36.7,*
9 *inclusive, of this act and be:*

10 (a) *Issued in books; or*

11 (b) *Available through an electronic device used to prepare such ~~notices,~~*
12 *citations.*

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

20 **Sec. 25.** *A ~~notice of~~ civil infraction ~~or~~ citation, when filed with a court of*
21 *competent jurisdiction, shall be deemed to be a lawful complaint for the purpose*
22 *of initiating a civil case pursuant to sections 24 to ~~36.1~~ 36.7, inclusive, of this act,*
23 *if the ~~notice of~~ civil infraction citation includes information whose truthfulness*
24 *is attested as required for a complaint in a civil case or is prepared electronically.*

25 **Sec. 26. ~~1.~~**

26 **1.** *Except as otherwise provided by law, a peace officer in this State who has*
27 *reasonable cause to believe that a person has violated a provision of chapters 483*
28 *to 484E, inclusive, 486 or 490 of NRS that is a civil infraction may halt and*
29 *detain the person as is reasonably necessary to investigate the alleged violation*
30 *and ~~serve~~ issue a ~~notice of~~ civil infraction citation for the alleged violation. A*
31 *peace officer who has halted and detained a person pursuant to this section may*
32 *also ~~detain~~ :*

33 (a) Detain the person in accordance with NRS 171.123 ~~or~~ if circumstances
34 exist that warrant such a detention;

35 (b) Search the person to ascertain the presence of a weapon in accordance
36 with NRS 171.1232 and take any other action authorized pursuant to that section
37 or any other provision of law; and

38 (c) Arrest the person in accordance with NRS 171.1231 if probable cause for
39 the arrest exists.

40 **2.** *If a person is arrested pursuant to paragraph (c) of subsection 1 for an*
41 *offense that arises out of the same facts and circumstances as the civil infraction*
42 *and is punishable as a misdemeanor, the offense and the civil infraction may be*
43 *included in the same criminal complaint.*

44 **Sec. 27. 1.** *When a person is halted by a peace officer in this State for any*
45 *violation of chapters 483 to 484E, inclusive, 486 or 490 of NRS that is a civil*
46 *infraction, or a prosecuting attorney elects to treat a violation of chapters 483 to*
47 *484E, inclusive, 486 or 490 of NRS that is punishable as a misdemeanor instead*
48 *as a civil infraction in accordance with section 36.3 of this act, the peace officer*
49 *or prosecuting attorney, as applicable, may prepare a ~~notice of~~ civil infraction*
50 *citation manually or electronically in the form of a complaint issuing in the name*
51 *of "The State of Nevada," containing ~~or~~ , except as otherwise provided in*
52 *paragraph (a) of subsection 2 of section 36.3 of this act:*

1 (a) A statement that the ~~notice~~ citation represents a determination by a
 2 peace officer or prosecuting attorney that a civil infraction has been committed
 3 by the person named in the ~~notice~~ citation and that the determination will be
 4 final unless contested as provided in sections 24 to ~~36.7~~ 36.7, inclusive, of this
 5 act;

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

7 (c) The name ~~and~~, date of birth, social security number, address,
 8 telephone number and electronic mail address of the person who is being issued
 9 the ~~notice~~ citation and an indication as to whether the person has agreed to
 10 receive communications relating to the civil infraction by text message;

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

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

13 (f) The civil infraction for which the ~~notice~~ citation was issued;

14 (g) The first initial, last name and personnel number of the peace officer
 15 issuing the citation or, if a prosecuting attorney is issuing the citation, the peace
 16 officer who halted the person for the violation, printed legibly;

17 (h) A statement of the options provided pursuant to sections 24 to ~~36.7~~ 36.7,
 18 inclusive, of this act for responding to the ~~notice~~ citation and the procedures
 19 necessary to exercise these options;

20 ~~(i)~~ (i) A statement that, at any hearing to contest the determination set
 21 forth in the ~~notice~~ citation, the facts that constitute the infraction must be
 22 proved by a preponderance of the evidence and the person may subpoena
 23 witnesses, including, without limitation, the peace officer or duly authorized
 24 member or volunteer of a traffic enforcement agency who issued the ~~notice~~
 25 citation or halted the person; and

26 ~~(i)~~ (i) A statement that the person must respond to the ~~notice~~ citation as
 27 provided in sections 24 to ~~36.7~~ 36.7, inclusive, of this act within 90 ~~judicial~~
 28 calendar days.

29 2. ~~The~~ A peace officer ~~issuing~~ who issues a ~~notice of~~ civil infraction
 30 citation pursuant to subsection 1 shall sign the ~~notice~~ citation and deliver a
 31 copy of the ~~notice~~ citation to the person charged with the civil infraction. If the
 32 ~~notice~~ citation is prepared electronically, the peace officer shall sign the copy of
 33 the ~~notice~~ citation that is delivered to the person charged with the violation.

34 3. A ~~notice of~~ civil infraction citation may be served by delivering a copy
 35 of the ~~notice~~ citation to the person charged with the civil infraction ~~and~~ pursuant
 36 to this section or section 36.3 of this act. The acceptance of a ~~notice of~~ civil
 37 infraction citation by the person charged with the civil infraction shall be deemed
 38 personal service of the ~~notice~~ citation and a copy of the ~~notice~~ citation signed
 39 by the peace officer or prosecuting attorney, as applicable, constitutes proof of
 40 service. If a person charged with a civil infraction refuses to accept a ~~notice of~~
 41 civil infraction ~~and~~ citation, the copy of the ~~notice~~ citation signed by the peace
 42 officer or prosecuting attorney, as applicable, constitutes proof of service.

43 Sec. 28. 1. Whenever the driver of a vehicle is stopped by a peace officer
 44 for violating a provision of chapters 483 to 484E, inclusive, 486 or 490 of NRS
 45 that is a civil infraction, except for violating a provision of NRS 484B.440 to
 46 484B.523, inclusive, the peace officer shall demand proof of the insurance
 47 required by NRS 485.185 or 490.0825 and issue a citation as provided in NRS
 48 484A.630 if the peace officer has probable cause to believe that the driver of the
 49 vehicle is in violation of NRS 485.187 or subsection 5 of NRS 490.520. ~~If the~~
 50 ~~driver of the vehicle is not the registered owner of the vehicle, a notice of civil~~
 51 ~~infraction must also be issued to the owner, and in such a case the driver:~~
 52 ~~(a) May accept the notice on behalf of the registered owner; and~~

1 ~~(b) Shall notify the registered owner of the notice within 3 days after it is~~
2 ~~issued.~~

3 ~~The agency which employs the peace officer shall immediately forward a copy~~
4 ~~of the notice to the registered owner of the vehicle, by certified mail, at his or her~~
5 ~~address as it appears on the certificate of registration.~~

6 2. When the evidence of insurance provided by the driver of the vehicle
7 upon the demand of the peace officer is in an electronic format displayed on a
8 mobile electronic device, the peace officer may view only the evidence of
9 insurance and shall not intentionally view any other content on the mobile
10 electronic device.

11 **Sec. 29. 1.** Every peace officer, upon issuing a ~~notice of~~ civil infraction
12 citation to an alleged violator of any provision of the motor vehicle laws of this
13 State or of any traffic ordinance, shall file manually or, if the provisions of
14 subsection 2 are satisfied, file electronically the original or a copy of the ~~notice~~
15 citation with a court having jurisdiction over the alleged offense or with its traffic
16 violations bureau.

17 2. A copy of a ~~notice of~~ civil infraction citation that is prepared
18 electronically and issued to an alleged violator of any provision of the motor
19 vehicle laws of this State or of any traffic ordinance may be filed electronically
20 with a court having jurisdiction over the alleged civil infraction or with its traffic
21 violations bureau if the court or traffic violations bureau, respectively:

22 (a) Authorizes such electronic filing;

23 (b) Has the ability to receive and store the ~~notice~~ citation electronically;
24 and

25 (c) Has the ability to physically reproduce the ~~notice~~ citation upon request.

26 3. Upon the filing of the original or a copy of the ~~notice of~~ civil infraction
27 citation with a court having jurisdiction over the alleged infraction or with its
28 traffic violations bureau, the ~~notice~~ citation may be disposed of only by an
29 official action of a judge of the court or by the payment of a civil penalty to the
30 court or its traffic violations bureau by the person to whom the ~~notice of~~ civil
31 infraction citation has been issued by the peace officer.

32 4. It is unlawful and official misconduct from any peace officer or other
33 officer or public employee to dispose of a ~~notice of~~ civil infraction citation or
34 copies of it or of the record of the issuance of a ~~notice of~~ civil infraction citation
35 in a manner other than as required in this section.

36 5. The chief administrative officer of every traffic enforcement agency shall
37 require the return to him or her of a physical copy or electronic record of every
38 ~~notice of~~ civil infraction citation issued by an officer under his or her
39 supervision to an alleged violator of any traffic law or ordinance and of all
40 physical copies and electronic records of every ~~notice of~~ civil infraction citation
41 which has been spoiled or upon which any entry has been made and not issued to
42 an alleged violator.

43 6. The chief administrative officer of every traffic enforcement agency shall
44 maintain or cause to be maintained a record of every ~~notice of~~ civil infraction
45 citation issued by any peace officer under his or her supervision. The record must
46 be retained for at least 2 years after issuance of the ~~notice~~ citation.

47 **Sec. 30. 1.** Any person who receives a ~~notice of~~ civil infraction citation
48 pursuant to section 27 or 36.3 of this act shall respond to the ~~notice~~ citation as
49 provided in this section not later than 90 ~~judicial~~ calendar days after the date on
50 which the ~~notice~~ citation is issued.

51 2. If a person receiving a ~~notice of~~ civil infraction citation does not contest
52 the determination that the person has committed the civil infraction set forth in
53 the ~~notice~~ citation, the person must respond to the ~~notice~~ citation by

1 indicating that the person does not contest the determination and submitting full
2 payment of the monetary penalty, the administrative assessment and any fees to
3 the court specified in the ~~notice,~~ citation, or its traffic violations bureau, in
4 person, by mail or through the Internet or other electronic means.

5 3. If a person receiving a ~~notice of~~ civil infraction citation wishes to
6 contest the determination that the person has committed the civil infraction set
7 forth in the ~~notice,~~ citation, the person must respond by requesting in person, by
8 mail or through the Internet or other electronic means a hearing for that
9 purpose. The court shall notify the person in writing of the time, place and date
10 of the hearing, but the date of the hearing must not be earlier than ~~7 judicial~~ 9
11 calendar days after the court provides notice of the hearing.

12 4. ~~If a person receiving a notice of civil infraction does not wish to contest~~
13 ~~the determination that the person has committed the civil infraction set forth in~~
14 ~~the notice but wishes to explain mitigating circumstances surrounding the civil~~
15 ~~infraction, the person must respond by requesting in person, by mail or through~~
16 ~~the Internet or other electronic means a hearing for that purpose or by~~
17 ~~submitting in person, by mail or through the Internet or other electronic means a~~
18 ~~written statement of the mitigating circumstances. If the person receiving the~~
19 ~~notice of civil infraction:~~

20 ~~— (a) Requests a hearing, the court must notify the person in writing of the~~
21 ~~time, place and date of the hearing.~~

22 ~~— (b) Submits a written statement of mitigating circumstances, the court must~~
23 ~~consider the written statement and determine whether to reduce the monetary~~
24 ~~penalty imposed for the civil infraction based on that statement. The court may~~
25 ~~reduce any moving violation to a nonmoving violation based on the statement of~~
26 ~~mitigating circumstances.~~

27 ~~— 5. If any person issued a notice of civil infraction fails to respond to the~~
28 ~~notice of civil infraction within 90 judicial days after the date on which the notice~~
29 ~~of civil infraction is issued,] Except as otherwise provided in this subsection, not~~
30 ~~less than 30 days before the deadline for a person to respond to a civil infraction~~
31 ~~citation, the court must [notify the person of the failure to respond by mailing a~~
32 ~~notice of the failure to respond] send to the [last known] address or electronic~~
33 ~~mail address of the person [by registered or certified mail], as indicated on the~~
34 ~~civil infraction citation issued to the person, a reminder that the person must~~
35 ~~respond to the civil infraction citation within 90 calendar days after the date on~~
36 ~~which the civil infraction citation is issued. If the person agreed to receive~~
37 ~~communications relating to the civil infraction by text message, the court may~~
38 ~~send such a notice to the telephone number of the person as indicated on the civil~~
39 ~~infraction citation. If the person does not respond to the [notice of] civil~~
40 ~~infraction citation in the manner specified by subsection 2 [1] or 3 [or 4] within~~
41 ~~[30 judicial] 90 calendar days after [receipt of notice of the failure to respond,]~~
42 ~~the date on which the civil infraction citation is issued, the court must enter an~~
43 ~~order pursuant to section 34 of this act finding that the person committed the civil~~
44 ~~infraction and assessing the monetary penalty and administrative assessments~~
45 ~~prescribed for the civil infraction. A person who has been issued a [notice of]~~
46 ~~civil infraction citation and who fails to respond to the [notice of] civil infraction~~
47 ~~citation as required by this section may not appeal an order entered pursuant to~~
48 ~~this section.~~

49 ~~[6.] 5. If any person issued a [notice of] civil infraction citation fails to~~
50 ~~appear at a hearing requested pursuant to subsection 3, [or 4,] the court must~~
51 ~~enter an order pursuant to section 34 of this act finding that the person~~
52 ~~committed the civil infraction and assessing the monetary penalty and~~
53 ~~administrative assessments prescribed for the civil infraction. A person who has~~

1 ~~been issued a [notice of]~~ civil infraction citation and who fails to appear at a
 2 hearing requested pursuant to subsection 3, ~~for 4~~ may not appeal an order
 3 entered pursuant to this subsection.

4 6. In addition to any other penalty imposed, any person who is found by the
 5 court to have committed a civil infraction pursuant to subsection 5 shall pay the
 6 witness fees, per diem allowances, travel expenses and other reimbursement in
 7 accordance with NRS 50.225.

8 7. If a court has established a system pursuant to NRS 484A.615, any
 9 person issued a civil infraction citation may, if authorized by the court, use the
 10 system to perform any applicable actions pursuant to this section.

11 **Sec. 31.** 1. If, pursuant to subsection 3 of section 30 of this act, a person
 12 receiving a [notice of] civil infraction citation requests a hearing to contest the
 13 determination that the person has committed the civil infraction set forth in the
 14 [notice,] citation, the hearing must be conducted in accordance with this section.

15 2. Except as otherwise provided in this subsection, before a hearing to
 16 contest the determination that a person has committed a civil infraction, the court
 17 shall require the person to post a bond equal to the amount of the full payment of
 18 the monetary penalty, the administrative assessment and any fees specified in the
 19 civil infraction citation. In lieu of posting such a bond, the person may instead
 20 deposit cash with the court in the amount of the bond required pursuant to this
 21 subsection. Any bond posted or cash deposited with the court pursuant to this
 22 subsection must be forfeited upon the court's finding that the person committed
 23 the civil infraction. Any person whom the court determines is unable to pay the
 24 costs of defending the action or is a client of a program for legal aid in
 25 accordance with NRS 12.015 must not be required to post a bond or deposit cash
 26 with the court in accordance with this subsection.

27 3. The person who requested the hearing may, at his or her expense, be
 28 represented by counsel ~~[If the violation set forth in the notice of civil infraction~~
 29 ~~is a violation of:~~

30 ~~— (a) An ordinance adopted by the governing body of an incorporated city, the~~
 31 ~~city attorney may represent the city at the hearing.~~

32 ~~— (b) The laws of this State or an ordinance other than an ordinance described~~
 33 ~~in paragraph (a), the district attorney of the county may represent the State,~~
 34 ~~county or town, as applicable, at the hearing.~~

35 ~~— 3,] and a city attorney or district attorney, in his or her discretion and as~~
 36 ~~applicable, may represent the plaintiff.~~

37 4. A hearing conducted pursuant to this section must be conducted by the
 38 court without a jury. In lieu of the personal appearance at the hearing by the
 39 peace officer who issued the [notice of] civil infraction [,] citation, the court may
 40 consider the information contained in the [notice of] civil infraction citation and
 41 any other written statement submitted under oath by the peace officer. If the
 42 court has established a system pursuant to NRS 484A.615, the peace officer may,
 43 if authorized by the court, use the system to submit such a statement. The person
 44 named in the [notice of] civil infraction citation may subpoena witnesses,
 45 including, without limitation, the peace officer who issued the [notice,] citation,
 46 and has the right to present evidence and examine witnesses present in court.

47 ~~[— 4. The State has the burden of proving by a preponderance of the evidence~~
 48 ~~that the person named in the notice of civil infraction committed a civil~~
 49 ~~infraction.]~~

50 5. After consideration of the evidence and argument, the court shall
 51 determine whether a civil infraction was committed by the person named in the
 52 [notice of] civil infraction [,] citation. The court must find by a preponderance of
 53 the evidence that the person named in the civil infraction citation committed a

1 civil infraction. If it has not been established by a preponderance of the evidence
 2 that the infraction was committed by the person named in the ~~notice,~~ citation,
 3 the court must enter an order dismissing the ~~notice of~~ civil infraction citation
 4 in the court's records. If it has been established by a preponderance of the evidence
 5 that the infraction was committed, the court must enter in the court's records an
 6 order pursuant to section 34 of this act.

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

10 (a) The notice of appeal must be filed not later than ~~5 judicial~~ 7 calendar
 11 days after the court enters in the court's records an order pursuant to section 34
 12 of this act; ~~and~~

13 (b) If the appellant is the person charged with the civil infraction, any bond
 14 required to be given by the appellant in order to secure a stay of execution of the
 15 order of the court during the pendency of the appeal must equal the amount of
 16 the monetary penalty and administrative assessments which the court has ordered
 17 the appellant to pay pursuant to section 34 of this act. Any bond must be forfeited
 18 if the order of the court is affirmed on appeal ~~;~~ and

19 (c) If a prosecuting attorney does not represent the plaintiff during the
 20 proceedings in the justice court or municipal court, the appellate court shall
 21 review the record and any arguments presented by the person charged with the
 22 civil infraction and render a decision.

23 Sec. 32. ~~[1. If, pursuant to subsection 4 of section 30 of this act, a person~~
 24 ~~receiving a notice of civil infraction requests a hearing to explain mitigating~~
 25 ~~circumstances surrounding the infraction, the proceeding must be an informal~~
 26 ~~proceeding and the person requesting the hearing may not subpoena witnesses.~~
 27 ~~The determination that the person named in the notice of civil infraction~~
 28 ~~committed the civil infraction set forth in the notice may not be contested at a~~
 29 ~~hearing held for the purpose of explaining mitigating circumstances.~~

30 ~~2. After the court has heard the explanation of the mitigating circumstances~~
 31 ~~surrounding the commission of the infraction, the court must enter in the court's~~
 32 ~~records an order pursuant to section 34 of this act.~~

33 ~~3. No appeal may be taken from a determination or order of the court~~
 34 ~~pursuant to this section.] (Deleted by amendment.)~~

35 Sec. 33. ~~[Except as otherwise provided in sections 24 to 36, inclusive, of~~
 36 ~~this act, the Nevada Rules of Civil Procedure do not apply to a civil case initiated~~
 37 ~~pursuant to sections 24 to 36, inclusive, of this act.] (Deleted by amendment.)~~

38 Sec. 34. 1. ~~[A] Except as otherwise provided in this section, a person who~~
 39 ~~is found to have committed a civil infraction shall be punished by a civil penalty~~
 40 ~~of not more than \$500 per violation unless a greater civil penalty is authorized by~~
 41 ~~specific statute. [On or before the fifth day of each month, a justice court shall~~
 42 ~~pay to the State Controller any civil penalty imposed and collected by the justice~~
 43 ~~court pursuant to this subsection for a violation of a law of this State. The State~~
 44 ~~Controller shall deposit the money into the State Permanent School Fund.]~~
 45 Except as otherwise provided in NRS 484A.792, any civil penalty collected
 46 pursuant to sections 24 to 36.7, inclusive, of this act must be paid to:

47 (a) The treasurer of the city in which the civil infraction occurred; or

48 (b) If the civil infraction did not occur in a city, the treasurer of the county in
 49 which the civil infraction occurred.

50 2. If a person is found to have committed a civil infraction, in addition to
 51 any civil penalty imposed on the person, the court shall order the person to pay
 52 the administrative assessments set forth in NRS 176.059, 176.0611, 176.0613 and
 53 176.0623 in the amount that the person would be required to pay if the civil

1 penalty were a fine imposed on a defendant who pleads guilty or guilty but
 2 mentally ill or is found guilty or guilty but mentally ill of a misdemeanor. If, in
 3 lieu of a civil penalty, the court authorizes a person to successfully complete a
 4 course of traffic safety approved by the Department of Motor Vehicles, the court
 5 must order the person to pay the amount of the administrative assessment that
 6 corresponds to the civil penalty for which the defendant would have otherwise
 7 been responsible. The administrative assessments imposed pursuant to this
 8 subsection must be collected and distributed in the same manner as the
 9 administrative assessments imposed and collected pursuant to NRS 176.059,
 10 176.0611, 176.0613 and 176.0623.

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

13 (a) Excessive in relation to the financial resources of the defendant, the
 14 court may waive or reduce the ~~fine~~ monetary penalty accordingly.

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

17 4. A court having jurisdiction over a civil infraction pursuant to sections 24
 18 to ~~36.7~~ 36.7, inclusive, of this act may:

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

23 (b) ~~Order a person who is found to have committed a civil infraction to~~
 24 ~~successfully complete a course of traffic safety approved by the Department of~~
 25 ~~Motor Vehicles as a condition to obtaining a waiver or reduction of the civil~~
 26 ~~penalty which the court has ordered the person to pay.~~ Waive or reduce the civil
 27 penalty that a person who is found to have committed a civil infraction would
 28 otherwise be required to pay if the court determines that any circumstances
 29 warrant such a waiver or reduction.

30 (c) Reduce any moving violation for which a person was issued a civil
 31 infraction citation to a nonmoving violation if the court determines that any
 32 circumstances warrant such a reduction.

33 **Sec. 35. 1.** Except where the imposition of a specific civil penalty is
 34 mandatory, a court may order a person who is found to have committed a civil
 35 infraction pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of this act to perform
 36 community service that is supervised in accordance with subsection 2:

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

39 (b) As all or part of the punishment for the commission of the civil
 40 infraction.

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

45 3. The court may require the person who committed the civil infraction to
 46 deposit with the court a reasonable sum of money to pay for the cost of policies of
 47 insurance against liability for personal injury and damage to property or for
 48 industrial insurance, or both, during those periods in which the person performs
 49 the community service, unless, in the case of industrial insurance, it is provided
 50 by the authority for which the person performs the community service.

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

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

5 (b) *A supervising authority listed in subsection 2 must agree to accept the*
6 *person for community service before the court may require the person to perform*
7 *community service for that supervising authority. The supervising authority must*
8 *be located in or be the town or city of the person's residence or, if that placement*
9 *is not possible, one located within the jurisdiction of the court or, if that*
10 *placement is not possible, the authority may be located outside the jurisdiction of*
11 *the court.*

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

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

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

22 **Sec. 36. 1.** *If a civil penalty, administrative assessment or fee is imposed*
23 *upon a person who is found to have committed a civil infraction pursuant to*
24 *sections 24 to ~~36,~~ 36.7, inclusive, of this act, whether or not the civil penalty,*
25 *administrative assessment or fee is in addition to any other punishment, and the*
26 *civil penalty, administrative assessment or fee or any part of it remains unpaid*
27 *after the time established by the court for its payment, the delinquent person is*
28 *liable for a collection fee, to be imposed by the court at the time it finds that the*
29 *civil penalty, administrative assessment or fee is delinquent, of:*

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

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

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

35 **2.** ~~*The court may, on its own motion or at the request of the city or county*~~
36 ~~*in which the court has jurisdiction, enter a civil judgment for the amount due in*~~
37 ~~*favor of the city or county, as applicable. A civil judgment entered pursuant to*~~
38 ~~*this subsection.*~~ *The city or county that is responsible for collecting a delinquent*
39 *civil penalty, administrative assessment or fee may, in addition to attempting to*
40 *collect the delinquent amounts through any other lawful means, contract with a*
41 *collection agency licensed pursuant to NRS 649.075 to collect the delinquent*
42 *amounts owed by a person who is found to have committed a civil infraction. The*
43 *collection agency must be paid as compensation for its services an amount not*
44 *greater than the amount of the collection fee imposed pursuant to subsection 1 in*
45 *accordance with the provisions of the contract.*

46 **3.** *If a court finds that a person committed a civil infraction, the civil*
47 *penalty, administrative assessments and fees prescribed for the civil infraction*
48 *may be enforced in the manner provided by law for the enforcement of a*
49 *judgment for money rendered in a civil action except that the judgment and any*
50 *lien for the judgment expires 10 years after the date the judgment was docketed*
51 *and may not be renewed.* ~~*Except as otherwise provided in subsection 3, if the*~~
52 ~~*court has entered a civil judgment pursuant to this subsection, the*~~ *The court*
53 *may : [, in order of priority.]*

1 (a) Request that the city or county in which the court has jurisdiction
2 undertake collection of the delinquency, including, without limitation, the
3 original amount of the civil judgment entered pursuant to this subsection and the
4 collection fee, by attachment or garnishment of the property, wages or other
5 money receivable of the delinquent person.

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

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

31 ~~3. If the delinquent person notifies the court that he or she will perform~~
32 ~~community service to discharge the delinquency and:~~

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

39 ~~(b) The court has ordered the suspension of the driver's license of the~~
40 ~~delinquent person pursuant to paragraph (b) of subsection 2, the traffic~~
41 ~~commissioner, referee, hearing master, municipal judge, justice of the peace or~~
42 ~~district judge, as applicable, shall notify the Department of Motor Vehicles to~~
43 ~~reinstate the driver's license of the delinquent person pursuant to NRS 483.443.~~
44 ~~If the delinquent person does not perform the community service in a manner~~
45 ~~satisfactory to the court, the court may order the suspension of the driver's~~
46 ~~license of the delinquent person in the manner specified in paragraph (b) of~~
47 ~~subsection 2.~~

48 ~~(c) The court has issued an order pursuant to paragraph (c) of subsection 2,~~
49 ~~the court must not find the delinquent person guilty of contempt. If the~~
50 ~~delinquent person does not perform the community service in a manner~~
51 ~~satisfactory to the court, the court may issue another order pursuant to~~
52 ~~paragraph (c) of subsection 2.]~~

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

3 (a) Except as otherwise provided in paragraph ~~[(d)]~~ (c), if the money is
 4 collected by or on behalf of a municipal court, the money must be deposited in a
 5 special fund in the appropriate city treasury. The city may use the money in the
 6 fund only to develop and implement a program for the collection of civil
 7 penalties, administrative assessments and fees and to hire additional personnel
 8 necessary for the success of such a program.

9 (b) Except as otherwise provided in paragraph ~~[(d)]~~ (c), if the money is
 10 collected by or on behalf of a justice court ~~or district court,~~ the money must be
 11 deposited in a special fund in the appropriate county treasury. The county may
 12 use the money in the special fund only to:

13 (1) Develop and implement a program for the collection of civil penalties,
 14 administrative assessments and fees and to hire additional personnel necessary
 15 for the success of such a program: or

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

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

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

20 (c) ~~Except as otherwise provided in paragraph (d), if the money is collected~~
 21 ~~by a state entity, the money must be deposited in an account, which is hereby~~
 22 ~~created in the State Treasury. The Court Administrator may use the money in the~~
 23 ~~account only to develop and implement a program for the collection of civil~~
 24 ~~penalties, administrative assessments and fees in this State and to hire additional~~
 25 ~~personnel necessary for the success of such a program.~~

26 ~~(d) If the money is collected by a collection agency, after the collection~~
 27 ~~agency has been paid its fee pursuant to the terms of the contract, any remaining~~
 28 ~~money must be deposited in the state, city or county treasury, whichever is~~
 29 ~~appropriate, to be used only for the purposes set forth in paragraph (a) ~~or~~ (b).~~
 30 ~~or (c).~~

31 Sec. 36.3. 1. A prosecuting attorney may elect to treat a violation of a
 32 provision of chapters 483 to 484E, inclusive, 486 or 490 of NRS that is
 33 punishable as a misdemeanor, other than a violation of NRS 484C.110 or
 34 484C.120, as a civil infraction pursuant to sections 24 to 36.7, inclusive, of this
 35 act.

36 2. The prosecuting attorney shall make the election described in subsection
 37 1 on or before the time scheduled for the first appearance of the defendant by:

38 (a) Preparing a civil infraction citation in accordance with subsection 1 of
 39 section 27 of this act that contains all applicable information that is known to the
 40 prosecuting attorney, signing the citation and filing the citation with a court
 41 having jurisdiction over the alleged offense or with its traffic violations bureau;

42 (b) Filing notice of the prosecuting attorney's election with the court having
 43 jurisdiction of the underlying criminal charge; and

44 (c) Delivering a copy of the notice and citation to the defendant.

45 3. Upon the filing of a notice pursuant to paragraph (b) of subsection 2, the
 46 court shall dismiss the underlying criminal charge.

47 Sec. 36.7. Notwithstanding any other provision of law, if a person commits
 48 a violation of a provision of chapters 483 to 484E, inclusive, 486 or 490 of NRS
 49 that is punishable as a civil infraction while the person is under the influence of
 50 alcohol or a controlled substance, the person may instead be charged with a
 51 misdemeanor.

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

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

5 2. Except as otherwise provided in subsection 3 and unless otherwise
6 provided by specific statute, any local authority may enact by ordinance traffic
7 regulations which cover the same subject matter as the various sections of chapters
8 484A to 484E, inclusive, of NRS if the provisions of the ordinance are not in
9 conflict with chapters 484A to 484E, inclusive, of NRS, or regulations adopted
10 pursuant thereto. It may also enact by ordinance regulations requiring the
11 registration and licensing of bicycles.

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

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

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

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

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

22 (e) Requiring a permit for a vehicle, or to operate a vehicle, on a highway in
23 this State.

24 4. No person convicted or adjudged guilty or guilty but mentally ill of *, or
25 found to have committed a civil infraction pursuant to sections 24 to ~~36.7~~ 36.7,
26 inclusive, of this act for*, a violation of a traffic ordinance may be charged or tried
27 in any other court in this State for the same offense.

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

29 484A.600 A governmental entity and any agent thereof shall not use
30 photographic, video or digital equipment for gathering evidence to be used for the
31 issuance of a traffic citation *or ~~notice of~~ civil infraction citation pursuant to
32 section 27 of this act* for a violation of chapters 484A to 484E, inclusive, of NRS
33 unless the equipment is *a portable camera or event recording device worn or held
34 ~~in the hand or~~ by a peace officer, the equipment is otherwise* installed
35 temporarily or permanently within a vehicle or facility of a law enforcement agency
36 *~~or the equipment is privately owned by a nongovernmental entity.~~*

37 **Sec. 38.5.** NRS 484A.615 is hereby amended to read as follows:

38 484A.615 1. A court having jurisdiction over an offense for which a traffic
39 citation may be issued pursuant to NRS 484A.630 *or that is punishable as a civil
40 infraction pursuant to sections 24 to 36.7, inclusive, of this act*, or its traffic
41 violations bureau may establish a system by which, except as otherwise provided in
42 subsection ~~5.1~~ 6, the court or traffic violations bureau may allow ~~for~~ :

43 (a) A person who has been issued a traffic citation or a civil infraction citation
44 that is filed with the court or traffic violations bureau to perform certain actions
45 approved by the court or traffic violations bureau, including, without limitation,
46 to make a plea and state his or her defense or, if authorized, any mitigating
47 circumstances, by mail, by electronic mail, over the Internet or by other electronic
48 means.

49 (b) A peace officer who issued a civil infraction citation to a person or, if the
50 provisions of section 36.3 apply, a peace officer who halted a person, to perform
51 certain actions approved by the court or traffic violations bureau, including,
52 without limitation, to submit a written statement under oath by mail, by electronic
53 mail, over the Internet or by other electronic means in lieu of his or her personal

1 appearance at the hearing held pursuant to section 31 of this act to contest the
 2 determination that the person who has been issued the civil infraction citation
 3 committed a civil infraction.

4 2. Except as otherwise provided in subsection ~~5.~~ 6. if a court or traffic
 5 violations bureau has established a system pursuant to subsection 1, ~~the court or~~
 6 traffic violations bureau may allow:

7 (a) A person ~~{who has been issued a traffic citation that is filed with the court~~
 8 ~~or traffic violations bureau may, if allowed by the court and}~~ described in
 9 paragraph (a) of subsection 1 to use the system to perform certain actions
 10 approved by the court or traffic violations bureau, including without limitation, to
 11 make a plea or state his or her defense or, if authorized, any mitigating
 12 circumstances in lieu of making a plea and statement of his or her defense or any
 13 mitigating circumstances in court. ~~{ make a plea and state his or her defense or any~~
 14 ~~mitigating circumstances by using the system.}~~

15 (b) A peace officer described in paragraph (b) of subsection 1 to use the
 16 system to perform certain actions approved by the court or traffic violations
 17 bureau, including without limitation, to submit a written statement under oath in
 18 lieu of making a personal appearance in court.

19 3. Any ~~such~~ plea ~~and~~ or statement submitted through the system by a
 20 person or peace officer pursuant to subsection 2 must be received by the court
 21 before the date on which the person is required to appear in court pursuant to the
 22 traffic citation ~~+~~
 23 or civil infraction citation.

24 4. If a court or traffic violations bureau allows an eligible person to whom a
 25 traffic citation or civil infraction citation is issued to use a system established
 26 pursuant to subsection 1 to make a plea and state his or her defense or if
 27 authorized, any mitigating circumstances and the person chooses to make a plea
 28 and state his or her defense or any mitigating circumstances by using such a system,
 29 the person waives his or her right to a trial and the right to confront any witnesses.

30 ~~4.~~ 5. Any system established pursuant to subsection 1 must:

31 (a) For the purpose of authenticating that the person making the plea and
 32 statement of his or her defense or any mitigating circumstances or performing any
 33 other approved action is the person to whom the traffic citation or civil infraction
 34 citation was issued, be capable of requiring the person to submit any of the
 35 following information, as applicable, at the discretion of the court or traffic
 36 violations bureau:

- 37 (1) The traffic citation number ~~+~~ or civil infraction citation number;
- 38 (2) The name and address of the person;
- 39 (3) The state registration number of the person's vehicle, if any;
- 40 (4) The number of the driver's license of the person, if any;
- 41 (5) The offense charged ~~+~~ or the civil infraction for which the citation

42 was issued; and

43 (6) Any other information required by any rules adopted by the Nevada
 44 Supreme Court pursuant to subsection ~~6.~~ 7.

45 (b) For the purposes of authenticating that the peace officer submitting the
 46 written statement or performing any other approved action is the peace officer
 47 who issued the civil infraction citation, be capable of requiring the peace officer
 48 to submit any of the following information at the discretion of the court or traffic
 49 violations bureau:

- 50 (1) The civil infraction citation number;
- 51 (2) The civil infraction for which the citation was issued; and
- 52 (3) The first initial, last name and personnel number of the peace officer.

1 (c) Provide notice to each person who uses the system to make a plea and
 2 statement of his or her defense or any mitigating circumstances that the person
 3 waives his or her right to a trial and the right to confront any witnesses.

4 ~~(c)~~ (d) If a plea and statement of the defense or mitigating circumstances of a
 5 person or a written statement of a peace officer is submitted by electronic mail,
 6 over the Internet or by other electronic means ~~to confirm~~ :

7 (I) Confirm receipt of ~~the~~ :

8 (I) The plea and statement to the person making the plea; and

9 (II) The written statement to the peace officer; or ~~make~~

10 (2) Make available to ~~the~~ :

11 (I) The person making the plea a copy of the plea and statement ~~to~~ ;
 12 and

13 (II) The peace officer submitting the written statement a copy of the
 14 written statement.

15 ~~(5)~~ 6. A person who has been issued a traffic citation for any of the
 16 following offenses may not make a plea and state his or her defense or any
 17 mitigating circumstances by using a system established pursuant to subsection 1:

18 (a) Aggressive driving in violation of NRS 484B.650;

19 (b) Reckless driving in violation of NRS 484B.653;

20 (c) Vehicular manslaughter in violation of NRS 484B.657; or

21 (d) Driving, operating or being in actual physical control of a vehicle or a
 22 vessel under power or sail while under the influence of intoxicating liquor or a
 23 controlled substance in violation of NRS 484C.110, 484C.120 or 488.410, as
 24 applicable.

25 ~~(6)~~ 7. The Nevada Supreme Court may adopt rules not inconsistent with the
 26 laws of this State to carry out the provisions of this section.

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

28 484A.650 1. Whenever the driver of a vehicle is stopped by a peace officer
 29 for violating a provision of chapters 484A to 484E, inclusive, of NRS, except for
 30 violating a provision of NRS 484B.440 to 484B.523, inclusive, the officer shall
 31 demand proof of the insurance required by NRS 485.185 or 490.0825 and issue a
 32 citation as provided in NRS 484A.630 if the officer has probable cause to believe
 33 that the driver of the vehicle is in violation of NRS 485.187 or subsection ~~(4)~~ 5 of
 34 NRS 490.520. If the driver of the vehicle is not the owner, a citation must also be
 35 issued to the owner, and in such a case the driver:

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

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

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

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

45 **Sec. 39.5. NRS 484A.680 is hereby amended to read as follows:**

46 484A.680 1. Every peace officer upon issuing a traffic citation to an alleged
 47 violator of any provision of the motor vehicle laws of this State or of any traffic
 48 ordinance of any city or town shall file manually or, if the provisions of subsection
 49 2 are satisfied, file electronically the original or a copy of the traffic citation with a
 50 court having jurisdiction over the alleged offense or with its traffic violations
 51 bureau.

52 2. A copy of a traffic citation that is prepared electronically and issued to an
 53 alleged violator of any provision of the motor vehicle laws of this State or of any

1 traffic ordinance of any city or town may be filed electronically with a court having
2 jurisdiction over the alleged offense or with its traffic violations bureau if the court
3 or traffic violations bureau, respectively:

- 4 (a) Authorizes such electronic filing;
- 5 (b) Has the ability to receive and store the citation electronically; and
- 6 (c) Has the ability to physically reproduce the citation upon request.

7 3. Upon the filing of the original or a copy of the traffic citation with a court
8 having jurisdiction over the alleged offense or with its traffic violations bureau, the
9 traffic citation may be disposed of only by trial in that court or other official action
10 by a judge of that court, including ~~forfeiture of the bail, or by the deposit of~~
11 ~~sufficient bail with, or~~ payment of a fine to ~~the~~ the traffic violations bureau by the
12 person to whom the traffic citation has been issued by the peace officer.

13 4. It is unlawful and official misconduct for any peace officer or other officer
14 or public employee to dispose of a traffic citation or copies of it or of the record of
15 the issuance of a traffic citation in a manner other than as required in this section.

16 5. The chief administrative officer of every traffic enforcement agency shall
17 require the return to him or her of a physical copy or electronic record of every
18 traffic citation issued by an officer under his or her supervision to an alleged
19 violator of any traffic law or ordinance and of all physical copies or electronic
20 records of every traffic citation which has been spoiled or upon which any entry has
21 been made and not issued to an alleged violator.

22 6. The chief administrative officer shall also maintain or cause to be
23 maintained a record of every traffic citation issued by officers under his or her
24 supervision. The record must be retained for at least 2 years after issuance of the
25 citation.

26 7. As used in this section, "officer" includes a volunteer appointed to a traffic
27 enforcement agency pursuant to NRS 484B.470.

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

29 484A.900 1. It is unlawful and, unless otherwise declared in chapters 484A
30 to 484E, inclusive, of NRS with respect to a particular offense, it is a
31 ~~mis~~**misdemeanor** **civil infraction punishable pursuant to sections 24 to ~~36.7~~ 36.7,**
32 **inclusive, of this act** for any person to do any act forbidden or fail to perform any
33 act required in chapters 484A to 484E, inclusive, of NRS.

34 2. The court may order any person who **, within a 1-year period,** is twice
35 convicted of violating **, or found to have committed a civil infraction punishable**
36 **pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of this act for a violation of,** a
37 provision of chapters 484A to 484E, inclusive, of NRS to pay tuition for and attend
38 a school for driver training which is approved by the Department for retraining such
39 drivers. The person so ordered may choose from those so approved the school
40 which the person will attend. A person who willfully fails to comply with such an
41 order is guilty of a misdemeanor.

42 **Sec. 41.** NRS 484B.100 is hereby amended to read as follows:

43 484B.100 It is ~~unlawful~~ **a misdemeanor** for any person willfully to fail or
44 refuse to comply with any lawful order or direction of any police officer while the
45 officer is performing the duties of the officer in the enforcement of chapters 484A
46 to 484E, inclusive, of NRS.

47 **Sec. 41.3.** **NRS 484B.117 is hereby amended to read as follows:**

48 484B.117 1. Except as otherwise provided in subsection 2, the driver of a
49 vehicle shall not drive upon or within any sidewalk area except at a permanent or
50 temporary driveway or alley entrance. **A person who violates this subsection is**
51 **guilty of a misdemeanor.**

1 2. The provisions of subsection 1 do not apply to a vehicle that is powered
2 solely by electricity and designed to travel on three wheels when such a vehicle is
3 operated:

- 4 (a) As an authorized emergency vehicle;
5 (b) By an officer or other authorized employee of a law enforcement agency, as
6 that term is defined in NRS 239C.065, in the course of his or her official duties; or
7 (c) By a security guard, as that term is defined in NRS 648.016, in the course
8 of his or her official duties.

9 **Sec. 41.7. NRS 484B.127 is hereby amended to read as follows:**

10 484B.127 1. The driver of a vehicle shall not follow another vehicle more
11 closely than is reasonable and prudent, having due regard for the speed of such
12 vehicles and the traffic upon and the condition of the highway.

13 2. The driver of any truck or combination of vehicles 80 inches or more in
14 overall width, which is following a truck, or combination of vehicles 80 inches or
15 more in overall width, shall, whenever conditions permit, leave a space of 500 feet
16 so that an overtaking vehicle may enter and occupy such space without danger, but
17 this shall not prevent a truck or combination of vehicles from overtaking and
18 passing any vehicle or combination of vehicles. This subsection does not apply to
19 any vehicle or combination of vehicles while moving on a highway on which there
20 are two or more lanes available for traffic moving in the same direction.

21 3. Motor vehicles being driven upon any highway outside of a business
22 district in a caravan or motorcade, whether or not towing other vehicles, shall be
23 operated to allow sufficient space between each such vehicle or combination of
24 vehicles so as to enable any other vehicle or combination of vehicles to enter and
25 occupy such space without danger.

26 4. **A person who violates this section is guilty of a misdemeanor.**

27 **5.** This section does not apply to a vehicle which is using driver-assistive
28 platooning technology, as defined in NRS 482A.032.

29 **Sec. 42.** NRS 484B.130 is hereby amended to read as follows:

30 484B.130 1. Except as otherwise provided in subsections 2 and 6, a person
31 who is ~~convicted of~~ **found to have committed** a violation of a speed limit, or
32 **convicted of or found to have committed a violation** of NRS 484B.150, 484B.163,
33 484B.165, 484B.200 to 484B.217, inclusive, 484B.223, 484B.227, 484B.300,
34 484B.303, 484B.317, 484B.320, 484B.327, 484B.330, 484B.403, 484B.587,
35 484B.600, 484B.603, 484B.650, 484B.653, 484B.657, 484C.110 or 484C.120, that
36 occurred:

- 37 (a) In an area designated as a temporary traffic control zone; and
38 (b) At a time when the workers who are performing construction, maintenance
39 or repair of the highway or other work are present, or when the effects of the act
40 may be aggravated because of the condition of the highway caused by construction,
41 maintenance or repair, including, without limitation, reduction in lane width,
42 reduction in the number of lanes, shifting of lanes from the designated alignment
43 and uneven or temporary surfaces, including, without limitation, modifications to
44 road beds, cement-treated bases, chip seals and other similar conditions,
45 **shall, if the violation is a criminal offense,** be punished by imprisonment or by
46 a fine, or both, for a term or an amount equal to and in addition to the term of
47 imprisonment or amount of the fine, or both, that the court imposes for the primary
48 offense ~~or shall~~ **if the violation is a civil infraction punishable pursuant to**
49 **sections 24 to ~~36.7~~ 36.7, inclusive, of this act, be punished by a civil penalty in an**
50 **amount equal to and in addition to the civil penalty imposed that the court**
51 **imposes for the primary civil infraction.** Any term of imprisonment imposed
52 pursuant to this subsection runs consecutively with the sentence prescribed by the
53 court for the crime. This subsection does not create a separate offense ~~or civil~~

1 *infraction*, but provides an additional penalty for the primary offense ~~§~~ *or civil*
2 *infraction*, whose imposition is contingent upon the finding of the prescribed fact.

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

4 (a) *A criminal offense*, the additional penalty imposed pursuant to subsection
5 1 must not exceed a total of \$1,000, 6 months of imprisonment or 120 hours of
6 community service.

7 (b) *A civil infraction punishable pursuant to sections 24 to ~~36.7~~ 36.7,*
8 *inclusive, of this act, the additional penalty imposed pursuant to subsection 1*
9 *must not exceed a total of \$250.*

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

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

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

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

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

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

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

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

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

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

39 484B.135 1. Except as otherwise provided in subsections 2 and 4, a person
40 who is ~~convicted of~~ *found to have committed* a violation of a speed limit, or
41 *convicted of or found to have committed a violation* of NRS 484B.150, 484B.163,
42 484B.165, 484B.200 to 484B.217, inclusive, 484B.223, 484B.227, 484B.280,
43 484B.283, 484B.287, 484B.300, 484B.303, 484B.307, 484B.317, 484B.320,
44 484B.327, 484B.403, 484B.600, 484B.603, 484B.650, 484B.653, 484B.657,
45 484C.110 or 484C.120, that occurred in an area designated as a pedestrian safety
46 zone may :

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

51 (b) *If the violation is a civil infraction punishable pursuant to sections 24 to*
52 *~~36.7~~ 36.7, inclusive, of this act, be punished by a civil penalty in an amount equal*

1 *to and in addition to the civil penalty imposed that the court imposes for the*
2 *primary infraction.*

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

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

10 (a) *A criminal offense, the* additional penalty imposed pursuant to subsection
11 1 must not exceed a total of \$1,000, 6 months of imprisonment or 120 hours of
12 community service.

13 (b) *A civil infraction punishable pursuant to sections 24 to ~~36.7~~ 36.7,*
14 *inclusive, of this act, the additional penalty imposed pursuant to subsection 1*
15 *must not exceed a total of \$250.*

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

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

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

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

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

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

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

31 5. The governing body of a local government or the Department of
32 Transportation may designate a pedestrian safety zone on a highway if the
33 governing body or the Department of Transportation:

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

37 (b) Complies with the requirements of subsection 3 and NRS 484A.430 and
38 484A.440.

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

40 484B.150 1. It is ~~unlawful~~ *a misdemeanor* for a person to drink an
41 alcoholic beverage while the person is driving or in actual physical control of a
42 motor vehicle upon a highway.

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

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

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

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

1 4. As used in this section:

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

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

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

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

8 484B.157 1. Except as otherwise provided in subsection 7, any person who
9 is transporting a child who is less than 6 years of age and who weighs 60 pounds or
10 less in a motor vehicle operated in this State which is equipped to carry passengers
11 shall secure the child in a child restraint system which:

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

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

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

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

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

21 2. ~~A violation of this section is a civil infraction punishable pursuant to~~
22 ~~sections 24 to 36, inclusive, of this act. If a defendant pleads or} person [is found~~
23 ~~guilty of violating to have committed a violation of] who violates~~ the provisions of
24 subsection 1, ~~is guilty of a misdemeanor and~~ the court shall:

25 (a) For a first ~~offense, [violation,]~~ order the ~~[defendant] person~~ to pay a ~~fine~~
26 ~~[civil penalty]~~ of not less than \$100 or more than \$500 or order the ~~[defendant]~~
27 ~~person~~ to perform not less than 10 hours or more than 50 hours of community
28 service;

29 (b) For a second ~~offense, [violation,]~~ order the ~~[defendant] person~~ to pay a ~~fine~~
30 ~~[civil penalty]~~ of not less than \$500 or more than \$1,000 or order the ~~[defendant]~~
31 ~~person~~ to perform not less than 50 hours or more than 100 hours of community
32 service; and

33 (c) For a third or subsequent ~~offense, [violation,]~~ suspend the driver's license
34 of the ~~[defendant] person~~ for not less than 30 days or more than 180 days.

35 3. At the time of ~~sentencing, [imposing a civil penalty pursuant to subsection~~
36 ~~2,]~~ the court shall provide the ~~[defendant] person who committed the [violation]~~
37 ~~offense~~ with a list of persons and agencies approved by the Department of Public
38 Safety to conduct programs of training and perform inspections of child restraint
39 systems. The list must include, without limitation, an indication of the fee, if any,
40 established by the person or agency pursuant to subsection 4. If, within 60 days
41 after ~~sentencing, [a defendant the person is found to have committed the~~
42 ~~violation,] the person~~ provides the court with proof of satisfactory completion of a
43 program of training provided for in this subsection, the court shall:

44 (a) If the ~~[defendant] person~~ was ~~sentenced [punished]~~ pursuant to paragraph
45 (a) of subsection 2, waive the ~~fine [civil penalty]~~ or community service previously
46 imposed; or

47 (b) If the ~~[defendant] person~~ was ~~sentenced [punished]~~ pursuant to paragraph
48 (b) of subsection 2, reduce by one-half the ~~fine [civil penalty]~~ or community service
49 previously imposed.

50 ~~↳ A [defendant] person~~ is only eligible for a reduction of a ~~fine [civil penalty]~~ or
51 community service pursuant to paragraph (b) if the ~~[defendant] person~~ has not had
52 a fine or community service waived pursuant to paragraph (a).

1 4. A person or agency approved by the Department of Public Safety to
2 conduct programs of training and perform inspections of child restraint systems
3 may, in cooperation with the Department ~~{}~~ of *Motor Vehicles*, establish a fee to be
4 paid by ~~{defendants}~~ *persons* who are ordered to complete a program of training.
5 The amount of the fee, if any:

6 (a) Must be reasonable; and

7 (b) May, if a ~~{defendant}~~ *person* desires to acquire a child restraint system
8 from such a person or agency, include the cost of a child restraint system provided
9 by the person or agency to the defendant.

10 ↘ A program of training may not be operated for profit.

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

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

14 (a) Negligence in any civil action; or

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

16 7. This section does not apply:

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

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

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

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

30 (b) Integrated child seats; and

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

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

34 484B.160 1. Except as otherwise provided in subsections 2 and 4, a driver
35 shall not permit a person, with regard to a motor vehicle being operated on a paved
36 highway, to ride upon or within any portion of the vehicle that is primarily designed
37 or intended for carrying goods or other cargo or that is otherwise not designed or
38 intended for the use of passengers, including, without limitation:

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

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

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

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

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

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

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

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

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

1 5. A violation of this section:

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

3 (b) May not be considered as:

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

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

6 6. As used in this section:

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

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

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

10 484B.165 1. Except as otherwise provided in this section, a person shall not,
11 while operating a motor vehicle on a highway in this State:

12 (a) Manually type or enter text into a cellular telephone or other handheld
13 wireless communications device, or send or read data using any such device to
14 access or search the Internet or to engage in nonvoice communications with another
15 person, including, without limitation, texting, electronic messaging and instant
16 messaging.

17 (b) Use a cellular telephone or other handheld wireless communications device
18 to engage in voice communications with another person, unless the device is used
19 with an accessory which allows the person to communicate without using his or her
20 hands, other than to activate, deactivate or initiate a feature or function on the
21 device.

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

23 (a) A paid or volunteer firefighter, emergency medical technician, advanced
24 emergency medical technician, paramedic, ambulance attendant or other person
25 trained to provide emergency medical services who is acting within the course and
26 scope of his or her employment.

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

30 (c) A person who is reporting a medical emergency, a safety hazard or criminal
31 activity or who is requesting assistance relating to a medical emergency, a safety
32 hazard or criminal activity.

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

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

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

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

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

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

49 4. A person who violates any provision of subsection 1 is guilty of a
50 ~~misdemeanor~~ **civil infraction punishable pursuant to sections 24 to ~~36,~~ 36.7,**
51 **inclusive, of this act** and:

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

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

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

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

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

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

12 8. As used in this section:

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

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

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

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

27 **Sec. 47.3. NRS 484B.267 is hereby amended to read as follows:**

28 484B.267 1. Upon the immediate approach of an authorized emergency
29 vehicle or an official vehicle of a regulatory agency, making use of flashing lights
30 meeting the requirements of subsection 3 of NRS 484A.480, the driver of every
31 other vehicle shall yield the right-of-way and shall immediately drive to a position
32 parallel to, and as close as possible to, the right-hand edge or curb of a highway
33 clear of any intersection and shall stop and remain in such position until the
34 authorized emergency vehicle or official vehicle has passed, except when otherwise
35 directed by a law enforcement officer.

36 2. Upon approaching an authorized emergency vehicle or an official vehicle
37 of a regulatory agency which is moving or preparing to move in any direction,
38 including, without limitation, arriving at or leaving the scene of a crash or other
39 incident, and making use of flashing lights meeting the requirements of subsection
40 3 of NRS 484A.480, the driver of any other vehicle shall, except when otherwise
41 directed by a law enforcement officer:

42 (a) Decrease the speed of his or her vehicle to a speed that is reasonable and
43 proper, pursuant to the criteria set forth in subsection 1 of NRS 484B.600;

44 (b) Proceed with caution;

45 (c) Be prepared to stop;

46 (d) If the authorized emergency vehicle or official vehicle of a regulatory
47 agency is moving in the same direction of travel as the driver, not drive abreast of
48 or overtake the authorized emergency vehicle or official vehicle of a regulatory
49 agency;

50 (e) If possible, drive in a lane that is not adjacent to the lane in which the
51 authorized emergency vehicle or official vehicle of a regulatory agency is moving,
52 unless roadway, traffic, weather or other conditions make doing so unsafe or
53 impossible; and

1 (f) If the authorized emergency vehicle or official vehicle of a regulatory
2 agency:

3 (1) Approaches the driver's vehicle, proceed as required pursuant to
4 subsection 1; or

5 (2) Stops, proceed as required pursuant to NRS 484B.607.

6 3. A person who violates this section is guilty of a misdemeanor.

7 4. As used in this section, "preparing to move" means any indication that is
8 visible to an approaching driver that an authorized emergency vehicle or an official
9 vehicle of a regulatory agency is about to move, including, without limitation:

10 (a) A movement of the vehicle; or

11 (b) The use of hand signals by the driver of the vehicle.

12 Sec. 47.5. NRS 484B.290 is hereby amended to read as follows:

13 484B.290 ~~[[]]~~ A person who is blind and who is on foot and using a service
14 animal or carrying a cane or walking stick white in color, or white tipped with red,
15 has the right-of-way when entering or when on a highway, street or road of this
16 State. Any driver of a vehicle who approaches or encounters such a person shall
17 yield the right-of-way, come to a full stop, if necessary, and take precautions before
18 proceeding to avoid a crash or injury to the person.

19 ~~[[2- Any]]~~ A person who violates [subsection 1 shall be punished by
20 imprisonment in the county jail for not more than 6 months or by a fine of not less
21 than \$100 nor more than \$500, or by both fine and imprisonment.] this section is
22 guilty of a civil infraction punishable pursuant to sections 24 to 36.7, inclusive, of
23 this act.

24 Sec. 47.7. NRS 484B.317 is hereby amended to read as follows:

25 484B.317 1. A person shall not, without lawful authority, attempt to or
26 alter, deface, injure, knock down or remove any official traffic-control device or
27 any railroad sign or signal or any inscription, shield or insigne thereon, or any other
28 part thereof.

29 2. A person who violates ~~[any provision of this section may]~~ subsection 1:

30 (a) Is guilty of a misdemeanor; and

31 (b) May be subject to any additional penalty set forth in NRS 484B.130 or
32 484B.135.

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

34 484B.323 1. A person shall not operate a vehicle in a lane designated for the
35 use of high-occupancy vehicles except in conformity with the established
36 conditions which are placed and maintained on signs and other official traffic-
37 control devices pursuant to subsection 2 of NRS 484A.460 or established by
38 regulation.

39 2. A person who violates subsection 1 is guilty of a ~~[misdemeanor]~~ civil
40 infraction punishable pursuant to sections 24 to [36.] 36.7, inclusive, of this act
41 and shall be [fined] punished by a civil penalty of \$250 for each offense.

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

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

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

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

46 (d) Any other vehicle designated by regulation.

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

48 484B.330 1. It is unlawful for a driver of a vehicle to fail or refuse to
49 comply with any signal of an authorized flagger serving in a traffic control capacity
50 in a clearly marked area of highway construction or maintenance or any other area
51 which has been designated as a temporary traffic control zone.

52 2. A district attorney shall prosecute all violations of subsection 1 which
53 occur in his or her jurisdiction and which result in injury to any person performing

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

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

12 4. As used in this section, "authorized flagger serving in a traffic control
13 capacity" means:

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

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

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

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

29 484B.593 1. The Department of Transportation or a local authority, after
30 considering the advice of the Nevada Bicycle and Pedestrian Advisory Board, may
31 with respect to any controlled-access highway under its jurisdiction:

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

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

37 2. Any person who violates any prohibition or restriction enacted pursuant to
38 subsection 1 is guilty of a ~~misdemeanor~~ *civil infraction punishable pursuant to*
39 *sections 24 to ~~36~~ 36.7, inclusive, of this act.*

40 **Sec. 51.** NRS 484B.600 is hereby amended to read as follows:

41 484B.600 1. It is unlawful for any person to drive or operate a vehicle of
42 any kind or character at:

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

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

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

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

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

52 2. If, while violating any provision of subsection 1, the driver of a motor
53 vehicle is the proximate cause of a collision with a pedestrian or a person riding a

1 bicycle, an electric bicycle or an electric scooter, the driver is subject to the
2 additional penalty set forth in subsection 4 of NRS 484B.653.

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

5 4. Except as otherwise provided by law, if a person is issued a traffic citation
6 for a violation of any provision of subsection 1, the court may, in its discretion,
7 reduce the violation from a moving traffic violation to a violation that is not a
8 moving traffic violation. There is a presumption in favor of reducing the violation if
9 the person pays the entire amount of the fine and all fees due before the date on
10 which the person is first required to make an appearance relating to the citation,
11 whether by personal appearance or through his or her counsel, but such a
12 presumption may be overcome if the driving record of the person demonstrates a
13 pattern of moving traffic violations.

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

19 ~~6. [A] Except as otherwise provided in subsection 7, a person who commits~~
20 ~~a violation of any provision of this section that causes physical injury to a person~~
21 ~~or damage to property shall be punished by a civil penalty of not more than~~
22 ~~\$1,000.~~

23 7. A person who commits a violation of any provision of this section and, at
24 the time the violation was committed, was operating a vehicle at a rate of speed
25 that was 30 miles per hour or more over that posted by a public authority is guilty
26 of a misdemeanor.

27 **Sec. 52.** ~~[NRS 484B.607 is hereby amended to read as follows:~~

28 ~~484B.607 1. Upon approaching any traffic incident, the driver of the~~
29 ~~approaching vehicle shall, in the absence of other direction given by a law~~
30 ~~enforcement officer:~~

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

33 ~~(b) Proceed with caution;~~

34 ~~(c) Be prepared to stop; and~~

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

38 ~~2. [A] Except as otherwise provided in this subsection, a person who violates~~
39 ~~subsection 1 is guilty of a [misdemeanor.] civil infraction punishable pursuant to~~
40 ~~sections 24 to 36, inclusive, of this act. A person who commits a violation of~~
41 ~~subsection 1 that causes physical injury to a person or damage to property is~~
42 ~~guilty of a civil infraction and shall be punished by a civil penalty of not more~~
43 ~~than \$1,000.~~

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

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

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

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

~~6 (d) A vehicle, owned or operated by a person who contracts with the
7 Department of Transportation to provide aid to motorists or to mitigate traffic
8 incidents, which is stopped or moving at a speed slower than the normal flow of
9 traffic and making use of lamps that emit nonflashing blue light meeting the
10 requirements of NRS 484D.200;~~

~~11 (e) A public utility vehicle which is stopped or moving at a speed slower than
12 the normal flow of traffic and is making use of flashing amber warning lights
13 meeting the requirements of NRS 484D.195;~~

~~14 (f) An authorized vehicle of a local governmental agency which is stopped or
15 moving at a speed slower than the normal flow of traffic and is making use of
16 flashing amber warning lights meeting the requirements of NRS 484D.185;~~

~~17 (g) Any vehicle which is stopped or moving at a speed slower than the normal
18 flow of traffic and is making use of flashing amber warning lights meeting the
19 requirements of NRS 484D.185;~~

~~20 (h) A crash scene;~~

~~21 (i) A stalled vehicle;~~

~~22 (j) Debris on the roadway; or~~

~~23 (k) A person who is out of his or her vehicle attending to a repair of the
24 vehicle. **(Deleted by amendment.)**~~

Sec. 53. NRS 484B.610 is hereby amended to read as follows:

484B.610 1. Except as otherwise provided in subsection 2 and pursuant to the power granted in NRS 269.185, the town board or board of county commissioners may, by ordinance, limit the speed of motor vehicles in any unincorporated town in the county as may be deemed proper.

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

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

4. Except as otherwise provided in subsection 5, a person who violates any speed limit established pursuant to this section for the particular portion of the highway being traversed shall be punished by a civil penalty of not more than ~~[\$20 for each mile per hour a person travels over the posted speed limit established pursuant to this section.] \$500.~~

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

Sec. 54. NRS 484B.613 is hereby amended to read as follows:

484B.613 1. The Department of Transportation may establish the speed limits for motor vehicles on highways which are constructed and maintained by the Department of Transportation under the authority granted to it by chapter 408 of NRS.

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

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

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

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

4. *Except as otherwise provided in subsection 5, a person who violates any speed limit established pursuant to this section for the particular portion of the highway being traversed shall be punished by a civil penalty of not more than ~~[\$20 for each mile per hour over the speed limit established pursuant to this section.] \$500.~~*

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

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

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

- (a) The posted speed limit is 60 miles per hour and the person is not exceeding a speed of 70 miles per hour.
- (b) The posted speed limit is 65 miles per hour and the person is not exceeding a speed of 75 miles per hour.
- (c) The posted speed limit is 70 miles per hour and the person is not exceeding a speed of 75 miles per hour.
- (d) The posted speed limit is 75 miles per hour and the person is not exceeding a speed of 80 miles per hour.
- (e) The posted speed limit is 80 miles per hour and the person is not exceeding a speed of 85 miles per hour.

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

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

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

- (a) An urban area; or
- (b) An area which is adjacent to an urban area and which has been designated by the public authority that established the posted speed limit for the portion of highway being traversed as an area that requires strict observance of the posted speed limit to protect public health and safety.

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

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

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

3. *A person who violates subsection 2 shall be punished by a civil penalty of not more than ~~[\$20 for each mile per hour in excess of the speed authorized in the speed zone.] \$500.~~*

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

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

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

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

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

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

12 2. A person who violates subsection 1 is guilty of a ~~misdeemeanor~~ *civil*
13 *infraction punishable pursuant to sections 24 to ~~36~~ 36.7, inclusive, of this act.*

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

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

18 484B.650 1. A driver commits an offense of aggressive driving if, during
19 any single, continuous period of driving within the course of 1 mile, the driver does
20 all the following, in any sequence:

21 (a) Commits one or more acts of speeding in violation of NRS 484B.363 or
22 484B.600.

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

25 (1) Failing to obey an official traffic-control device in violation of NRS
26 484B.300.

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

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

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

32 (5) Failing to yield the right-of-way in violation of any provision of NRS
33 484B.250 to 484B.267, inclusive.

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

37 2. A driver may be prosecuted and convicted of an offense of aggressive
38 driving in violation of subsection 1 whether or not the driver is ~~prosecuted or~~
39 ~~convicted~~ *issued a ~~notice of~~ civil infraction citation pursuant to section 27 of*
40 *this act for committing, or is found to have committed, any of the acts described in*
41 *paragraphs (a) and (b) of subsection 1 ~~that are punishable as a civil infraction.~~*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33 484B.760 1. It is a ~~misdeemeanor~~ *civil infraction punishable pursuant to*
34 *sections 24 to ~~36.7~~ 36.7, inclusive, of this act* for any person to do any act
35 forbidden or fail to perform any act required in NRS 484B.768 to 484B.790,
36 inclusive.

37 2. The parent of any child and the guardian of any ward shall not authorize or
38 knowingly permit the child or ward to violate any of the provisions of chapters
39 484A to 484E, inclusive, of NRS.

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

44 **Sec. 60.** NRS 484B.900 is hereby amended to read as follows:

45 484B.900 No automobile rental agency shall be liable for any traffic violation
46 arising out of the use of a leased or rented motor vehicle during the period such
47 motor vehicle is not in the possession of the agency. This section does not absolve
48 any such agency from liability for any ~~misdeemeanor~~ *or civil infraction punishable*
49 *pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of this act* committed by an officer,
50 employee or agent of the agency.

51 **Sec. 60.5.** NRS 484C.470 is hereby amended to read as follows:

52 484C.470 1. The court may extend the order of a person who is required to
53 install a device pursuant to NRS 484C.210 or 484C.460, not to exceed one-half of

1 the period during which the person is required to have a device installed, if the
2 court receives from the Director of the Department of Public Safety or the
3 manufacturer of the device or its agent a report that 4 consecutive months prior to
4 the date of release any of the following incidents occurred:

5 (a) Any attempt by the person to start the vehicle with a concentration of
6 alcohol of 0.04 or more in his or her breath unless a subsequent test performed
7 within 10 minutes registers a concentration of alcohol lower than 0.04 and the
8 digital image confirms the same person provided both samples;

9 (b) Failure of the person to take any random test unless a review of the digital
10 image confirms that the vehicle was not occupied by the person at the time of the
11 missed test;

12 (c) Failure of the person to pass any random retest with a concentration of
13 alcohol of 0.025 or lower in his or her breath unless a subsequent test performed
14 within 10 minutes registers a concentration of alcohol lower than 0.025, and the
15 digital image confirms the same person provided both samples;

16 (d) Failure of the person to have the device inspected, calibrated, monitored
17 and maintained by the manufacturer or its agent pursuant to subsection 4 of NRS
18 484C.460; or

19 (e) Any attempt by the person to operate a motor vehicle without a device or
20 tamper with the device.

21 2. A person required to install a device pursuant to NRS 484C.210 or
22 484C.460 shall not operate a motor vehicle without a device or tamper with the
23 device.

24 3. A person who violates any provision of subsection 2:

25 (a) Must have his or her driving privilege revoked in the manner set forth in
26 subsection 4 of NRS 483.460; and

27 (b) ~~[shall]~~ is guilty of a misdemeanor and shall be:

28 (1) Punished by imprisonment in jail for not less than 30 days nor more
29 than 6 months; or

30 (2) Sentenced to a term of not less than 60 days in residential confinement
31 nor more than 6 months, and by a fine of not less than \$500 nor more than \$1,000.

32 ➤ No person who is punished pursuant to this section may be granted probation,
33 and no sentence imposed for such a violation may be suspended. No prosecutor
34 may dismiss a charge of such a violation in exchange for a plea of guilty, guilty but
35 mentally ill or nolo contendere to a lesser charge or for any other reason unless, in
36 the judgment of the attorney, the charge is not supported by probable cause or
37 cannot be proved at trial.

38 **Sec. 61.** NRS 484D.285 is hereby amended to read as follows:

39 484D.285 1. The driver of a vehicle which is equipped with a device for
40 braking that uses the compression of the engine of the vehicle shall not use the
41 device at any time unless:

42 (a) The device is equipped with an operational muffler; or

43 (b) The driver reasonably believes that an emergency requires the use of the
44 device to protect the physical safety of a person or others from an immediate threat
45 of physical injury or to protect against an immediate threat of damage to property.

46 2. A person who violates the provisions of this section is guilty of a
47 ~~[misdemeanor.]~~ civil infraction punishable pursuant to sections 24 to ~~[36.]~~ 36.7,
48 inclusive, of this act.

49 **Sec. 62.** NRS 484D.405 is hereby amended to read as follows:

50 484D.405 1. It is unlawful for any person to operate or cause to be operated
51 upon the public highways of the State of Nevada any out-of-state or foreign
52 privately owned motor vehicle equipped with a red light or siren attached thereto as
53 a part of the equipment of the vehicle.

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

7 3. A violation of the provisions of this section is punishable by a ~~{fine}~~ *civil*
8 *penalty* of not more than \$250.

9 **Sec. 63.** NRS 484D.495 is hereby amended to read as follows:

10 484D.495 1. It is unlawful to drive a passenger car manufactured after:

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

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

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

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

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

21 (b) Weighs more than 60 pounds, regardless of age,
22 ↳ who rides in the front or back seat of any vehicle described in subsection 1,
23 having an unladen weight of less than 10,000 pounds, on any highway, road or
24 street in this State shall wear a safety belt if one is available for the seating position
25 of the person or passenger.

26 3. A *civil infraction citation* ~~{notice of civil infraction}~~ must be issued
27 *pursuant to section 27 of this act* to any driver or to any adult passenger who fails
28 to wear a safety belt as required by subsection 2. If the passenger is a child who:

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

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

32 ↳ a *civil infraction citation* ~~{notice of civil infraction}~~ must be issued *pursuant to*
33 *section 27 of this act* to the driver for failing to require that child to wear the safety
34 belt, but if both the driver and that child are not wearing safety belts, only one *civil*
35 *infraction citation* ~~{notice of civil infraction}~~ may be issued to the driver for both
36 violations. A *civil infraction citation* ~~{notice of civil infraction}~~ may be issued
37 pursuant to ~~{this subsection}~~ *section 27 of this act* only if the violation is discovered
38 when the vehicle is halted or its driver arrested for another alleged violation or
39 offense. Any person who violates the provisions of subsection 2 shall be punished
40 by a ~~{fine}~~ *civil penalty* of not more than \$25 or by a sentence to perform a certain
41 number of hours of community service.

42 4. A violation of subsection 2:

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

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

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

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

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

1 (a) To a driver or passenger who possesses a written statement by a physician
2 or an advanced practice registered nurse certifying that the driver or passenger is
3 unable to wear a safety belt for medical or physical reasons;

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

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

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

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

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

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

18 484D.540 Violation of the provisions of NRS 484D.535 is a ~~misdeemeanor.~~
19 *civil infraction punishable pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of this*
20 *act.* Whenever any motor vehicle is found by any peace officer to be in violation of
21 the provisions of NRS 484D.535, and a ~~notice to appear or~~ *civil infraction*
22 *citation* ~~[of civil infraction]~~ is issued ~~[] pursuant to section 27 of this act, [] the~~
23 ~~[notice]~~ *citation* may require that the person named therein shall produce in court
24 proof that such vehicle or its equipment has been made to conform to the provisions
25 of NRS 484D.535.

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

27 484D.620 Any person operating or moving any vehicle or equipment over
28 any highway who violates any length limitation in this chapter is guilty of a
29 ~~misdeemeanor.~~ *civil infraction punishable pursuant to sections 24 to ~~36.7~~ 36.7,*
30 *inclusive, of this act.*

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

32 484D.680 1. Except as otherwise provided in subsection ~~[5.] 4,~~ a person
33 ~~[convicted of]~~ *found to have committed* a violation of any limitation of weight
34 imposed by NRS 484D.615 to 484D.675, inclusive, shall be punished by a ~~[fine]~~
35 *civil penalty* as specified in the following table:

Pounds of Excess Weight	[Fine] <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
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

46 2. If the resulting ~~[fine]~~ *civil penalty* is not a whole number of dollars, the
47 nearest whole number above the computed amount must be imposed as the ~~[fine.]~~
48 *civil penalty.*

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

52 4. ~~[Any bail allowed must not be less than the appropriate fine provided for in~~
53 ~~this section.~~

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

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

10 484D.745 1. It is unlawful for any person to operate or move any vehicle or
 11 equipment described in NRS 484D.615 or 484D.685 to 484D.725, inclusive, over
 12 any highway without first obtaining a permit, or to violate or evade any of the terms
 13 or conditions of the permit when issued. A person violating any of the provisions of
 14 NRS 484D.685 to 484D.740, inclusive, is guilty of a ~~[misdemeanor.]~~ *civil*
 15 *infraction punishable pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of this act.*

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

22 **Sec. 67.2.** NRS 484E.020 is hereby amended to read as follows:

23 484E.020 1. The driver of any vehicle involved in a crash resulting only in
 24 damage to a vehicle or other property which is driven or attended by any person
 25 shall:

26 ~~1.~~ (a) Immediately stop his or her vehicle at the scene of the crash; and

27 ~~2.~~ (b) If the driver's vehicle is creating a hazard or obstructing traffic and can
 28 be moved safely, move the vehicle or cause the vehicle to be moved out of the
 29 traffic lanes of the roadway to a safe location that does not create a hazard or
 30 obstruct traffic and, if applicable, safely fulfill the requirements of NRS 484E.030.

31 2. A person who violates this section is guilty of a misdemeanor.

32 **Sec. 67.4.** NRS 484E.030 is hereby amended to read as follows:

33 484E.030 1. The driver of any vehicle involved in a crash resulting in injury
 34 to or death of any person or damage to any vehicle or other property which is
 35 driven or attended by any person shall:

36 (a) Give his or her name, address and the registration number of the vehicle the
 37 driver is driving, and shall upon request and if available exhibit his or her license to
 38 operate a motor vehicle to any person injured in such crash or to the driver or
 39 occupant of or person attending any vehicle or other property damaged in such
 40 crash;

41 (b) Give such information and upon request manually surrender such license to
 42 any police officer at the scene of the crash or who is investigating the crash; and

43 (c) Render to any person injured in such crash reasonable assistance, including
 44 the carrying, or the making of arrangements for the carrying, of such person to a
 45 physician, surgeon or hospital for medical or surgical treatment if it is apparent that
 46 such treatment is necessary, or if such carrying is requested by the injured person.

47 2. If no police officer is present, the driver of any vehicle involved in such
 48 crash after fulfilling all other requirements of subsection 1 and NRS 484E.010,
 49 insofar as possible on his or her part to be performed, shall forthwith report such
 50 crash to the nearest office of a police authority or of the Nevada Highway Patrol
 51 and submit thereto the information specified in subsection 1.

52 3. A person who violates this section is guilty of a misdemeanor.

53 **Sec. 67.6.** NRS 484E.040 is hereby amended to read as follows:

1 484E.040 1. Except as otherwise provided in subsection 2, the driver of any
2 vehicle which is involved in a crash with any vehicle or other property which is
3 unattended, resulting in any damage to such other vehicle or property, shall
4 immediately stop and shall then and there locate and notify the operator or owner of
5 such vehicle or other property of the name and address of the driver and owner of
6 the vehicle striking the unattended vehicle or other property or shall attach securely
7 in a conspicuous place in or on such vehicle or property a written notice giving the
8 name and address of the driver and of the owner of the vehicle doing the striking.

9 2. If the vehicle of a driver involved in a crash pursuant to subsection 1 is
10 creating a hazard or obstructing traffic and can be moved safely, the driver shall,
11 before meeting the requirements of subsection 1, move the vehicle or cause the
12 vehicle to be moved out of the traffic lanes of the roadway to a safe location that
13 does not create a hazard or obstruct traffic and minimizes interference with the free
14 movement of traffic.

15 3. A person who violates this section is guilty of a misdemeanor.

16 Sec. 67.8. NRS 484E.050 is hereby amended to read as follows:

17 484E.050 1. The driver of a vehicle which is involved in a crash with any
18 vehicle or other property which is unattended, resulting in any damage to such other
19 vehicle or property, shall immediately by the quickest means of communication
20 give notice of such crash to the nearest office of a police authority or of the Nevada
21 Highway Patrol.

22 2. Whenever the driver of a vehicle is physically incapable of giving an
23 immediate notice of a crash as required in subsection 1 and there was another
24 occupant in the vehicle at the time of the crash capable of doing so, such occupant
25 shall make or cause to be given the notice not given by the driver.

26 3. A person who violates this section is guilty of a misdemeanor.

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

28 485.135 The Department shall upon request furnish any person a certified
29 abstract of the operating record of any person subject to the provisions of this
30 chapter, which abstract must also fully designate the motor vehicles, if any,
31 registered in the name of that person, and, if there is no record of any ~~conviction~~
32 ~~or~~ ~~violations by~~ that person of ~~violating~~ any law relating to the operation of a
33 motor vehicle or of any injury or damage caused by that person, the Department
34 shall so certify.

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

36 486.171 1. A person shall not authorize or knowingly permit a motorcycle,
37 except a trimobile, owned by or under the control of the person to be driven upon
38 any highway by any person who is not authorized pursuant to NRS 486.011 to
39 486.381, inclusive, to drive a motorcycle.

40 2. A person who violates this section is guilty of a misdemeanor.

41 Sec. 69.5. NRS 486.180 is hereby amended to read as follows:

42 486.180 1. The provisions of NRS 486.180 to 486.361, inclusive, are
43 applicable and uniform throughout this State.

44 2. A local authority shall not enact an ordinance governing the operation and
45 equipment of a motorcycle or moped which is in conflict with any of the provisions
46 of NRS 486.180 to 486.361, inclusive.

47 3. A local authority shall not enact an ordinance providing a criminal
48 penalty for a violation of this chapter for which the penalty prescribed by this
49 chapter is a civil penalty.

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

51 486.375 1. A person who:

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

- 1 (b) Is at least 21 years old;
- 2 (c) Holds a motorcycle driver's license or a motorcycle endorsement to a
- 3 driver's license issued by the Department;
- 4 (d) Has held a motorcycle driver's license or endorsement for at least 2 years;
- 5 and

6 (e) Is certified as an instructor of motorcycle riders by a nationally recognized
 7 public or private organization which is approved by the Director,
 8 **→** may apply to the Department for a license as an instructor for the Program.

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

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

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

16 3. The Director shall adopt standards and procedures for the licensing of
 17 instructors for the Program.

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

19 486.381 Any person violating any provisions of NRS 486.011 to 486.361,
 20 inclusive, is guilty of a ~~misdeemeanor~~ *civil infraction unless a provision of those*
 21 *sections specifically provides that a particular violation is a misdemeanor, gross*
 22 *misdemeanor or felony.*

23 **Sec. 71.5.** Chapter 490 of NRS is hereby amended by adding thereto a
 24 new section to read as follows:

25 *A local authority shall not enact an ordinance providing a criminal penalty*
 26 *for a violation of this chapter for which the penalty prescribed by this chapter is a*
 27 *civil penalty.*

28 **Sec. 72.** NRS 490.520 is hereby amended to read as follows:

29 490.520 1. It is a gross misdemeanor for any person knowingly to falsify:

30 (a) An off-highway vehicle dealer's report of sale, as described in NRS
 31 490.440; or

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

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

36 3. Except as otherwise provided in subsections ~~[3]~~ 4 and ~~[4]~~ 5, it is a
 37 ~~misdeemeanor~~ *civil infraction punishable pursuant to sections 24 to ~~[36]~~ 36.7,*
 38 *inclusive, of this act* for any person to violate any of the provisions of this chapter
 39 unless the violation is by this section or other provision of this chapter or other law
 40 of this State declared to be a *misdemeanor*, gross misdemeanor or ~~felony~~.

41 ~~[3]~~ 4. Except as otherwise provided in subsection ~~[4]~~ 5, a person who
 42 violates a provision of this chapter relating to the registration or operation of an off-
 43 highway vehicle is guilty of a ~~misdeemeanor~~ *civil infraction punishable pursuant*
 44 *to sections 24 to ~~[36]~~ 36.7, inclusive, of this act* and shall be punished by a ~~fine~~
 45 *civil penalty* not to exceed \$100.

46 ~~[4]~~ 5. Any person who registers a large all-terrain vehicle pursuant to NRS
 47 490.0825 and who:

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

50 (b) Operates or knowingly permits the operation of the vehicle without having
 51 evidence of insurance of the vehicle in the possession of the operator of the vehicle;
 52 or

1 (c) Fails or refuses to surrender, upon demand, to a peace officer or to an
 2 authorized representative of the Department the evidence of insurance,
 3 is guilty of a ~~["misdemeanor"]~~ *civil infraction punishable pursuant to sections 24*
 4 *to ~~136.1~~ 36.7, inclusive, of this act* and shall be punished by a ~~["fine"]~~ *civil penalty*
 5 not to exceed \$100.

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

7 4.355 1. A justice of the peace in a township whose population is 40,000 or
 8 more may appoint a referee to take testimony and recommend orders and a
 9 judgment:

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

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

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

14 (d) In any action for a misdemeanor constituting a violation of a county traffic
 15 ordinance ~~[";"]~~; *or*

16 *(e) In any action to determine whether a person has committed a civil*
 17 *infraction punishable pursuant to sections 24 to ~~136.1~~ 36.7, inclusive, of this act.*

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

20 3. The referee:

21 (a) Shall take testimony;

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

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

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

28 4. The findings of fact, conclusions of law and recommendations of the
 29 referee must be furnished to each party or his or her attorney at the conclusion of
 30 the proceeding or as soon thereafter as possible. Within 5 days after receipt of the
 31 findings of fact, conclusions of law and recommendations, a party may file a
 32 written objection. If no objection is filed, the court shall accept the findings, unless
 33 clearly erroneous, and the judgment may be entered thereon. If an objection is filed
 34 within the 5-day period, the justice of the peace shall review the matter by trial de
 35 novo, except that if all of the parties so stipulate, the review must be confined to the
 36 record.

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

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

40 4.370 1. Except as otherwise provided in subsection 2, justice courts have
 41 jurisdiction of the following civil actions and proceedings and no others except as
 42 otherwise provided by specific statute:

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

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

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

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

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

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

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

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

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

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

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

22 (l) In actions for a ~~fine~~ *civil penalty* imposed for a violation of NRS
23 484D.680.

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

29 (1) In a county whose population is 100,000 or more and less than
30 700,000;

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

33 (3) If a district court issues a written order to the justice court requiring that
34 further proceedings relating to the action for the issuance of the order for protection
35 be conducted before the district court.

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

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

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

44 (3) If a district court issues a written order to the justice court requiring that
45 further proceedings relating to the action for the issuance of the order for protection
46 be conducted before the district court.

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

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

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

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

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

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

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

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

10 *(w) In any action to determine whether a person has committed a civil*
11 *infraction punishable pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of this act.*

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

15 3. Justice courts have jurisdiction of all misdemeanors and no other criminal
16 offenses except as otherwise provided by specific statute. Upon approval of the
17 district court, a justice court may transfer original jurisdiction of a misdemeanor to
18 the district court for the purpose of assigning an offender to a program established
19 pursuant to NRS 176A.250 or, if the justice court has not established a program
20 pursuant to NRS 176A.280, to a program established pursuant to that section.

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

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

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

30 **Sec. 74.5. Chapter 5 of NRS is hereby amended by adding thereto a new**
31 **section to read as follows:**

32 1. A municipal court may appoint a referee or hearing master to take
33 testimony and recommend orders and a judgment in any action to determine
34 whether a person has committed a civil infraction punishable pursuant to
35 sections 24 to 36.7, inclusive, of this act.

36 2. The referee or hearing master:

37 (a) Shall take testimony;

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

40 (c) May, subject to confirmation by the court, enter an order or judgment;
41 and

42 (d) Has any other power or duty contained in the order of reference issued by
43 the court.

44 3. The findings of fact, conclusions of law and recommendations of the
45 referee or hearing master must be furnished to each party or his or her attorney
46 at the conclusion of the proceeding or as soon thereafter as possible. Within 5
47 days after receipt of the findings of fact, conclusions of law and
48 recommendations, a party may file a written objection. If no objection is filed, the
49 court shall accept the findings, unless clearly erroneous, and the judgment may
50 be entered thereon. If an objection is filed within the 5-day period, the court shall
51 review the matter by trial de novo, except that if all of the parties so stipulate, the
52 review must be confined to the record.

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

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

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

3 (b) *To determine whether a person has committed a civil infraction*
4 *punishable pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of this act.*

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

6 2. Except as otherwise provided in subsection 2 of NRS 173.115, the
7 municipal courts have jurisdiction of all misdemeanors committed in violation of
8 the ordinances of their respective cities. Upon approval of the district court,
9 a municipal court may transfer original jurisdiction of a misdemeanor to the district
10 court for the purpose of assigning an offender to a program established pursuant to
11 NRS 176A.250 or, if the municipal court has not established a program pursuant to
12 NRS 176A.280, to a program established pursuant to that section.

13 3. The municipal courts have jurisdiction of:

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

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

18 (c) Actions for the breach of any bond given by any officer or person to or for
19 the use or benefit of the city, and of any action for damages to which the city is a
20 party, and upon all forfeited recognizances given to or for the use or benefit of the
21 city, and upon all bonds given on appeals from the municipal court in any of the
22 cases named in this section, when the principal sum claimed does not exceed
23 \$2,500.

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

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

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

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

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

37 17.150 1. Immediately after filing a judgment roll, the clerk shall make the
38 proper entries of the judgment, under appropriate heads, in the docket kept by the
39 clerk, noting thereon the hour and minutes of the day of such entries.

40 2. A transcript of the original docket or an abstract or copy of any judgment
41 or decree of a district court of the State of Nevada or the District Court or other
42 court of the United States in and for the District of Nevada, the enforcement of
43 which has not been stayed on appeal, certified by the clerk of the court where the
44 judgment or decree was rendered, may be recorded in the office of the county
45 recorder in any county, and when so recorded it becomes a lien upon all the real
46 property of the judgment debtor not exempt from execution in that county, owned
47 by the judgment debtor at the time, or which the judgment debtor may afterward
48 acquire, until the lien expires. ~~The~~ *Except as otherwise provided in section 36 of*
49 *this act, the lien continues for 6 years after the date the judgment or decree was*
50 *docketed, and is continued each time the judgment or decree is renewed, unless:*

51 (a) The enforcement of the judgment or decree is stayed on appeal by the
52 execution of a sufficient undertaking as provided in the Nevada Rules of Appellate
53 Procedure or by the Statutes of the United States, in which case the lien of the

1 judgment or decree and any lien by virtue of an attachment that has been issued and
2 levied in the actions ceases;

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

5 (c) The judgment is satisfied; or

6 (d) The lien is otherwise discharged.

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

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

11 (a) Title of the court and the title and number of the action;

12 (b) Date of entry of the judgment or decree;

13 (c) Names of the judgment debtor and judgment creditor;

14 (d) Amount of the judgment or decree; and

15 (e) Location where the judgment or decree is entered in the minutes or
16 judgment docket.

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

21 (a) The name and address of the judgment debtor;

22 (b) If the judgment debtor is a natural person:

23 (1) The last four digits of the judgment debtor's driver's license number or
24 identification card number and the state of issuance; or

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

26 (c) If the lien is against real property which the judgment debtor owns at the
27 time the affidavit of judgment is recorded, the assessor's parcel number and the
28 address of the real property and a statement that the judgment creditor has
29 confirmed that the judgment debtor is the legal owner of that real property; and

30 (d) If a manufactured home or mobile home is included within the lien, the
31 location and serial number of the manufactured home or mobile home and a
32 statement that the judgment creditor has confirmed that the judgment debtor is the
33 legal owner of the manufactured home or mobile home.

34 ↪ All information included in an affidavit of judgment recorded pursuant to this
35 subsection must be based on the personal knowledge of the affiant, and not upon
36 information and belief.

37 5. As used in this section:

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

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

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

41 17.214 1. ~~[A]~~ *Except as otherwise provided in section 36 of this act, a*
42 judgment creditor or a judgment creditor's successor in interest may renew a
43 judgment which has not been paid by:

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

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

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

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

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

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

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

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

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

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

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

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

19 2. The filing of the affidavit renews the judgment to the extent of the amount
20 shown due in the affidavit.

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

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

27 **Sec. 77.5. NRS 50.225 is hereby amended to read as follows:**

28 50.225 1. For attending the courts of this State in any criminal case, ~~for~~
29 civil suit, **hearing to contest the determination that a person has committed a**
30 **civil infraction** or proceeding before a court of record, master, commissioner,
31 justice of the peace, or before the grand jury, in obedience to a subpoena, each
32 witness is entitled:

33 (a) To be paid a fee of \$25 for each day's attendance, including Sundays and
34 holidays.

35 (b) Except as otherwise provided in this paragraph, to be paid for attending a
36 court of the county in which the witness resides at the standard mileage
37 reimbursement rate for which a deduction is allowed for the purposes of federal
38 income tax for each mile necessarily and actually traveled from and returning to the
39 place of residence by the shortest and most practical route. A board of county
40 commissioners may provide that, for each mile so traveled to attend a court of
41 the county in which the witness resides, each witness is entitled to be paid an amount
42 equal to the allowance for travel by private conveyance established by the State
43 Board of Examiners for state officers and employees generally. If the board of
44 county commissioners so provides, each witness at any other hearing or proceeding
45 held in that county who is entitled to receive the payment for mileage specified in
46 this paragraph must be paid mileage in an amount equal to the allowance for travel
47 by private conveyance established by the State Board of Examiners for state
48 officers and employees generally.

49 2. In addition to the fee and payment for mileage specified in subsection 1, a
50 board of county commissioners may provide that, for each day of attendance in a
51 court of the county in which the witness resides, each witness is entitled to be paid
52 the per diem allowance provided for state officers and employees generally. If the
53 board of county commissioners so provides, each witness at any other hearing or

1 proceeding held in that county who is a resident of that county and who is entitled
 2 to receive the fee specified in paragraph (a) of subsection 1 must be paid, in
 3 addition to that fee, the per diem allowance provided for state officers and
 4 employees generally.

5 3. If a witness is from without the county or, being a resident of another state,
 6 voluntarily appears as a witness at the request of the Attorney General or the district
 7 attorney and the board of county commissioners of the county in which the court is
 8 held, the witness is entitled to reimbursement for the actual and necessary expenses
 9 for going to and returning from the place where the court is held. The witness is
 10 also entitled to receive the same per diem allowance provided for state officers and
 11 employees generally.

12 4. Any person in attendance at a trial or hearing to contest the determination
 13 that a person has committed a civil infraction who is sworn as a witness is entitled
 14 to the fees, the per diem allowance, if any, travel expenses and any other
 15 reimbursement set forth in this section, irrespective of the service of a subpoena.

16 5. Witness fees, per diem allowances, travel expenses and other
 17 reimbursement in civil cases including, without limitation, a hearing to contest
 18 the determination that a person has committed a civil infraction, must be taxed as
 19 disbursement costs against the defeated party upon proof by affidavit that they have
 20 been actually incurred. Costs must not be allowed for more than two witnesses to
 21 the same fact or series of facts, and a party plaintiff or defendant must not be
 22 allowed any fees, per diem allowance, travel expenses or other reimbursement for
 23 attendance as a witness in his or her own behalf. Witness fees, per diem
 24 allowances, travel expenses and other reimbursement must not be taxed against a
 25 county or incorporated city after a hearing to contest the determination that a
 26 person has committed a civil infraction unless the court determines, after a
 27 hearing, that the civil infraction citation was issued maliciously and without
 28 probable cause.

29 6. A person is not obligated to appear in a civil action , hearing to contest the
 30 determination that a person has committed a civil infraction or other proceeding
 31 unless the person has been paid an amount equal to 1 day's fees, the per diem
 32 allowance provided by the board of county commissioners pursuant to subsection 2,
 33 if any, and the travel expenses reimbursable pursuant to this section.

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

35 62A.220 "Minor traffic offense" means a violation of any state or local law or
 36 ordinance governing the operation of a motor vehicle upon any highway within this
 37 State other than:

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

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

41 3. A violation declared to be a felony ~~;~~ or

42 4. A violation of a provision of chapters 483 to 484E, inclusive, 486 or 490
 43 of NRS that is punishable as a civil infraction pursuant to sections 24 to ~~36,~~
 44 36.7, inclusive, of this act.

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

46 ~~62B.380 1. [If a child is charged with a minor traffic offense, the] The~~
 47 ~~juvenile court has exclusive jurisdiction over proceedings concerning a child who~~
 48 ~~commits a minor traffic offense or who violates a provision of chapters 483 to~~
 49 ~~484E, inclusive, 486 or 490 of NRS that is punishable as a civil infraction~~
 50 ~~pursuant to sections 24 to 36, inclusive, of this act. [may transfer the case and~~
 51 ~~record to a Justice Court or municipal court if the juvenile court determines that the~~
 52 ~~transfer is in the best interests of the child.]~~

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

~~1 (a) The restrictions set forth in NRS 62C.030 are applicable in those
2 proceedings; and~~

~~3 (b) A parent or guardian must accompany the child at all proceedings.~~

~~4 3. If the juvenile court transfers a case and record to a Justice Court or
5 municipal court pursuant to this section, the Justice Court or municipal court may
6 transfer the case and record back to the juvenile court with the consent of the
7 juvenile court.] If a case concerns a child who is alleged to have violated a
8 provision of chapters 483 to 484E, inclusive, 486 or 490 of NRS that is
9 punishable as a civil infraction pursuant to sections 24 to 36, inclusive, of this
10 act, the child must not be treated as a child alleged to be in need of supervision or
11 delinquent and the juvenile court must not adjudicate the child to be in need of
12 supervision or delinquent. If the juvenile court finds that the child committed the
13 violation, the juvenile court must impose the civil penalty authorized by the
14 applicable provision of law.] (Deleted by amendment.)~~

Sec. 79.5. NRS 176.0647 is hereby amended to read as follows:

176.0647 Any delinquent fine, administrative assessment or fee owed by a defendant pursuant to NRS 176.064 who commits a minor traffic offense as defined in NRS 176.0643 is deemed to be uncollectible if after ~~81~~ **10** years it remains impossible or impracticable to collect the delinquent amount.

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

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

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

(c) The imposition of criminal penalties for certain minor traffic and related offenses is overly burdensome because it threatens persons with criminal penalties, including imprisonment in county jail, for failure to pay fines, assessments and fees imposed in connection with relatively minor offenses.

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

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

~~6 (f) To ensure the fair and equal treatment of persons who are alleged to have
7 committed a minor traffic or related offense but who have not been convicted of
8 that offense before January 1, 2023, and persons who commit such an offense on or
9 after January 1, 2023, the Legislature hereby expresses its intent that the penalties
10 set forth in this act be applied retroactively to any person who has not been
11 convicted of an offense before January 1, 2023.]~~

2. Except as otherwise provided in this section, the provisions of this act apply to a violation of any provision of law that pursuant to a provision of this act is punishable as a civil infraction pursuant to sections 24 to ~~36.]~~ **36.7**, inclusive, of this act if the violation ~~occurred before.]~~ **occurs** on or after January 1, 2023. ~~[The~~ **However, the provisions of section 36.3 of this act [do not], which authorize a**

1 prosecuting attorney to elect to treat certain traffic and related offenses that
2 are punishable as a misdemeanor instead as a civil infraction, apply to any such
3 violation ~~[of law for which a person was convicted]~~ that occurs before , on or
4 after January 1, 2023.

5 3. If a person commits a violation of a provision of law before January 1,
6 2023, and the violation is punishable as a civil infraction pursuant to sections
7 24 to 36.7, inclusive, of this act if the violation occurs on or after January 1,
8 2023, the person cannot be arrested for the violation on or after January 1,
9 2023.

10 4. Each court in this State shall cancel each outstanding bench warrant issued
11 for a person who failed to appear in court in response to a traffic citation issued
12 before January 1, 2023, for a violation of law that pursuant to the provisions of this
13 act is punishable as a civil infraction pursuant to sections 24 to ~~36.7~~ 36.7, inclusive,
14 of this act.

15 ~~4.4~~ 5. The Central Repository for Nevada Records of Criminal History shall
16 remove from each database or compilation of records of criminal history
17 maintained by the Central Repository all records of bench warrants issued for a
18 person who failed to appear in court in response to a traffic citation issued before
19 January 1, 2023, for a violation of law that pursuant to the provisions of this act is
20 punishable as a civil infraction pursuant to sections 24 to ~~36.7~~ 36.7, inclusive, of
21 this act.

22 Sec. 80.5. Before January 1, 2023, the justice courts and municipal
23 courts in this State shall adopt rules governing the practice and procedure for
24 any action initiated pursuant to sections 24 to 36.7, inclusive, of this act.

25 Sec. 81. 1. This section becomes effective upon passage and approval.

26 2. Sections 1 to ~~80.4~~ 80.5, inclusive, of this act become effective:

27 (a) Upon passage and approval for the purpose of adopting any rules or
28 regulations and performing any other preparatory administrative tasks that are
29 necessary to carry out the provisions of this act; and

30 (b) On January 1, 2023, for all other purposes.