

SENATE BILL NO. 393—SENATOR CANNIZZARO

MARCH 26, 2021

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to traffic offenses. (BDR 43-250)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to vehicles; establishing civil penalties for certain traffic and related violations; defining certain traffic and vehicle violations as misdemeanors; creating procedures for civil infractions for traffic and related violations to be adjudicated; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that a violation of any provision of existing law relating
2 to driver’s licenses, any traffic law or ordinance, any provision of existing law
3 governing motorcycles or any provision of existing law relating to off-highway
4 vehicles is a misdemeanor, unless a different penalty is prescribed for the violation
5 by a specific statute. (NRS 483.530, 483.620, 484A.900, 486.381, 490.520)
6 **Sections 14, 22, 40, 71 and 72** of this bill provide that a violation of any provision
7 of these existing laws is a civil infraction unless a criminal penalty is prescribed for
8 the violation by a specific statute. **Sections 5, 16-21, 41, 44, 49, 69 and 72** of this
9 bill maintain the designation of certain traffic and related offenses as
10 misdemeanors. **Sections 51-56** of this bill revise the penalties for speeding.
11 **Sections 15, 45-48, 50, 52, 57, 59-61, 64, 65 and 67** of this bill specifically
12 designate certain traffic and related violations as civil infractions. **Sections 1, 4, 6-**
13 **8, 10, 13, 37-39, 42, 43, 58, 68, 70 and 76-78** of this bill make conforming changes
14 by including references to the new civil infraction system where necessary.
15 **Sections 2, 3, 55, 62, 63 and 66** of this bill make conforming changes by
16 substituting the term “civil penalty” for “fine” and the term “notice of civil
17 infraction” for “citation.”
18 **Sections 9, 11 and 12** of this bill provide that, for the purposes of a person’s
19 driving record, the commission of a traffic or related violation that is punishable as
20 a civil infraction pursuant to this bill is treated the same as a conviction for a traffic
21 or related violation under existing law.



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

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

40 **Section 30** of this bill requires a person to respond to a notice of civil infraction
41 not later than 90 judicial days after it has been issued by not contesting the notice
42 and paying all monetary penalties and assessments specified in the notice,
43 requesting a hearing to contest whether the person committed the violation set forth
44 in the notice or requesting a hearing to explain mitigating circumstances
45 surrounding the violation. Under **section 30**, if a person does not respond to a
46 notice of civil infraction within 90 judicial days after it has been issued, the court is
47 required to notify the person of the failure to respond. If the person does not
48 respond to the notice of civil infraction within 30 judicial days after receipt of the
49 notice of the failure to respond, the court is required to find that the person
50 committed the civil infraction and assess a monetary penalty and administrative
51 assessments against the person. **Sections 31 and 32** of this bill, respectively,
52 establish procedures for a hearing at which a person may contest whether he or she
53 committed the violation and a hearing at which a person may explain mitigating
54 circumstances surrounding the violation. **Section 33** of this bill makes the Nevada
55 Rules of Civil Procedure inapplicable to these hearings. **Section 34** of this bill: (1)
56 establishes a maximum civil penalty of \$500 for a violation of law punishable as a
57 civil infraction pursuant to this bill and provides that any such civil penalty
58 collected by a justice court for a violation of a law of this State must be deposited
59 into the State Permanent School Fund; (2) requires the court to order the person
60 who committed the civil infraction to pay an administrative assessment in the same
61 amount that the person would have been required to pay if the violation were a
62 criminal offense; (3) authorizes a court to waive or reduce civil penalties and
63 administrative assessments imposed for a civil infraction or enter into a payment
64 plan under certain circumstances; and (4) authorizes a court to order a person to
65 attend a course of traffic safety approved by the Department of Motor Vehicles
66 under certain circumstances. **Section 35** of this bill authorizes the court to order a
67 person who has committed a violation of law punishable as a civil infraction
68 pursuant to this bill to perform community service under certain circumstances.
69 **Section 36** of this bill authorizes a court to take certain actions to collect a civil
70 penalty or any administrative assessment or fee associated with the civil penalty.

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



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

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

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

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

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

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

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

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

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

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

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

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

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



1 (d) Submits to the Department:

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

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

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

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

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

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

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

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

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

31 (a) The training required pursuant to paragraph (a) of subsection
32 1; and

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

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

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



1 (b) Have at least 50 hours of experience in driving a motorcycle
2 with an instruction permit issued pursuant to subsection 4 of NRS
3 483.280; and

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

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

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

16 483.2523 1. A person to whom a driver's license is issued
17 pursuant to NRS 483.2521 shall not, during the first 6 months after
18 the date on which the driver's license is issued, transport as a
19 passenger a person who is under 18 years of age, unless the person
20 is a member of his or her immediate family.

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

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

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

26 (1) Pay a ~~fine~~ *civil penalty* in an amount not to exceed
27 \$250;

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

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

33 3. A violation of this section:

34 (a) Is not a moving traffic violation for the purposes of NRS
35 483.473; and

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

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

39 483.2525 1. A peace officer shall not stop a motor vehicle for
40 the sole purpose of determining whether the driver is violating a
41 provision of NRS 483.2523. Except as otherwise provided in
42 subsection 2, a ~~citation~~ *notice of civil infraction* may be issued
43 *pursuant to sections 24 to 36, inclusive, of this act* for a violation
44 of NRS 483.2523 only if the violation is discovered when the



1 vehicle is halted or its driver is arrested for another alleged violation
2 or offense.

3 2. A peace officer shall not issue a ~~[citation]~~ *notice of civil*
4 *infraction pursuant to sections 24 to 36, inclusive, of this act* to a
5 person for operating a motor vehicle in violation of NRS 483.2523
6 if the person provides satisfactory evidence that the person has held
7 the driver's license for the period required pursuant to
8 NRS 483.2523.

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

10 483.330 1. The Department may require every applicant for a
11 driver's license, including a commercial driver's license issued
12 pursuant to NRS 483.900 to 483.940, inclusive, to submit to an
13 examination. The examination may include:

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

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

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

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

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

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

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

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

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

44 ↪ in lieu of an actual demonstration.



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

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

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

14 (c) Has been convicted of a violation of NRS 484C.130 or,
15 during the immediately preceding 7 years, of a violation of NRS
16 484C.110, 484C.120 or 484C.430 or a law of any other jurisdiction
17 that prohibits the same or similar conduct;

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

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

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

29 5. The Department shall waive the fee prescribed by NRS
30 483.410 not more than one time for administration of the
31 examination required pursuant to this section for a homeless child or
32 youth under the age of 25 years who submits a signed affidavit on a
33 form prescribed by the Department stating that the child or youth is
34 homeless and under the age of 25 years.

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

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

38 483.340 1. The Department shall, upon payment of the
39 required fee, issue to every qualified applicant a driver's license
40 indicating the type or class of vehicles the licensee may drive.

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

43 3. The Department may issue a driver's license for purposes of
44 identification only for use by officers of local police and sheriffs'
45 departments, agents of the Investigation Division of the Department



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

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

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

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

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

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

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

43 (d) If the Department has established a program for imprinting a
44 symbol or other indicator of a medical condition on a driver's
45 license pursuant to NRS 483.3485, give the holder the opportunity



1 to have a symbol or other indicator of a medical condition imprinted
2 on his or her driver's license.

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

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

10 8. The Department shall submit to the donor registry with
11 which the Department has entered into a contract pursuant to
12 paragraph (c) of subsection 6 information from the records of the
13 Department relating to persons who have drivers' licenses that
14 indicate the intention of those persons to make an anatomical gift.
15 The Department shall adopt regulations to carry out the provisions
16 of this subsection.

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

18 483.400 1. The Department shall maintain files of
19 applications for licenses. Such files shall contain:

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

22 (b) All applications granted.

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

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

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

37 483.430 1. The privilege of driving a motor vehicle on the
38 highways of this State given to a nonresident under NRS 483.010 to
39 483.630, inclusive, ~~[shall be]~~ *is* subject to suspension or revocation
40 by the Department in like manner and for like cause as a driver's
41 license issued under NRS 483.010 to 483.630, inclusive, may be
42 suspended or revoked.

43 2. The Department is further authorized, upon receiving a
44 record of the *entrance of an order pursuant to sections 24 to 36,*
45 *inclusive, of this act finding that a nonresident driver of a motor*



1 *vehicle committed a civil infraction in this State or the* conviction
2 in this State of a nonresident driver of a motor vehicle of any
3 *criminal* offense under the motor vehicle laws of this State, to
4 forward a certified copy of such record to the motor vehicle
5 administrator in the state wherein the person so *found or* convicted
6 is a resident.

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

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

12 483.443 1. The Department shall, upon receiving notification
13 from a district attorney or other public agency collecting support for
14 children pursuant to NRS 425.510 that a court has determined that a
15 person:

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

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

21 ↪ send a written notice to that person that his or her driver's license
22 is subject to suspension.

23 2. The notice must include:

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

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

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

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

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

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

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

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

43 (2) *A traffic commissioner, referee, hearing master,*
44 *municipal judge, justice of the peace or district judge , as*
45 *applicable,* that a delinquency for which the suspension was ordered



1 pursuant to NRS 176.064 *or section 36 of this act, as applicable,*
2 has been discharged. ~~[or from a]~~

3 (3) *A traffic commissioner, referee, hearing master,*
4 *municipal judge, justice of the peace or district judge, as*
5 *applicable, that a defendant whose license was ordered to be*
6 *suspended pursuant to section 36 of this act has been ordered to*
7 *perform community service to discharge the delinquency for*
8 *which the suspension was ordered pursuant to section 36 of this*
9 *act. If the defendant does not perform the community service in a*
10 *manner satisfactory to the court, the Department shall*
11 *immediately suspend the license of the defendant if so ordered*
12 *pursuant to section 36 of this act.*

13 (4) A judge of the juvenile court that an unsatisfied civil
14 judgment for which the suspension was ordered pursuant to NRS
15 62B.420 has been satisfied; and

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

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

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

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

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

31 483.448 1. Except as otherwise provided in this subsection,
32 when a person deemed to have future driving privileges pursuant to
33 NRS 483.447 has accumulated 3 or more demerit points, but less than
34 12, the Department shall notify the person of this fact. If, after
35 the Department mails the notice, the person presents proof to the
36 Department that he or she has successfully completed a course of
37 traffic safety approved by the Department and a signed statement
38 which indicates that the successful completion of the course was not
39 required pursuant to a *court order entered pursuant to section 34 of*
40 *this act or a* plea agreement, the Department shall cancel not more
41 than 3 demerit points from the person's driving record. If such a
42 person accumulates 12 or more demerit points before completing the
43 course of traffic safety, the person will not be entitled to have
44 demerit points cancelled upon the completion of the course but must
45 have future driving privileges suspended. A person deemed to have



1 future driving privileges may attend a course only once in 12
2 months for the purpose of reducing demerit points. The 3 demerit
3 points may only be cancelled from the driver's record of the person
4 during the 12-month period immediately following the driver's
5 successful completion of the course of traffic safety. The provisions
6 of this subsection do not apply to a person deemed to have future
7 driving privileges whose successful completion of a course of traffic
8 safety was required pursuant to a *court order entered pursuant to*
9 *section 34 of this act or a* plea agreement.

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

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

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

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

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

27 4. The Department shall suspend for 1 year the future driving
28 privileges of a person *who has been* convicted of a sixth traffic
29 offense within a 5-year period, *is found to have committed a sixth*
30 *civil infraction pursuant to sections 24 to 36, inclusive, of this act*
31 *within a 5-year period or has accumulated a combined total of six*
32 *civil infractions and traffic offenses within a 5-year period*, if all
33 six *civil infractions or traffic* offenses have been assigned a value
34 of 4 or more demerit points. Such a person is not eligible for a
35 restricted license during this 1-year period.

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

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

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



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

4 (b) The hearing must be held, within 45 days after the request is
5 received, in the county in which the person resides unless the person
6 and the Department agree that the hearing may be held in some
7 other county. The scope of the hearing must be limited to whether
8 the records of the Department accurately reflect the driving history
9 of the person.

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

11 483.450 1. A record of *each* conviction *and each finding*
12 *that a person has committed a civil infraction pursuant to sections*
13 *24 to 36, inclusive, of this act* must be made in a manner approved
14 by the Department. The court shall provide sufficient information to
15 allow the Department to include accurately the information
16 regarding ~~the~~ *each* conviction *and finding* in the driver's record.

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

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

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

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

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

37 4. If a record forwarded to the Department pursuant to
38 subsection 3 is a record of the conviction of *, or a record of a*
39 *finding of the commission of a civil infraction pursuant to sections*
40 *24 to 36, inclusive, of this act against,* a person who holds a
41 commercial driver's license, the Department shall, within 5 days
42 after the date on which it receives such a record, transmit notice of
43 the conviction *or finding* to the Commercial Driver's License
44 Information System.

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



1 (a) "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
4 defendant's appearance in court, if the forfeiture has not been
5 vacated, is equivalent to a conviction.

6 6. ~~[The]~~ *If a court mails records of conviction or of findings*
7 *of the commission of a civil infraction pursuant to sections 24 to*
8 *36, inclusive, of this act, the* necessary expenses of mailing *such*
9 records ~~[of conviction]~~ to the Department as required by this section
10 must be paid by the court charged with the duty of forwarding those
11 records. ~~[of conviction.]~~

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

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

16 483.473 1. As used in this section, "traffic violation" means
17 conviction of a moving traffic violation in any municipal court,
18 justice court or district court in this State ~~[]~~ *or a finding by any*
19 *municipal court or justice court in this State that a person has*
20 *committed a civil infraction pursuant to sections 24 to 36,*
21 *inclusive, of this act.* The term includes a finding by a juvenile court
22 that a child has violated a traffic law or ordinance other than one
23 governing standing or parking. The term does not include a
24 conviction or a finding by a juvenile court of a violation of the speed
25 limit posted by a public authority under the circumstances described
26 in subsection 1 of NRS 484B.617.

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

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



1 a graduated system of demerits within each category of violations
2 according to the extent to which the traffic law was violated.

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

4 483.475 1. Except as otherwise provided in this subsection,
5 when a person who holds a driver's license has accumulated 3 or
6 more demerit points, but less than 12, the Department shall notify
7 the person of this fact. If, after the Department mails the notice, the
8 driver presents proof to the Department that he or she has
9 successfully completed a course of traffic safety approved by the
10 Department and a signed statement which indicates that the
11 successful completion of the course was not required pursuant to a
12 plea agreement ~~§~~ *or court order entered pursuant to section 34 of*
13 *this act*, the Department shall cancel not more than 3 demerit points
14 from the person's driving record. If the driver accumulates 12 or
15 more demerit points before completing the course of traffic safety,
16 the person will not be entitled to have demerit points cancelled upon
17 the completion of the course, but must have his or her license
18 suspended. A person may attend a course only once in 12 months
19 for the purpose of reducing demerit points. The 3 demerit points
20 may only be cancelled from a driver's record during the 12-month
21 period immediately following the driver's successful completion of
22 the course of traffic safety. The provisions of this subsection do not
23 apply to a person whose successful completion of a course of traffic
24 safety was required pursuant to a plea agreement ~~§~~ *or court order*
25 *entered pursuant to section 34 of this act.*

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

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

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

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

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

44 4. The Department shall suspend for 1 year the license of a
45 driver who is convicted of a sixth traffic offense within 5 years, *is*



1 *found to have committed a sixth civil infraction punishable*
2 *pursuant to sections 24 to 36, inclusive, of this act within 5 years*
3 *or has accumulated a combined total of six civil infractions and*
4 *offenses within 5 years, if all six civil infractions or* offenses have
5 been assigned a value of ~~four~~ 4 or more demerit points. A driver
6 whose license is suspended pursuant to this subsection is not eligible
7 for a restricted license during the suspension.

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

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

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

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

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

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

26 483.530 1. Except as otherwise provided in ~~subsection~~
27 *subsections 2 ~~H~~ and 3*, it is a misdemeanor for any person:

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

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

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

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

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

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

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

44 ~~—(h)~~ To photograph, photostat, duplicate or in any way
45 reproduce any driver's license or facsimile thereof in such a manner



1 that it could be mistaken for a valid license, or to display or possess
2 any such photograph, photostat, duplicate, reproduction or facsimile
3 unless authorized by this chapter.

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

16 3. *It is a civil infraction punishable pursuant to sections 24 to*
17 *36, inclusive, of this act for any person to display or cause or*
18 *permit to be displayed, possess, or fail or refuse to surrender to the*
19 *Department any cancelled driver's license if the sole reason for*
20 *the cancellation was the failure of the person to pay the fee for the*
21 *issuance or renewal of the driver's license as the result of a check*
22 *or other method of payment being returned to the Department or*
23 *otherwise dishonored upon presentation because there was*
24 *insufficient money or credit with the drawee or financial*
25 *institution to pay the check or other method of payment or because*
26 *a person stopped payment on the check or other method of*
27 *payment.*

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

29 483.550 1. ~~It~~ *Except as otherwise provided in NRS*
30 *483.560, it is ~~unlawful~~ a civil infraction punishable pursuant to*
31 *sections 24 to 36, inclusive, of this act for any person to drive a*
32 *motor vehicle upon a public street or highway in this State without*
33 *being the holder of a valid driver's license.*

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

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

38 483.570 No person whose driving privilege as a nonresident
39 has been cancelled, suspended or revoked, as provided in NRS
40 483.010 to 483.630, inclusive, shall drive any motor vehicle upon
41 the highways of this State while such privilege is cancelled,
42 suspended or revoked. *It is a misdemeanor for any person to*
43 *violate this section.*



1 **Sec. 17.** NRS 483.575 is hereby amended to read as follows:
2 483.575 1. A person with epilepsy shall not operate a motor
3 vehicle if that person has been informed by a physician or an
4 advanced practice registered nurse pursuant to NRS 629.047 that his
5 or her condition would severely impair his or her ability to safely
6 operate a motor vehicle. *A violation of this subsection is a*
7 *misdemeanor.*

8 2. If a physician or an advanced practice registered nurse is
9 aware that a person has violated subsection 1 after the physician or
10 advanced practice registered nurse has informed the person pursuant
11 to NRS 629.047 that the person's condition would severely impair
12 his or her ability to safely operate a motor vehicle, the physician or
13 advanced practice registered nurse may, without the consent of the
14 person, submit a written report to the Department that includes
15 the name, address and age of the person. A report received by the
16 Department pursuant to this subsection:

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

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

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

27 4. No cause of action may be brought against a physician or an
28 advanced practice registered nurse based on the fact that he or she
29 submitted a report pursuant to subsection 2 unless the physician or
30 advanced practice registered nurse acted with malice, intentional
31 misconduct, gross negligence or intentional or knowing violation of
32 the law.

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

34 483.580 A person shall not cause or knowingly permit his or
35 her child or ward under the age of 18 years to drive a motor vehicle
36 upon any highway when the minor is not authorized under the
37 provisions of NRS 483.010 to 483.630, inclusive, or is in violation
38 of any of the provisions of NRS 483.010 to 483.630, inclusive, or if
39 the minor's license is revoked or suspended pursuant to title 5 of
40 NRS or NRS 392.148. *It is a misdemeanor for a person to violate*
41 *this section.*

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

43 483.590 No person shall authorize or knowingly permit a
44 motor vehicle owned by the person or under his or her control to be
45 driven upon any highway by any person who is not authorized under



1 NRS 483.010 to 483.630, inclusive, or in violation of any of the
2 provisions of NRS 483.010 to 483.630, inclusive. *It is a*
3 *misdemeanor for a person to violate this section.*

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

5 483.600 No person shall employ as a driver of a motor vehicle
6 any person not then licensed as provided in NRS 483.010 to
7 483.630, inclusive. *It is a misdemeanor for a person to violate this*
8 *section.*

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

10 483.610 1. No person shall rent a motor vehicle to any other
11 person unless the latter person is then duly licensed under NRS
12 483.010 to 483.630, inclusive, or, in the case of a nonresident, then
13 duly licensed under the laws of the state or country of his or her
14 residence except a nonresident whose home state or country does
15 not require that a driver be licensed.

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

21 3. Every person renting a motor vehicle to another shall keep a
22 record of the registration number of the motor vehicle so rented, the
23 name and address of the person to whom the vehicle is rented, the
24 number of the license of the latter person and the date and place
25 when and where the license was issued. Such record shall be open to
26 inspection by any police officer or officer of the Department.

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

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

30 483.620 It is a ~~misdemeanor~~ *civil infraction punishable*
31 *pursuant to sections 24 to 36, inclusive, of this act* for any person
32 to violate any of the provisions of NRS 483.010 to 483.630,
33 inclusive, unless such violation is, by NRS 483.010 to 483.630,
34 inclusive, or other law of this State, declared to be a *misdemeanor,*
35 *gross misdemeanor or* felony.

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

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

43 *(a) Issued in books; or*

44 *(b) Available through an electronic device used to prepare*
45 *such notices.*



1 2. *The chief administrative officer of each traffic*
2 *enforcement agency is responsible for the issuance of such books*
3 *and electronic devices and shall maintain a record of each book,*
4 *each electronic device and each notice of civil infraction issued to*
5 *individual members of the traffic enforcement agency and*
6 *volunteers of the traffic enforcement agency appointed pursuant*
7 *to NRS 484B.470. The chief administrative officer shall require*
8 *and retain a receipt for every book and electronic device that is*
9 *issued.*

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

17 **Sec. 26.** *A peace officer in this State who has reasonable*
18 *cause to believe that a person has violated a provision of chapters*
19 *483 to 484E, inclusive, 486 or 490 of NRS that is a civil infraction*
20 *may halt and detain the person as is reasonably necessary to*
21 *investigate the alleged violation and serve a notice of civil*
22 *infraction for the alleged violation. A peace officer who has halted*
23 *and detained a person pursuant to this section may also detain the*
24 *person in accordance with NRS 171.123.*

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

31 (a) *A statement that the notice represents a determination by a*
32 *peace officer that a civil infraction has been committed by the*
33 *person named in the notice and that the determination will be*
34 *final unless contested as provided in sections 24 to 36, inclusive, of*
35 *this act;*

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

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

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

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

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

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



1 (h) A statement that, at any hearing to contest the
2 determination set forth in the notice, the facts that constitute the
3 infraction must be proved by a preponderance of the evidence and
4 the person may subpoena witnesses, including, without limitation,
5 the peace officer or duly authorized member or volunteer of a
6 traffic enforcement agency who issued the notice; and

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

10 2. The peace officer issuing a notice of civil infraction
11 pursuant to subsection 1 shall sign the notice and deliver a copy of
12 the notice to the person charged with the civil infraction. If the
13 notice is prepared electronically, the peace officer shall sign the
14 copy of the notice that is delivered to the person charged with
15 the violation.

16 3. A notice of civil infraction may be served by delivering a
17 copy of the notice to the person charged with the civil infraction.
18 The acceptance of a notice of civil infraction by the person
19 charged with the civil infraction shall be deemed personal service
20 of the notice and a copy of the notice signed by the peace officer
21 constitutes proof of service. If a person charged with a civil
22 infraction refuses to accept a notice of civil infraction, the copy of
23 the notice signed by the peace officer constitutes proof of service.

24 **Sec. 28.** 1. Whenever the driver of a vehicle is stopped by a
25 peace officer for violating a provision of chapters 483 to 484E,
26 inclusive, 486 or 490 of NRS that is a civil infraction, except for
27 violating a provision of NRS 484B.440 to 484B.523, inclusive, the
28 peace officer shall demand proof of the insurance required by
29 NRS 485.185 or 490.0825 and issue a citation as provided in NRS
30 484A.630 if the peace officer has probable cause to believe that the
31 driver of the vehicle is in violation of NRS 485.187 or subsection 5
32 of NRS 490.520. If the driver of the vehicle is not the registered
33 owner of the vehicle, a notice of civil infraction must also be
34 issued to the owner, and in such a case the driver:

35 (a) May accept the notice on behalf of the registered owner;
36 and

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

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

43 2. When the evidence of insurance provided by the driver of
44 the vehicle upon the demand of the peace officer is in an
45 electronic format displayed on a mobile electronic device, the



1 *peace officer may view only the evidence of insurance and shall*
2 *not intentionally view any other content on the mobile electronic*
3 *device.*

4 **Sec. 29. 1.** *Every peace officer, upon issuing a notice of*
5 *civil infraction to an alleged violator of any provision of the motor*
6 *vehicle laws of this State or of any traffic ordinance, shall file*
7 *manually or, if the provisions of subsection 2 are satisfied, file*
8 *electronically the original or a copy of the notice with a court*
9 *having jurisdiction over the alleged offense or with its traffic*
10 *violations bureau.*

11 **2.** *A copy of a notice of civil infraction that is prepared*
12 *electronically and issued to an alleged violator of any provision of*
13 *the motor vehicle laws of this State or of any traffic ordinance may*
14 *be filed electronically with a court having jurisdiction over the*
15 *alleged civil infraction or with its traffic violations bureau if the*
16 *court or traffic violations bureau, respectively:*

17 *(a) Authorizes such electronic filing;*

18 *(b) Has the ability to receive and store the notice*
19 *electronically; and*

20 *(c) Has the ability to physically reproduce the notice upon*
21 *request.*

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

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

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

42 **6.** *The chief administrative officer of every traffic*
43 *enforcement agency shall maintain or cause to be maintained a*
44 *record of every notice of civil infraction issued by any peace*



1 *officer under his or her supervision. The record must be retained*
2 *for at least 2 years after issuance of the notice.*

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

7 2. *If a person receiving a notice of civil infraction does not*
8 *contest the determination that the person has committed the civil*
9 *infraction set forth in the notice, the person must respond to the*
10 *notice by indicating that the person does not contest the*
11 *determination and submitting full payment of the monetary*
12 *penalty, the administrative assessment and any fees to the court*
13 *specified in the notice, or its traffic violations bureau, in person,*
14 *by mail or through the Internet or other electronic means.*

15 3. *If a person receiving a notice of civil infraction wishes to*
16 *contest the determination that the person has committed the civil*
17 *infraction set forth in the notice, the person must respond by*
18 *requesting in person, by mail or through the Internet or other*
19 *electronic means a hearing for that purpose. The court shall notify*
20 *the person in writing of the time, place and date of the hearing,*
21 *but the date of the hearing must not be earlier than 7 judicial days*
22 *after the court provides notice of the hearing.*

23 4. *If a person receiving a notice of civil infraction does not*
24 *wish to contest the determination that the person has committed*
25 *the civil infraction set forth in the notice but wishes to explain*
26 *mitigating circumstances surrounding the civil infraction, the*
27 *person must respond by requesting in person, by mail or through*
28 *the Internet or other electronic means a hearing for that purpose*
29 *or by submitting in person, by mail or through the Internet or*
30 *other electronic means a written statement of the mitigating*
31 *circumstances. If the person receiving the notice of civil*
32 *infraction:*

33 (a) *Requests a hearing, the court must notify the person in*
34 *writing of the time, place and date of the hearing.*

35 (b) *Submits a written statement of mitigating circumstances,*
36 *the court must consider the written statement and determine*
37 *whether to reduce the monetary penalty imposed for the civil*
38 *infraction based on that statement. The court may reduce any*
39 *moving violation to a nonmoving violation based on the statement*
40 *of mitigating circumstances.*

41 5. *If any person issued a notice of civil infraction fails to*
42 *respond to the notice of civil infraction within 90 judicial days*
43 *after the date on which the notice of civil infraction is issued, the*
44 *court must notify the person of the failure to respond by mailing a*
45 *notice of the failure to respond to the last known address of the*



1 *person by registered or certified mail. If the person does not*
2 *respond to the notice of civil infraction in the manner specified by*
3 *subsection 2, 3 or 4 within 30 judicial days after receipt of notice*
4 *of the failure to respond, the court must enter an order pursuant*
5 *to section 34 of this act finding that the person committed the civil*
6 *infraction and assessing the monetary penalty and administrative*
7 *assessments prescribed for the civil infraction. A person who has*
8 *been issued a notice of civil infraction and who fails to respond to*
9 *the notice of civil infraction as required by this section may not*
10 *appeal an order entered pursuant to this section.*

11 *6. If any person issued a notice of civil infraction fails to*
12 *appear at a hearing requested pursuant to subsection 3 or 4, the*
13 *court must enter an order pursuant to section 34 of this act finding*
14 *that the person committed the civil infraction and assessing the*
15 *monetary penalty and administrative assessments prescribed for*
16 *the civil infraction. A person who has been issued a notice of civil*
17 *infraction and who fails to appear at a hearing requested pursuant*
18 *to subsection 3 or 4 may not appeal an order entered pursuant to*
19 *this subsection.*

20 **Sec. 31. 1.** *If, pursuant to subsection 3 of section 30 of this*
21 *act, a person receiving a notice of civil infraction requests a*
22 *hearing to contest the determination that the person has*
23 *committed the civil infraction set forth in the notice, the hearing*
24 *must be conducted in accordance with this section.*

25 *2. The person who requested the hearing may be represented*
26 *by counsel. If the violation set forth in the notice of civil infraction*
27 *is a violation of:*

28 *(a) An ordinance adopted by the governing body of an*
29 *incorporated city, the city attorney may but is not required to*
30 *represent the city at the hearing.*

31 *(b) The laws of this State or an ordinance other than an*
32 *ordinance described in paragraph (a), the district attorney of the*
33 *county may but is not required to represent the State, county or*
34 *town, as applicable, at the hearing.*

35 *↳ If the city attorney does not represent the city at the hearing or*
36 *if the district attorney of the county does not represent the State,*
37 *county or town at the hearing, as applicable, the court may*
38 *conduct the hearing or take any other action to resolve the matter.*

39 *3. A hearing conducted pursuant to this section must be*
40 *conducted by the court without a jury. In lieu of the personal*
41 *appearance at the hearing by the peace officer who issued the*
42 *notice of civil infraction, the court may consider the information*
43 *contained in the notice of civil infraction and any other written*
44 *statement submitted under oath by the peace officer. The person*
45 *named in the notice of civil infraction may subpoena witnesses,*



1 *including, without limitation, the peace officer who issued the*
2 *notice, and has the right to present evidence and examine*
3 *witnesses present in court.*

4 *4. The State has the burden of proving by a preponderance of*
5 *the evidence that the person named in the notice of civil infraction*
6 *committed a civil infraction.*

7 *5. After consideration of the evidence and argument, the*
8 *court shall determine whether a civil infraction was committed by*
9 *the person named in the notice of civil infraction. If it has not*
10 *been established by a preponderance of the evidence that the*
11 *infraction was committed by the person named in the notice, the*
12 *court must enter an order dismissing the notice of civil infraction*
13 *in the court's records. If it has been established by a*
14 *preponderance of the evidence that the infraction was committed,*
15 *the court must enter in the court's records an order pursuant to*
16 *section 34 of this act.*

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

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

23 *(b) If the appellant is the person charged with the civil*
24 *infraction, any bond required to be given by the appellant in order*
25 *to secure a stay of execution of the order of the court during the*
26 *pendency of the appeal must equal the amount of the monetary*
27 *penalty and administrative assessments which the court has*
28 *ordered the appellant to pay pursuant to section 34 of this act. Any*
29 *bond must be forfeited if the order of the court is affirmed on*
30 *appeal.*

31 **Sec. 32. 1.** *If, pursuant to subsection 4 of section 30 of this*
32 *act, a person receiving a notice of civil infraction requests a*
33 *hearing to explain mitigating circumstances surrounding the*
34 *infraction, the proceeding must be an informal proceeding and the*
35 *person requesting the hearing may not subpoena witnesses. The*
36 *determination that the person named in the notice of civil*
37 *infraction committed the civil infraction set forth in the notice may*
38 *not be contested at a hearing held for the purpose of explaining*
39 *mitigating circumstances.*

40 *2. After the court has heard the explanation of the mitigating*
41 *circumstances surrounding the commission of the infraction, the*
42 *court must enter in the court's records an order pursuant to*
43 *section 34 of this act.*

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



1 **Sec. 33.** *Except as otherwise provided in sections 24 to 36,*
2 *inclusive, of this act, the Nevada Rules of Civil Procedure do not*
3 *apply to a civil case initiated pursuant to sections 24 to 36,*
4 *inclusive, of this act.*

5 **Sec. 34. 1.** *A person who is found to have committed a civil*
6 *infraction shall be punished by a civil penalty of not more than*
7 *\$500 per violation unless a greater civil penalty is authorized by*
8 *specific statute. On or before the fifth day of each month, a justice*
9 *court shall pay to the State Controller any civil penalty imposed*
10 *and collected by the justice court pursuant to this subsection for a*
11 *violation of a law of this State. The State Controller shall deposit*
12 *the money into the State Permanent School Fund.*

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

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

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

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

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

38 **(a)** *In addition to ordering a person who is found to have*
39 *committed a civil infraction to pay a civil penalty and*
40 *administrative assessments pursuant to this section, order the*
41 *person to successfully complete a course of traffic safety approved*
42 *by the Department of Motor Vehicles.*

43 **(b)** *Order a person who is found to have committed a civil*
44 *infraction to successfully complete a course of traffic safety*
45 *approved by the Department of Motor Vehicles as a condition to*



1 *obtaining a waiver or reduction of the civil penalty which the*
2 *court has ordered the person to pay.*

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

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

11 *(b) As all or part of the punishment for the commission of the*
12 *civil infraction.*

13 **2.** *The community service must be performed for and under*
14 *the supervising authority of a county, city, town or other political*
15 *subdivision or agency of the State of Nevada or a charitable*
16 *organization that renders service to the community or its residents.*

17 **3.** *The court may require the person who committed the civil*
18 *infraction to deposit with the court a reasonable sum of money to*
19 *pay for the cost of policies of insurance against liability for*
20 *personal injury and damage to property or for industrial*
21 *insurance, or both, during those periods in which the person*
22 *performs the community service, unless, in the case of industrial*
23 *insurance, it is provided by the authority for which the person*
24 *performs the community service.*

25 **4.** *The following conditions apply to any such community*
26 *service imposed by the court:*

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

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

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

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



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

7 **Sec. 36. 1.** If a civil penalty, administrative assessment or
8 fee is imposed upon a person who is found to have committed a
9 civil infraction pursuant to sections 24 to 36, inclusive, of this act,
10 whether or not the civil penalty, administrative assessment or fee
11 is in addition to any other punishment, and the civil penalty,
12 administrative assessment or fee or any part of it remains unpaid
13 after the time established by the court for its payment, the
14 delinquent person is liable for a collection fee, to be imposed by
15 the court at the time it finds that the civil penalty, administrative
16 assessment or fee is delinquent, of:

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

19 (b) Not more than \$500, if the amount of the delinquency is
20 \$2,000 or greater, but is less than \$5,000.

21 (c) Ten percent of the amount of the delinquency, if the
22 amount of the delinquency is \$5,000 or greater.

23 2. The court may, on its own motion or at the request of the
24 city or county in which the court has jurisdiction, enter a civil
25 judgment for the amount due in favor of the city or county, as
26 applicable. A civil judgment entered pursuant to this subsection
27 may be enforced in the manner provided by law for the
28 enforcement of a judgment for money rendered in a civil action
29 except that the judgment and any lien for the judgment expires 10
30 years after the date the judgment was docketed and may not be
31 renewed. Except as otherwise provided in subsection 3, if the court
32 has entered a civil judgment pursuant to this subsection, the court
33 may, in order of priority:

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

40 (b) Order the suspension of the driver's license of the
41 delinquent person. If the delinquent person does not possess a
42 driver's license, the court may prohibit him or her from applying
43 for a driver's license for a specified period. If the delinquent
44 person is already the subject of a court order suspending or
45 delaying the issuance of his or her driver's license, the court may



1 *order the additional suspension or delay, as appropriate, to apply*
2 *consecutively with the previous order. At the time the court issues*
3 *an order suspending the driver's license of a delinquent person*
4 *pursuant to this paragraph, the court shall require the delinquent*
5 *person to surrender to the court all driver's licenses then held by*
6 *him or her. The court shall, within 5 days after issuing the order,*
7 *forward to the Department of Motor Vehicles the licenses, together*
8 *with a copy of the order. At the time the court issues an order*
9 *pursuant to this paragraph delaying the ability of a delinquent*
10 *person to apply for a driver's license, the court shall, within 5 days*
11 *after issuing the order, forward to the Department a copy of the*
12 *order. The Department shall report a suspension pursuant to this*
13 *paragraph to an insurance company or its agent inquiring about*
14 *the delinquent person's driving record, but such a suspension*
15 *must not be considered for the purpose of rating or underwriting.*

16 (c) *Issue an order directing the delinquent person to show*
17 *cause why he or she should not be found guilty of contempt and*
18 *deal with the delinquent person as for contempt of court. The*
19 *order to show cause must be mailed to the address of the*
20 *delinquent person as indicated on the notice of civil infraction*
21 *issued to the person. If the person is found guilty of contempt, the*
22 *person may be confined in the city or county jail or detention*
23 *facility for a period of not more than 1 day for each \$150 of the*
24 *amount due until the amounts due are satisfied.*

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

27 (a) *The city or county is undertaking any action to collect the*
28 *delinquency pursuant to paragraph (a) of subsection 2, the city or*
29 *county shall cease undertaking any such actions for the collection*
30 *of the delinquency. If the delinquent person does not perform the*
31 *community service in a manner satisfactory to the court, the court*
32 *may request that the city or county undertake actions to collect the*
33 *delinquency pursuant to paragraph (a) of subsection 2.*

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

44 (c) *The court has issued an order pursuant to paragraph (c) of*
45 *subsection 2, the court must not find the delinquent person guilty*



1 of contempt. If the delinquent person does not perform the
2 community service in a manner satisfactory to the court, the
3 court may issue another order pursuant to paragraph (c) of
4 subsection 2.

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

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

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

19 (1) Develop and implement a program for the collection of
20 civil penalties, administrative assessments and fees and to hire
21 additional personnel necessary for the success of such a program:
22 or

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

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

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

29 (c) Except as otherwise provided in paragraph (d), if the
30 money is collected by a state entity, the money must be deposited in
31 an account, which is hereby created in the State Treasury. The
32 Court Administrator may use the money in the account only to
33 develop and implement a program for the collection of civil
34 penalties, administrative assessments and fees in this State and to
35 hire additional personnel necessary for the success of such a
36 program.

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

42 **Sec. 37.** NRS 484A.400 is hereby amended to read as follows:
43 484A.400 1. The provisions of chapters 484A to 484E,
44 inclusive, of NRS are applicable and uniform throughout this State
45 on all highways to which the public has a right of access, to which



1 persons have access as invitees or licensees or such other premises
2 as provided by statute.

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

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

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

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

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

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

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

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

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

31 484A.600 A governmental entity and any agent thereof shall
32 not use photographic, video or digital equipment for gathering
33 evidence to be used for the issuance of a traffic citation *or notice of*
34 *civil infraction pursuant to section 27 of this act* for a violation of
35 chapters 484A to 484E, inclusive, of NRS unless the equipment is
36 held in the hand or installed temporarily or permanently within a
37 vehicle or facility of a law enforcement agency.

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

39 484A.650 1. Whenever the driver of a vehicle is stopped by a
40 peace officer for violating a provision of chapters 484A to 484E,
41 inclusive, of NRS, except for violating a provision of NRS
42 484B.440 to 484B.523, inclusive, the officer shall demand proof of
43 the insurance required by NRS 485.185 or 490.0825 and issue a
44 citation as provided in NRS 484A.630 if the officer has probable
45 cause to believe that the driver of the vehicle is in violation of



1 NRS 485.187 or subsection ~~4~~ 5 of NRS 490.520. If the driver of
2 the vehicle is not the owner, a citation must also be issued to the
3 owner, and in such a case the driver:

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

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

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

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

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

17 484A.900 1. It is unlawful and, unless otherwise declared in
18 chapters 484A to 484E, inclusive, of NRS with respect to a
19 particular offense, it is a ~~misdemeanor~~ *civil infraction punishable*
20 *pursuant to sections 24 to 36, inclusive, of this act* for any person
21 to do any act forbidden or fail to perform any act required in
22 chapters 484A to 484E, inclusive, of NRS.

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

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

34 484B.100 It is ~~unlawful~~ *a misdemeanor* for any person
35 willfully to fail or refuse to comply with any lawful order or
36 direction of any police officer while the officer is performing the
37 duties of the officer in the enforcement of chapters 484A to 484E,
38 inclusive, of NRS.

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

40 484B.130 1. Except as otherwise provided in subsections 2
41 and 6, a person who is ~~convicted of~~ *found to have committed*
42 *a violation of a speed limit, or convicted of or found to have*
43 *committed a violation* of NRS 484B.150, 484B.163, 484B.165,
44 484B.200 to 484B.217, inclusive, 484B.223, 484B.227, 484B.300,
45 484B.303, 484B.317, 484B.320, 484B.327, 484B.330, 484B.403,



1 484B.587, 484B.600, 484B.603, 484B.650, 484B.653, 484B.657,
2 484C.110 or 484C.120, that occurred:

3 (a) In an area designated as a temporary traffic control zone; and

4 (b) At a time when the workers who are performing
5 construction, maintenance or repair of the highway or other work
6 are present, or when the effects of the act may be aggravated
7 because of the condition of the highway caused by construction,
8 maintenance or repair, including, without limitation, reduction in
9 lane width, reduction in the number of lanes, shifting of lanes from
10 the designated alignment and uneven or temporary surfaces,
11 including, without limitation, modifications to road beds, cement-
12 treated bases, chip seals and other similar conditions,

13 ↪ shall , *if the violation is a criminal offense*, be punished by
14 imprisonment or by a fine, or both, for a term or an amount equal to
15 and in addition to the term of imprisonment or amount of the fine, or
16 both, that the court imposes for the primary offense ~~§~~ *or shall, if*
17 *the violation is a civil infraction punishable pursuant to sections*
18 *24 to 36, inclusive, of this act, be punished by a civil penalty in an*
19 *amount equal to and in addition to the civil penalty imposed that*
20 *the court imposes for the primary civil infraction.* Any term of
21 imprisonment imposed pursuant to this subsection runs
22 consecutively with the sentence prescribed by the court for the
23 crime. This subsection does not create a separate offense ~~§~~ *or civil*
24 *infraction*, but provides an additional penalty for the primary
25 offense ~~§~~ *or civil infraction*, whose imposition is contingent upon
26 the finding of the prescribed fact.

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

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

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

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

40 (a) A sign located before the beginning of such an area stating
41 “DOUBLE PENALTIES IN WORK ZONES” to indicate a double
42 penalty may be imposed pursuant to this section;

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

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



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

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

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

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

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

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

25 484B.135 1. Except as otherwise provided in subsections 2
26 and 4, a person who is ~~convicted of~~ *found to have committed* a
27 violation of a speed limit, or *convicted of or found to have*
28 *committed a violation* of NRS 484B.150, 484B.163, 484B.165,
29 484B.200 to 484B.217, inclusive, 484B.223, 484B.227, 484B.280,
30 484B.283, 484B.287, 484B.300, 484B.303, 484B.307, 484B.317,
31 484B.320, 484B.327, 484B.403, 484B.600, 484B.603, 484B.650,
32 484B.653, 484B.657, 484C.110 or 484C.120, that occurred in an
33 area designated as a pedestrian safety zone may :

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

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

42 ➤ Any term of imprisonment imposed pursuant to this subsection
43 runs consecutively with the sentence prescribed by the court for the
44 crime. This subsection does not create a separate offense ~~§~~ *or civil*
45 *infraction* but provides an additional penalty for the primary offense



1 ~~[]~~ or *civil infraction*, whose imposition is discretionary with the
2 court and 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
5 to subsection 1 must not exceed a total of \$1,000, 6 months of
6 imprisonment or 120 hours of community service.

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

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

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

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

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

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

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

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

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

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

37 (b) Complies with the requirements of subsection 3 and NRS
38 484A.430 and 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
41 drink an alcoholic beverage while the person is driving or in actual
42 physical control of a motor vehicle upon a highway.

43 2. Except as otherwise provided in this subsection, it is
44 ~~[unlawful]~~ *a misdemeanor* for a person to have an open container of
45 an alcoholic beverage within the passenger area of a motor vehicle



1 while the motor vehicle is upon a highway. This subsection does not
2 apply to:

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

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

9 3. A person who violates any provision of this section may be
10 subject to any additional penalty set forth in NRS 484B.130 or
11 484B.135.

12 4. As used in this section:

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

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

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

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

20 484B.157 1. Except as otherwise provided in subsection 7,
21 any person who is transporting a child who is less than 6 years of
22 age and who weighs 60 pounds or less in a motor vehicle operated
23 in this State which is equipped to carry passengers shall secure the
24 child in a child restraint system which:

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

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

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

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

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

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

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

44 (b) For a second ~~{offense,}~~ *violation*, order the ~~{defendant}~~
45 *person* to pay a ~~{fine}~~ *civil penalty* of not less than \$500 or more



1 than \$1,000 or order the **[defendant] person** to perform not less than
2 50 hours or more than 100 hours of community service; and

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

6 3. At the time of **[sentencing.] imposing a civil penalty**
7 **pursuant to subsection 2**, the court shall provide the **[defendant]**
8 **person who committed the violation** with a list of persons and
9 agencies approved by the Department of Public Safety to conduct
10 programs of training and perform inspections of child restraint
11 systems. The list must include, without limitation, an indication of
12 the fee, if any, established by the person or agency pursuant to
13 subsection 4. If, within 60 days after **[sentencing, a defendant] the**
14 **person is found to have committed the violation, the person**
15 provides the court with proof of satisfactory completion of a
16 program of training provided for in this subsection, the court shall:

17 (a) If the **[defendant] person** was **[sentenced] punished** pursuant
18 to paragraph (a) of subsection 2, waive the **[fine] civil penalty** or
19 community service previously imposed; or

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

23 ↪ A **[defendant] person** is only eligible for a reduction of a **[fine]**
24 **civil penalty** or community service pursuant to paragraph (b) if the
25 **[defendant] person** has not had a fine or community service waived
26 pursuant to paragraph (a).

27 4. A person or agency approved by the Department of Public
28 Safety to conduct programs of training and perform inspections of
29 child restraint systems may, in cooperation with the Department **[,]**
30 **of Motor Vehicles**, establish a fee to be paid by **[defendants]**
31 **persons** who are ordered to complete a program of training. The
32 amount of the fee, if any:

33 (a) Must be reasonable; and

34 (b) May, if a **[defendant] person** desires to acquire a child
35 restraint system from such a person or agency, include the cost of a
36 child restraint system provided by the person or agency to the
37 defendant.

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

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

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

42 (a) Negligence in any civil action; or

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

45 7. This section does not apply:



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

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

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

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

16 (b) Integrated child seats; and

17 (c) Safety belts that are designed specifically to be adjusted to
18 accommodate children.

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

20 484B.160 1. Except as otherwise provided in subsections 2
21 and 4, a driver shall not permit a person, with regard to a motor
22 vehicle being operated on a paved highway, to ride upon or within
23 any portion of the vehicle that is primarily designed or intended for
24 carrying goods or other cargo or that is otherwise not designed or
25 intended for the use of passengers, including, without limitation:

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

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

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

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

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

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

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

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

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

42 5. A violation of this section:

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

45 (b) May not be considered as:



1 (1) Negligence or causation in a civil action; or
2 (2) Negligent or reckless driving for the purposes of
3 NRS 484B.653.

4 6. As used in this section:

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

7 (b) "Slide-in camper" has the meaning ascribed to it in
8 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
11 person shall not, while operating a motor vehicle on a highway in
12 this State:

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

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

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

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

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

35 (c) A person who is reporting a medical emergency, a safety
36 hazard or criminal activity or who is requesting assistance relating
37 to a medical emergency, a safety hazard or criminal activity.

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

42 (e) A person who is licensed by the Federal Communications
43 Commission as an amateur radio operator and who is providing a
44 communication service in connection with an actual or impending
45 disaster or emergency, participating in a drill, test, or other exercise



1 in preparation for a disaster or emergency or otherwise
2 communicating public information.

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

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

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

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

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

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

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

19 (c) For the third or subsequent ~~offense~~ *violation* within the
20 immediately preceding 7 years, shall pay a ~~fine~~ *civil penalty* of
21 \$250.

22 5. A person who violates any provision of subsection 1 may be
23 subject to any additional penalty set forth in NRS 484B.130 or
24 484B.135.

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

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

32 8. As used in this section:

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

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

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



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

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

5 484B.323 1. A person shall not operate a vehicle in a lane
6 designated for the use of high-occupancy vehicles except in
7 conformity with the established conditions which are placed and
8 maintained on signs and other official traffic-control devices
9 pursuant to subsection 2 of NRS 484A.460 or established by
10 regulation.

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

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

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

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

21 484B.330 1. It is unlawful for a driver of a vehicle to fail or
22 refuse to comply with any signal of an authorized flagger serving in
23 a traffic control capacity in a clearly marked area of highway
24 construction or maintenance or any other area which has been
25 designated as a temporary traffic control zone.

26 2. A district attorney shall prosecute all violations of
27 subsection 1 which occur in his or her jurisdiction and which result
28 in injury to any person performing highway construction or
29 maintenance or performing other work within an area designated as
30 a temporary traffic control zone unless the district attorney has good
31 cause for not prosecuting the violation. ~~[In addition to any other~~
32 ~~penalty, if]~~ *If* a driver violates any provision of subsection 1 and the
33 violation results in injury to any person performing highway
34 construction or maintenance or performing other work within an
35 area designated as a temporary traffic control zone, or in damage to
36 property in an amount of not less than \$1,000, the driver *is guilty of*
37 *a misdemeanor and* shall be punished by a fine of not less than
38 \$1,000 or more than \$2,000, and ordered to perform 120 hours of
39 community service.

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

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



1 (a) An employee of the Department of Transportation or of a
2 contractor performing highway construction or maintenance or
3 performing other work within an area designated as a temporary
4 traffic control zone for the Department of Transportation while the
5 employee is carrying out the duties of his or her employment;

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

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

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

18 484B.593 1. The Department of Transportation or a local
19 authority, after considering the advice of the Nevada Bicycle and
20 Pedestrian Advisory Board, may with respect to any controlled-
21 access highway under its jurisdiction:

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

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

28 2. Any person who violates any prohibition or restriction
29 enacted pursuant to subsection 1 is guilty of a ~~[misdemeanor.]~~ *civil*
30 *infraction punishable pursuant to sections 24 to 36, inclusive, of*
31 *this act.*

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

33 484B.600 1. It is unlawful for any person to drive or operate
34 a vehicle of any kind or character at:

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

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

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

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

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



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

6 3. A person who violates any provision of subsection 1 may be
7 subject to the additional penalty set forth in NRS 484B.130 or
8 484B.135.

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

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

27 *6. A person who commits a violation of any provision of this*
28 *section that causes physical injury to a person or damage to*
29 *property shall be punished by a civil penalty of not more than*
30 *\$1,000.*

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

32 484B.607 1. Upon approaching any traffic incident, the
33 driver of the approaching vehicle shall, in the absence of other
34 direction given by a law enforcement officer:

35 (a) Decrease the speed of the vehicle to a speed that is
36 reasonable and proper, pursuant to the criteria set forth in subsection
37 1 of NRS 484B.600;

38 (b) Proceed with caution;

39 (c) Be prepared to stop; and

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

43 2. ~~[A]~~ *Except as otherwise provided in this subsection, a*
44 *person who violates subsection 1 is guilty of a ~~[misdemeanor.] civil~~*
45 *infraction punishable pursuant to sections 24 to 36, inclusive, of*



1 *this act. A person who commits a violation of subsection 1 that*
2 *causes physical injury to a person or damage to property is guilty*
3 *of a civil infraction and shall be punished by a civil penalty of not*
4 *more than \$1,000.*

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

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

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

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

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

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

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

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

40 (h) A crash scene;

41 (i) A stalled vehicle;

42 (j) Debris on the roadway; or

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



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

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

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

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

20 5. *A person who commits a violation of any provision of this*
21 *section that causes physical injury to a person or damage to*
22 *property shall be punished by a civil penalty of not more than*
23 *\$1,000.*

24 **Sec. 54.** NRS 484B.613 is hereby amended to read as follows:
25 484B.613 1. The Department of Transportation may establish
26 the speed limits for motor vehicles on highways which are
27 constructed and maintained by the Department of Transportation
28 under the authority granted to it by chapter 408 of NRS.

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

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

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

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

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

43 5. *A person who commits a violation of any provision of this*
44 *section that causes physical injury to a person or damage to*



1 *property shall be punished by a civil penalty of not more than*
2 *\$1,000.*

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

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

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

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

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

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

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

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

22 3. *A person who commits a violation of any provision of this*
23 *section that causes physical injury to a person or damage to*
24 *property shall be punished by a civil penalty of not more than*
25 *\$1,000.*

26 4. The provisions of this section do not apply to a violation
27 specified in subsection 1 that occurs in a county whose population is
28 100,000 or more if the portion of highway being traversed is in:

29 (a) An urban area; or

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

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

36 484B.620 1. The Department of Transportation may
37 prescribe speed zones, and install appropriate speed signs
38 controlling vehicular traffic on the state highway system as
39 established in chapter 408 of NRS through hazardous areas, after
40 necessary studies have been made to determine the need therefor,
41 and to eliminate speed zones and remove the signs therefrom
42 whenever the need therefor ceases to exist.

43 2. After the establishment of a speed zone and the installation
44 of appropriate signs to control speed, it is unlawful for any person to



1 drive a motor vehicle upon the road and in the speed zone in excess
2 of the speed therein authorized.

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

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

7 484B.630 1. On a highway that has one lane for traveling in
8 each direction, where passing is unsafe because of traffic traveling
9 in the opposite direction or other conditions, the driver of a slow-
10 moving vehicle, behind which five or more vehicles are formed in a
11 line, shall, to allow the vehicles following behind to proceed, turn
12 off the roadway:

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

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

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

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

20 2. A person who violates subsection 1 is guilty of a
21 ~~[misdemeanor.]~~ **civil infraction punishable pursuant to sections 24**
22 **to 36, inclusive, of this act.**

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

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

28 484B.650 1. A driver commits an offense of aggressive
29 driving if, during any single, continuous period of driving within the
30 course of 1 mile, the driver does all the following, in any sequence:

31 (a) Commits one or more acts of speeding in violation of NRS
32 484B.363 or 484B.600.

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

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

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

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

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

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



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

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

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

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

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

14 or

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

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

18 (1) By a fine of not less than \$1,000 but not more than
19 \$1,500; or

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

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

23 (1) By a fine of not less than \$1,500 but not more than
24 \$2,000; or

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

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

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

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

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

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

44 7. If the court issues an order suspending or revoking the
45 driver's license of the driver pursuant to this section, the court shall



1 require the driver to surrender to the court all driver's licenses then
2 held by the driver. The court shall, within 5 days after issuing the
3 order, forward the driver's licenses and a copy of the order to the
4 Department.

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

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

15 10. A person who violates any provision of subsection 1 may
16 be subject to any additional penalty set forth in NRS 484B.130 or
17 484B.135.

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

19 484B.760 1. It is a ~~misdemeanor~~ *civil infraction*
20 *punishable pursuant to sections 24 to 36, inclusive, of this act* for
21 any person to do any act forbidden or fail to perform any act
22 required in NRS 484B.768 to 484B.790, inclusive.

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

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

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

32 484B.900 No automobile rental agency shall be liable for any
33 traffic violation arising out of the use of a leased or rented motor
34 vehicle during the period such motor vehicle is not in the possession
35 of the agency. This section does not absolve any such agency from
36 liability for any misdemeanor *or civil infraction punishable*
37 *pursuant to sections 24 to 36, inclusive, of this act* committed by an
38 officer, employee or agent of the agency.

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

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

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

44 (b) The driver reasonably believes that an emergency requires
45 the use of the device to protect the physical safety of a person or



1 others from an immediate threat of physical injury or to protect
2 against an immediate threat of damage to property.

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

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

7 484D.405 1. It is unlawful for any person to operate or cause
8 to be operated upon the public highways of the State of Nevada any
9 out-of-state or foreign privately owned motor vehicle equipped with
10 a red light or siren attached thereto as a part of the equipment of the
11 vehicle.

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

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

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

22 484D.495 1. It is unlawful to drive a passenger car
23 manufactured after:

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

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

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

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

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

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

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

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

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



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

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

5 ↳ a **[citation]** *notice of civil infraction* must be issued *pursuant to*
6 *section 27 of this act* to the driver for failing to require that child to
7 wear the safety belt, but if both the driver and that child are not
8 wearing safety belts, only one **[citation]** *notice of civil infraction*
9 may be issued to the driver for both violations. A **[citation]** *notice of*
10 *civil infraction* may be issued pursuant to **[this-subsection]** *section*
11 *27 of this act* only if the violation is discovered when the vehicle is
12 halted or its driver arrested for another alleged violation or offense.
13 Any person who violates the provisions of subsection 2 shall be
14 punished by a **[fine]** *civil penalty* of not more than \$25 or by a
15 sentence to perform a certain number of hours of community
16 service.

17 4. A violation of subsection 2:

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

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

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

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

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

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

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

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

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

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

44 7. It is unlawful for any person to distribute, have for sale,
45 offer for sale or sell any safety belt or shoulder harness assembly for



1 use in a motor vehicle unless it meets current minimum standards
2 and specifications of the United States Department of
3 Transportation.

4 **Sec. 64.** NRS 484D.540 is hereby amended to read as follows:
5 484D.540 Violation of the provisions of NRS 484D.535 is a
6 ~~[misdemeanor.]~~ *civil infraction punishable pursuant to sections 24*
7 *to 36, inclusive, of this act.* Whenever any motor vehicle is found
8 by any peace officer to be in violation of the provisions of NRS
9 484D.535, and a notice ~~[to appear or citation]~~ *of civil infraction* is
10 issued ~~[]~~ *pursuant to section 27 of this act,* ~~[it]~~ *the notice* may
11 require that the person named therein shall produce in court proof
12 that such vehicle or its equipment has been made to conform to the
13 provisions of NRS 484D.535.

14 **Sec. 65.** NRS 484D.620 is hereby amended to read as follows:
15 484D.620 Any person operating or moving any vehicle or
16 equipment over any highway who violates any length limitation in
17 this chapter is guilty of a ~~[misdemeanor.]~~ *civil infraction*
18 *punishable pursuant to sections 24 to 36, inclusive, of this act.*

19 **Sec. 66.** NRS 484D.680 is hereby amended to read as follows:
20 484D.680 1. Except as otherwise provided in subsection ~~[5.]~~
21 *4,* a person ~~[convicted of]~~ *found to have committed* a violation of
22 any limitation of weight imposed by NRS 484D.615 to 484D.675,
23 inclusive, shall be punished by a ~~[fine]~~ *civil penalty* as specified in
24 the following table:

25
26 Pounds of Excess Weight

27		
28	1 to 1,500.....	\$10
29	1,501 to 2,500.....	1 cent per pound of excess weight
30	2,501 to 5,000.....	2 cents per pound of excess weight
31	5,001 to 7,500.....	4 cents per pound of excess weight
32	7,501 to 10,000.....	6 cents per pound of excess weight
33	10,001 and over	8 cents per pound of excess weight

34
35 2. If the resulting ~~[fine]~~ *civil penalty* is not a whole number of
36 dollars, the nearest whole number above the computed amount must
37 be imposed as the ~~[fine.]~~ *civil penalty.*

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

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

44 ~~—5.]~~ A person ~~[convicted of]~~ *found to have committed* a violation
45 of a limitation of weight imposed by NRS 484D.615 to 484D.675,



1 inclusive, shall be punished by a ~~fine~~ *civil penalty* that is equal to
2 twice the amount of the ~~fine~~ *civil penalty* specified in subsection 1
3 if that violation occurred on or after February 1 but before May 1 on
4 a highway designated by the Director of the Department of
5 Transportation as restricted pursuant to NRS 408.214. This
6 subsection does not create a separate offense but provides an
7 additional penalty for the primary offense, whose imposition is
8 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
11 any vehicle or equipment described in NRS 484D.615 or 484D.685
12 to 484D.725, inclusive, over any highway without first obtaining a
13 permit, or to violate or evade any of the terms or conditions of the
14 permit when issued. A person violating any of the provisions of
15 NRS 484D.685 to 484D.740, inclusive, is guilty of a
16 ~~misdemeanor~~ *civil infraction punishable pursuant to sections 24*
17 *to 36, inclusive, of this act.*

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

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

26 485.135 The Department shall upon request furnish any person
27 a certified abstract of the operating record of any person subject to
28 the provisions of this chapter, which abstract must also fully
29 designate the motor vehicles, if any, registered in the name of that
30 person, and, if there is no record of any ~~conviction of~~ *violations by*
31 that person of ~~violating~~ any law relating to the operation of a
32 motor vehicle or of any injury or damage caused by that person, the
33 Department shall so certify.

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

35 486.171 1. A person shall not authorize or knowingly permit
36 a motorcycle, except a trimobile, owned by or under the control of
37 the person to be driven upon any highway by any person who is not
38 authorized pursuant to NRS 486.011 to 486.381, inclusive, to drive
39 a motorcycle.

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

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

43 486.375 1. A person who:



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

4 (b) Is at least 21 years old;

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

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

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

12 ↪ may apply to the Department for a license as an instructor for the
13 Program.

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

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

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

23 3. The Director shall adopt standards and procedures for the
24 licensing of instructors for the Program.

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

26 486.381 Any person violating any provisions of NRS 486.011
27 to 486.361, inclusive, is guilty of a ~~felony~~ *civil infraction*
28 *unless a provision of those sections specifically provides that a*
29 *particular violation is a misdemeanor, gross misdemeanor or*
30 *felony.*

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

32 490.520 1. It is a gross misdemeanor for any person
33 knowingly to falsify:

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

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

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

41 3. Except as otherwise provided in subsections ~~3~~ 4 and ~~4~~ 5,
42 it is a ~~felony~~ *civil infraction punishable pursuant to*
43 *sections 24 to 36, inclusive, of this act* for any person to violate any
44 of the provisions of this chapter unless the violation is by this



1 section or other provision of this chapter or other law of this State
2 declared to be a *misdemeanor*, gross misdemeanor or ~~felony~~.

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

9 ~~4.]~~ 5. Any person who registers a large all-terrain vehicle
10 pursuant to NRS 490.0825 and who:

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

13 (b) Operates or knowingly permits the operation of the vehicle
14 without having evidence of insurance of the vehicle in the
15 possession of the operator of the vehicle; or

16 (c) Fails or refuses to surrender, upon demand, to a peace officer
17 or to an authorized representative of the Department the evidence of
18 insurance,

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

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

23 4.355 1. A justice of the peace in a township whose
24 population is 40,000 or more may appoint a referee to take
25 testimony and recommend orders and a judgment:

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

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

29 (c) In any action for a misdemeanor constituting a violation of
30 chapters 484A to 484E, inclusive, of NRS, except NRS 484C.110 or
31 484C.120; ~~or~~

32 (d) In any action for a misdemeanor constituting a violation of a
33 county traffic ordinance ~~];~~ *or*

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

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

39 3. The referee:

40 (a) Shall take testimony;

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

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



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

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

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

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

17 4.370 1. Except as otherwise provided in subsection 2, justice
18 courts have jurisdiction of the following civil actions and
19 proceedings and no others except as otherwise provided by specific
20 statute:

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

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

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

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

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

40 (f) To take and enter judgment on the confession of a defendant,
41 when the amount confessed, exclusive of interest, does not exceed
42 \$15,000.

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



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

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

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

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

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

15 (m) Except as otherwise provided in this paragraph, in any
16 action for the issuance of a temporary or extended order for
17 protection against domestic violence pursuant to NRS 33.020. A
18 justice court does not have jurisdiction in an action for the issuance
19 of a temporary or extended order for protection against domestic
20 violence:

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

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

25 (3) If a district court issues a written order to the justice court
26 requiring that further proceedings relating to the action for the
27 issuance of the order for protection be conducted before the district
28 court.

29 (n) Except as otherwise provided in this paragraph, in any action
30 for the issuance of an ex parte or extended order for protection
31 against high-risk behavior pursuant to NRS 33.570 or 33.580. A
32 justice court does not have jurisdiction in an action for the issuance
33 of an ex parte or extended order for protection against high-risk
34 behavior:

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

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

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

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



1 (p) In small claims actions under the provisions of chapter 73 of
2 NRS.

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

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

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

11 (t) In actions transferred from the district court pursuant to
12 NRS 3.221.

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

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

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

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

23 3. Justice courts have jurisdiction of all misdemeanors and no
24 other criminal offenses except as otherwise provided by specific
25 statute. Upon approval of the district court, a justice court may
26 transfer original jurisdiction of a misdemeanor to the district court
27 for the purpose of assigning an offender to a program established
28 pursuant to NRS 176A.250 or, if the justice court has not
29 established a program pursuant to NRS 176A.280, to a program
30 established pursuant to that section.

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

34 5. In the case of any arrest made by a member of the Nevada
35 Highway Patrol, the jurisdiction of the justices of the peace extends
36 to the limits of their respective counties and to the limits of all
37 counties which have common boundaries with their respective
38 counties.

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

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

43 5.050 1. Municipal courts have jurisdiction of civil actions or
44 proceedings:

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



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

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

6 2. Except as otherwise provided in subsection 2 of NRS
7 173.115, the municipal courts have jurisdiction of all misdemeanors
8 committed in violation of the ordinances of their respective cities.
9 Upon approval of the district court, a municipal court may transfer
10 original jurisdiction of a misdemeanor to the district court for the
11 purpose of assigning an offender to a program established pursuant
12 to NRS 176A.250 or, if the municipal court has not established a
13 program pursuant to NRS 176A.280, to a program established
14 pursuant to that section.

15 3. The municipal courts have jurisdiction of:

16 (a) Any action for the collection of taxes or assessments levied
17 for city purposes, when the principal sum thereof does not exceed
18 \$2,500.

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

22 (c) Actions for the breach of any bond given by any officer or
23 person to or for the use or benefit of the city, and of any action for
24 damages to which the city is a party, and upon all forfeited
25 recognizances given to or for the use or benefit of the city, and upon
26 all bonds given on appeals from the municipal court in any of the
27 cases named in this section, when the principal sum claimed does
28 not exceed \$2,500.

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

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

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

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

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

43 17.150 1. Immediately after filing a judgment roll, the clerk
44 shall make the proper entries of the judgment, under appropriate



1 heads, in the docket kept by the clerk, noting thereon the hour and
2 minutes of the day of such entries.

3 2. A transcript of the original docket or an abstract or copy of
4 any judgment or decree of a district court of the State of Nevada or
5 the District Court or other court of the United States in and for the
6 District of Nevada, the enforcement of which has not been stayed on
7 appeal, certified by the clerk of the court where the judgment or
8 decree was rendered, may be recorded in the office of the county
9 recorder in any county, and when so recorded it becomes a lien upon
10 all the real property of the judgment debtor not exempt from
11 execution in that county, owned by the judgment debtor at the time,
12 or which the judgment debtor may afterward acquire, until the lien
13 expires. ~~The~~ *Except as otherwise provided in section 36 of this*
14 *act, the* lien continues for 6 years after the date the judgment or
15 decree was docketed, and is continued each time the judgment or
16 decree is renewed, unless:

17 (a) The enforcement of the judgment or decree is stayed on
18 appeal by the execution of a sufficient undertaking as provided in
19 the Nevada Rules of Appellate Procedure or by the Statutes of the
20 United States, in which case the lien of the judgment or decree and
21 any lien by virtue of an attachment that has been issued and levied
22 in the actions ceases;

23 (b) The judgment is for arrearages in the payment of child
24 support, in which case the lien continues until the judgment is
25 satisfied;

26 (c) The judgment is satisfied; or

27 (d) The lien is otherwise discharged.

28 ➔ The time during which the execution of the judgment is
29 suspended by appeal, action of the court or defendant must not be
30 counted in computing the time of expiration.

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

32 (a) Title of the court and the title and number of the action;

33 (b) Date of entry of the judgment or decree;

34 (c) Names of the judgment debtor and judgment creditor;

35 (d) Amount of the judgment or decree; and

36 (e) Location where the judgment or decree is entered in the
37 minutes or judgment docket.

38 4. In addition to recording the information described in
39 subsection 2, a judgment creditor who records a judgment or decree
40 for the purpose of creating a lien upon the real property of the
41 judgment debtor pursuant to subsection 2 shall record at that time an
42 affidavit of judgment stating:

43 (a) The name and address of the judgment debtor;

44 (b) If the judgment debtor is a natural person:



1 (1) The last four digits of the judgment debtor's driver's
2 license number or identification card number and the state of
3 issuance; or

4 (2) The last four digits of the judgment debtor's social
5 security number;

6 (c) If the lien is against real property which the judgment debtor
7 owns at the time the affidavit of judgment is recorded, the assessor's
8 parcel number and the address of the real property and a statement
9 that the judgment creditor has confirmed that the judgment debtor is
10 the legal owner of that real property; and

11 (d) If a manufactured home or mobile home is included within
12 the lien, the location and serial number of the manufactured home or
13 mobile home and a statement that the judgment creditor has
14 confirmed that the judgment debtor is the legal owner of the
15 manufactured home or mobile home.

16 ↪ All information included in an affidavit of judgment recorded
17 pursuant to this subsection must be based on the personal
18 knowledge of the affiant, and not upon information and belief.

19 5. As used in this section:

20 (a) "Manufactured home" has the meaning ascribed to it in
21 NRS 489.113.

22 (b) "Mobile home" has the meaning ascribed to it in
23 NRS 489.120.

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

25 17.214 1. ~~[A]~~ ***Except as otherwise provided in section 36 of***
26 ***this act, a*** judgment creditor or a judgment creditor's successor in
27 interest may renew a judgment which has not been paid by:

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

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

35 (2) If the judgment is recorded, the name of the county and
36 the document number or the number and the page of the book in
37 which it is recorded;

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

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

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

43 (6) Whether there are any setoffs or counterclaims in favor of
44 the judgment debtor and the amount or, if a setoff or counterclaim is



1 unsettled or undetermined it will be allowed as payment or credit on
2 the judgment;

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

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

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

10 ↪ All information in the affidavit must be based on the personal
11 knowledge of the affiant, and not upon information and belief.

12 (b) If the judgment is recorded, recording the affidavit of
13 renewal in the office of the county recorder in which the original
14 judgment is filed within 3 days after the affidavit of renewal is filed
15 pursuant to paragraph (a).

16 2. The filing of the affidavit renews the judgment to the extent
17 of the amount shown due in the affidavit.

18 3. The judgment creditor or the judgment creditor's successor
19 in interest shall notify the judgment debtor of the renewal of the
20 judgment by sending a copy of the affidavit of renewal by certified
21 mail, return receipt requested, to the judgment debtor at his or her
22 last known address within 3 days after filing the affidavit.

23 4. Successive affidavits for renewal may be filed within 90
24 days before the preceding renewal of the judgment expires by
25 limitation.

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

27 62A.220 "Minor traffic offense" means a violation of any state
28 or local law or ordinance governing the operation of a motor vehicle
29 upon any highway within this State other than:

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

32 2. A violation of NRS 484C.110 or 484C.120; ~~[or]~~

33 3. A violation declared to be a felony ~~[]~~; *or*

34 *4. A violation of a provision of chapters 483 to 484E,*
35 *inclusive, 486 or 490 of NRS that is punishable as a civil*
36 *infraction pursuant to sections 24 to 36, inclusive, of this act.*

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

38 62B.380 1. ~~[If a child is charged with a minor traffic offense,~~
39 ~~the] *The juvenile court has exclusive jurisdiction over proceedings*~~
40 ~~*concerning a child who commits a minor traffic offense or who*~~
41 ~~*violates a provision of chapters 483 to 484E, inclusive, 486 or 490*~~
42 ~~*of NRS that is punishable as a civil infraction pursuant to sections*~~
43 ~~*24 to 36, inclusive, of this act. [may transfer the case and record to a*~~
44 ~~*Justice Court or municipal court if the juvenile court determines that*~~
45 ~~*the transfer is in the best interests of the child.]*~~



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

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

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

6 ~~—3. If the juvenile court transfers a case and record to a Justice~~
7 ~~Court or municipal court pursuant to this section, the Justice Court~~
8 ~~or municipal court may transfer the case and record back to the~~
9 ~~juvenile court with the consent of the juvenile court.] If a case~~
10 ~~concerns a child who is alleged to have violated a provision of~~
11 ~~chapters 483 to 484E, inclusive, 486 or 490 of NRS that is~~
12 ~~punishable as a civil infraction pursuant to sections 24 to 36,~~
13 ~~inclusive, of this act, the child must not be treated as a child~~
14 ~~alleged to be in need of supervision or delinquent and the juvenile~~
15 ~~court must not adjudicate the child to be in need of supervision or~~
16 ~~delinquent. If the juvenile court finds that the child committed the~~
17 ~~violation, the juvenile court must impose the civil penalty~~
18 ~~authorized by the applicable provision of law.~~

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

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

23 (b) The Nevada Supreme Court has further held in *Tellis v.*
24 *State*, 84 Nev. 587, 591 (1968), *Sparkman v. State*, 95 Nev. 76, 82
25 (1979) and *State v. Dist. Ct. (Pullin)*, 124 Nev. 564, 567-68 (2008),
26 that the penalty for a crime is determined by the law in effect at the
27 time the offender committed the crime and not the law in effect at
28 the time the offender is sentenced unless the Legislature has
29 expressed its clear intent that a statute ameliorating the penalty
30 apply retroactively.

31 (c) The imposition of criminal penalties for certain minor traffic
32 and related offenses is overly burdensome because it threatens
33 persons with criminal penalties, including imprisonment in county
34 jail, for failure to pay fines, assessments and fees imposed in
35 connection with relatively minor offenses.

36 (d) For those reasons, the Legislature is exercising its exclusive
37 power to define the acts which subject a person to criminal penalties
38 by making certain minor traffic and related offenses no longer
39 subject to criminal penalties and, instead, imposing civil penalties
40 for those offenses.

41 (e) It is unfair and unequal to impose criminal penalties on a
42 person who is alleged to have committed a minor traffic or related
43 offense but who has not been convicted of that offense before
44 January 1, 2023, while a person who commits the same act on or



1 after January 1, 2023, is subject to civil penalties rather than
2 criminal penalties.

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

10 2. Except as otherwise provided in this section, the provisions
11 of this act apply to a violation of any provision of law that pursuant
12 to a provision of this act is punishable as a civil infraction pursuant
13 to sections 24 to 36, inclusive, of this act if the violation occurred
14 before, on or after January 1, 2023. The provisions of this act do not
15 apply to any violation of law for which a person was convicted
16 before January 1, 2023.

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

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

30 **Sec. 81.** 1. This section becomes effective upon passage and
31 approval.

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

33 (a) Upon passage and approval for the purpose of adopting any
34 regulations and performing any other preparatory administrative
35 tasks that are necessary to carry out the provisions of this act; and

36 (b) On January 1, 2023, for all other purposes.

