

SENATE BILL NO. 322—SENATORS STONE, SEEVERS GANSERT,  
GOICOECHEA; CANNIZZARO, DONDERO LOOP, HAMMOND,  
HANSEN, NGUYEN AND TITUS

MARCH 20, 2023

JOINT SPONSORS: ASSEMBLYMEN YUREK,  
HARDY, GRAY, GALLANT; AND GURR

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to reckless driving.  
(BDR 43-934)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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

AN ACT relating to crimes; revising the penalties for engaging in  
reckless driving under certain circumstances; and  
providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law makes it unlawful for a person to drive a vehicle in willful or  
2 wanton disregard of the safety of persons or property. Existing law provides that  
3 certain unlawful acts, such as driving a vehicle in willful or wanton disregard of the  
4 safety of persons or property, constitute reckless driving. (NRS 484B.653) Under  
5 existing law, if a driver commits reckless driving and proximately causes  
6 substantial bodily harm to or the death of another person, the driver: (1) is guilty of  
7 a category B felony; (2) shall be punished by imprisonment in the state prison for a  
8 minimum term of not less than 1 year and a maximum term of not more than 6  
9 years; and (3) may be subject to certain additional penalties if the violation is  
10 committed in a pedestrian safety zone or a temporary traffic control zone. (NRS  
11 484B.130, 484B.135, 484B.653)

12 **Section 3** of this bill revises the penalty for committing such a violation under  
13 certain circumstances. Specifically, **section 3** increases the maximum term of  
14 imprisonment for the commission of such a violation from 6 years to 10 years, if  
15 the violation: (1) involves operating a vehicle at a rate of speed that is 50 miles per  
16 hour or more over the posted speed limit; or (2) is committed in a pedestrian safety  
17 zone, school zone or school crossing zone. This bill is known as “Rex’s Law” after  
18 Rex Patchett.



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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

3 **Sec. 3.** NRS 484B.653 is hereby amended to read as follows:

4 484B.653 1. It is unlawful for a person to:

5 (a) Drive a vehicle in willful or wanton disregard of the safety of  
6 persons or property on a highway or premises to which the public  
7 has access.

8 (b) Drive a vehicle in an unauthorized speed contest on a  
9 highway or premises to which the public has access.

10 (c) Organize an unauthorized speed contest on a highway or  
11 premises to which the public has access.

12 (d) Drive a vehicle in an unauthorized trick driving display on a  
13 public highway.

14 (e) Facilitate an unauthorized trick driving display on a public  
15 highway.

16 ↪ A violation of paragraph (a), (b) or (d) of this subsection or  
17 subsection 1 of NRS 484B.550 constitutes reckless driving.

18 2. If, while violating the provisions of subsections 1 to 5,  
19 inclusive, of NRS 484B.270, NRS 484B.280, paragraph (a) or (c) of  
20 subsection 1 of NRS 484B.283, NRS 484B.350, subsections 1 to 4,  
21 inclusive, of NRS 484B.363 or subsection 1 of NRS 484B.600, the  
22 driver of a motor vehicle on a highway or premises to which the  
23 public has access is the proximate cause of a collision with a  
24 pedestrian or a person riding a bicycle, an electric bicycle or an  
25 electric scooter, the violation constitutes reckless driving.

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

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

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

30 or

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

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

34 (1) By a fine of not less than \$1,000 but not more than  
35 \$1,500; or

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

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

39 (1) By a fine of not less than \$1,500 but not more than  
40 \$2,000; or

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



1 4. A person who violates paragraph (b) or (c) of subsection 1  
2 or commits a violation which constitutes reckless driving pursuant  
3 to subsection 2 is guilty of a misdemeanor and:

4 (a) For the first offense:

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

7 (2) Shall perform not less than 50 hours, but not more than  
8 99 hours, of community service; and

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

11 (b) For the second offense:

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

14 (2) Shall perform not less than 100 hours, but not more than  
15 199 hours, of community service; and

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

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

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

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

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

24 5. In addition to any fine, community service and  
25 imprisonment imposed upon a person pursuant to subsection 4, the  
26 court:

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

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

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

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

42 6. A person who violates paragraph (d) of subsection 1 is guilty  
43 of a gross misdemeanor and:

44 (a) For the first offense:



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

3 (2) Shall perform not less than 100 hours, but not more than  
4 199 hours, of community service; and

5 (3) May be punished by imprisonment in the county jail for  
6 not more than 364 days.

7 (b) For the second offense and each subsequent offense:

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

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

11 (3) May be punished by imprisonment in the county jail for  
12 not more than 364 days.

13 7. A person who violates paragraph (e) of subsection 1 is guilty  
14 of:

15 (a) For the first offense, a misdemeanor and:

16 (1) Shall be punished by a fine of not more than \$1,000;

17 (2) Shall perform not less than 50 hours, but not more than  
18 99 hours, of community service; and

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

21 (b) For the second offense and each subsequent offense, a gross  
22 misdemeanor and:

23 (1) Shall be punished by a fine of not less than \$1,000 and  
24 not more than \$1,500;

25 (2) Shall perform not less than 100 hours, but not more than  
26 199 hours, of community service; and

27 (3) May be punished by imprisonment in the county jail for  
28 not more than 364 days.

29 8. In addition to any fine, community service and  
30 imprisonment imposed upon a person pursuant to subsection 6 or 7,  
31 the court:

32 (a) May issue an order suspending the driver's license of the  
33 person for a period of not less than 6 months but not more than 2  
34 years and requiring the person to surrender all driver's licenses then  
35 held by the person;

36 (b) Within 5 days after issuing an order pursuant to paragraph  
37 (a), shall forward to the Department any licenses, together with a  
38 copy of the order; and

39 (c) May issue an order impounding, for a period of 30 days, any  
40 vehicle that is registered to the person if the vehicle is used in the  
41 commission of the offense.

42 9. Unless a greater penalty is provided pursuant to subsection 4  
43 of NRS 484B.550, a person who does any act or neglects any duty  
44 imposed by law while driving or in actual physical control of any  
45 vehicle on a highway or premises to which the public has access in



1 willful or wanton disregard of the safety of persons or property, if  
2 the act or neglect of duty proximately causes the death of or  
3 substantial bodily harm to another person, is guilty of a category B  
4 felony and shall be punished by imprisonment in the state prison  
5 for :

6 *(a) Except as otherwise provided in paragraph (b), a minimum*  
7 *term of not less than 1 year and a maximum term of not more than 6*  
8 *years and by a fine of not less than \$2,000 but not more than \$5,000.*

9 *(b) A minimum term of not less than 1 year and a maximum*  
10 *term of not more than 10 years and by a fine of not less than*  
11 *\$2,000 but not more than \$5,000 if:*

12 *(1) The violation involves operating a vehicle at a rate of*  
13 *speed that is 50 miles per hour or more over the posted speed limit;*  
14 *or*

15 *(2) The violation is committed in an area designated as a*  
16 *pedestrian safety zone or school zone or a school crossing zone.*

17 10. A person who violates any provision of this section may be  
18 subject to any additional penalty set forth in NRS 484B.130 or  
19 484B.135 unless the person is subject to the penalty provided  
20 pursuant to subsection 4 of NRS 484B.550.

21 11. As used in this section:

22 (a) "Facilitate" means to plan, schedule or promote, or assist in  
23 the planning, scheduling or promotion of, an unauthorized trick  
24 driving display or in any other way participate in an unauthorized  
25 trick driving display, including, without limitation:

26 (1) Using a vehicle to divert, slow, impede or otherwise  
27 block traffic with the intent to enable or assist an unauthorized trick  
28 driving display; or

29 (2) Filming or otherwise recording an unauthorized trick  
30 driving display with the intent to promote an unauthorized trick  
31 driving display.

32 (b) "Organize" means to plan, schedule or promote, or assist in  
33 the planning, scheduling or promotion of, an unauthorized speed  
34 contest on a public highway, regardless of whether a fee is charged  
35 for attending the unauthorized speed contest.

36 (c) "Trick driving display" means using a vehicle to perform  
37 tricks, stunts or other maneuvers on a public highway upon which  
38 traffic has been diverted, slowed, impeded or blocked to enable the  
39 performing of such tricks, stunts or maneuvers or having such tricks,  
40 stunts or maneuvers filmed or otherwise recorded.

41 **Sec. 4.** This act becomes effective on July 1, 2023.

