

SENATE BILL NO. 144—SENATORS MANENDO,
PARKS, WOODHOUSE AND SPEARMAN

FEBRUARY 12, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions governing traffic laws.
(BDR 43-72)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

~

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

AN ACT relating to public safety; authorizing certain governing bodies and the Department of Transportation to designate pedestrian safety zones in certain circumstances; providing for enhanced penalties for certain traffic violations in pedestrian safety zones; revising provisions relating to vehicles and pedestrians in certain crosswalks and intersections; prohibiting a driver from making a U-turn or passing another vehicle in a school zone or a school crossing zone in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 1** of this bill authorizes the governing body of a local government or
2 the Department of Transportation to designate pedestrian safety zones on a highway
3 if certain findings are made. **Section 1** also provides that a person who is convicted
4 of a violation of a speed limit or of certain other violations is subject to a doubling
5 of the penalty if the violation occurs in a pedestrian safety zone. **Sections 2-21 and**
6 **23-30** of this bill make conforming changes to indicate the possibility of the
7 enhanced penalty.

8 Existing law requires the driver of a vehicle or a pedestrian to obey certain
9 rules at an intersection or crosswalk that is controlled by a traffic light, depending
10 on the particular color and symbol displayed on the traffic light. (NRS 484B.307)

11 **Section 18** of this bill provides such rules for an intersection or crosswalk where
12 the traffic light displays a flashing yellow turn arrow, displayed alone or in
13 combination with another signal.

14 Existing law provides that certain maximum speed limits are in effect in school
15 zones and school crossing zones at certain times. (NRS 484B.363) **Section 22** of



* S B 1 4 4 R 1 *

16 this bill makes it unlawful for a driver to make a U-turn or to overtake and pass
17 another vehicle in a school zone or a school crossing zone when the school speed
18 limit is in effect and children are present.

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

1 **Section 1.** Chapter 484B of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Except as otherwise provided in subsections 2 and 4, a*
4 *person who is convicted of a violation of a speed limit, or of NRS*
5 *484B.150, 484B.163, 484B.165, 484B.200 to 484B.217, inclusive,*
6 *484B.223, 484B.227, 484B.280, 484B.283, 484B.287, 484B.300,*
7 *484B.303, 484B.307, 484B.317, 484B.320, 484B.327, 484B.403,*
8 *484B.600, 484B.603, 484B.650, 484B.653, 484B.657, 484C.110 or*
9 *484C.120, that occurred in an area designated as a pedestrian*
10 *safety zone shall be punished by imprisonment or by a fine, or*
11 *both, for a term or an amount equal to and in addition to the term*
12 *of imprisonment or amount of the fine, or both, that the court*
13 *imposes for the primary offense. Any term of imprisonment*
14 *imposed pursuant to this subsection runs consecutively with the*
15 *sentence prescribed by the court for the crime. This subsection*
16 *does not create a separate offense, but provides an additional*
17 *penalty for the primary offense, whose imposition is contingent*
18 *upon the finding of the prescribed fact.*

19 2. *The additional penalty imposed pursuant to subsection 1*
20 *must not exceed a total of \$1,000, 6 months of imprisonment or*
21 *120 hours of community service.*

22 3. *A governmental entity that designates a pedestrian safety*
23 *zone shall cause to be erected:*

24 (a) *A sign located before the beginning of the pedestrian safety*
25 *zone which provides notice that higher fines may apply in*
26 *pedestrian safety zones;*

27 (b) *A sign to mark the beginning of the pedestrian safety zone;*
28 *and*

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

30 4. *A person who would otherwise be subject to an additional*
31 *penalty pursuant to this section is not relieved of any criminal*
32 *liability because signs are not erected as required by subsection 3*
33 *if the violation results in injury to any pedestrian in the pedestrian*
34 *safety zone.*

35 5. *The governing body of a local government or the*
36 *Department of Transportation may designate a pedestrian safety*
37 *zone on a highway if the governing body or the Department of*
38 *Transportation:*



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

5 (b) *Complies with the requirements of subsection 3 and NRS*
6 *484A.430 and 484A.440.*

7 **Sec. 2.** NRS 484B.150 is hereby amended to read as follows:

8 484B.150 1. It is unlawful for a person to drink an alcoholic
9 beverage while the person is driving or in actual physical control of
10 a motor vehicle upon a highway.

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

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

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

21 3. A person who violates any provision of this section may be
22 subject to ~~the~~ any additional penalty set forth in NRS 484B.130 ~~†~~
23 *or section 1 of this act.*

24 4. As used in this section:

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

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

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

31 **Sec. 3.** NRS 484B.163 is hereby amended to read as follows:

32 484B.163 1. A person shall not drive a vehicle when it is so
33 loaded, or when there are in the front seat such number of persons,
34 exceeding three, as to obstruct the view of the driver to the front or
35 sides of the vehicle or as to interfere with the driver's control over
36 the driving mechanism of the vehicle.

37 2. A passenger in a vehicle shall not ride in such position as to
38 interfere with the driver's view ahead or to the sides, or to interfere
39 with the driver's control over the driving mechanism of the vehicle.

40 3. Except as otherwise provided in NRS 484D.440, a vehicle
41 must not be operated upon any highway unless the driver's vision
42 through any required glass equipment is normal.

43 4. A person who violates any provision of this section may be
44 subject to ~~the~~ any additional penalty set forth in NRS 484B.130 ~~†~~
45 *or section 1 of this act.*



1 **Sec. 4.** NRS 484B.165 is hereby amended to read as follows:

2 484B.165 1. Except as otherwise provided in this section, a
3 person shall not, while operating a motor vehicle on a highway in
4 this State:

5 (a) Manually type or enter text into a cellular telephone or other
6 handheld wireless communications device, or send or read data
7 using any such device to access or search the Internet or to engage
8 in nonvoice communications with another person, including,
9 without limitation, texting, electronic messaging and instant
10 messaging.

11 (b) Use a cellular telephone or other handheld wireless
12 communications device to engage in voice communications with
13 another person, unless the device is used with an accessory which
14 allows the person to communicate without using his or her hands,
15 other than to activate, deactivate or initiate a feature or function on
16 the device.

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

18 (a) A paid or volunteer firefighter, emergency medical
19 technician, advanced emergency medical technician, paramedic,
20 ambulance attendant or other person trained to provide emergency
21 medical services who is acting within the course and scope of his or
22 her employment.

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

27 (c) A person who is reporting a medical emergency, a safety
28 hazard or criminal activity or who is requesting assistance relating
29 to a medical emergency, a safety hazard or criminal activity.

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

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

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

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

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



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

4 4. A person who violates any provision of subsection 1 is
5 guilty of a misdemeanor and:

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

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

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

12 5. A person who violates any provision of subsection 1 may be
13 subject to ~~the~~ **any** additional penalty set forth in NRS 484B.130 ~~H~~
14 **or section 1 of this act.**

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

18 7. For the purposes of this section, a person shall be deemed
19 not to be operating a motor vehicle if the motor vehicle is driven
20 autonomously through the use of artificial-intelligence software and
21 the autonomous operation of the motor vehicle is authorized by law.

22 8. As used in this section:

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

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

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

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

39 **Sec. 5.** NRS 484B.200 is hereby amended to read as follows:

40 484B.200 1. Upon all highways of sufficient width a vehicle
41 must be driven upon the right half of the highway, except as
42 follows:

43 (a) When overtaking and passing another vehicle proceeding in
44 the same direction under the laws governing such movements;

45 (b) When the right half of the highway is closed to traffic;



1 (c) Upon a highway divided into three lanes for traffic under the
2 laws applicable thereon;

3 (d) Upon a highway designated and posted for one-way traffic;
4 or

5 (e) When the highway is not of sufficient width.

6 2. A person who violates any provision of this section may be
7 subject to ~~the~~ **any** additional penalty set forth in NRS 484B.130 ~~†~~
8 **or section 1 of this act.**

9 **Sec. 6.** NRS 484B.203 is hereby amended to read as follows:

10 484B.203 1. Drivers of vehicles proceeding in opposite
11 directions shall pass each other keeping to the right, and upon
12 highways having width for not more than one line of traffic in each
13 direction, each driver shall give to the other at least one-half of the
14 paved portion of the highway as nearly as possible.

15 2. A person who violates any provision of this section may be
16 subject to ~~the~~ **any** additional penalty set forth in NRS 484B.130 ~~†~~
17 **or section 1 of this act.**

18 **Sec. 7.** NRS 484B.207 is hereby amended to read as follows:

19 484B.207 1. The driver of a vehicle overtaking another
20 vehicle proceeding in the same direction shall pass to the left thereof
21 at a safe distance and shall not again drive to the right side of the
22 highway until safely clear of the overtaken vehicle.

23 2. Except when overtaking and passing on the right is
24 permitted, the driver of an overtaken vehicle shall give way to the
25 right in favor of the overtaking vehicle upon observing the
26 overtaking vehicle or hearing a signal. The driver of an overtaken
27 vehicle shall not increase the speed of the vehicle until completely
28 passed by the overtaking vehicle.

29 3. A person who violates any provision of this section may be
30 subject to ~~the~~ **any** additional penalty set forth in NRS 484B.130 ~~†~~
31 **or section 1 of this act.**

32 **Sec. 8.** NRS 484B.210 is hereby amended to read as follows:

33 484B.210 1. The driver of a vehicle may overtake and pass
34 upon the right of another vehicle only under the following
35 conditions:

36 (a) When the driver of the vehicle overtaken is making or
37 signaling to make a left turn.

38 (b) Upon a highway with unobstructed pavement which is not
39 occupied by parked vehicles and which is of sufficient width for two
40 or more lines of moving vehicles in each direction.

41 (c) Upon a highway with unobstructed pavement which is not
42 marked as a traffic lane and which is not occupied by parked
43 vehicles, if the vehicle that is overtaking and passing another
44 vehicle:



1 (1) Does not travel more than 200 feet in the section of
2 pavement not marked as a traffic lane; or

3 (2) While being driven in the section of pavement not
4 marked as a traffic lane, does not travel through an intersection or
5 past any private way that is used to enter or exit the highway.

6 (d) Upon any highway on which traffic is restricted to one
7 direction of movement, where the highway is free from obstructions
8 and of sufficient width for two or more lines of moving vehicles.

9 2. The driver of a vehicle may overtake and pass another
10 vehicle upon the right only under conditions permitting such
11 movement in safety.

12 3. The driver of a vehicle shall not overtake and pass another
13 vehicle upon the right when such movement requires driving off the
14 paved portion of the highway.

15 4. A person who violates any provision of this section may be
16 subject to ~~the~~ **any** additional penalty set forth in NRS 484B.130 ~~§~~
17 **or section 1 of this act.**

18 **Sec. 9.** NRS 484B.213 is hereby amended to read as follows:

19 484B.213 1. A vehicle must not be driven to the left side of
20 the center of a two-lane, two-directional highway and overtaking
21 and passing another vehicle proceeding in the same direction, unless
22 such left side is clearly visible and is free of oncoming traffic for a
23 sufficient distance ahead to permit such overtaking and passing to
24 be completely made without interfering with the safe operation of
25 any vehicle approaching from the opposite direction or any vehicle
26 overtaken.

27 2. A vehicle must not be driven to the left side of the highway
28 at any time:

29 (a) When approaching the crest of a grade or upon a curve in the
30 highway where the driver's view is obstructed within such distance
31 as to create a hazard in the event another vehicle might approach
32 from the opposite direction.

33 (b) When approaching within 100 feet or traversing any
34 intersection or railroad grade crossing.

35 (c) When the view is obstructed upon approaching within 100
36 feet of any bridge, viaduct or tunnel.

37 3. Subsection 2 does not apply upon a one-way highway.

38 4. A person who violates any provision of this section may be
39 subject to ~~the~~ **any** additional penalty set forth in NRS 484B.130 ~~§~~
40 **or section 1 of this act.**

41 **Sec. 10.** NRS 484B.217 is hereby amended to read as follows:

42 484B.217 1. The Department of Transportation with respect
43 to highways constructed under the authority of chapter 408 of NRS,
44 and local authorities with respect to highways under their
45 jurisdiction, may determine those zones of highways where



1 overtaking and passing to the left or making a left-hand turn would
2 be hazardous, and may by the erection of official traffic-control
3 devices indicate such zones. When such devices are in place and
4 clearly visible to an ordinarily observant person, every driver of a
5 vehicle shall obey the directions thereof.

6 2. Except as otherwise provided in subsections 3 and 4, a
7 driver shall not drive on the left side of the highway within such
8 zone or drive across or on the left side of any pavement striping
9 designed to mark such zone throughout its length.

10 3. A driver may drive across a pavement striping marking such
11 zone to an adjoining highway if the driver has first given the
12 appropriate turn signal and there will be no impediment to
13 oncoming or following traffic.

14 4. Except where otherwise provided, a driver may drive across
15 a pavement striping marking such a zone to make a left-hand turn if
16 the driver has first given the appropriate turn signal in compliance
17 with NRS 484B.413, if it is safe and if it would not be an
18 impediment to oncoming or following traffic.

19 5. A person who violates any provision of this section may be
20 subject to ~~the~~ **any** additional penalty set forth in NRS 484B.130 **H**
21 **or section 1 of this act.**

22 **Sec. 11.** NRS 484B.223 is hereby amended to read as follows:

23 484B.223 1. If a highway has two or more clearly marked
24 lanes for traffic traveling in one direction, vehicles must:

25 (a) Be driven as nearly as practicable entirely within a single
26 lane; and

27 (b) Not be moved from that lane until the driver has given the
28 appropriate turn signal and ascertained that such movement can be
29 made with safety.

30 2. Upon a highway which has been divided into three clearly
31 marked lanes, a vehicle must not be driven in the extreme left lane
32 at any time. A vehicle on such a highway must not be driven in the
33 center lane except:

34 (a) When overtaking and passing another vehicle where the
35 highway is clearly visible and the center lane is clear of traffic for a
36 safe distance;

37 (b) In preparation for a left turn; or

38 (c) When the center lane is allocated exclusively to traffic
39 moving in the direction in which the vehicle is proceeding and a
40 sign is posted to give notice of such allocation.

41 3. If a highway has been designed to provide a single center
42 lane to be used only for turning by traffic moving in both directions,
43 the following rules apply:

44 (a) A vehicle may be driven in the center turn lane only for the
45 purpose of making a left-hand turn onto or from the highway.



1 (b) A vehicle must not travel more than 200 feet in a center turn
2 lane before making a left-hand turn from the highway.

3 (c) A vehicle must not travel more than 50 feet in a center turn
4 lane after making a left-hand turn onto the highway before merging
5 with traffic.

6 4. If a highway has been designed to provide a single right lane
7 to be used only for turning, a vehicle must:

8 (a) Be driven in the right turn lane only for the purpose of
9 making a right turn; and

10 (b) While being driven in the right turn lane, not travel through
11 an intersection.

12 5. A person who violates any provision of this section may be
13 subject to ~~the~~ *any* additional penalty set forth in NRS 484B.130 ~~+~~
14 *or section 1 of this act.*

15 **Sec. 12.** NRS 484B.227 is hereby amended to read as follows:

16 484B.227 1. Every vehicle driven upon a divided highway
17 must be driven only upon the right-hand roadway and must not be
18 driven over, across or within any dividing space, barrier or section
19 or make any left turn, semicircular turn or U-turn, except through an
20 opening in the barrier or dividing section or space or at a crossover
21 or intersection established by a public authority.

22 2. A person who violates any provision of this section may be
23 subject to ~~the~~ *any* additional penalty set forth in NRS 484B.130 ~~+~~
24 *or section 1 of this act.*

25 **Sec. 13.** NRS 484B.280 is hereby amended to read as follows:

26 484B.280 1. A driver of a motor vehicle shall:

27 (a) Exercise due care to avoid a collision with a pedestrian;

28 (b) Give an audible warning with the horn of the vehicle if
29 appropriate and when necessary to avoid such a collision; and

30 (c) Exercise proper caution upon observing a pedestrian:

31 (1) On or near a highway, street or road;

32 (2) At or near a bus stop or bench, shelter or transit stop for
33 passengers of public mass transportation or in the act of boarding a
34 bus or other public transportation vehicle; or

35 (3) In or near a *school zone or a* school crossing zone
36 marked in accordance with NRS 484B.363 or a marked or unmarked
37 crosswalk.

38 2. If, while violating any provision of this section, the driver of
39 a motor vehicle is the proximate cause of a collision with a
40 pedestrian, the driver is subject to the additional penalty set forth in
41 subsection 4 of NRS 484B.653.

42 *3. A person who violates any provision of subsection 1 may be*
43 *subject to the additional penalty set forth in section 1 of this act.*



1 **Sec. 14.** NRS 484B.283 is hereby amended to read as follows:
2 484B.283 1. Except as otherwise provided in NRS 484B.287,
3 484B.290 and 484B.350:

4 (a) When official traffic-control devices are not in place or not
5 in operation, the driver of a vehicle shall yield the right-of-way,
6 slowing down or stopping if need be so to yield, to a pedestrian
7 crossing the highway within a crosswalk when the pedestrian is
8 upon the half of the highway upon which the vehicle is traveling, or
9 when the pedestrian is approaching so closely from the opposite half
10 of the highway as to be in danger.

11 (b) A pedestrian shall not suddenly leave a curb or other place of
12 safety and walk or run into the path of a vehicle which is so close
13 that it is impossible for the driver to yield.

14 (c) Whenever a vehicle is stopped at a marked crosswalk or at
15 an unmarked crosswalk at an intersection, the driver of any other
16 vehicle approaching from the rear shall not overtake and pass the
17 stopped vehicle until the driver has determined that the vehicle
18 being overtaken was not stopped for the purpose of permitting a
19 pedestrian to cross the highway.

20 (d) Whenever signals exhibiting the words "Walk" or "Don't
21 Walk" are in place, such signals indicate as follows:

22 (1) While the "Walk" indication is illuminated, pedestrians
23 facing the signal may proceed across the highway in the direction of
24 the signal and must be given the right-of-way by the drivers of all
25 vehicles.

26 (2) While the "Don't Walk" indication is illuminated, either
27 steady or flashing, a pedestrian shall not start to cross the highway
28 in the direction of the signal, but any pedestrian who has partially
29 completed the crossing during the "Walk" indication shall proceed
30 to a sidewalk, or to a safety zone if one is provided.

31 (3) Whenever the word "Wait" still appears in a signal, the
32 indication has the same meaning as assigned in this section to the
33 "Don't Walk" indication.

34 (4) Whenever a signal system provides a signal phase for the
35 stopping of all vehicular traffic and the exclusive movement of
36 pedestrians, and "Walk" and "Don't Walk" indications control
37 pedestrian movement, pedestrians may cross in any direction
38 between corners of the intersection offering the shortest route within
39 the boundaries of the intersection when the "Walk" indication is
40 exhibited, and when signals and other official traffic-control devices
41 direct pedestrian movement in the manner provided in this section
42 and in NRS 484B.307.

43 2. If, while violating paragraph (a) or (c) of subsection 1, the
44 driver of a motor vehicle is the proximate cause of a collision with a



1 pedestrian, the driver is subject to the additional penalty set forth in
2 subsection 4 of NRS 484B.653.

3 **3. A person who violates any provision of subsection 1 may be**
4 **subject to the additional penalty set forth in section 1 of this act.**

5 **Sec. 15.** NRS 484B.287 is hereby amended to read as follows:

6 484B.287 **1.** Except as provided in NRS 484B.290:

7 ~~1-1~~ **(a)** Every pedestrian crossing a highway at any point other
8 than within a marked crosswalk or within an unmarked crosswalk at
9 an intersection shall yield the right-of-way to all vehicles upon the
10 highway.

11 ~~1-2~~ **(b)** Any pedestrian crossing a highway at a point where a
12 pedestrian tunnel or overhead pedestrian crossing has been provided
13 shall yield the right-of-way to all vehicles upon the highway.

14 ~~1-3~~ **(c)** Between adjacent intersections at which official traffic-
15 control devices are in operation pedestrians shall not cross at any
16 place except in a marked crosswalk.

17 ~~1-4~~ **(d)** A pedestrian shall not cross an intersection diagonally
18 unless authorized by official traffic-control devices.

19 ~~1-5~~ **(e)** When authorized to cross diagonally, pedestrians shall
20 cross only in accordance with the official traffic-control devices
21 pertaining to such crossing movements.

22 **2. A person who violates any provision of this section may be**
23 **subject to the additional penalty set forth in section 1 of this act.**

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

25 484B.300 **1.** Except as otherwise provided in NRS 484B.307,
26 it is unlawful for any driver to disobey the instructions of any
27 official traffic-control device placed in accordance with the
28 provisions of chapters 484A to 484E, inclusive, of NRS, unless at
29 the time otherwise directed by a police officer.

30 **2.** No provision of chapters 484A to 484E, inclusive, of NRS
31 for which such devices are required may be enforced against an
32 alleged violator if at the time and place of the alleged violation the
33 device is not in proper position and sufficiently legible to be seen by
34 an ordinarily observant person. Whenever a particular provision of
35 chapters 484A to 484E, inclusive, of NRS does not state that such
36 devices are required, the provision is effective even though no
37 devices are erected or in place.

38 **3.** Whenever devices are placed in position approximately
39 conforming to the requirements of chapters 484A to 484E, inclusive,
40 of NRS, such devices are presumed to have been so placed by the
41 official act or direction of a public authority, unless the contrary is
42 established by competent evidence.

43 **4.** Any device placed pursuant to the provisions of chapters
44 484A to 484E, inclusive, of NRS and purporting to conform to the
45 lawful requirements pertaining to such devices is presumed to



1 comply with the requirements of chapters 484A to 484E, inclusive,
2 of NRS unless the contrary is established by competent evidence.

3 5. A person who violates any provision of subsection 1 may be
4 subject to ~~the~~ **any** additional penalty set forth in NRS 484B.130 ~~†~~
5 **or section 1 of this act.**

6 **Sec. 17.** NRS 484B.303 is hereby amended to read as follows:

7 484B.303 1. Whenever official traffic-control devices are
8 erected indicating that no right or left turn is permitted, it is
9 unlawful for any driver of a vehicle to disobey the directions of any
10 such devices.

11 2. A person who violates any provision of this section may be
12 subject to ~~the~~ **any** additional penalty set forth in NRS 484B.130 ~~†~~
13 **or section 1 of this act.**

14 **Sec. 18.** NRS 484B.307 is hereby amended to read as follows:

15 484B.307 1. Whenever traffic is controlled by official traffic-
16 control devices exhibiting different colored lights, or colored lighted
17 arrows, successively one at a time or in combination as declared in
18 the manual and specifications adopted by the Department of
19 Transportation, only the colors green, yellow and red may be used,
20 except for special pedestrian-control devices carrying a word legend
21 as provided in NRS 484B.283. The lights, arrows and combinations
22 thereof indicate and apply to drivers of vehicles and pedestrians as
23 provided in this section.

24 2. When the signal is circular green alone:

25 (a) Vehicular traffic facing the signal may proceed straight
26 through or turn right or left unless another device at the place
27 prohibits either or both such turns. Such vehicular traffic, including
28 vehicles turning right or left, must yield the right-of-way to other
29 vehicles and to pedestrians lawfully within the intersection or an
30 adjacent crosswalk at the time the signal is exhibited.

31 (b) Pedestrians facing such a signal may proceed across the
32 highway within any marked or unmarked crosswalk, unless directed
33 otherwise by another device as provided in NRS 484B.283.

34 3. Where the signal is circular green with a green turn arrow:

35 (a) Vehicular traffic facing the signal may proceed to make the
36 movement indicated by the green turn arrow or such other
37 movement as is permitted by the circular green signal, but the traffic
38 must yield the right-of-way to pedestrians lawfully within an
39 adjacent crosswalk and to other traffic lawfully using the
40 intersection at the time the signal is exhibited. Drivers turning in the
41 direction of the arrow when displayed with the circular green are
42 thereby advised that so long as a turn arrow is illuminated,
43 oncoming or opposing traffic simultaneously faces a steady red
44 signal.



1 (b) Pedestrians facing such a signal may proceed across the
2 highway within any marked or unmarked crosswalk, unless directed
3 otherwise by another device as provided in NRS 484B.283.

4 4. Where the signal is a green turn arrow alone:

5 (a) Vehicular traffic facing the signal may proceed only in the
6 direction indicated by the arrow signal so long as the arrow is
7 illuminated, but the traffic must yield the right-of-way to pedestrians
8 lawfully within the adjacent crosswalk and to other traffic lawfully
9 using the intersection.

10 (b) Pedestrians facing such a signal shall not enter the highway
11 until permitted to proceed by another device as provided in
12 NRS 484B.283.

13 5. Where the signal is a green straight-through arrow alone:

14 (a) Vehicular traffic facing the signal may proceed straight
15 through, but must not turn right or left. Such vehicular traffic must
16 yield the right-of-way to other vehicles and to pedestrians lawfully
17 within the intersection or an adjacent crosswalk at the time the
18 signal is exhibited.

19 (b) Pedestrians facing such a signal may proceed across the
20 highway within the appropriate marked or unmarked crosswalk,
21 unless directed otherwise by another device as provided in
22 NRS 484B.283.

23 6. Where the signal is a steady yellow signal alone:

24 (a) Vehicular traffic facing the signal is thereby warned that the
25 related green movement is being terminated or that a steady red
26 indication will be exhibited immediately thereafter, and such
27 vehicular traffic must not enter the intersection when the red signal
28 is exhibited.

29 (b) Pedestrians facing such a signal, unless otherwise directed
30 by another device as provided in NRS 484B.283, are thereby
31 advised that there is insufficient time to cross the highway.

32 7. *Where the signal is a flashing yellow turn arrow, displayed*
33 *alone or in combination with another signal:*

34 (a) *Vehicular traffic facing the signal is permitted to*
35 *cautiously enter the intersection only to make the movement*
36 *indicated by the arrow signal, or other such movement as is*
37 *permitted by other signal indications displayed at the same time.*
38 *Such vehicular traffic must yield the right-of-way to pedestrians*
39 *lawfully within the intersection or an adjacent crosswalk and yield*
40 *the right-of-way to other traffic lawfully within the intersection.*

41 (b) *Pedestrians facing such a signal, unless otherwise directed*
42 *by another device as provided in NRS 484B.283, are thereby*
43 *advised that there may be insufficient time to cross the highway,*
44 *but may proceed across the highway within the appropriate*
45 *marked or unmarked crosswalk.*



1 **8.** Where the signal is a steady red signal alone:

2 (a) Vehicular traffic facing the signal must stop before entering
3 the crosswalk on the nearest side of the intersection where the sign
4 or pavement marking indicates where the stop must be made, or in
5 the absence of any such crosswalk, sign or marking, then before
6 entering the intersection, and, except as otherwise provided in
7 paragraphs (c) and (d), must remain stopped or standing until the
8 green signal is shown.

9 (b) Pedestrians facing such a signal shall not enter the highway,
10 unless permitted to proceed by another device as provided in
11 NRS 484B.283.

12 (c) After complying with the requirement to stop, vehicular
13 traffic facing such a signal and situated on the extreme right of the
14 highway may proceed into the intersection for a right turn only
15 when the intersecting highway is two-directional or one-way
16 to the right, or vehicular traffic facing such a signal and situated on
17 the extreme left of a one-way highway may proceed into the
18 intersection for a left turn only when the intersecting highway is
19 one-way to the left, but must yield the right-of-way to pedestrians
20 and other traffic proceeding as directed by the signal at the
21 intersection.

22 (d) After complying with the requirement to stop, a person
23 driving a motorcycle, moped or trimobile or riding a bicycle or an
24 electric bicycle may proceed straight through or turn right or left if:

25 (1) The person waits for two complete cycles of the lights or
26 lighted arrows of the applicable official traffic-control device and
27 the signal does not change because of a malfunction or because the
28 signal failed to detect the presence of the motorcycle, moped,
29 trimobile, bicycle or electric bicycle;

30 (2) No other device at the place prohibits either or both such
31 turns, if applicable; and

32 (3) The person yields the right-of-way to pedestrians and
33 other traffic proceeding as directed by the signal at the intersection.

34 (e) Vehicular traffic facing the signal may not proceed on or
35 through any private or public property to enter the intersecting street
36 where traffic is not facing a red signal to avoid the red signal.

37 ~~8.~~ **9.** Where the signal is a steady red with a green turn
38 arrow:

39 (a) Except as otherwise provided in paragraph (b), vehicular
40 traffic facing the signal may enter the intersection only to make the
41 movement indicated by the green turn arrow, but must yield the
42 right-of-way to pedestrians lawfully within an adjacent crosswalk
43 and to other traffic lawfully using the intersection. Drivers turning in
44 the direction of the arrow are thereby advised that so long as the turn



1 arrow is illuminated, oncoming or opposing traffic simultaneously
2 faces a steady red signal.

3 (b) A person driving a motorcycle, moped or trimobile or riding
4 a bicycle or an electric bicycle facing the signal may proceed
5 straight through or turn in the direction opposite that indicated by
6 the green turn arrow if:

7 (1) The person stops before entering the crosswalk on the
8 nearest side of the intersection where the sign or pavement marking
9 indicates where the stop must be made or, in the absence of any
10 such crosswalk, sign or marking, before entering the intersection;

11 (2) The person waits for two complete cycles of the lights or
12 lighted arrows of the applicable official traffic-control device and
13 the signal does not change because of a malfunction or because the
14 signal failed to detect the presence of the motorcycle, moped,
15 trimobile, bicycle or electric bicycle;

16 (3) No other device at the place prohibits the turn, if
17 applicable; and

18 (4) The person yields the right-of-way to pedestrians
19 lawfully within an adjacent crosswalk and to other traffic lawfully
20 using the intersection.

21 (c) Pedestrians facing such a signal shall not enter the highway,
22 unless permitted to proceed by another device as provided in
23 NRS 484B.283.

24 ~~†9†~~ **10.** If a person violates paragraph (d) of subsection ~~†7†~~ **8**
25 or paragraph (b) of subsection ~~†8†~~ **9** and that violation results in an
26 injury to another person, the violation creates a rebuttable
27 presumption of all facts necessary to impose civil liability for the
28 injury.

29 ~~†10†~~ **11.** If a signal is erected and maintained at a place other
30 than an intersection, the provisions of this section are applicable
31 except as to those provisions which by their nature can have no
32 application. Any stop required must be made at a sign or pavement
33 marking indicating where the stop must be made, but in the absence
34 of any such device the stop must be made at the signal.

35 ~~†11†~~ **12.** Whenever signals are placed over the individual
36 lanes of a highway, the signals indicate, and apply to drivers of
37 vehicles, as follows:

38 (a) A downward-pointing green arrow means that a driver facing
39 the signal may drive in any lane over which the green signal is
40 shown.

41 (b) A red "X" symbol means a driver facing the signal must not
42 enter or drive in any lane over which the red signal is shown.

43 ~~†12†~~ **13.** A local authority shall not adopt an ordinance or
44 regulation or take any other action that prohibits vehicular traffic
45 from crossing an intersection when:



1 (a) The red signal is exhibited; and

2 (b) The vehicular traffic in question had already completely
3 entered the intersection before the red signal was exhibited. For the
4 purposes of this paragraph, a vehicle shall be considered to have
5 "completely entered" an intersection when all portions of the vehicle
6 have crossed the limit line or other point of demarcation behind
7 which vehicular traffic must stop when a red signal is displayed.

8 *14. A person who violates any provision of this section may*
9 *be subject to the additional penalty set forth in section 1 of this act.*

10 **Sec. 19.** NRS 484B.317 is hereby amended to read as follows:

11 484B.317 1. A person shall not, without lawful authority,
12 attempt to or alter, deface, injure, knock down or remove any
13 official traffic-control device or any railroad sign or signal or any
14 inscription, shield or insigne thereon, or any other part thereof.

15 2. A person who violates any provision of this section may be
16 subject to ~~the~~ *any* additional penalty set forth in NRS 484B.130 ~~or~~
17 *or section 1 of this act.*

18 **Sec. 20.** NRS 484B.320 is hereby amended to read as follows:

19 484B.320 1. Except as otherwise provided in this section:

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

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

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

33 (a) To a provider of mass transit, a signal prioritization device;
34 or

35 (b) To a response agency, a signal preemption device or a signal
36 prioritization device, or both.

37 3. A police officer:

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

41 (b) May, without a warrant, seize and take possession of a
42 vehicle equipped with any device or mechanism that is capable of
43 interfering with or altering the signal of a traffic-control signal,
44 including, without limitation, a mobile transmitter, if the device or



1 mechanism cannot be removed from the motor vehicle by the police
2 officer, and may cause the vehicle to be towed and impounded until:

3 (1) The device or mechanism is removed from the vehicle;
4 and

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

7 4. Neither the police officer nor the governmental entity which
8 employs the officer is civilly liable for any damage to a vehicle
9 seized pursuant to the provisions of paragraph (b) of subsection 3
10 that occurs after the vehicle is seized but before the towing process
11 begins.

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

19 6. A person who violates the provisions of subsection 1 or 2 is
20 guilty of a misdemeanor.

21 7. A person who violates any provision of subsection 1 or 2
22 may be subject to ~~the~~ **any** additional penalty set forth in NRS
23 484B.130 ~~+~~ **or section 1 of this act.**

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

28 9. The provisions of this section do not:

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

32 (b) Prohibit a response agency from acquiring, possessing or
33 operating a signal preemption device or a signal prioritization
34 device, or both.

35 10. As used in this section:

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

37 (1) Portable, installed within a vehicle or capable of being
38 installed within a vehicle; and

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

43 ➤ The term includes, without limitation, a signal preemption device
44 and a signal prioritization device.



1 (b) "Provider of mass transit" means a governmental entity or a
2 contractor of a governmental entity which operates, in whole or in
3 part:

4 (1) A public transit system, as that term is defined in NRS
5 377A.016; or

6 (2) A system of public transportation referred to in
7 NRS 277A.270.

8 (c) "Response agency" means an agency of this State or of a
9 political subdivision of this State that provides services related to
10 law enforcement, firefighting, emergency medical care or public
11 safety. The term includes a nonprofit organization or private
12 company that, as authorized pursuant to chapter 450B of NRS:

13 (1) Provides ambulance service; or

14 (2) Provides the level of medical care provided by an
15 advanced emergency medical technician or paramedic to sick or
16 injured persons at the scene of an emergency or while transporting
17 those persons to a medical facility.

18 (d) "Signal preemption device" means a mobile transmitter that,
19 when activated and when a vehicle equipped with such a device
20 approaches an intersection controlled by a traffic-control signal,
21 causes:

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

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

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

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

32 (e) "Signal prioritization device" means a mobile transmitter
33 that, when activated and when a vehicle equipped with such a
34 device approaches an intersection controlled by a traffic-control
35 signal, causes:

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

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

42 (3) The functions described in both subparagraphs (1)
43 and (2).

44 (f) "Traffic-control signal" means a traffic-control signal, as
45 defined in NRS 484A.290, which is capable of receiving and



1 responding to an emission or transmission from a mobile
2 transmitter.

3 **Sec. 21.** NRS 484B.327 is hereby amended to read as follows:

4 484B.327 1. It is unlawful for any person to remove any
5 barrier or sign stating that a highway is closed to traffic.

6 2. It is unlawful to pass over a highway that is marked, signed
7 or barricaded to indicate that it is closed to traffic. A person who
8 violates any provision of this subsection may be subject to ~~the~~ **any**
9 additional penalty set forth in NRS 484B.130 **or section 1 of this**
10 **act.**

11 **Sec. 22.** NRS 484B.363 is hereby amended to read as follows:

12 484B.363 1. A person shall not drive a motor vehicle at a
13 speed in excess of 15 miles per hour in an area designated as a
14 school zone except:

15 (a) On a day on which school is not in session;

16 (b) During the period from a half hour after school is no longer
17 in operation to a half hour before school is next in operation;

18 (c) If the zone is designated by an operational speed limit
19 beacon, during the hours when the pupils of the school are in class
20 and the yellow lights of the speed limit beacon are not flashing in
21 the manner which indicates that the speed limit is in effect; or

22 (d) If the zone is not designated by an operational speed limit
23 beacon, during the times when the sign designating the school zone
24 indicates that the speed limit is not in effect.

25 2. A person shall not drive a motor vehicle at a speed in excess
26 of 25 miles per hour in an area designated as a school crossing zone
27 except:

28 (a) On a day on which school is not in session;

29 (b) During the period from a half hour after school is no longer
30 in operation to a half hour before school is next in operation;

31 (c) If the zone is designated by an operational speed limit
32 beacon, during the hours when the pupils of the school are in class
33 and the yellow lights of the speed limit beacon are not flashing in
34 the manner which indicates that the speed limit is in effect; or

35 (d) If the zone is not designated by an operational speed limit
36 beacon, during the times when the sign designating the school zone
37 indicates that the speed limit is not in effect.

38 3. ***The driver of a vehicle shall not make a U-turn in an area***
39 ***designated as a school zone or school crossing zone except:***

40 (a) ***When there are no children present;***

41 (b) ***On a day on which school is not in session;***

42 (c) ***During the period from a half hour after school is no***
43 ***longer in operation to a half hour before school is next in***
44 ***operation;***



1 (d) If the zone is designated by an operational speed limit
2 beacon, during the hours when the pupils of the school are in
3 class and the yellow lights of the speed limit beacon are not
4 flashing in the manner which indicates that the speed limit is in
5 effect; or

6 (e) If the zone is not designated by an operational speed limit
7 beacon, during the times when the sign designating the school
8 zone or school crossing zone indicates that the speed limit is not in
9 effect.

10 4. The driver of a vehicle shall not overtake and pass another
11 vehicle traveling in the same direction in an area designated as a
12 school zone or school crossing zone except:

13 (a) On a day on which the school is not in session;

14 (b) During the period from a half hour after school is no
15 longer in operation to a half hour before school is next in
16 operation;

17 (c) If the zone is designated by an operational speed limit
18 beacon, during the hours when the pupils of the school are in
19 class and the yellow lights of the speed limit beacon are not
20 flashing in the manner which indicates that the speed limit is in
21 effect; or

22 (d) If the zone is not designated by an operational speed limit
23 beacon, during the times when the sign designating the school
24 zone or school crossing zone indicates that the speed limit is not in
25 effect.

26 5. The governing body of a local government or the
27 Department of Transportation shall designate school zones and
28 school crossing zones. An area must not be designated as a school
29 zone if imposing a speed limit of 15 miles per hour would be unsafe
30 because of higher speed limits in adjoining areas.

31 ~~4.1~~ 6. Each such governing body and the Department of
32 **Transportation** shall provide signs to mark the beginning and end of
33 each school zone and school crossing zone which it respectively
34 designates. Each sign marking the beginning of such a zone must
35 include a designation of the hours when the speed limit is in effect
36 or that the speed limit is in effect when children are present.

37 ~~4.2~~ 7. With respect to each school zone and school crossing
38 zone in a school district, the superintendent of the school district or
39 his or her designee, in conjunction with the Department of
40 Transportation and the governing body of the local government that
41 designated the school zone or school crossing zone and after
42 consulting with the principal of the school and the agency that is
43 responsible for enforcing the speed limit in the zone, shall determine
44 the times when the speed limit is in effect.



1 ~~16.1~~ 8. If, while violating ~~[subsection 1 or 2,]~~ *any provision of*
2 *subsections 1 to 4, inclusive,* the driver of a motor vehicle is the
3 proximate cause of a collision with a pedestrian or a person riding a
4 bicycle, the driver is subject to the additional penalty set forth in
5 subsection 4 of NRS 484B.653.

6 ~~17.1~~ 9. As used in this section, "speed limit beacon" means a
7 device which is used in conjunction with a sign and equipped with
8 two or more yellow lights that flash alternately to indicate when the
9 speed limit in a school zone or school crossing zone is in effect.

10 **Sec. 23.** NRS 484B.403 is hereby amended to read as follows:

11 484B.403 1. A U-turn may be made on any road where the
12 turn can be made with safety, except as prohibited by this section
13 and by the provisions of NRS 484B.227, *484B.363* and 484B.407.

14 2. If an official traffic-control device indicates that a U-turn is
15 prohibited, the driver shall obey the directions of the device.

16 3. The driver of a vehicle shall not make a U-turn in a business
17 district, except at an intersection or on a divided highway where an
18 appropriate opening or crossing place exists.

19 4. Notwithstanding the foregoing provisions of this section,
20 local authorities and the Department of Transportation may prohibit
21 U-turns at any location within their respective jurisdictions.

22 5. A person who violates any provision of this section may be
23 subject to ~~the~~ *any* additional penalty set forth in NRS 484B.130 ~~1~~
24 *or section 1 of this act.*

25 **Sec. 24.** NRS 484B.600 is hereby amended to read as follows:

26 484B.600 1. It is unlawful for any person to drive or operate
27 a vehicle of any kind or character at:

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

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

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

35 (d) In any event, a rate of speed greater than 75 miles per hour.

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

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

43 **Sec. 25.** NRS 484B.603 is hereby amended to read as follows:

44 484B.603 1. The fact that the speed of a vehicle is lower than
45 the prescribed limits does not relieve a driver from the duty to



1 decrease speed when approaching and crossing an intersection,
2 when approaching and going around a curve, when approaching a
3 hill crest, when traveling upon any narrow or winding highway, or
4 when special hazards exist or may exist with respect to pedestrians
5 or other traffic, or by reason of weather or other highway conditions,
6 and speed must be decreased as may be necessary to avoid colliding
7 with any person, vehicle or other conveyance on or entering a
8 highway in compliance with legal requirements and the duty of all
9 persons to use due care.

10 2. Any person who fails to use due care as required by
11 subsection 1 may be subject to ~~the~~ *any* additional penalty set forth
12 in NRS 484B.130 ~~H~~ *or section 1 of this act.*

13 **Sec. 26.** NRS 484B.650 is hereby amended to read as follows:

14 484B.650 1. A driver commits an offense of aggressive
15 driving if, during any single, continuous period of driving within the
16 course of 1 mile, the driver does all the following, in any sequence:

17 (a) Commits one or more acts of speeding in violation of NRS
18 484B.363 or 484B.600.

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

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

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

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

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

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

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

35 2. A driver may be prosecuted and convicted of an offense of
36 aggressive driving in violation of subsection 1 whether or not the
37 driver is prosecuted or convicted for committing any of the acts
38 described in paragraphs (a) and (b) of subsection 1.

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

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

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

43 or

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



* S B 1 4 4 R 1 *

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

2 (1) By a fine of not less than \$1,000 but not more than
3 \$1,500; or

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

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

7 (1) By a fine of not less than \$1,500 but not more than
8 \$2,000; or

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

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

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

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

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

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

28 7. If the court issues an order suspending or revoking the
29 driver's license of the driver pursuant to this section, the court shall
30 require the driver to surrender to the court all driver's licenses then
31 held by the driver. The court shall, within 5 days after issuing the
32 order, forward the driver's licenses and a copy of the order to the
33 Department.

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

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



1 10. A person who violates any provision of subsection 1 may
2 be subject to ~~the~~ any additional penalty set forth in NRS 484B.130
3 ~~or section 1 of this act.~~

4 **Sec. 27.** NRS 484B.653 is hereby amended to read as follows:

5 484B.653 1. It is unlawful for a person to:

6 (a) Drive a vehicle in willful or wanton disregard of the safety of
7 persons or property.

8 (b) Drive a vehicle in an unauthorized speed contest on a public
9 highway.

10 (c) Organize an unauthorized speed contest on a public highway.

11 → A violation of paragraph (a) or (b) of this subsection or
12 subsection 1 of NRS 484B.550 constitutes reckless driving.

13 2. If, while violating the provisions of subsections 1 to 5,
14 inclusive, of NRS 484B.270, NRS 484B.280, paragraph (a) or (c) of
15 subsection 1 of NRS 484B.283, NRS 484B.350, subsection 1, ~~or~~ 2
16 ~~or 3~~ of NRS 484B.363 or subsection 1 of NRS 484B.600, the driver
17 of a motor vehicle is the proximate cause of a collision with a
18 pedestrian or a person riding a bicycle, the violation constitutes
19 reckless driving.

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

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

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

24 or

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

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

28 (1) By a fine of not less than \$1,000 but not more than
29 \$1,500; or

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

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

33 (1) By a fine of not less than \$1,500 but not more than
34 \$2,000; or

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

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

40 (a) For the first offense:

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

43 (2) Shall perform not less than 50 hours, but not more than
44 99 hours, of community service; and



* S B 1 4 4 R 1 *

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

3 (b) For the second offense:

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

6 (2) Shall perform not less than 100 hours, but not more than
7 199 hours, of community service; and

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

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

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

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

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

16 5. In addition to any fine, community service and
17 imprisonment imposed upon a person pursuant to subsection 4, the
18 court:

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

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

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

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

34 6. Unless a greater penalty is provided pursuant to subsection 4
35 of NRS 484B.550, a person who does any act or neglects any duty
36 imposed by law while driving or in actual physical control of any
37 vehicle in willful or wanton disregard of the safety of persons or
38 property, if the act or neglect of duty proximately causes the death
39 of or substantial bodily harm to another person, is guilty of a
40 category B felony and shall be punished by imprisonment in the
41 state prison for a minimum term of not less than 1 year and a
42 maximum term of not more than 6 years and by a fine of not less
43 than \$2,000 but not more than \$5,000.

44 7. A person who violates any provision of this section may be
45 subject to ~~the~~ **any** additional penalty set forth in NRS 484B.130 **or**



1 *section 1 of this act* unless the person is subject to the penalty
2 provided pursuant to subsection 4 of NRS 484B.550.

3 8. As used in this section, "organize" means to plan, schedule
4 or promote, or assist in the planning, scheduling or promotion of, an
5 unauthorized speed contest on a public highway, regardless of
6 whether a fee is charged for attending the unauthorized speed
7 contest.

8 **Sec. 28.** NRS 484B.657 is hereby amended to read as follows:

9 484B.657 1. A person who, while driving or in actual
10 physical control of any vehicle, proximately causes the death of
11 another person through an act or omission that constitutes simple
12 negligence is guilty of vehicular manslaughter and shall be punished
13 for a misdemeanor.

14 2. A person who commits an offense of vehicular manslaughter
15 may be subject to ~~the~~ *any* additional penalty set forth in NRS
16 484B.130 ~~+~~ *or section 1 of this act.*

17 3. Upon the conviction of a person for a violation of the
18 provisions of subsection 1, the court shall notify the Department of
19 the conviction.

20 4. Upon receipt of notification from a court pursuant to
21 subsection 3, the Department shall cause an entry of the conviction
22 to be made upon the driving record of the person so convicted.

23 **Sec. 29.** NRS 484C.110 is hereby amended to read as follows:

24 484C.110 1. It is unlawful for any person who:

25 (a) Is under the influence of intoxicating liquor;

26 (b) Has a concentration of alcohol of 0.08 or more in his or her
27 blood or breath; or

28 (c) Is found by measurement within 2 hours after driving or
29 being in actual physical control of a vehicle to have a concentration
30 of alcohol of 0.08 or more in his or her blood or breath,

31 ➔ to drive or be in actual physical control of a vehicle on a highway
32 or on premises to which the public has access.

33 2. It is unlawful for any person who:

34 (a) Is under the influence of a controlled substance;

35 (b) Is under the combined influence of intoxicating liquor and a
36 controlled substance; or

37 (c) Inhales, ingests, applies or otherwise uses any chemical,
38 poison or organic solvent, or any compound or combination of any
39 of these, to a degree which renders the person incapable of safely
40 driving or exercising actual physical control of a vehicle,

41 ➔ to drive or be in actual physical control of a vehicle on a highway
42 or on premises to which the public has access. The fact that any
43 person charged with a violation of this subsection is or has been
44 entitled to use that drug under the laws of this State is not a defense
45 against any charge of violating this subsection.



1 3. It is unlawful for any person to drive or be in actual physical
2 control of a vehicle on a highway or on premises to which the public
3 has access with an amount of a prohibited substance in his or her
4 blood or urine that is equal to or greater than:

5		Urine	Blood
6		Nanograms	Nanograms
7	Prohibited substance	per milliliter	per milliliter
8			
9			
10	(a) Amphetamine	500	100
11	(b) Cocaine	150	50
12	(c) Cocaine metabolite	150	50
13	(d) Heroin	2,000	50
14	(e) Heroin metabolite:		
15	(1) Morphine	2,000	50
16	(2) 6-monoacetyl morphine	10	10
17	(f) Lysergic acid diethylamide	25	10
18	(g) Marijuana	10	2
19	(h) Marijuana metabolite	15	5
20	(i) Methamphetamine	500	100
21	(j) Phencyclidine	25	10
22			

23 4. If consumption is proven by a preponderance of the
24 evidence, it is an affirmative defense under paragraph (c) of
25 subsection 1 that the defendant consumed a sufficient quantity of
26 alcohol after driving or being in actual physical control of the
27 vehicle, and before his or her blood or breath was tested, to cause
28 the defendant to have a concentration of alcohol of 0.08 or more in
29 his or her blood or breath. A defendant who intends to offer this
30 defense at a trial or preliminary hearing must, not less than 14 days
31 before the trial or hearing or at such other time as the court may
32 direct, file and serve on the prosecuting attorney a written notice of
33 that intent.

34 5. A person who violates any provision of this section may be
35 subject to ~~the~~ any additional penalty set forth in NRS 484B.130 ~~+~~
36 *or section 1 of this act.*

37 **Sec. 30.** NRS 484C.120 is hereby amended to read as follows:
38 484C.120 1. It is unlawful for any person who:

- 39 (a) Is under the influence of intoxicating liquor;
- 40 (b) Has a concentration of alcohol of 0.04 or more but less than
41 0.08 in his or her blood or breath; or
- 42 (c) Is found by measurement within 2 hours after driving or
43 being in actual physical control of a commercial motor vehicle to
44 have a concentration of alcohol of 0.04 or more but less than 0.08 in
45 his or her blood or breath,



1 ↳ to drive or be in actual physical control of a commercial motor
2 vehicle on a highway or on premises to which the public has access.

3 2. It is unlawful for any person who:

4 (a) Is under the influence of a controlled substance;

5 (b) Is under the combined influence of intoxicating liquor and a
6 controlled substance; or

7 (c) Inhales, ingests, applies or otherwise uses any chemical,
8 poison or organic solvent, or any compound or combination of any
9 of these, to a degree which renders the person incapable of safely
10 driving or exercising actual physical control of a commercial motor
11 vehicle,

12 ↳ to drive or be in actual physical control of a commercial motor
13 vehicle on a highway or on premises to which the public has access.

14 The fact that any person charged with a violation of this subsection
15 is or has been entitled to use that drug under the laws of this State is
16 not a defense against any charge of violating this subsection.

17 3. It is unlawful for any person to drive or be in actual physical
18 control of a commercial motor vehicle on a highway or on premises
19 to which the public has access with an amount of a prohibited
20 substance in his or her blood or urine that is equal to or greater than:

21

Prohibited substance	Urine Nanograms per milliliter	Blood Nanograms per milliliter
(a) Amphetamine	500	100
(b) Cocaine	150	50
(c) Cocaine metabolite	150	50
(d) Heroin	2,000	50
(e) Heroin metabolite:		
(1) Morphine	2,000	50
(2) 6-monoacetyl morphine	10	10
(f) Lysergic acid diethylamide	25	10
(g) Marijuana	10	2
(h) Marijuana metabolite	15	5
(i) Methamphetamine	500	100
(j) Phencyclidine	25	10

25

26 4. If consumption is proven by a preponderance of the
27 evidence, it is an affirmative defense under paragraph (c) of
28 subsection 1 that the defendant consumed a sufficient quantity of
29 alcohol after driving or being in actual physical control of the
30 commercial motor vehicle, and before his or her blood or breath was
31 tested, to cause the defendant to have a concentration of alcohol of
32 0.04 or more in his or her blood or breath. A defendant who intends
33
34
35
36
37
38
39
40
41
42
43
44
45



* S B 1 4 4 R 1 *

1 to offer this defense at a trial or preliminary hearing must, not less
2 than 14 days before the trial or hearing or at such other time as the
3 court may direct, file and serve on the prosecuting attorney a written
4 notice of that intent.

5 5. A person who violates any provision of this section may be
6 subject to ~~the~~ *any* additional penalty set forth in NRS 484B.130 ~~+~~
7 *or section 1 of this act.*

8 6. As used in this section:

9 (a) "Commercial motor vehicle" means a motor vehicle or
10 combination of motor vehicles used in commerce to transport
11 passengers or property if the motor vehicle:

12 (1) Has a gross combination weight rating of 26,001 or more
13 pounds which includes a towed unit with a gross vehicle weight
14 rating of more than 10,000 pounds;

15 (2) Has a gross vehicle weight rating of 26,001 or more
16 pounds;

17 (3) Is designed to transport 16 or more passengers, including
18 the driver; or

19 (4) Regardless of size, is used in the transportation of
20 materials which are considered to be hazardous for the purposes of
21 the federal Hazardous Materials Transportation Act, 49 U.S.C. §§
22 5101 et. seq., and for which the display of identifying placards is
23 required pursuant to 49 C.F.R. Part 172, Subpart F.

24 (b) The phrase "concentration of alcohol of 0.04 or more but
25 less than 0.08 in his or her blood or breath" means 0.04 gram or
26 more but less than 0.08 gram of alcohol per 100 milliliters of the
27 blood of a person or per 210 liters of his or her breath.



