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FIRST REPRINT

A.B. 116

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

FEBRUARY 11, 2021

JOINT SPONSORS: SENATORS CANNIZZARO, SCHEIBLE; AND BROOKS

Referred to Committee on Judiciary

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

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

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

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

Legislative Counsel’s Digest:

- 1 Existing law provides that a violation of any provision of existing law relating
- 2 to driver’s licenses, any traffic law or ordinance, any provision of existing law
- 3 governing motorcycles or any provision of existing law relating to off-highway
- 4 vehicles is a misdemeanor, unless a different penalty is prescribed for the violation
- 5 by a specific statute. (NRS 483.530, 483.620, 484A.900, 486.381, 490.520)
- 6 **Sections 14, 22, 40, 71 and 72** of this bill provide that a violation of any provision
- 7 of these existing laws is a civil infraction unless a criminal penalty is prescribed for
- 8 the violation by a specific statute. **Sections 5, 15-21, 41-41.7, 44, 45, 47.3, 47.7, 49,**
- 9 **60.5, 67.2-67.8, 69 and 72** of this bill maintain the designation of certain traffic and



10 related offenses as misdemeanors. **Sections 51 and 53-56** of this bill revise the
11 penalties for speeding. **Sections 46, 47, 47.5, 48, 50, 57, 59, 60, 61, 64, 65 and 67**
12 of this bill specifically designate certain traffic and related violations as civil
13 infractions. **Sections 37, 69.5 and 71.5** of this bill prohibit a local authority from
14 enacting any ordinance that provides a criminal penalty for certain traffic and
15 related offenses for which the penalty prescribed by law is a civil penalty.

16 **Sections 1.5, 4, 6-8, 10, 13, 37, 39, 42, 43, 58, 68, 70, 76, 77 and 78** of this bill
17 make conforming changes by including references to the new civil infraction
18 system where necessary. **Sections 2, 3, 55, 62, 63 and 66** of this bill make
19 conforming changes by substituting the term "civil penalty" for "fine" and the term
20 "civil infraction citation" for "citation." **Section 1** of this bill defines the term "civil
21 infraction" for purposes of the provisions of law relating to certain traffic and
22 related offenses.

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

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

30 **Section 24** of this bill requires each traffic enforcement agency in this State to
31 provide civil infraction citations that a peace officer or, in certain circumstances, a
32 prosecuting attorney, may issue to a person who has allegedly committed the civil
33 infraction. **Section 26** of this bill authorizes a peace officer who has reasonable
34 cause to believe that a person has violated a provision of law punishable as a civil
35 infraction pursuant to this bill to halt and detain the person as is reasonably
36 necessary to investigate the alleged violation and issue a civil infraction citation for
37 the alleged violation, and **section 28** of this bill requires a peace officer who has
38 stopped a driver for such an alleged violation to demand proof of the insurance
39 required to be maintained by existing law. **Section 26** also provides that after a
40 person is halted and detained for such purposes, the peace officer is authorized to:
41 (1) detain the person if the person is suspected of criminal behavior or of violating
42 conditions of parole or probation; (2) search the person to determine whether the
43 person has a weapon and take any other lawful action; and (3) arrest the person if
44 probable cause exists for the arrest. **Section 26** additionally provides that if the
45 person is arrested for an offense that arises out of the same facts and circumstances
46 as the civil infraction and is punishable as a misdemeanor, the offense and civil
47 infraction may be included on the same criminal complaint. **Section 27** of this bill
48 specifies the information that is required to be provided in the civil infraction
49 citation issued to the person who allegedly committed the civil infraction. **Sections**
50 **25 and 29** of this bill provide that when the original or a copy of the civil infraction
51 citation is manually or electronically filed with a court having jurisdiction over the
52 alleged violation or with its traffic violations bureau, the citation is a complaint for
53 the purposes of initiating a civil case.

54 **Section 30** of this bill requires a person to respond to a civil infraction citation
55 not later than 90 calendar days after it has been issued by not contesting the citation
56 and paying all monetary penalties and assessments specified in the citation or
57 requesting a hearing to contest whether the person committed the violation set forth
58 in the citation. Under **section 30**, the court is required to send to the person, not less
59 than 30 days before the deadline for the person to respond to the civil infraction
60 citation, a reminder that the person must respond within 90 days after the date on
61 which the civil infraction citation is issued. **Section 30** also provides that if a person
62 does not respond to a civil infraction citation within 90 calendar days after it has
63 been issued, the court is required to find that the person committed the civil
64 infraction and assess a monetary penalty and administrative assessments against the



65 person and require the person to pay certain expenses for witnesses that are
66 authorized by **section 77.5** of this bill. **Section 31** of this bill establishes the
67 procedures for a hearing at which a person may contest whether he or she
68 committed the violation and generally requires the person to post a bond in an
69 amount equal to the monetary penalty, administrative assessments and fees
70 specified in the civil infraction citation or alternatively deposit such an amount in
71 cash with the court. **Section 38.5** of this bill authorizes a person who was issued a
72 civil infraction citation and certain peace officers to use a system established by a
73 court or its traffic violations bureau to perform certain authorized actions such as
74 making a plea, stating a defense or mitigating circumstances or submitting a written
75 statement, as applicable, by mail, electronic mail, over the Internet or by other
76 electronic means in lieu of taking such actions or making a statement at the hearing.

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

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

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

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



119 **Section 80** of this bill provides that the amendatory provisions of this bill
120 generally apply to any offense committed on or after January 1, 2023, however, the
121 provisions of **section 36.3** apply to any offense committed before, on or after
122 January 1, 2023. **Section 80** also provides that if a person commits an offense
123 before January 1, 2023, that is punishable as a civil infraction on or after January 1,
124 2023, the person who committed the offense cannot be arrested for the offense on
125 or after January 1, 2023. **Section 80** further requires: (1) each court in this State to
126 cancel each outstanding bench warrant issued by the court for a person who failed
127 to appear in the court in response to a citation issued for an offense for which this
128 bill establishes a civil penalty; and (2) the Central Repository for Nevada Records
129 of Criminal History to remove from each database or compilation of records of
130 criminal history maintained by the Central Repository all records of bench warrants
131 issued for a person who failed to appear in court in response to a citation for an
132 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 481.015 is hereby amended to read as follows:
2 481.015 1. Except as otherwise provided in this subsection,
3 as used in this title, unless the context otherwise requires,
4 “certificate of title” means the document issued by the Department
5 that identifies the legal owner of a vehicle and contains the
6 information required pursuant to subsection 2 of NRS 482.245. The
7 definition set forth in this subsection does not apply to chapters 488
8 and 489 of NRS.

9 2. Except as otherwise provided in chapter 480 of NRS, NRS
10 484C.600 to 484C.640, inclusive, 486.363 to 486.375, inclusive,
11 and chapter 488 of NRS, as used in this title, unless the context
12 otherwise requires:

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

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

15 3. As used in this title ~~[, the term “full”]~~ :

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

19 (b) *“Full legal name”* means a natural person’s first name,
20 middle name and family name or last name, without the use of
21 initials or a nickname. The term includes a full legal name that has
22 been changed pursuant to the provisions of NRS 483.375 or
23 483.8605.

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

25 483.2521 1. Except as otherwise provided in subsection 4,
26 the Department may issue a driver’s license to a person who is 16 or
27 17 years of age if the person:

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



1 (1) A course in automobile driver education pursuant to NRS
2 389.090; or

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

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

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

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

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

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

25 (d) Submits to the Department:

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

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

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

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

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

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

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



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

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

11 (a) The training required pursuant to paragraph (a) of subsection
12 1; and

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

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

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

24 (b) Have at least 50 hours of experience in driving a motorcycle
25 with an instruction permit issued pursuant to subsection 4 of NRS
26 483.280; and

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

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

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

39 483.2523 1. A person to whom a driver's license is issued
40 pursuant to NRS 483.2521 shall not, during the first 6 months after
41 the date on which the driver's license is issued, transport as a
42 passenger a person who is under 18 years of age, unless the person
43 is a member of his or her immediate family.

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



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

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

5 (1) Pay a ~~fine~~ *civil penalty* in an amount not to exceed
6 \$250;

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

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

12 3. A violation of this section:

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

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

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

18 483.2525 1. A peace officer shall not stop a motor vehicle for
19 the sole purpose of determining whether the driver is violating a
20 provision of NRS 483.2523. Except as otherwise provided in
21 subsection 2, a *civil infraction* citation may be issued *pursuant to*
22 *sections 24 to 36.7, inclusive, of this act* for a violation of NRS
23 483.2523 only if the violation is discovered when the vehicle is
24 halted or its driver is arrested for another alleged violation or
25 offense.

26 2. A peace officer shall not issue a *civil infraction* citation
27 *pursuant to sections 24 to 36.7, inclusive, of this act* to a person for
28 operating a motor vehicle in violation of NRS 483.2523 if the
29 person provides satisfactory evidence that the person has held the
30 driver's license for the period required pursuant to
31 NRS 483.2523.

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

33 483.330 1. The Department may require every applicant for a
34 driver's license, including a commercial driver's license issued
35 pursuant to NRS 483.900 to 483.940, inclusive, to submit to an
36 examination. The examination may include:

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

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

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

43 (d) Except as otherwise provided in subsection 3, an actual
44 demonstration of the applicant's ability to exercise ordinary and



1 reasonable control in the operation of a motor vehicle of the type or
2 class of vehicle for which he or she is to be licensed.

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

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

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

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

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

23 ↪ in lieu of an actual demonstration.

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

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

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

37 (c) Has been convicted of a violation of NRS 484C.130 or,
38 during the immediately preceding 7 years, of a violation of NRS
39 484C.110, 484C.120 or 484C.430 or a law of any other jurisdiction
40 that prohibits the same or similar conduct;

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



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

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

9 5. The Department shall waive the fee prescribed by NRS
10 483.410 not more than one time for administration of the
11 examination required pursuant to this section for a homeless child or
12 youth under the age of 25 years who submits a signed affidavit on a
13 form prescribed by the Department stating that the child or youth is
14 homeless and under the age of 25 years.

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

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

18 483.340 1. The Department shall, upon payment of the
19 required fee, issue to every qualified applicant a driver's license
20 indicating the type or class of vehicles the licensee may drive.

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

23 3. The Department may issue a driver's license for purposes of
24 identification only for use by officers of local police and sheriffs'
25 departments, agents of the Investigation Division of the Department
26 of Public Safety while engaged in special undercover investigations
27 relating to narcotics or prostitution or for other undercover
28 investigations requiring the establishment of a fictitious identity,
29 federal agents while engaged in undercover investigations,
30 investigators employed by the Attorney General while engaged in
31 undercover investigations, criminal investigators employed by the
32 Secretary of State while engaged in undercover investigations and
33 agents of the Nevada Gaming Control Board while engaged in
34 investigations pursuant to NRS 463.140. An application for such a
35 license must be made through the head of the police or sheriff's
36 department, the Chief of the Investigation Division of the
37 Department of Public Safety, the director of the appropriate federal
38 agency, the Attorney General, the Secretary of State or his or her
39 designee or the Chair of the Nevada Gaming Control Board. Such a
40 license is exempt from the fees required by NRS 483.410. The
41 Department, by regulation, shall provide for the cancellation of any
42 such driver's license upon the completion of the special
43 investigation for which it was issued.



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

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

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

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

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

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

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

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

33 7. If the holder wishes to make a donation to the Anatomical
34 Gift Account, the Department shall collect the donation and deposit
35 the money collected in the State Treasury for credit to the
36 Anatomical Gift Account.

37 8. The Department shall submit to the donor registry with
38 which the Department has entered into a contract pursuant to
39 paragraph (c) of subsection 6 information from the records of the
40 Department relating to persons who have drivers' licenses that
41 indicate the intention of those persons to make an anatomical gift.
42 The Department shall adopt regulations to carry out the provisions
43 of this subsection.



1 **Sec. 6.** NRS 483.400 is hereby amended to read as follows:
2 483.400 1. The Department shall maintain files of
3 applications for licenses. Such files shall contain:

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

6 (b) All applications granted.

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

10 2. The Department shall also file all crash reports and abstracts
11 of court records of convictions *or findings of the commission of*
12 *civil infractions pursuant to sections 24 to 36.7, inclusive, of this*
13 *act* received by it under the laws of this State, and in connection
14 therewith maintain convenient records or make suitable notations in
15 order that an individual record of each licensee showing the
16 convictions *or findings* of such licensee and the traffic crashes in
17 which the licensee was involved ~~shall be~~ *are* readily ascertainable
18 and available for the consideration of the Department upon any
19 application for renewal of license and at other suitable times.

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

21 483.430 1. The privilege of driving a motor vehicle on the
22 highways of this State given to a nonresident under NRS 483.010 to
23 483.630, inclusive, ~~shall be~~ *is* subject to suspension or revocation
24 by the Department in like manner and for like cause as a driver's
25 license issued under NRS 483.010 to 483.630, inclusive, may be
26 suspended or revoked.

27 2. The Department is further authorized, upon receiving a
28 record of the *entrance of an order pursuant to sections 24 to 36.7,*
29 *inclusive, of this act finding that a nonresident driver of a motor*
30 *vehicle committed a civil infraction in this State or the* conviction
31 in this State of a nonresident driver of a motor vehicle of any
32 *criminal* offense under the motor vehicle laws of this State, to
33 forward a certified copy of such record to the motor vehicle
34 administrator in the state wherein the person so *found or* convicted
35 is a resident.

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

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

41 483.443 1. The Department shall, upon receiving notification
42 from a district attorney or other public agency collecting support for
43 children pursuant to NRS 425.510 that a court has determined that a
44 person:



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

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

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

8 2. The notice must include:

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

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

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

12 3. If a person who receives a notice pursuant to subsection 1
13 does not, within 30 days after receiving the notice, comply with the
14 subpoena or warrant or satisfy the arrearage as required in NRS
15 425.510, the Department shall suspend the license without providing
16 the person with an opportunity for a hearing.

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

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

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

24 (1) *The* district attorney or other public agency pursuant to
25 NRS 425.510 that the person has complied with the subpoena or
26 warrant or has satisfied the arrearage pursuant to that section . ~~§~~
27 *from a*

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

33 (3) *A* judge of the juvenile court that an unsatisfied civil
34 judgment for which the suspension was ordered pursuant to NRS
35 62B.420 has been satisfied; and

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

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

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

44 483.447 A person who does not hold a valid license issued by
45 this State or any other state and who operates a vehicle in this State



1 shall be deemed to have future driving privileges that may be
2 suspended if the person is *found to have committed a civil*
3 *infraction in this State pursuant to sections 24 to 36.7, inclusive,*
4 *of this act or is* convicted of any *criminal* traffic offense in this
5 State.

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

7 483.448 1. Except as otherwise provided in this subsection,
8 when a person deemed to have future driving privileges pursuant to
9 NRS 483.447 has accumulated 3 or more demerit points, but less
10 than 12, the Department shall notify the person of this fact. If, after
11 the Department mails the notice, the person presents proof to the
12 Department that he or she has successfully completed a course of
13 traffic safety approved by the Department and a signed statement
14 which indicates that the successful completion of the course was not
15 required pursuant to a *court order entered pursuant to section 34 of*
16 *this act or a* plea agreement, the Department shall cancel not more
17 than 3 demerit points from the person's driving record. If such a
18 person accumulates 12 or more demerit points before completing the
19 course of traffic safety, the person will not be entitled to have
20 demerit points cancelled upon the completion of the course but must
21 have future driving privileges suspended. A person deemed to have
22 future driving privileges may attend a course only once in 12
23 months for the purpose of reducing demerit points. The 3 demerit
24 points may only be cancelled from the driver's record of the person
25 during the 12-month period immediately following the driver's
26 successful completion of the course of traffic safety. The provisions
27 of this subsection do not apply to a person deemed to have future
28 driving privileges whose successful completion of a course of traffic
29 safety was required pursuant to a *court order entered pursuant to*
30 *section 34 of this act or a* plea agreement.

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

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

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

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



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

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

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

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

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

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

26 (b) The hearing must be held, within 45 days after the request is
27 received, in the county in which the person resides unless the person
28 and the Department agree that the hearing may be held in some
29 other county. The scope of the hearing must be limited to whether
30 the records of the Department accurately reflect the driving history
31 of the person.

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

33 483.450 1. A record of *each* conviction *and each finding*
34 *that a person has committed a civil infraction pursuant to sections*
35 *24 to 36.7, inclusive, of this act* must be made in a manner approved
36 by the Department. The court shall provide sufficient information to
37 allow the Department to include accurately the information
38 regarding ~~the~~ *each* conviction *and finding* in the driver's record.

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

42 3. Every court, including a juvenile court, having jurisdiction
43 over violations of the provisions of NRS 483.010 to 483.630,
44 inclusive, or any other law of this State or municipal ordinance



1 regulating the operation of motor vehicles on highways, shall
2 forward to the Department:

3 (a) If the court is other than a juvenile court, ~~[-]~~ *each* record of
4 the conviction of any person in that court for a violation of any such
5 laws other than regulations governing standing or parking ~~[-]~~ *and*
6 *each record of the finding that any person has committed a civil*
7 *infraction pursuant to sections 24 to 36.7, inclusive, of this act;* or

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

11 ~~[-]~~ within 5 days after the conviction or finding, and may
12 recommend the suspension of the driver's license of the person
13 convicted *or found to have committed a civil infraction* or *the* child
14 found in violation of a traffic law or ordinance.

15 4. If a record forwarded to the Department pursuant to
16 subsection 3 is a record of the conviction of, *or a record of a*
17 *finding of the commission of a civil infraction pursuant to sections*
18 *24 to 36.7, inclusive, of this act against,* a person who holds a
19 commercial driver's license, the Department shall, within 5 days
20 after the date on which it receives such a record, transmit notice of
21 the conviction *or finding* to the Commercial Driver's License
22 Information System.

23 5. For the purposes of NRS 483.010 to 483.630, inclusive ~~[-~~
24 ~~—(a) “Conviction”]~~, *“conviction”* has the meaning prescribed by
25 regulation pursuant to NRS 481.052.

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

29 6. ~~[The]~~ *If a court mails records of conviction or of findings*
30 *of the commission of a civil infraction pursuant to sections 24 to*
31 *36.7, inclusive, of this act, the* necessary expenses of mailing *such*
32 records ~~[of conviction]~~ to the Department as required by this section
33 must be paid by the court charged with the duty of forwarding those
34 records. ~~[of conviction.]~~

35 7. As used in this section, “Commercial Driver's License
36 Information System” has the meaning ascribed to it in
37 NRS 483.904.

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

39 483.473 1. As used in this section, “traffic violation” means
40 conviction of a moving traffic violation in any municipal court,
41 justice court or district court in this State ~~[-]~~ *or a finding by any*
42 *municipal court or justice court in this State that a person has*
43 *committed a civil infraction pursuant to sections 24 to 36.7,*
44 *inclusive, of this act.* The term includes a finding by a juvenile court
45 that a child has violated a traffic law or ordinance other than one



1 governing standing or parking. The term does not include a
2 conviction or a finding by a juvenile court of a violation of the speed
3 limit posted by a public authority under the circumstances described
4 in subsection 1 of NRS 484B.617.

5 2. The Department shall establish a uniform system of demerit
6 points for various traffic violations occurring within this State
7 affecting the driving privilege of any person who holds a driver's
8 license issued by the Department and persons deemed to have future
9 driving privileges pursuant to NRS 483.447. The system must be
10 based on the accumulation of demerits during a period of 12
11 months.

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

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

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



1 apply to a person whose successful completion of a course of traffic
2 safety was required pursuant to a plea agreement ~~§~~ *or court order*
3 *entered pursuant to section 34 of this act.*

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

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

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

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

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

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

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

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

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

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

42 (b) The hearing must be held within 45 days after the request is
43 received in the county where the driver resides unless the driver and
44 the Department agree that the hearing may be held in some other
45 county. The scope of the hearing must be limited to whether the



1 records of the Department accurately reflect the driving history of
2 the driver.

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

4 483.530 1. Except as otherwise provided in subsection 2, it is
5 a misdemeanor for any person:

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

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

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

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

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

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

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

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

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

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

40 483.550 1. It is unlawful for any person to drive a motor
41 vehicle upon a public street or highway in this State without being
42 the holder of a valid driver's license. *A person who violates this*
43 *section is guilty of a misdemeanor.*



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

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

5 483.570 No person whose driving privilege as a nonresident
6 has been cancelled, suspended or revoked, as provided in NRS
7 483.010 to 483.630, inclusive, shall drive any motor vehicle upon
8 the highways of this State while such privilege is cancelled,
9 suspended or revoked. *It is a misdemeanor for any person to*
10 *violate this section.*

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

12 483.575 1. A person with epilepsy shall not operate a motor
13 vehicle if that person has been informed by a physician or an
14 advanced practice registered nurse pursuant to NRS 629.047 that his
15 or her condition would severely impair his or her ability to safely
16 operate a motor vehicle. *A violation of this subsection is a*
17 *misdemeanor.*

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

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

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

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

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

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

44 483.580 A person shall not cause or knowingly permit his or
45 her child or ward under the age of 18 years to drive a motor vehicle



1 upon any highway when the minor is not authorized under the
2 provisions of NRS 483.010 to 483.630, inclusive, or is in violation
3 of any of the provisions of NRS 483.010 to 483.630, inclusive, or if
4 the minor's license is revoked or suspended pursuant to title 5 of
5 NRS or NRS 392.148. *It is a misdemeanor for a person to violate*
6 *this section.*

7 **Sec. 19.** NRS 483.590 is hereby amended to read as follows:
8 483.590 No person shall authorize or knowingly permit a
9 motor vehicle owned by the person or under his or her control to be
10 driven upon any highway by any person who is not authorized under
11 NRS 483.010 to 483.630, inclusive, or in violation of any of the
12 provisions of NRS 483.010 to 483.630, inclusive. *It is a*
13 *misdemeanor for a person to violate this section.*

14 **Sec. 20.** NRS 483.600 is hereby amended to read as follows:
15 483.600 No person shall employ as a driver of a motor vehicle
16 any person not then licensed as provided in NRS 483.010 to
17 483.630, inclusive. *It is a misdemeanor for a person to violate this*
18 *section.*

19 **Sec. 21.** NRS 483.610 is hereby amended to read as follows:
20 483.610 1. No person shall rent a motor vehicle to any other
21 person unless the latter person is then duly licensed under NRS
22 483.010 to 483.630, inclusive, or, in the case of a nonresident, then
23 duly licensed under the laws of the state or country of his or her
24 residence except a nonresident whose home state or country does
25 not require that a driver be licensed.

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

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

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

39 **Sec. 22.** NRS 483.620 is hereby amended to read as follows:
40 483.620 It is a ~~misdemeanor~~ *civil infraction punishable*
41 *pursuant to sections 24 to 36.7, inclusive, of this act* for any person
42 to violate any of the provisions of NRS 483.010 to 483.630,
43 inclusive, unless such violation is, by NRS 483.010 to 483.630,
44 inclusive, or other law of this State, declared to be a *misdemeanor,*
45 *gross misdemeanor or* felony.



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

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

8 *(a) Issued in books; or*

9 *(b) Available through an electronic device used to prepare*
10 *such citations.*

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

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

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

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

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

40 *(c) Arrest the person in accordance with NRS 171.1231 if*
41 *probable cause for the arrest exists.*

42 *2. If a person is arrested pursuant to paragraph (c) of*
43 *subsection 1 for an offense that arises out of the same facts and*
44 *circumstances as the civil infraction and is punishable as a*



1 *misdemeanor, the offense and the civil infraction may be included*
2 *in the same criminal complaint.*

3 **Sec. 27. 1.** *When a person is halted by a peace officer in*
4 *this State for any violation of chapters 483 to 484E, inclusive, 486*
5 *or 490 of NRS that is a civil infraction, or a prosecuting attorney*
6 *elects to treat a violation of chapters 483 to 484E, inclusive, 486 or*
7 *490 of NRS that is punishable as a misdemeanor instead as a civil*
8 *infraction in accordance with section 36.3 of this act, the peace*
9 *officer or prosecuting attorney, as applicable, may prepare a civil*
10 *infraction citation manually or electronically in the form of a*
11 *complaint issuing in the name of "The State of Nevada,"*
12 *containing, except as otherwise provided in paragraph (a) of*
13 *subsection 2 of section 36.3 of this act:*

14 (a) *A statement that the citation represents a determination by*
15 *a peace officer or prosecuting attorney that a civil infraction has*
16 *been committed by the person named in the citation and that the*
17 *determination will be final unless contested as provided in sections*
18 *24 to 36.7, inclusive, of this act;*

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

20 (c) *The name, date of birth, social security number, address,*
21 *telephone number and electronic mail address of the person who*
22 *is being issued the citation and an indication as to whether the*
23 *person has agreed to receive communications relating to the civil*
24 *infraction by text message;*

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

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

28 (f) *The civil infraction for which the citation was issued;*

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

33 (h) *A statement of the options provided pursuant to sections 24*
34 *to 36.7, inclusive, of this act for responding to the citation and the*
35 *procedures necessary to exercise these options;*

36 (i) *A statement that, at any hearing to contest the*
37 *determination set forth in the citation, the facts that constitute the*
38 *infraction must be proved by a preponderance of the evidence and*
39 *the person may subpoena witnesses, including, without limitation,*
40 *the peace officer or duly authorized member or volunteer of a*
41 *traffic enforcement agency who issued the citation or halted the*
42 *person; and*

43 (j) *A statement that the person must respond to the citation as*
44 *provided in sections 24 to 36.7, inclusive, of this act within 90*
45 *calendar days.*



1 2. A peace officer who issues a civil infraction citation
2 pursuant to subsection 1 shall sign the citation and deliver a copy
3 of the citation to the person charged with the civil infraction. If
4 the citation is prepared electronically, the peace officer shall
5 sign the copy of the citation that is delivered to the person charged
6 with the violation.

7 3. A civil infraction citation may be served by delivering a
8 copy of the citation to the person charged with the civil infraction
9 pursuant to this section or section 36.3 of this act. The acceptance
10 of a civil infraction citation by the person charged with the civil
11 infraction shall be deemed personal service of the citation and a
12 copy of the citation signed by the peace officer or prosecuting
13 attorney, as applicable, constitutes proof of service. If a person
14 charged with a civil infraction refuses to accept a civil infraction
15 citation, the copy of the citation signed by the peace officer or
16 prosecuting attorney, as applicable, constitutes proof of service.

17 **Sec. 28.** 1. Whenever the driver of a vehicle is stopped by a
18 peace officer for violating a provision of chapters 483 to 484E,
19 inclusive, 486 or 490 of NRS that is a civil infraction, except for
20 violating a provision of NRS 484B.440 to 484B.523, inclusive, the
21 peace officer shall demand proof of the insurance required by
22 NRS 485.185 or 490.0825 and issue a citation as provided in NRS
23 484A.630 if the peace officer has probable cause to believe that the
24 driver of the vehicle is in violation of NRS 485.187 or subsection 5
25 of NRS 490.520.

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

32 **Sec. 29.** 1. Every peace officer, upon issuing a civil
33 infraction citation to an alleged violator of any provision of the
34 motor vehicle laws of this State or of any traffic ordinance, shall
35 file manually or, if the provisions of subsection 2 are satisfied, file
36 electronically the original or a copy of the citation with a court
37 having jurisdiction over the alleged offense or with its traffic
38 violations bureau.

39 2. A copy of a civil infraction citation that is prepared
40 electronically and issued to an alleged violator of any provision of
41 the motor vehicle laws of this State or of any traffic ordinance may
42 be filed electronically with a court having jurisdiction over the
43 alleged civil infraction or with its traffic violations bureau if the
44 court or traffic violations bureau, respectively:

45 (a) Authorizes such electronic filing;



1 (b) Has the ability to receive and store the citation
2 electronically; and

3 (c) Has the ability to physically reproduce the citation upon
4 request.

5 3. Upon the filing of the original or a copy of the civil
6 infraction citation with a court having jurisdiction over the alleged
7 infraction or with its traffic violations bureau, the citation may be
8 disposed of only by an official action of a judge of the court or by
9 the payment of a civil penalty to the court or its traffic violations
10 bureau by the person to whom the civil infraction citation has
11 been issued by the peace officer.

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

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

25 6. The chief administrative officer of every traffic
26 enforcement agency shall maintain or cause to be maintained a
27 record of every civil infraction citation issued by any peace officer
28 under his or her supervision. The record must be retained for at
29 least 2 years after issuance of the citation.

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

34 2. If a person receiving a civil infraction citation does not
35 contest the determination that the person has committed the civil
36 infraction set forth in the citation, the person must respond to the
37 citation by indicating that the person does not contest the
38 determination and submitting full payment of the monetary
39 penalty, the administrative assessment and any fees to the court
40 specified in the citation, or its traffic violations bureau, in person,
41 by mail or through the Internet or other electronic means.

42 3. If a person receiving a civil infraction citation wishes to
43 contest the determination that the person has committed the civil
44 infraction set forth in the citation, the person must respond by
45 requesting in person, by mail or through the Internet or other



1 *electronic means a hearing for that purpose. The court shall notify*
2 *the person in writing of the time, place and date of the hearing,*
3 *but the date of the hearing must not be earlier than 9 calendar*
4 *days after the court provides notice of the hearing.*

5 *4. Except as otherwise provided in this subsection, not less*
6 *than 30 days before the deadline for a person to respond to a civil*
7 *infraction citation, the court must send to the address or electronic*
8 *mail address of the person, as indicated on the civil infraction*
9 *citation issued to the person, a reminder that the person must*
10 *respond to the civil infraction citation within 90 calendar days*
11 *after the date on which the civil infraction citation is issued. If the*
12 *person agreed to receive communications relating to the civil*
13 *infraction by text message, the court may send such a notice to the*
14 *telephone number of the person as indicated on the civil infraction*
15 *citation. If the person does not respond to the civil infraction*
16 *citation in the manner specified by subsection 2 or 3 within 90*
17 *calendar days after the date on which the civil infraction citation*
18 *is issued, the court must enter an order pursuant to section 34 of*
19 *this act finding that the person committed the civil infraction and*
20 *assessing the monetary penalty and administrative assessments*
21 *prescribed for the civil infraction. A person who has been issued a*
22 *civil infraction citation and who fails to respond to the civil*
23 *infraction citation as required by this section may not appeal an*
24 *order entered pursuant to this section.*

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

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

39 *7. If a court has established a system pursuant to NRS*
40 *484A.615, any person issued a civil infraction citation may, if*
41 *authorized by the court, use the system to perform any applicable*
42 *actions pursuant to this section.*

43 **Sec. 31. 1. If, pursuant to subsection 3 of section 30 of this**
44 **act, a person receiving a civil infraction citation requests a**
45 **hearing to contest the determination that the person has**



1 committed the civil infraction set forth in the citation, the hearing
2 must be conducted in accordance with this section.

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

18 3. The person who requested the hearing may, at his or her
19 expense, be represented by counsel, and a city attorney or district
20 attorney, in his or her discretion and as applicable, may represent
21 the plaintiff.

22 4. A hearing conducted pursuant to this section must be
23 conducted by the court without a jury. In lieu of the personal
24 appearance at the hearing by the peace officer who issued the civil
25 infraction citation, the court may consider the information
26 contained in the civil infraction citation and any other written
27 statement submitted under oath by the peace officer. If the court
28 has established a system pursuant to NRS 484A.615, the peace
29 officer may, if authorized by the court, use the system to submit
30 such a statement. The person named in the civil infraction citation
31 may subpoena witnesses, including, without limitation, the peace
32 officer who issued the citation, and has the right to present
33 evidence and examine witnesses present in court.

34 5. After consideration of the evidence and argument, the
35 court shall determine whether a civil infraction was committed by
36 the person named in the civil infraction citation. The court must
37 find by a preponderance of the evidence that the person named in
38 the civil infraction citation committed a civil infraction. If it has
39 not been established by a preponderance of the evidence that the
40 infraction was committed by the person named in the citation, the
41 court must enter an order dismissing the civil infraction citation in
42 the court's records. If it has been established by a preponderance
43 of the evidence that the infraction was committed, the court must
44 enter in the court's records an order pursuant to section 34 of this
45 act.



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

4 **(a) The notice of appeal must be filed not later than 7 calendar**
5 **days after the court enters in the court's records an order**
6 **pursuant to section 34 of this act;**

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

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

20 **Sec. 32. (Deleted by amendment.)**

21 **Sec. 33. (Deleted by amendment.)**

22 **Sec. 34. 1. Except as otherwise provided in this section, a**
23 **person who is found to have committed a civil infraction shall be**
24 **punished by a civil penalty of not more than \$500 per violation**
25 **unless a greater civil penalty is authorized by specific statute.**
26 **Except as otherwise provided in NRS 484A.792, any civil penalty**
27 **collected pursuant to sections 24 to 36.7, inclusive, of this act must**
28 **be paid to:**

29 **(a) The treasurer of the city in which the civil infraction**
30 **occurred; or**

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

33 **2. If a person is found to have committed a civil infraction, in**
34 **addition to any civil penalty imposed on the person, the court shall**
35 **order the person to pay the administrative assessments set forth in**
36 **NRS 176.059, 176.0611, 176.0613 and 176.0623 in the amount**
37 **that the person would be required to pay if the civil penalty were a**
38 **fine imposed on a defendant who pleads guilty or guilty but**
39 **mentally ill or is found guilty or guilty but mentally ill of a**
40 **misdemeanor. If, in lieu of a civil penalty, the court authorizes a**
41 **person to successfully complete a course of traffic safety approved**
42 **by the Department of Motor Vehicles, the court must order the**
43 **person to pay the amount of the administrative assessment that**
44 **corresponds to the civil penalty for which the defendant would**
45 **have otherwise been responsible. The administrative assessments**



1 *imposed pursuant to this subsection must be collected and*
2 *distributed in the same manner as the administrative assessments*
3 *imposed and collected pursuant to NRS 176.059, 176.0611,*
4 *176.0613 and 176.0623.*

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

7 *(a) Excessive in relation to the financial resources of the*
8 *defendant, the court may waive or reduce the monetary penalty*
9 *accordingly.*

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

12 *4. A court having jurisdiction over a civil infraction pursuant*
13 *to sections 24 to 36.7, inclusive, of this act may:*

14 *(a) In addition to ordering a person who is found to have*
15 *committed a civil infraction to pay a civil penalty and*
16 *administrative assessments pursuant to this section, order the*
17 *person to successfully complete a course of traffic safety approved*
18 *by the Department of Motor Vehicles.*

19 *(b) Waive or reduce the civil penalty that a person who is*
20 *found to have committed a civil infraction would otherwise be*
21 *required to pay if the court determines that any circumstances*
22 *warrant such a waiver or reduction.*

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

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

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

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

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

40 *3. The court may require the person who committed the civil*
41 *infraction to deposit with the court a reasonable sum of money to*
42 *pay for the cost of policies of insurance against liability for*
43 *personal injury and damage to property or for industrial*
44 *insurance, or both, during those periods in which the person*
45 *performs the community service, unless, in the case of industrial*



1 insurance, it is provided by the authority for which the person
2 performs the community service.

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

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

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

18 (c) Community service that a court requires pursuant to this
19 section must be supervised by an official of the supervising
20 authority or by a person designated by the authority.

21 (d) The court may require the supervising authority to report
22 periodically to the court the person's performance in carrying out
23 the community service.

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

30 **Sec. 36. 1.** If a civil penalty, administrative assessment or
31 fee is imposed upon a person who is found to have committed a
32 civil infraction pursuant to sections 24 to 36.7, inclusive, of this
33 act, whether or not the civil penalty, administrative assessment or
34 fee is in addition to any other punishment, and the civil penalty,
35 administrative assessment or fee or any part of it remains unpaid
36 after the time established by the court for its payment, the
37 delinquent person is liable for a collection fee, to be imposed by
38 the court at the time it finds that the civil penalty, administrative
39 assessment or fee is delinquent, of:

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

42 (b) Not more than \$500, if the amount of the delinquency is
43 \$2,000 or greater, but is less than \$5,000.

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



1 2. *The city or county that is responsible for collecting a*
2 *delinquent civil penalty, administrative assessment or fee may, in*
3 *addition to attempting to collect the delinquent amounts through*
4 *any other lawful means, contract with a collection agency licensed*
5 *pursuant to NRS 649.075 to collect the delinquent amounts owed*
6 *by a person who is found to have committed a civil infraction. The*
7 *collection agency must be paid as compensation for its services an*
8 *amount not greater than the amount of the collection fee imposed*
9 *pursuant to subsection 1 in accordance with the provisions of the*
10 *contract.*

11 3. *If a court finds that a person committed a civil infraction,*
12 *the civil penalty, administrative assessments and fees prescribed*
13 *for the civil infraction may be enforced in the manner provided by*
14 *law for the enforcement of a judgment for money rendered in a*
15 *civil action except that the judgment and any lien for the judgment*
16 *expires 10 years after the date the judgment was docketed and may*
17 *not be renewed. The court may:*

18 (a) *Request that the city or county in which the court has*
19 *jurisdiction undertake collection of the delinquency, including,*
20 *without limitation, the original amount of the civil judgment*
21 *entered pursuant to this subsection and the collection fee, by*
22 *attachment or garnishment of the property, wages or other money*
23 *receivable of the delinquent person.*

24 (b) *Order the suspension of the driver's license of the*
25 *delinquent person. If the delinquent person does not possess a*
26 *driver's license, the court may prohibit him or her from applying*
27 *for a driver's license for a specified period. If the delinquent*
28 *person is already the subject of a court order suspending or*
29 *delaying the issuance of his or her driver's license, the court may*
30 *order the additional suspension or delay, as appropriate, to apply*
31 *consecutively with the previous order. At the time the court issues*
32 *an order pursuant to this paragraph suspending the driver's*
33 *license of a delinquent person or delaying the ability of a*
34 *delinquent person to apply for a driver's license, the court shall,*
35 *within 5 days after issuing the order, forward to the Department a*
36 *copy of the order. The Department shall report a suspension*
37 *pursuant to this paragraph to an insurance company or its agent*
38 *inquiring about the delinquent person's driving record, but such a*
39 *suspension must not be considered for the purpose of rating or*
40 *underwriting.*

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

43 (a) *Except as otherwise provided in paragraph (c), if the*
44 *money is collected by or on behalf of a municipal court, the money*
45 *must be deposited in a special fund in the appropriate city*



1 *treasury. The city may use the money in the fund only to develop*
2 *and implement a program for the collection of civil penalties,*
3 *administrative assessments and fees and to hire additional*
4 *personnel necessary for the success of such a program.*

5 *(b) Except as otherwise provided in paragraph (c), if the*
6 *money is collected by or on behalf of a justice court, the money*
7 *must be deposited in a special fund in the appropriate county*
8 *treasury. The county may use the money in the special fund only*
9 *to:*

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

14 *(2) Improve the operations of a court by providing funding*
15 *for:*

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

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

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

25 **Sec. 36.3.** *1. A prosecuting attorney may elect to treat a*
26 *violation of a provision of chapters 483 to 484E, inclusive, 486 or*
27 *490 of NRS that is punishable as a misdemeanor, other than a*
28 *violation of NRS 484C.110 or 484C.120, as a civil infraction*
29 *pursuant to sections 24 to 36.7, inclusive, of this act.*

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

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

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

40 *(c) Delivering a copy of the notice and citation to the*
41 *defendant.*

42 *3. Upon the filing of a notice pursuant to paragraph (b) of*
43 *subsection 2, the court shall dismiss the underlying criminal*
44 *charge.*



1 **Sec. 36.7.** *Notwithstanding any other provision of law, if a*
2 *person commits a violation of a provision of chapters 483 to 484E,*
3 *inclusive, 486 or 490 of NRS that is punishable as a civil*
4 *infraction while the person is under the influence of alcohol or a*
5 *controlled substance, the person may instead be charged with a*
6 *misdemeanor.*

7 **Sec. 37.** NRS 484A.400 is hereby amended to read as follows:
8 484A.400 1. The provisions of chapters 484A to 484E,
9 inclusive, of NRS are applicable and uniform throughout this State
10 on all highways to which the public has a right of access, to which
11 persons have access as invitees or licensees or such other premises
12 as provided by statute.

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

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

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

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

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

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

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

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

40 **Sec. 38.** NRS 484A.600 is hereby amended to read as follows:
41 484A.600 A governmental entity and any agent thereof shall
42 not use photographic, video or digital equipment for gathering
43 evidence to be used for the issuance of a traffic citation *or civil*
44 *infraction citation pursuant to section 27 of this act* for a violation
45 of chapters 484A to 484E, inclusive, of NRS unless the equipment



1 is *a portable camera or event recording device worn or* held ~~in the~~
2 ~~hand or~~ *by a peace officer, the equipment is otherwise* installed
3 temporarily or permanently within a vehicle or facility of a law
4 enforcement agency ~~[-] or the equipment is privately owned by a~~
5 *nongovernmental entity.*

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

8 484A.615 1. A court having jurisdiction over an offense for
9 which a traffic citation may be issued pursuant to NRS 484A.630 *or*
10 *that is punishable as a civil infraction pursuant to sections 24 to*
11 *36.7, inclusive, of this act,* or its traffic violations bureau may
12 establish a system by which, except as otherwise provided in
13 subsection ~~[5.] 6,~~ the court or traffic violations bureau may allow ~~[a]~~
14 :

15 (a) A person who has been issued a traffic citation *or a civil*
16 *infraction citation* that is filed with the court or traffic violations
17 bureau to *perform certain actions approved by the court or traffic*
18 *violations bureau, including, without limitation, to* make a plea and
19 state his or her defense or , *if authorized,* any mitigating
20 circumstances , by mail, by electronic mail, over the Internet or by
21 other electronic means.

22 (b) *A peace officer who issued a civil infraction citation to a*
23 *person or, if the provisions of section 36.3 apply, a peace officer*
24 *who halted a person, to perform certain actions approved by the*
25 *court or traffic violations bureau, including, without limitation, to*
26 *submit a written statement under oath by mail, by electronic mail,*
27 *over the Internet or by other electronic means in lieu of his or her*
28 *personal appearance at the hearing held pursuant to section 31 of*
29 *this act to contest the determination that the person who has been*
30 *issued the civil infraction citation committed a civil infraction.*

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

34 (a) A person ~~[who has been issued a traffic citation that is filed~~
35 ~~with the court or traffic violations bureau may, if allowed by the~~
36 ~~court and]~~ *described in paragraph (a) of subsection 1 to use the*
37 *system to perform certain actions approved by the court or traffic*
38 *violations bureau, including without limitation, to make a plea or*
39 *state his or her defense or, if authorized, any mitigating*
40 *circumstances* in lieu of making a plea and statement of his or her
41 defense or any mitigating circumstances in court . ~~[-, make a plea and~~
42 ~~state his or her defense or any mitigating circumstances by using the~~
43 ~~system.]~~

44 (b) *A peace officer described in paragraph (b) of subsection 1*
45 *to use the system to perform certain actions approved by the court*



1 *or traffic violations bureau, including without limitation, to submit*
2 *a written statement under oath in lieu of making a personal*
3 *appearance in court.*

4 3. Any ~~[such]~~ plea ~~[and]~~ *or statement submitted through the*
5 *system by a person or peace officer pursuant to subsection 2* must
6 be received by the court before the date on which the person is
7 required to appear in court pursuant to the traffic citation ~~[~~
8 ~~—3.]~~ *or civil infraction citation.*

9 4. If a court or traffic violations bureau allows an eligible
10 person to whom a traffic citation *or civil infraction citation* is
11 issued to use a system established pursuant to subsection 1 to make
12 a plea and state his or her defense or, *if authorized*, any mitigating
13 circumstances and the person chooses to make a plea and state his or
14 her defense or any mitigating circumstances by using such a system,
15 the person waives his or her right to a trial and the right to confront
16 any witnesses.

17 ~~[4.]~~ 5. Any system established pursuant to subsection 1 must:

18 (a) For the purpose of authenticating that the person making the
19 plea and statement of his or her defense or any mitigating
20 circumstances *or performing any other approved action* is the
21 person to whom the traffic citation *or civil infraction citation* was
22 issued, be capable of requiring the person to submit any of the
23 following information, *as applicable*, at the discretion of the court
24 or traffic violations bureau:

25 (1) The traffic citation number ~~[~~ *or civil infraction citation*
26 *number;*

27 (2) The name and address of the person;

28 (3) The state registration number of the person's vehicle, if
29 any;

30 (4) The number of the driver's license of the person, if any;

31 (5) The offense charged ~~[~~ *or the civil infraction for which*
32 *the citation was issued; and*

33 (6) Any other information required by any rules adopted by
34 the Nevada Supreme Court pursuant to subsection ~~[6.]~~ 7.

35 (b) *For the purposes of authenticating that the peace officer*
36 *submitting the written statement or performing any other approved*
37 *action is the peace officer who issued the civil infraction citation,*
38 *be capable of requiring the peace officer to submit any of the*
39 *following information at the discretion of the court or traffic*
40 *violations bureau:*

41 (1) *The civil infraction citation number;*

42 (2) *The civil infraction for which the citation was issued;*
43 *and*

44 (3) *The first initial, last name and personnel number of the*
45 *peace officer.*



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

5 ~~{(e)}~~ (d) If a plea and statement of the defense or mitigating
6 circumstances *of a person or a written statement of a peace officer*
7 is submitted by electronic mail, over the Internet or by other
8 electronic means ~~{, confirm}~~ :

9 (1) *Confirm* receipt of ~~{the}~~ :

10 (I) *The* plea and statement *to the person making the*
11 *plea; and*

12 (II) *The written statement to the peace officer; or {make}*

13 (2) *Make* available to ~~{the}~~ :

14 (I) *The* person making the plea a copy of the plea and
15 statement ~~{,}~~ ; *and*

16 (II) *The peace officer submitting the written statement a*
17 *copy of the written statement.*

18 ~~{5.}~~ 6. A person who has been issued a traffic citation for any
19 of the following offenses may not make a plea and state his or her
20 defense or any mitigating circumstances by using a system
21 established pursuant to subsection 1:

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

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

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

25 (d) Driving, operating or being in actual physical control of a
26 vehicle or a vessel under power or sail while under the influence of
27 intoxicating liquor or a controlled substance in violation of NRS
28 484C.110, 484C.120 or 488.410, as applicable.

29 ~~{6.}~~ 7. The Nevada Supreme Court may adopt rules not
30 inconsistent with the laws of this State to carry out the provisions of
31 this section.

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

33 484A.650 1. Whenever the driver of a vehicle is stopped by a
34 peace officer for violating a provision of chapters 484A to 484E,
35 inclusive, of NRS, except for violating a provision of NRS
36 484B.440 to 484B.523, inclusive, the officer shall demand proof of
37 the insurance required by NRS 485.185 or 490.0825 and issue a
38 citation as provided in NRS 484A.630 if the officer has probable
39 cause to believe that the driver of the vehicle is in violation of NRS
40 485.187 or subsection ~~{4}~~ 5 of NRS 490.520. If the driver of the
41 vehicle is not the owner, a citation must also be issued to the owner,
42 and in such a case the driver:

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

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



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

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

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

12 484A.680 1. Every peace officer upon issuing a traffic
13 citation to an alleged violator of any provision of the motor vehicle
14 laws of this State or of any traffic ordinance of any city or town
15 shall file manually or, if the provisions of subsection 2 are satisfied,
16 file electronically the original or a copy of the traffic citation with a
17 court having jurisdiction over the alleged offense or with its traffic
18 violations bureau.

19 2. A copy of a traffic citation that is prepared electronically and
20 issued to an alleged violator of any provision of the motor vehicle
21 laws of this State or of any traffic ordinance of any city or town may
22 be filed electronically with a court having jurisdiction over the
23 alleged offense or with its traffic violations bureau if the court or
24 traffic violations bureau, respectively:

25 (a) Authorizes such electronic filing;

26 (b) Has the ability to receive and store the citation
27 electronically; and

28 (c) Has the ability to physically reproduce the citation upon
29 request.

30 3. Upon the filing of the original or a copy of the traffic
31 citation with a court having jurisdiction over the alleged offense or
32 with its traffic violations bureau, the traffic citation may be disposed
33 of only by trial in that court or other official action by a judge of that
34 court, including ~~[forfeiture of the bail, or by the deposit of sufficient~~
35 ~~bail with, or]~~ payment of a fine to ~~[.]~~ the traffic violations bureau by
36 the person to whom the traffic citation has been issued by the peace
37 officer.

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

42 5. The chief administrative officer of every traffic enforcement
43 agency shall require the return to him or her of a physical copy or
44 electronic record of every traffic citation issued by an officer under
45 his or her supervision to an alleged violator of any traffic law or



1 ordinance and of all physical copies or electronic records of every
2 traffic citation which has been spoiled or upon which any entry has
3 been made and not issued to an alleged violator.

4 6. The chief administrative officer shall also maintain or cause
5 to be maintained a record of every traffic citation issued by officers
6 under his or her supervision. The record must be retained for at least
7 2 years after issuance of the citation.

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

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

12 484A.900 1. It is unlawful and, unless otherwise declared in
13 chapters 484A to 484E, inclusive, of NRS with respect to a
14 particular offense, it is a ~~misdeemeanor~~ *civil infraction punishable*
15 *pursuant to sections 24 to 36.7, inclusive, of this act* for any person
16 to do any act forbidden or fail to perform any act required in
17 chapters 484A to 484E, inclusive, of NRS.

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

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

29 484B.100 It is ~~unlawful~~ *a misdemeanor* for any person
30 willfully to fail or refuse to comply with any lawful order or
31 direction of any police officer while the officer is performing the
32 duties of the officer in the enforcement of chapters 484A to 484E,
33 inclusive, of NRS.

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

36 484B.117 1. Except as otherwise provided in subsection 2,
37 the driver of a vehicle shall not drive upon or within any sidewalk
38 area except at a permanent or temporary driveway or alley entrance.
39 *A person who violates this subsection is guilty of a misdemeanor.*

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

43 (a) As an authorized emergency vehicle;



1 (b) By an officer or other authorized employee of a law
2 enforcement agency, as that term is defined in NRS 239C.065, in
3 the course of his or her official duties; or

4 (c) By a security guard, as that term is defined in NRS 648.016,
5 in the course of his or her official duties.

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

8 484B.127 1. The driver of a vehicle shall not follow another
9 vehicle more closely than is reasonable and prudent, having due
10 regard for the speed of such vehicles and the traffic upon and the
11 condition of the highway.

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

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

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

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

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

34 484B.130 1. Except as otherwise provided in subsections 2
35 and 6, a person who is ~~convicted of~~ *found to have committed* a
36 violation of a speed limit, or *convicted of or found to have*
37 *committed a violation* of NRS 484B.150, 484B.163, 484B.165,
38 484B.200 to 484B.217, inclusive, 484B.223, 484B.227, 484B.300,
39 484B.303, 484B.317, 484B.320, 484B.327, 484B.330, 484B.403,
40 484B.587, 484B.600, 484B.603, 484B.650, 484B.653, 484B.657,
41 484C.110 or 484C.120, that occurred:

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

43 (b) At a time when the workers who are performing
44 construction, maintenance or repair of the highway or other work
45 are present, or when the effects of the act may be aggravated



1 because of the condition of the highway caused by construction,
2 maintenance or repair, including, without limitation, reduction in
3 lane width, reduction in the number of lanes, shifting of lanes from
4 the designated alignment and uneven or temporary surfaces,
5 including, without limitation, modifications to road beds, cement-
6 treated bases, chip seals and other similar conditions,

7 ↪ shall , *if the violation is a criminal offense*, be punished by
8 imprisonment or by a fine, or both, for a term or an amount equal to
9 and in addition to the term of imprisonment or amount of the fine, or
10 both, that the court imposes for the primary offense ~~§~~ *or shall, if*
11 *the violation is a civil infraction punishable pursuant to sections*
12 *24 to 36.7, inclusive, of this act, be punished by a civil penalty in*
13 *an amount equal to and in addition to the civil penalty imposed*
14 *that the court imposes for the primary civil infraction.* Any term of
15 imprisonment imposed pursuant to this subsection runs
16 consecutively with the sentence prescribed by the court for the
17 crime. This subsection does not create a separate offense ~~§~~ *or civil*
18 *infraction*, but provides an additional penalty for the primary
19 offense ~~§~~ *or civil infraction*, whose imposition is contingent upon
20 the finding of the prescribed fact.

21 2. ~~[The]~~ *If a violation described in subsection 1 is:*

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

25 (b) *A civil infraction punishable pursuant to sections 24 to*
26 *36.7, inclusive, of this act, the additional penalty imposed*
27 *pursuant to subsection 1 must not exceed a total of \$250.*

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

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

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

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

40 4. A person who otherwise would be subject to an additional
41 penalty pursuant to this section is not relieved of any criminal
42 liability *or liability for a civil infraction* because signs are not
43 erected as required by subsection 3 if the violation results in injury
44 to any person performing highway construction or maintenance or



1 other work in the temporary traffic control zone or in damage to
2 property in an amount equal to \$1,000 or more.

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

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

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

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

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

20 484B.135 1. Except as otherwise provided in subsections 2
21 and 4, a person who is ~~found to have committed~~ *found to have committed*
22 a violation of a speed limit, or ~~convicted of or found to have~~
23 *committed a violation* of NRS 484B.150, 484B.163, 484B.165,
24 484B.200 to 484B.217, inclusive, 484B.223, 484B.227, 484B.280,
25 484B.283, 484B.287, 484B.300, 484B.303, 484B.307, 484B.317,
26 484B.320, 484B.327, 484B.403, 484B.600, 484B.603, 484B.650,
27 484B.653, 484B.657, 484C.110 or 484C.120, that occurred in an
28 area designated as a pedestrian safety zone may:

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

33 (b) *If the violation is a civil infraction punishable pursuant to*
34 *sections 24 to 36.7, inclusive, of this act, be punished by a civil*
35 *penalty in an amount equal to and in addition to the civil penalty*
36 *imposed that the court imposes for the primary infraction.*

37 ↪ Any term of imprisonment imposed pursuant to this subsection
38 runs consecutively with the sentence prescribed by the court for the
39 crime. This subsection does not create a separate offense ~~or~~ *or civil*
40 *infraction* but provides an additional penalty for the primary offense
41 ~~or~~ *or civil infraction*, whose imposition is discretionary with the
42 court and contingent upon the finding of the prescribed fact.

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



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

4 (b) *A civil infraction punishable pursuant to sections 24 to*
5 *36.7, inclusive, of this act, the additional penalty imposed*
6 *pursuant to subsection 1 must not exceed a total of \$250.*

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

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

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

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

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

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

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

26 5. The governing body of a local government or the
27 Department of Transportation may designate a pedestrian safety
28 zone on a highway if the governing body or the Department of
29 Transportation:

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

34 (b) Complies with the requirements of subsection 3 and NRS
35 484A.430 and 484A.440.

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

37 484B.150 1. It is ~~unlawful~~ *a misdemeanor* for a person to
38 drink an alcoholic beverage while the person is driving or in actual
39 physical control of a motor vehicle upon a highway.

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



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

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

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

10 4. As used in this section:

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

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

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

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

18 484B.157 1. Except as otherwise provided in subsection 7,
19 any person who is transporting a child who is less than 6 years of
20 age and who weighs 60 pounds or less in a motor vehicle operated
21 in this State which is equipped to carry passengers shall secure the
22 child in a child restraint system which:

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

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

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

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

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

34 2. ~~If a defendant pleads or is found guilty of violating~~ A
35 *person who violates* the provisions of subsection 1 ~~is guilty of a~~
36 *misdemeanor and* the court shall:

37 (a) For a first offense, order the ~~defendant~~ *person* to pay a fine
38 of not less than \$100 or more than \$500 or order the ~~defendant~~
39 *person* to perform not less than 10 hours or more than 50 hours of
40 community service;

41 (b) For a second offense, order the ~~defendant~~ *person* to pay a
42 fine of not less than \$500 or more than \$1,000 or order the
43 ~~defendant~~ *person* to perform not less than 50 hours or more than
44 100 hours of community service; and



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

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

14 (a) If the **[defendant] person** was sentenced pursuant to
15 paragraph (a) of subsection 2, waive the fine or community service
16 previously imposed; or

17 (b) If the **[defendant] person** was sentenced pursuant to
18 paragraph (b) of subsection 2, reduce by one-half the fine or
19 community service previously imposed.

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

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

30 (a) Must be reasonable; and

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

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

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

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

39 (a) Negligence in any civil action; or

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

42 7. This section does not apply:

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



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

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

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

14 (b) Integrated child seats; and

15 (c) Safety belts that are designed specifically to be adjusted to
16 accommodate children.

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

18 484B.160 1. Except as otherwise provided in subsections 2
19 and 4, a driver shall not permit a person, with regard to a motor
20 vehicle being operated on a paved highway, to ride upon or within
21 any portion of the vehicle that is primarily designed or intended for
22 carrying goods or other cargo or that is otherwise not designed or
23 intended for the use of passengers, including, without limitation:

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

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

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

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

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

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

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

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

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

40 5. A violation of this section:

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

43 (b) May not be considered as:

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



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

3 6. As used in this section:

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

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

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

9 484B.165 1. Except as otherwise provided in this section, a
10 person shall not, while operating a motor vehicle on a highway in
11 this State:

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

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

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

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

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

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

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

41 (e) A person who is licensed by the Federal Communications
42 Commission as an amateur radio operator and who is providing a
43 communication service in connection with an actual or impending
44 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 36.7, 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. 47.3.** NRS 484B.267 is hereby amended to read as
5 follows:

6 484B.267 1. Upon the immediate approach of an authorized
7 emergency vehicle or an official vehicle of a regulatory agency,
8 making use of flashing lights meeting the requirements of
9 subsection 3 of NRS 484A.480, the driver of every other vehicle
10 shall yield the right-of-way and shall immediately drive to a position
11 parallel to, and as close as possible to, the right-hand edge or curb of
12 a highway clear of any intersection and shall stop and remain in
13 such position until the authorized emergency vehicle or official
14 vehicle has passed, except when otherwise directed by a law
15 enforcement officer.

16 2. Upon approaching an authorized emergency vehicle or an
17 official vehicle of a regulatory agency which is moving or preparing
18 to move in any direction, including, without limitation, arriving at or
19 leaving the scene of a crash or other incident, and making use of
20 flashing lights meeting the requirements of subsection 3 of NRS
21 484A.480, the driver of any other vehicle shall, except when
22 otherwise directed by a law enforcement officer:

23 (a) Decrease the speed of his or her vehicle to a speed that is
24 reasonable and proper, pursuant to the criteria set forth in subsection
25 1 of NRS 484B.600;

26 (b) Proceed with caution;

27 (c) Be prepared to stop;

28 (d) If the authorized emergency vehicle or official vehicle of a
29 regulatory agency is moving in the same direction of travel as the
30 driver, not drive abreast of or overtake the authorized emergency
31 vehicle or official vehicle of a regulatory agency;

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

36 (f) If the authorized emergency vehicle or official vehicle of a
37 regulatory agency:

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

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

41 3. *A person who violates this section is guilty of a*
42 *misdemeanor.*

43 4. As used in this section, "preparing to move" means any
44 indication that is visible to an approaching driver that an authorized



1 emergency vehicle or an official vehicle of a regulatory agency is
2 about to move, including, without limitation:

- 3 (a) A movement of the vehicle; or
- 4 (b) The use of hand signals by the driver of the vehicle.

5 **Sec. 47.5.** NRS 484B.290 is hereby amended to read as
6 follows:

7 484B.290 ~~[H-]~~ A person who is blind and who is on foot and
8 using a service animal or carrying a cane or walking stick white in
9 color, or white tipped with red, has the right-of-way when entering
10 or when on a highway, street or road of this State. Any driver of a
11 vehicle who approaches or encounters such a person shall yield the
12 right-of-way, come to a full stop, if necessary, and take precautions
13 before proceeding to avoid a crash or injury to the person.

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

19 **Sec. 47.7.** NRS 484B.317 is hereby amended to read as
20 follows:

21 484B.317 1. A person shall not, without lawful authority,
22 attempt to or alter, deface, injure, knock down or remove any
23 official traffic-control device or any railroad sign or signal or any
24 inscription, shield or insigne thereon, or any other part thereof.

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

27 (a) *Is guilty of a misdemeanor; and*

28 (b) *May* be subject to any additional penalty set forth in NRS
29 484B.130 or 484B.135.

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

31 484B.323 1. A person shall not operate a vehicle in a lane
32 designated for the use of high-occupancy vehicles except in
33 conformity with the established conditions which are placed and
34 maintained on signs and other official traffic-control devices
35 pursuant to subsection 2 of NRS 484A.460 or established by
36 regulation.

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

41 3. As used in this section, “high-occupancy vehicle” means:

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



1 **Sec. 49.** NRS 484B.330 is hereby amended to read as follows:
2 484B.330 1. It is unlawful for a driver of a vehicle to fail or
3 refuse to comply with any signal of an authorized flagger serving in
4 a traffic control capacity in a clearly marked area of highway
5 construction or maintenance or any other area which has been
6 designated as a temporary traffic control zone.

7 2. A district attorney shall prosecute all violations of
8 subsection 1 which occur in his or her jurisdiction and which result
9 in injury to any person performing highway construction or
10 maintenance or performing other work within an area designated as
11 a temporary traffic control zone unless the district attorney has good
12 cause for not prosecuting the violation. In addition to any other
13 penalty, if a driver violates any provision of subsection 1 and the
14 violation results in injury to any person performing highway
15 construction or maintenance or performing other work within an
16 area designated as a temporary traffic control zone, or in damage to
17 property in an amount of not less than \$1,000, the driver *is guilty of*
18 *a misdemeanor and* shall be ~~punished by a fine of not less than~~
19 ~~\$1,000 or more than \$2,000, and~~ ordered to perform 120 hours of
20 community service.

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

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

26 (a) An employee of the Department of Transportation or of a
27 contractor performing highway construction or maintenance or
28 performing other work within an area designated as a temporary
29 traffic control zone for the Department of Transportation while the
30 employee is carrying out the duties of his or her employment;

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

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

42 **Sec. 50.** NRS 484B.593 is hereby amended to read as follows:
43 484B.593 1. The Department of Transportation or a local
44 authority, after considering the advice of the Nevada Bicycle and



1 Pedestrian Advisory Board, may with respect to any controlled-
2 access highway under its jurisdiction:

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

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

9 2. Any person who violates any prohibition or restriction
10 enacted pursuant to subsection 1 is guilty of a ~~[misdemeanor.]~~ *civil*
11 *infraction punishable pursuant to sections 24 to 36.7, inclusive, of*
12 *this act.*

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

14 484B.600 1. It is unlawful for any person to drive or operate
15 a vehicle of any kind or character at:

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

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

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

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

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

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

31 3. A person who violates any provision of subsection 1 may be
32 subject to the additional penalty set forth in NRS 484B.130 or
33 484B.135.

34 4. Except as otherwise provided by law, if a person is issued a
35 traffic citation for a violation of any provision of subsection 1, the
36 court may, in its discretion, reduce the violation from a moving
37 traffic violation to a violation that is not a moving traffic violation.
38 There is a presumption in favor of reducing the violation if the
39 person pays the entire amount of the fine and all fees due before the
40 date on which the person is first required to make an appearance
41 relating to the citation, whether by personal appearance or through
42 his or her counsel, but such a presumption may be overcome if the
43 driving record of the person demonstrates a pattern of moving traffic
44 violations.



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

8 *6. Except as otherwise provided in subsection 7, a person who*
9 *commits a violation of any provision of this section that causes*
10 *physical injury to a person or damage to property shall be*
11 *punished by a civil penalty of not more than \$1,000.*

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

16 **Sec. 52.** (Deleted by amendment.)

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

18 484B.610 1. Except as otherwise provided in subsection 2
19 and pursuant to the power granted in NRS 269.185, the town board
20 or board of county commissioners may, by ordinance, limit the
21 speed of motor vehicles in any unincorporated town in the county as
22 may be deemed proper.

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

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

30 *4. Except as otherwise provided in subsection 5, a person who*
31 *violates any speed limit established pursuant to this section for the*
32 *particular portion of the highway being traversed shall be*
33 *punished by a civil penalty of not more than \$500.*

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

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

39 484B.613 1. The Department of Transportation may establish
40 the speed limits for motor vehicles on highways which are
41 constructed and maintained by the Department of Transportation
42 under the authority granted to it by chapter 408 of NRS.

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



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

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

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

7 *4. Except as otherwise provided in subsection 5, a person who*
8 *violates any speed limit established pursuant to this section for the*
9 *particular portion of the highway being traversed shall be*
10 *punished by a civil penalty of not more than \$500.*

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

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

16 484B.617 1. Except as otherwise provided in ~~[subsection]~~
17 *subsections 3 ~~[;]~~ and 4*, a person driving a motor vehicle during the
18 hours of daylight at a speed in excess of the speed limit posted by a
19 public authority for the portion of highway being traversed shall be
20 punished by a ~~[fine]~~ *civil penalty* of \$25 if:

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

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

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

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

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

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

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

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

41 (a) An urban area; or

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



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

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

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

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

15 *3. A person who violates subsection 2 shall be punished by a*
16 *civil penalty of not more than \$500.*

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

18 484B.630 1. On a highway that has one lane for traveling in
19 each direction, where passing is unsafe because of traffic traveling
20 in the opposite direction or other conditions, the driver of a slow-
21 moving vehicle, behind which five or more vehicles are formed in a
22 line, shall, to allow the vehicles following behind to proceed, turn
23 off the roadway:

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

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

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

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

31 2. A person who violates subsection 1 is guilty of a
32 ~~misdemeanor.~~ *civil infraction punishable pursuant to sections 24*
33 *to 36.7, inclusive, of this act.*

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

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

39 484B.650 1. A driver commits an offense of aggressive
40 driving if, during any single, continuous period of driving within the
41 course of 1 mile, the driver does all the following, in any sequence:

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

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



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

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

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

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

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

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

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

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

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

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

25 or

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

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

29 (1) By a fine of not less than \$1,000 but not more than
30 \$1,500; or

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

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

34 (1) By a fine of not less than \$1,500 but not more than
35 \$2,000; or

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

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

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



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

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

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

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

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

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

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

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

32 484B.760 1. It is a ~~misdemeanor~~ *civil infraction*
33 *punishable pursuant to sections 24 to 36.7, inclusive, of this act* for
34 any person to do any act forbidden or fail to perform any act
35 required in NRS 484B.768 to 484B.790, inclusive.

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

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



1 **Sec. 60.** NRS 484B.900 is hereby amended to read as follows:
2 484B.900 No automobile rental agency shall be liable for any
3 traffic violation arising out of the use of a leased or rented motor
4 vehicle during the period such motor vehicle is not in the possession
5 of the agency. This section does not absolve any such agency from
6 liability for any misdemeanor *or civil infraction punishable*
7 *pursuant to sections 24 to 36.7, inclusive, of this act* committed by
8 an officer, employee or agent of the agency.

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

11 484C.470 1. The court may extend the order of a person who
12 is required to install a device pursuant to NRS 484C.210 or
13 484C.460, not to exceed one-half of the period during which the
14 person is required to have a device installed, if the court receives
15 from the Director of the Department of Public Safety or the
16 manufacturer of the device or its agent a report that 4 consecutive
17 months prior to the date of release any of the following incidents
18 occurred:

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

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

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

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

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

37 2. A person required to install a device pursuant to NRS
38 484C.210 or 484C.460 shall not operate a motor vehicle without a
39 device or tamper with the device.

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

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

43 (b) ~~Is~~ *Is guilty of a misdemeanor and shall* be:

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



1 (2) Sentenced to a term of not less than 60 days in residential
2 confinement nor more than 6 months, and by a fine of not less than
3 \$500 nor more than \$1,000.

4 ↪ No person who is punished pursuant to this section may be
5 granted probation, and no sentence imposed for such a violation
6 may be suspended. No prosecutor may dismiss a charge of such a
7 violation in exchange for a plea of guilty, guilty but mentally ill or
8 nolo contendere to a lesser charge or for any other reason unless, in
9 the judgment of the attorney, the charge is not supported by
10 probable cause or cannot be proved at trial.

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

12 484D.285 1. The driver of a vehicle which is equipped with a
13 device for braking that uses the compression of the engine of the
14 vehicle shall not use the device at any time unless:

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

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

20 2. A person who violates the provisions of this section is guilty
21 of a ~~[misdemeanor.]~~ *civil infraction punishable pursuant to*
22 *sections 24 to 36.7, inclusive, of this act.*

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

24 484D.405 1. It is unlawful for any person to operate or cause
25 to be operated upon the public highways of the State of Nevada any
26 out-of-state or foreign privately owned motor vehicle equipped with
27 a red light or siren attached thereto as a part of the equipment of the
28 vehicle.

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

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

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

39 484D.495 1. It is unlawful to drive a passenger car
40 manufactured after:

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

44 (b) January 1, 1970, on a highway unless it is equipped with a
45 lap-type safety belt assembly for each permanent seating position



1 for passengers. This requirement does not apply to the rear seats of
2 vehicles operated by a police department or sheriff's office.

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

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

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

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

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

13 3. A *civil infraction* citation must be issued *pursuant to*
14 *section 27 of this act* to any driver or to any adult passenger who
15 fails to wear a safety belt as required by subsection 2. If the
16 passenger is a child who:

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

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

21 ↪ a *civil infraction* citation must be issued *pursuant to section 27*
22 *of this act* to the driver for failing to require that child to wear the
23 safety belt, but if both the driver and that child are not wearing
24 safety belts, only one *civil infraction* citation may be issued to the
25 driver for both violations. A *civil infraction* citation may be issued
26 pursuant to ~~[this subsection]~~ *section 27 of this act* only if the
27 violation is discovered when the vehicle is halted or its driver
28 arrested for another alleged violation or offense. Any person who
29 violates the provisions of subsection 2 shall be punished by a ~~[fine]~~
30 *civil penalty* of not more than \$25 or by a sentence to perform a
31 certain number of hours of community service.

32 4. A violation of subsection 2:

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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



Pounds of Excess Weight

~~{Fine}~~ *Civil Penalty*

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

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

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

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

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

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

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

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



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

3 484E.020 **1.** The driver of any vehicle involved in a crash
4 resulting only in damage to a vehicle or other property which is
5 driven or attended by any person shall:

6 ~~H-1~~ **(a)** Immediately stop his or her vehicle at the scene of the
7 crash; and

8 ~~F-2~~ **(b)** If the driver's vehicle is creating a hazard or obstructing
9 traffic and can be moved safely, move the vehicle or cause the
10 vehicle to be moved out of the traffic lanes of the roadway to a safe
11 location that does not create a hazard or obstruct traffic and, if
12 applicable, safely fulfill the requirements of NRS 484E.030.

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

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

17 484E.030 **1.** The driver of any vehicle involved in a crash
18 resulting in injury to or death of any person or damage to any
19 vehicle or other property which is driven or attended by any person
20 shall:

21 **(a)** Give his or her name, address and the registration number of
22 the vehicle the driver is driving, and shall upon request and if
23 available exhibit his or her license to operate a motor vehicle to any
24 person injured in such crash or to the driver or occupant of or person
25 attending any vehicle or other property damaged in such crash;

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

29 **(c)** Render to any person injured in such crash reasonable
30 assistance, including the carrying, or the making of arrangements for
31 the carrying, of such person to a physician, surgeon or hospital for
32 medical or surgical treatment if it is apparent that such treatment is
33 necessary, or if such carrying is requested by the injured person.

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

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

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

44 484E.040 **1.** Except as otherwise provided in subsection 2,
45 the driver of any vehicle which is involved in a crash with any



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

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

17 *3. A person who violates this section is guilty of a*
18 *misdemeanor.*

19 **Sec. 67.8.** NRS 484E.050 is hereby amended to read as
20 follows:

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

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

32 *3. A person who violates this section is guilty of a*
33 *misdemeanor.*

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

35 485.135 The Department shall upon request furnish any person
36 a certified abstract of the operating record of any person subject to
37 the provisions of this chapter, which abstract must also fully
38 designate the motor vehicles, if any, registered in the name of that
39 person, and, if there is no record of any ~~conviction of~~ *violations by*
40 that person of ~~violating~~ any law relating to the operation of a
41 motor vehicle or of any injury or damage caused by that person, the
42 Department shall so certify.

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

44 486.171 *I.* A person shall not authorize or knowingly permit
45 a motorcycle, except a trimobile, owned by or under the control of



1 the person to be driven upon any highway by any person who is not
2 authorized pursuant to NRS 486.011 to 486.381, inclusive, to drive
3 a motorcycle.

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

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

7 486.180 1. The provisions of NRS 486.180 to 486.361,
8 inclusive, are applicable and uniform throughout this State.

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

13 *3. A local authority shall not enact an ordinance providing a*
14 *criminal penalty for a violation of this chapter for which the*
15 *penalty prescribed by this chapter is a civil penalty.*

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

17 486.375 1. A person who:

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

21 (b) Is at least 21 years old;

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

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

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

29 ↪ may apply to the Department for a license as an instructor for the
30 Program.

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

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

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

40 3. The Director shall adopt standards and procedures for the
41 licensing of instructors for the Program.

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

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



1 *particular violation is a misdemeanor, gross misdemeanor or*
2 *felony.*

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

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

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

9 490.520 1. It is a gross misdemeanor for any person
10 knowingly to falsify:

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

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

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

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

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

30 ~~[4.]~~ 5. Any person who registers a large all-terrain vehicle
31 pursuant to NRS 490.0825 and who:

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

34 (b) Operates or knowingly permits the operation of the vehicle
35 without having evidence of insurance of the vehicle in the
36 possession of the operator of the vehicle; or

37 (c) Fails or refuses to surrender, upon demand, to a peace officer
38 or to an authorized representative of the Department the evidence of
39 insurance,

40 ➤ is guilty of a ~~[misdemeanor]~~ *civil infraction punishable*
41 *pursuant to sections 24 to 36.7, inclusive, of this act* and shall be
42 punished by a ~~[fine]~~ *civil penalty* not to exceed \$100.



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

2 4.355 1. A justice of the peace in a township whose
3 population is 40,000 or more may appoint a referee to take
4 testimony and recommend orders and a judgment:

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

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

8 (c) In any action for a misdemeanor constituting a violation of
9 chapters 484A to 484E, inclusive, of NRS, except NRS 484C.110 or
10 484C.120; ~~or~~

11 (d) In any action for a misdemeanor constituting a violation of a
12 county traffic ordinance ~~+~~; *or*

13 (e) *In any action to determine whether a person has committed*
14 *a civil infraction punishable pursuant to sections 24 to 36.7,*
15 *inclusive, of this act.*

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

18 3. The referee:

19 (a) Shall take testimony;

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

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

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

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

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

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

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

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



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

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

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

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

18 (f) To take and enter judgment on the confession of a defendant,
19 when the amount confessed, exclusive of interest, does not exceed
20 \$15,000.

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

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

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

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

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

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

38 (m) Except as otherwise provided in this paragraph, in any
39 action for the issuance of a temporary or extended order for
40 protection against domestic violence pursuant to NRS 33.020. A
41 justice court does not have jurisdiction in an action for the issuance
42 of a temporary or extended order for protection against domestic
43 violence:

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



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

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

7 (n) Except as otherwise provided in this paragraph, in any action
8 for the issuance of an ex parte or extended order for protection
9 against high-risk behavior pursuant to NRS 33.570 or 33.580. A
10 justice court does not have jurisdiction in an action for the issuance
11 of an ex parte or extended order for protection against high-risk
12 behavior:

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

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

17 (3) If a district court issues a written order to the justice court
18 requiring that further proceedings relating to the action for the
19 issuance of the order for protection be conducted before the district
20 court.

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

24 (p) In small claims actions under the provisions of chapter 73 of
25 NRS.

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

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

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

34 (t) In actions transferred from the district court pursuant to
35 NRS 3.221.

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

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

39 *(w) In any action to determine whether a person has*
40 *committed a civil infraction punishable pursuant to sections 24 to*
41 *36.7, inclusive, of this act.*

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



1 3. Justice courts have jurisdiction of all misdemeanors and no
2 other criminal offenses except as otherwise provided by specific
3 statute. Upon approval of the district court, a justice court may
4 transfer original jurisdiction of a misdemeanor to the district court
5 for the purpose of assigning an offender to a program established
6 pursuant to NRS 176A.250 or, if the justice court has not
7 established a program pursuant to NRS 176A.280, to a program
8 established pursuant to that section.

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

12 5. In the case of any arrest made by a member of the Nevada
13 Highway Patrol, the jurisdiction of the justices of the peace extends
14 to the limits of their respective counties and to the limits of all
15 counties which have common boundaries with their respective
16 counties.

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

20 **Sec. 74.5.** Chapter 5 of NRS is hereby amended by adding
21 thereto a new section to read as follows:

22 *1. A municipal court may appoint a referee or hearing master*
23 *to take testimony and recommend orders and a judgment in any*
24 *action to determine whether a person has committed a civil*
25 *infraction punishable pursuant to sections 24 to 36.7, inclusive, of*
26 *this act.*

27 *2. The referee or hearing master:*

28 *(a) Shall take testimony;*

29 *(b) Shall make findings of fact, conclusions of law and*
30 *recommendations for an order or judgment;*

31 *(c) May, subject to confirmation by the court, enter an order or*
32 *judgment; and*

33 *(d) Has any other power or duty contained in the order of*
34 *reference issued by the court.*

35 *3. The findings of fact, conclusions of law and*
36 *recommendations of the referee or hearing master must be*
37 *furnished to each party or his or her attorney at the conclusion of*
38 *the proceeding or as soon thereafter as possible. Within 5 days*
39 *after receipt of the findings of fact, conclusions of law and*
40 *recommendations, a party may file a written objection. If no*
41 *objection is filed, the court shall accept the findings, unless clearly*
42 *erroneous, and the judgment may be entered thereon. If an*
43 *objection is filed within the 5-day period, the court shall review the*
44 *matter by trial de novo, except that if all of the parties so stipulate,*
45 *the review must be confined to the record.*



1 **Sec. 75.** NRS 5.050 is hereby amended to read as follows:
2 5.050 1. Municipal courts have jurisdiction of civil actions or
3 proceedings:

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

5 (b) *To determine whether a person has committed a civil*
6 *infraction punishable pursuant to sections 24 to 36.7, inclusive, of*
7 *this act.*

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

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

19 3. The municipal courts have jurisdiction of:

20 (a) Any action for the collection of taxes or assessments levied
21 for city purposes, when the principal sum thereof does not exceed
22 \$2,500.

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

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

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

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

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

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



1 **Sec. 76.** NRS 17.150 is hereby amended to read as follows:
2 17.150 1. Immediately after filing a judgment roll, the clerk
3 shall make the proper entries of the judgment, under appropriate
4 heads, in the docket kept by the clerk, noting thereon the hour and
5 minutes of the day of such entries.

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

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

26 (b) The judgment is for arrearages in the payment of child
27 support, in which case the lien continues until the judgment is
28 satisfied;

29 (c) The judgment is satisfied; or

30 (d) The lien is otherwise discharged.

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

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

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

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

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

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

39 (e) Location where the judgment or decree is entered in the
40 minutes or judgment docket.

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



- 1 (a) The name and address of the judgment debtor;
2 (b) If the judgment debtor is a natural person:
3 (1) The last four digits of the judgment debtor's driver's
4 license number or identification card number and the state of
5 issuance; or
6 (2) The last four digits of the judgment debtor's social
7 security number;
8 (c) If the lien is against real property which the judgment debtor
9 owns at the time the affidavit of judgment is recorded, the assessor's
10 parcel number and the address of the real property and a statement
11 that the judgment creditor has confirmed that the judgment debtor is
12 the legal owner of that real property; and
13 (d) If a manufactured home or mobile home is included within
14 the lien, the location and serial number of the manufactured home or
15 mobile home and a statement that the judgment creditor has
16 confirmed that the judgment debtor is the legal owner of the
17 manufactured home or mobile home.
18 ➤ All information included in an affidavit of judgment recorded
19 pursuant to this subsection must be based on the personal
20 knowledge of the affiant, and not upon information and belief.

21 5. As used in this section:

- 22 (a) "Manufactured home" has the meaning ascribed to it in
23 NRS 489.113.
24 (b) "Mobile home" has the meaning ascribed to it in
25 NRS 489.120.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

18 2. The filing of the affidavit renews the judgment to the extent
19 of the amount shown due in the affidavit.

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

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

28 **Sec. 77.5.** NRS 50.225 is hereby amended to read as follows:

29 50.225 1. For attending the courts of this State in any
30 criminal case, ~~or~~ civil suit, *hearing to contest the determination*
31 *that a person has committed a civil infraction* or proceeding before
32 a court of record, master, commissioner, justice of the peace, or
33 before the grand jury, in obedience to a subpoena, each witness is
34 entitled:

35 (a) To be paid a fee of \$25 for each day's attendance, including
36 Sundays and holidays.

37 (b) Except as otherwise provided in this paragraph, to be paid
38 for attending a court of the county in which the witness resides at
39 the standard mileage reimbursement rate for which a deduction is
40 allowed for the purposes of federal income tax for each mile
41 necessarily and actually traveled from and returning to the place of
42 residence by the shortest and most practical route. A board of
43 county commissioners may provide that, for each mile so traveled to
44 attend a court of the county in which the witness resides, each
45 witness is entitled to be paid an amount equal to the allowance for



1 travel by private conveyance established by the State Board of
2 Examiners for state officers and employees generally. If the board of
3 county commissioners so provides, each witness at any other
4 hearing or proceeding held in that county who is entitled to receive
5 the payment for mileage specified in this paragraph must be paid
6 mileage in an amount equal to the allowance for travel by private
7 conveyance established by the State Board of Examiners for state
8 officers and employees generally.

9 2. In addition to the fee and payment for mileage specified in
10 subsection 1, a board of county commissioners may provide that, for
11 each day of attendance in a court of the county in which the witness
12 resides, each witness is entitled to be paid the per diem allowance
13 provided for state officers and employees generally. If the board of
14 county commissioners so provides, each witness at any other
15 hearing or proceeding held in that county who is a resident of that
16 county and who is entitled to receive the fee specified in paragraph
17 (a) of subsection 1 must be paid, in addition to that fee, the per diem
18 allowance provided for state officers and employees generally.

19 3. If a witness is from without the county or, being a resident
20 of another state, voluntarily appears as a witness at the request of the
21 Attorney General or the district attorney and the board of county
22 commissioners of the county in which the court is held, the witness
23 is entitled to reimbursement for the actual and necessary expenses
24 for going to and returning from the place where the court is held.
25 The witness is also entitled to receive the same per diem allowance
26 provided for state officers and employees generally.

27 4. Any person in attendance at a trial *or hearing to contest the*
28 *determination that a person has committed a civil infraction* who
29 is sworn as a witness is entitled to the fees, the per diem allowance,
30 if any, travel expenses and any other reimbursement set forth in this
31 section, irrespective of the service of a subpoena.

32 5. Witness fees, per diem allowances, travel expenses and other
33 reimbursement in civil cases , *including, without limitation, a*
34 *hearing to contest the determination that a person has committed*
35 *a civil infraction*, must be taxed as disbursement costs against the
36 defeated party upon proof by affidavit that they have been actually
37 incurred. Costs must not be allowed for more than two witnesses to
38 the same fact or series of facts, and a party plaintiff or defendant
39 must not be allowed any fees, per diem allowance, travel expenses
40 or other reimbursement for attendance as a witness in his or her own
41 behalf. *Witness fees, per diem allowances, travel expenses and*
42 *other reimbursement must not be taxed against a county or*
43 *incorporated city after a hearing to contest the determination that*
44 *a person has committed a civil infraction unless the court*



1 *determines, after a hearing, that the civil infraction citation was*
2 *issued maliciously and without probable cause.*

3 6. A person is not obligated to appear in a civil action, *hearing*
4 *to contest the determination that a person has committed a civil*
5 *infraction* or *other* proceeding unless the person has been paid an
6 amount equal to 1 day's fees, the per diem allowance provided by
7 the board of county commissioners pursuant to subsection 2, if any,
8 and the travel expenses reimbursable pursuant to this section.

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

10 62A.220 "Minor traffic offense" means a violation of any state
11 or local law or ordinance governing the operation of a motor vehicle
12 upon any highway within this State other than:

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

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

16 3. A violation declared to be a felony ~~or~~; *or*

17 *4. A violation of a provision of chapters 483 to 484E,*
18 *inclusive, 486 or 490 of NRS that is punishable as a civil*
19 *infraction pursuant to sections 24 to 36.7, inclusive, of this act.*

20 **Sec. 79.** (Deleted by amendment.)

21 **Sec. 79.5.** NRS 176.0647 is hereby amended to read as
22 follows:

23 176.0647 Any delinquent fine, administrative assessment or
24 fee owed by a defendant pursuant to NRS 176.064 who commits a
25 minor traffic offense as defined in NRS 176.0643 is deemed to be
26 uncollectible if after ~~8~~ **10** years it remains impossible or
27 impracticable to collect the delinquent amount.

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

29 (a) In *Lapinski v. State*, 84 Nev. 611, 613 (1968), the Nevada
30 Supreme Court held that "the power to define crimes and penalties
31 lies exclusively in the legislature."

32 (b) The Nevada Supreme Court has further held in *Tellis v.*
33 *State*, 84 Nev. 587, 591 (1968), *Sparkman v. State*, 95 Nev. 76, 82
34 (1979) and *State v. Dist. Ct. (Pullin)*, 124 Nev. 564, 567-68 (2008),
35 that the penalty for a crime is determined by the law in effect at the
36 time the offender committed the crime and not the law in effect at
37 the time the offender is sentenced unless the Legislature has
38 expressed its clear intent that a statute ameliorating the penalty
39 apply retroactively.

40 (c) The imposition of criminal penalties for certain minor traffic
41 and related offenses is overly burdensome because it threatens
42 persons with criminal penalties, including imprisonment in county
43 jail, for failure to pay fines, assessments and fees imposed in
44 connection with relatively minor offenses.



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

6 2. Except as otherwise provided in this section, the provisions
7 of this act apply to a violation of any provision of law that pursuant
8 to a provision of this act is punishable as a civil infraction pursuant
9 to sections 24 to 36.7, inclusive, of this act if the violation occurs on
10 or after January 1, 2023. However, the provisions of section 36.3 of
11 this act, which authorize a prosecuting attorney to elect to treat
12 certain traffic and related offenses that are punishable as a
13 misdemeanor instead as a civil infraction, apply to any such
14 violation that occurs before, on or after January 1, 2023.

15 3. If a person commits a violation of a provision of law before
16 January 1, 2023, and the violation is punishable as a civil infraction
17 pursuant to sections 24 to 36.7, inclusive, of this act if the violation
18 occurs on or after January 1, 2023, the person cannot be arrested for
19 the violation on or after January 1, 2023.

20 4. Each court in this State shall cancel each outstanding bench
21 warrant issued for a person who failed to appear in court in response
22 to a traffic citation issued before January 1, 2023, for a violation of
23 law that pursuant to the provisions of this act is punishable as a civil
24 infraction pursuant to sections 24 to 36.7, inclusive, of this act.

25 5. The Central Repository for Nevada Records of Criminal
26 History shall remove from each database or compilation of records
27 of criminal history maintained by the Central Repository all records
28 of bench warrants issued for a person who failed to appear in court
29 in response to a traffic citation issued before January 1, 2023, for a
30 violation of law that pursuant to the provisions of this act is
31 punishable as a civil infraction pursuant to sections 24 to 36.7,
32 inclusive, of this act.

33 **Sec. 80.5.** Before January 1, 2023, the justice courts and
34 municipal courts in this State shall adopt rules governing the
35 practice and procedure for any action initiated pursuant to sections
36 24 to 36.7, inclusive, of this act.

37 **Sec. 81.** 1. This section becomes effective upon passage and
38 approval.

39 2. Sections 1 to 80.5, inclusive, of this act become effective:

40 (a) Upon passage and approval for the purpose of adopting any
41 rules or regulations and performing any other preparatory
42 administrative tasks that are necessary to carry out the provisions of
43 this act; and



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

③

