

ASSEMBLY BILL NO. 68—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED NOVEMBER 17, 2016

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to public safety.  
(BDR 43-223)

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

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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 public safety; revising provisions relating to the photograph on a driver's license; revising provisions governing the licensure and operation of schools for training drivers; revising provisions relating to the fees paid by a person 65 years of age or older for an identification card; revising provisions relating to the issuance of a commercial driver's license to a person who is not a resident of this State; revising provisions relating to the issuance of traffic citations; setting forth exceptions to certain restrictions on the placement of advertising on or near certain highways, rights-of-way, bridges or structures; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Department to issue a driver's license which bears a colored photograph of the licensee. (NRS 483.347) **Section 10** of this bill removes the requirement that the photograph be in color.

Existing law requires a person who seeks to operate a school for training drivers or to be an instructor for a school for training drivers to obtain a license from the Department. (NRS 483.700) The Department may cancel, suspend, revoke or refuse to renew the license if the licensee engages in certain acts or practices. (NRS 483.760) **Section 12** of this bill provides that the Department may also refuse to issue a license if the applicant engages in any of those certain acts or practices, and adds to the list of those acts or practices: (1) making a material misstatement on an application; (2) failing or refusing to provide any information requested by the Department regarding an application; and (3) conviction of a crime for a violation



13 of any of the provisions of law governing schools for training drivers and  
14 instructors for a school for training drivers. Existing law also requires that each  
15 vehicle used for training drivers and operated on a highway is inspected annually.  
16 (NRS 483.745) **Section 11** of this bill requires that a vehicle be inspected within 30  
17 days after initial use by the school for training drivers, and then inspected annually  
18 thereafter.

19 Existing law allows certain persons who do not hold a valid driver's license  
20 from any state or jurisdiction to obtain an identification card from the Department.  
21 (NRS 482.820) A person who is 65 years of age or older must pay a fee of \$4 for an  
22 original or duplicate identification card. **Section 13** of this bill clarifies that the \$4  
23 fee applies to such an identification card which expires on or before the fourth  
24 anniversary of the person's birthday and an \$8 fee applies to such an identification  
25 card which expires on or before the eighth anniversary of the person's birthday.

26 Existing law requires the Department to adopt regulations providing for the  
27 issuance of commercial drivers' licenses, but the regulations may not be more  
28 restrictive than the federal regulations adopted pursuant to the Commercial Motor  
29 Vehicle Safety Act of 1986, as amended, 49 U.S.C. §§ 31301 et seq. (NRS  
30 483.908) The Department may not issue a commercial driver's license or a  
31 commercial learner's permit, which allows a person to operate a commercial motor  
32 vehicle on the highways of this State if he or she is accompanied by the holder of a  
33 commercial driver's license, to a person unless the person is a resident of this State.  
34 (NRS 483.924, 483.934) Existing law prohibits a person who is a resident of this  
35 State for 30 days or more from driving a commercial motor vehicle under the  
36 authority of a commercial driver's license issued by another jurisdiction. (NRS  
37 483.932) Existing law authorizes the Department to issue a nonresident commercial  
38 driver's license or a nonresident commercial learner's permit to a person who is a  
39 resident of a foreign jurisdiction which the Federal Highway Administrator has  
40 determined does not test drivers and issue commercial drivers' licenses in  
41 accordance with federal standards or who is a resident of a state while that state is  
42 prohibited from issuing commercial drivers' licenses pursuant to federal  
43 regulations. (NRS 483.936) **Section 15** of this bill removes the authorization for the  
44 Department to issue a nonresident commercial driver's license or nonresident  
45 commercial learner's permit, and newly provides that the Department may only  
46 issue a limited-term commercial driver's license or limited-term commercial  
47 learner's permit to a resident of a foreign jurisdiction which the Federal Highway  
48 Administrator has determined does not test drivers and issue commercial drivers'  
49 licenses in accordance with federal standards. **Section 14** of this bill makes  
50 conforming changes to the fees for such a license.

51 Existing law authorizes a peace officer to issue a traffic citation to a person in  
52 the form of a complaint that contains a notice to appear in court. The person to  
53 whom the traffic citation is issued is authorized to give his or her written promise to  
54 appear in court by signing at least one copy of the traffic citation. (NRS 484A.630)  
55 Existing law provides that it is unlawful for a person to violate such a written  
56 promise to appear in court and authorizes the issuance of a warrant upon such a  
57 violation. (NRS 484A.670) Existing law also requires that a person be taken before  
58 a magistrate if: (1) the person is issued a traffic citation and refuses to give a  
59 written promise to appear in court; or (2) a peace officer has reasonable and  
60 probable grounds to believe that the person will disregard a written promise to  
61 appear in court. (NRS 484A.720, 484A.730) Finally, existing law provides that  
62 when such a person is taken into custody by a peace officer for the purpose of  
63 appearing before a magistrate, the person must be released from custody in certain  
64 circumstances upon the issuance of a traffic citation to the person and the person  
65 signing a written promise to appear in court. (NRS 484A.760)

66 **Section 15.1** of this bill provides that if a person who is issued a traffic citation  
67 refuses to sign a copy of the traffic citation but accepts a copy of the citation



68 delivered by a peace officer, such acceptance shall be deemed personal service of  
69 the notice to appear in court. **Section 15.15** of this bill provides that it is unlawful  
70 for a person to fail to appear at the time and place set forth in a notice to appear in  
71 court that is contained in a traffic citation. **Sections 15.2 and 15.25** of this bill,  
72 respectively, require that a person be taken before a magistrate if: (1) the person is  
73 issued a traffic citation and refuses to sign or accept a copy of the traffic citation; or  
74 (2) a peace officer has reasonable and probable grounds to believe that the person  
75 will disregard a notice to appear in court. **Section 15.27** of this bill requires that a  
76 person taken into custody for the purpose of appearing before a magistrate be  
77 released from custody in certain circumstances upon the acceptance of a copy of a  
78 traffic citation.

79 Existing law authorizes a peace officer to prepare and issue a traffic citation to  
80 a child in certain circumstances pursuant to the same criteria as would apply to an  
81 adult violator. If the child executes a written promise to appear in court by signing  
82 the citation, the peace officer is prohibited from taking the child into physical  
83 custody for the violation. (NRS 62C.070) **Section 15.4** of this bill provides that if  
84 such a child refuses to execute a written promise to appear in court but accepts a  
85 copy of the citation delivered by the peace officer, such acceptance shall be deemed  
86 personal service of the notice to appear in court.

87 Existing law restricts the placement of advertising on or near certain highways,  
88 rights-of-way, bridges or structures, with certain exceptions for benches and  
89 shelters for passengers of mass transit and monorail stations. (NRS 405.110,  
90 410.320, 484B.313) **Sections 15.3, 15.5 and 15.7** of this bill add to the exceptions  
91 from those restrictions certain advertisements on a touchdown structure, which is  
92 the tower attached to a pedestrian bridge and which houses an elevator.

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

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

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

3 **Sec. 3.** (Deleted by amendment.)

4 **Sec. 4.** (Deleted by amendment.)

5 **Sec. 5.** (Deleted by amendment.)

6 **Sec. 6.** (Deleted by amendment.)

7 **Sec. 7.** (Deleted by amendment.)

8 **Sec. 8.** (Deleted by amendment.)

9 **Sec. 9.** (Deleted by amendment.)

10 **Sec. 10.** NRS 483.347 is hereby amended to read as follows:

11 483.347 1. Except as otherwise provided in subsection 2, the  
12 Department shall issue a rectangular-shaped driver's license which  
13 bears a front view ~~colored~~ photograph of the licensee. The  
14 photograph and any information included on the license must be  
15 placed in a manner which ensures that:

16 (a) If the licensee is 21 years of age or older, the longer edges of  
17 the rectangle serve as the top and bottom of the license; or

18 (b) If the licensee is under 21 years of age, the shorter edges of  
19 the rectangle serve as the top and bottom of the license.



1       2. The Department may issue a temporary driver's license  
2 without a photograph of the licensee if the licensee is temporarily  
3 absent from this State and requests the renewal of, the issuance of a  
4 duplicate of, or a change in the information on, his or her driver's  
5 license. If the licensee returns to this State for 14 continuous days or  
6 more, the licensee shall, within 24 days after the date of return,  
7 surrender the temporary license and obtain a license which bears his  
8 or her photograph in accordance with subsection 1. A licensee  
9 charged with violating the provisions of this subsection may not be  
10 convicted if the licensee surrenders the temporary license, obtains a  
11 license which bears his or her photograph in accordance with  
12 subsection 1 and produces that license in court or in the office of the  
13 arresting officer.

14       3. The Department shall:

15       (a) Establish a uniform procedure for the production of drivers'  
16 licenses, applicable to renewal as well as to original licenses.

17       (b) Except as otherwise provided in NRS 483.417 and 483.825,  
18 by regulation, increase the fees provided in NRS 483.410, 483.820  
19 and 483.910 as necessary to cover the actual cost of production of  
20 photographs for drivers' licenses and identification cards. The  
21 increase must be deposited in the State Treasury for credit to the  
22 Motor Vehicle Fund and must be allocated to the Department to  
23 defray the increased costs of producing the drivers' licenses required  
24 by this section.

25       **Sec. 11.** NRS 483.745 is hereby amended to read as follows:

26       483.745 1. A school for training drivers or a third-party  
27 certifier provided for by regulation shall ensure that each vehicle  
28 used for training drivers and operated on a highway is inspected  
29 *within 30 days after initial use by the school for training drivers*  
30 *and inspected* annually ~~H~~ *thereafter.*

31       2. The school for training drivers or the third-party certifier  
32 shall provide to the Department, within 30 days of the inspection or  
33 by December 31 of each calendar year, whichever comes first, the  
34 results of the inspection regarding the safety and road worthiness of  
35 the vehicles inspected pursuant to subsection 1.

36       3. The Department shall adopt regulations setting forth:

37       (a) The persons qualified to conduct the inspection; and

38       (b) The standards with which the inspection must comply.

39       4. The owner of the school for training drivers or the third-  
40 party certifier shall maintain a copy of the results of the inspection  
41 at his or her principal place of business for 3 years after the  
42 inspection is completed.



1       **Sec. 12.** NRS 483.760 is hereby amended to read as follows:  
2       483.760 The Department may *refuse to issue a license or may*  
3 cancel, suspend, revoke or refuse to renew any license granted  
4 pursuant to NRS 483.700 to 483.780, inclusive:

5       1. *If the applicant or licensee makes a material misstatement*  
6 *on an application.*

7       2. *If the applicant or licensee fails or refuses to provide any*  
8 *information requested by the Department in conjunction with an*  
9 *application.*

10       3. *If the applicant has been convicted of a crime for a*  
11 *violation of any of the provisions of NRS 483.700 to 483.780,*  
12 *inclusive.*

13       4. If the licensee permits fraud or engages in fraudulent  
14 practices either with reference to the applicant or the Department or  
15 induces or countenances fraud or fraudulent practices on the part of  
16 any applicant for driver’s license.

17       ~~12.1~~ 5. If the licensee fails to comply with *or is convicted of a*  
18 *crime for a violation of* any of the provisions of NRS 483.700 to  
19 483.780, inclusive, or any of the regulations or requirements of the  
20 Department made pursuant thereto.

21       ~~13.1~~ 6. If the licensee or any employee or agent of the licensee  
22 solicits persons for enrollment in a school for training drivers in an  
23 office of the Department or within 200 feet of any such office.

24       ~~14.1~~ 7. If the licensee or any employee or agent of the licensee  
25 follows the identical course of training which is used by the  
26 Department in giving an examination for a driver’s license.

27       **Sec. 13.** NRS 483.820 is hereby amended to read as follows:  
28       483.820 1. A person who applies for an identification card in  
29 accordance with the provisions of NRS 483.810 to 483.890,  
30 inclusive, and who is not ineligible to receive an identification card  
31 pursuant to NRS 483.861, is entitled to receive an identification card  
32 if the person is:

33       (a) A resident of this State and is 10 years of age or older and  
34 does not hold a valid driver’s license or identification card from any  
35 state or jurisdiction; or

36       (b) A seasonal resident who does not hold a valid Nevada  
37 driver’s license.

38       2. Except as otherwise provided in NRS 483.825, the  
39 Department shall charge and collect the following fees for the  
40 issuance of an original, duplicate or changed identification card:

41  
42       An original or duplicate identification card  
43       issued to a person 65 years of age or older  
44       *which expires on or before the fourth*  
45       *anniversary of the person’s birthday* ..... \$4



1     ***An original or duplicate identification card***  
2         ***issued to a person 65 years of age or older***  
3         ***which expires on or before the eighth***  
4         ***anniversary of the person's birthday*** ..... \$8

5     An original or duplicate identification card  
6         issued to a person under 18 years of age  
7         which expires on the eighth anniversary of  
8         the person's birthday ..... 6

9     A renewal of an identification card for a person  
10         under 18 years of age which expires on the  
11         eighth anniversary of the person's birthday ..... 6

12     An original or duplicate identification card  
13         issued to a person under 18 years of age  
14         which expires on or before the fourth  
15         anniversary of the person's birthday ..... 3

16     A renewal of an identification card for a person  
17         under 18 years of age which expires on or  
18         before the fourth anniversary of the person's  
19         birthday ..... 3

20     An original or duplicate identification card  
21         issued to any person at least 18 years of age,  
22         but less than 65 years of age, which expires  
23         on the eighth anniversary of the person's  
24         birthday ..... 18

25     A renewal of an identification card for any  
26         person at least 18 years of age, but less than  
27         65 years of age, which expires on the eighth  
28         anniversary of the person's birthday ..... 18

29     An original or duplicate identification card  
30         issued to any person at least 18 years of age,  
31         but less than 65 years of age, which expires  
32         on or before the fourth anniversary of the  
33         person's birthday ..... 9

34     A renewal of an identification card for any  
35         person at least 18 years of age, but less than  
36         65 years of age, which expires on or before  
37         the fourth anniversary of the person's  
38         birthday ..... 9

39     A new photograph or change of name, or both ..... 4

40

41     3. The Department shall not charge a fee for:

42         (a) An identification card issued to a person who has voluntarily  
43         surrendered his or her driver's license pursuant to NRS 483.420; or

44         (b) A renewal of an identification card for a person 65 years of  
45         age or older.



1 4. Except as otherwise provided in NRS 483.825, the increase  
2 in fees authorized in NRS 483.347 must be paid in addition to the  
3 fees charged pursuant to this section.

4 5. As used in this section, "photograph" has the meaning  
5 ascribed to it in NRS 483.125.

6 **Sec. 14.** NRS 483.910 is hereby amended to read as follows:

7 483.910 1. The Department shall charge and collect the  
8 following fees:

9

10	For an original commercial driver's license <del>for</del>	
11	<del>nonresident commercial driver's license</del>	
12	which expires on <i>or before</i> the eighth	
13	anniversary of the date of issuance of the	
14	license <i>but after the fourth anniversary of</i>	
15	<i>the date of issuance of the license</i> .....	\$108
16	For an original commercial driver's license <del>for</del>	
17	<del>nonresident commercial driver's license,</del> <i>or</i>	
18	commercial learner's permit <del>for nonresident</del>	
19	<del>commercial learner's permit</del> which expires	
20	on or before the fourth anniversary of the	
21	birthday of the licensee or permit holder .....	54
22	For renewal of a commercial driver's license <del>for</del>	
23	<del>nonresident commercial driver's license</del>	
24	which expires on <i>or before</i> the eighth	
25	anniversary of the date of issuance of the	
26	license <i>but after the fourth anniversary of</i>	
27	<i>the date of issuance of the license</i> .....	108
28	For renewal of a commercial driver's license <del>for</del>	
29	<del>nonresident commercial driver's license,</del> <i>or</i>	
30	commercial learner's permit <del>for nonresident</del>	
31	<del>commercial learner's permit</del> which expires	
32	on or before the fourth anniversary of the	
33	birthday of the licensee or permit holder .....	54
34	For reinstatement of a commercial driver's	
35	license after suspension or revocation of the	
36	license for a violation of NRS 484C.110,	
37	484C.120, 484C.130 or 484C.430, or	
38	pursuant to NRS 484C.210 and 484C.220, or	
39	pursuant to 49 C.F.R. § <del>383.51(b)(2)(i) or</del>	
40	<del>(ii)</del> <i>383.51(b)(1) to (4)</i> .....	145
41	For reinstatement of a commercial driver's	
42	license after suspension, revocation,	
43	cancellation or disqualification of the license,	
44	except a suspension or revocation for a	
45	violation of NRS 484C.110, 484C.120,	



1           484C.130 or 484C.430, or pursuant to NRS  
2           484C.210 and 484C.220, or pursuant to 49  
3           C.F.R. § ~~383.51(b)(2)(i) or (ii)~~ 383.51(b)(1)  
4           to (4) ..... \$110  
5           For a duplicate commercial driver’s license..... 19  
6           For any change of information on a commercial  
7           driver’s license ..... 9  
8           For each endorsement added after the issuance  
9           of an original commercial driver’s license..... 14  
10          For the administration of a driving skills test for  
11          the issuance, renewal or transfer of a  
12          commercial driver’s license or to change any  
13          information on, or add an endorsement to, an  
14          existing commercial driver’s license..... 30  
15

16          2. The Department shall charge and collect an annual fee of  
17          \$555 from each person who is authorized by the Department to  
18          administer a driving skills test pursuant to NRS 483.912.

19          3. An additional charge of \$3 must be charged for each  
20          knowledge test administered to a person who has twice failed the  
21          test.

22          4. An additional charge of \$25 must be charged for each  
23          driving skills test administered to a person who has twice failed the  
24          test.

25          5. The increase in fees authorized in NRS 483.347 must be  
26          paid in addition to the fees charged pursuant to this section.

27          6. The Department shall charge an applicant for a hazardous  
28          materials endorsement an additional fee for the processing of  
29          fingerprints. The Department shall establish the additional fee by  
30          regulation, except that the amount of the additional fee must not  
31          exceed the sum of the amount charged by the Central Repository for  
32          Nevada Records of Criminal History and each applicable federal  
33          agency to process the fingerprints for a background check of the  
34          applicant in accordance with Section 1012 of the Uniting and  
35          Strengthening America by Providing Appropriate Tools Required to  
36          Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of  
37          2001, 49 U.S.C. § 5103a.

38          **Sec. 15.** NRS 483.936 is hereby amended to read as follows:

39          483.936 A person who is a resident of a foreign jurisdiction  
40          which the Federal Highway Administrator has determined does not  
41          test drivers and issue commercial drivers’ licenses in accordance  
42          with federal standards ~~for who is a resident of a state while that state~~  
43          ~~is prohibited from issuing commercial drivers’ licenses pursuant to~~  
44          ~~49 C.F.R. § 384.405]~~ and who wishes to be issued a ~~[nonresident]~~





1 *limited-term* commercial driver's license or ~~nonresident~~ *limited-*  
2 *term* commercial learner's permit by this State must:

3 1. Apply to the Department for a ~~nonresident~~ *limited-term*  
4 commercial driver's license or ~~nonresident~~ *limited-term*  
5 commercial learner's permit; and

6 2. Comply with all other requirements contained in the  
7 regulations adopted by the Department pursuant to NRS 483.908.

8 **Sec. 15.1.** NRS 484A.630 is hereby amended to read as  
9 follows:

10 484A.630 1. Whenever a person is halted by a peace officer  
11 for any violation of chapters 484A to 484E, inclusive, of NRS  
12 punishable as a misdemeanor and is not taken before a magistrate as  
13 required or permitted by NRS 484A.720 and 484A.730, the peace  
14 officer may prepare a traffic citation manually or electronically in  
15 the form of a complaint issuing in the name of "The State of  
16 Nevada," containing a notice to appear in court, the name and  
17 address of the person, the state registration number of the person's  
18 vehicle, if any, the number of the person's driver's license, if any,  
19 the offense charged, including a brief description of the offense and  
20 the NRS citation, the time and place when and where the person is  
21 required to appear in court, and such other pertinent information as  
22 may be necessary. The *peace officer shall sign the* citation ~~must be~~  
23 ~~signed by the peace officer.~~ *and deliver a copy of the citation to*  
24 *the person charged with the violation.* If the citation is prepared  
25 electronically, the *peace* officer shall sign the copy of the citation  
26 that is delivered to the person charged with the violation.

27 2. The time specified in the notice to appear must be at least 5  
28 days after the alleged violation unless the person charged with the  
29 violation demands an earlier hearing.

30 3. The place specified in the notice to appear must be before a  
31 magistrate, as designated in NRS 484A.750.

32 4. The person charged with the violation may give his or her  
33 written promise to appear in court by signing at least one copy of the  
34 traffic citation prepared by the peace officer ~~in which event the~~  
35 ~~peace officer shall deliver a copy of the citation to the person,~~ and  
36 thereupon the peace officer shall not take the person into physical  
37 custody for the violation. If the citation is prepared electronically,  
38 the *peace* officer ~~shall deliver the signed copy of the citation to the~~  
39 ~~person and~~ shall indicate on the electronic record of the citation  
40 whether the person charged gave his or her written promise to  
41 appear. A copy of the citation that is signed by the person charged  
42 or the electronic record of the citation which indicates that the  
43 person charged gave his or her written promise to appear suffices as  
44 proof of service.



1       **5. If the person charged with the violation refuses to sign a**  
2 **copy of the traffic citation but accepts a copy of the citation**  
3 **delivered by the peace officer:**

4       **(a) The acceptance shall be deemed personal service of the**  
5 **notice to appear in court;**

6       **(b) A copy of the citation signed by the peace officer suffices as**  
7 **proof of service; and**

8       **(c) The peace officer shall not take the person into physical**  
9 **custody for the violation.**

10       **Sec. 15.15.** NRS 484A.670 is hereby amended to read as  
11 follows:

12       484A.670 1. ~~HH~~ **Regardless of the disposition of the charge**  
13 **for which a traffic citation was originally issued, it is unlawful for**  
14 **a person to ~~violate~~:**

15       **(a) Violate** a written promise to appear **in court** given to a peace  
16 officer upon the issuance of a traffic citation prepared ~~manually or~~  
17 ~~electronically, regardless of the disposition of the charge for which~~  
18 ~~the citation was originally issued.~~ **by the peace officer; or**

19       **(b) Fail to appear at the time and place set forth in a notice to**  
20 **appear in court that is contained in a traffic citation prepared by a**  
21 **peace officer.**

22       2. Except as otherwise provided in this subsection, a person  
23 may comply with a written promise to appear in court **or a notice to**  
24 **appear in court** by an appearance by counsel. A person who has  
25 been convicted of two or more moving traffic violations in unrelated  
26 incidents within a 12-month period and is subsequently arrested or  
27 issued a citation within that 12-month period shall appear personally  
28 in court with or without counsel.

29       3. A warrant may issue upon a violation of a written promise to  
30 appear ~~HH~~ **in court or a failure to appear at the time and place set**  
31 **forth in a notice to appear in court.**

32       **Sec. 15.2.** NRS 484A.720 is hereby amended to read as  
33 follows:

34       484A.720 Whenever any person is halted by a peace officer for  
35 any violation of chapters 484A to 484E, inclusive, of NRS not  
36 amounting to a gross misdemeanor or felony, the person shall be  
37 taken without unnecessary delay before the proper magistrate, as  
38 specified in NRS 484A.750, in either of the following cases:

39       1. When the person demands an immediate appearance before  
40 a magistrate; or

41       2. In any other event when the person is issued a traffic citation  
42 by an authorized person and refuses to ~~give a written promise to~~  
43 ~~appear in court as provided in NRS 484A.630.~~ **sign or accept a**  
44 **copy of the traffic citation.**



1       **Sec. 15.25.** NRS 484A.730 is hereby amended to read as  
2 follows:

3       484A.730 Whenever any person is halted by a peace officer for  
4 any violation of chapters 484A to 484E, inclusive, of NRS and is  
5 not required to be taken before a magistrate, the person may, in the  
6 discretion of the peace officer, either be given a traffic citation, or  
7 be taken without unnecessary delay before the proper magistrate.  
8 The person must be taken before the magistrate in any of the  
9 following cases:

10       1. When the person does not furnish satisfactory evidence of  
11 identity or when the peace officer has reasonable and probable  
12 grounds to believe the person will disregard a written promise to  
13 appear in court **H** *or a notice to appear in court;*

14       2. When the person is charged with a violation of NRS  
15 484D.580 relating to the refusal of a driver of a vehicle to submit  
16 the vehicle to an inspection and test;

17       3. When the person is charged with a violation of NRS  
18 484D.675 relating to the failure or refusal of a driver of a vehicle to  
19 submit the vehicle and load to a weighing or to remove excess  
20 weight therefrom; or

21       4. When the person is charged with a violation of NRS  
22 484C.110 or 484C.120, unless the person is incapacitated and is  
23 being treated for injuries at the time the peace officer would  
24 otherwise be taking the person before the magistrate.

25       **Sec. 15.27.** NRS 484A.760 is hereby amended to read as  
26 follows:

27       484A.760 Whenever any person is taken into custody by a  
28 peace officer for the purpose of taking him or her before a  
29 magistrate or court as authorized or required in chapters 484A to  
30 484E, inclusive, of NRS upon any charge other than a felony or the  
31 offenses enumerated in paragraphs (a) to (e), inclusive, of  
32 subsection 1 of NRS 484A.710, and no magistrate is available at the  
33 time of arrest, and there is no bail schedule established by the  
34 magistrate or court and no lawfully designated court clerk or other  
35 public officer who is available and authorized to accept bail upon  
36 behalf of the magistrate or court, the person must be released from  
37 custody upon the issuance to the person of a misdemeanor citation  
38 or traffic citation and the person signing a promise to appear, as  
39 provided in NRS 171.1773 or 484A.630, respectively **H** , *or*  
40 *accepting a copy of the traffic citation, as provided in NRS*  
41 *484A.630.*

42       **Sec. 15.3.** NRS 484B.313 is hereby amended to read as  
43 follows:

44       484B.313 1. It is unlawful for any person to place, maintain  
45 or display upon or in view of any highway any unauthorized sign,



1 signal, marking or device which purports to be or is an imitation of  
2 or resembles an official traffic-control device or railroad sign or  
3 signal, or which attempts to direct the movement of traffic, or which  
4 hides from view or interferes with the effectiveness of any such  
5 device, sign or signal, and except as otherwise provided in  
6 ~~subsection~~ **subsections 4, 5, and 5**, a person shall not place or  
7 maintain nor may any public authority permit upon any highway  
8 any sign, signal, marking or street banner bearing thereon any  
9 commercial advertising. ~~except on benches and shelters for~~  
10 ~~passengers of public mass transportation for which a franchise has~~  
11 ~~been granted pursuant to NRS 244.187 and 244.188, 268.081 and~~  
12 ~~268.083, 269.128 and 269.129, or 277A.310 and 277A.330, or on~~  
13 ~~monorail stations.~~

14 2. Every such prohibited sign, signal or marking is hereby  
15 declared to be a public nuisance, and the proper public authority  
16 may remove the same or cause it to be removed without notice.

17 3. This section does not prohibit the erection upon private  
18 property adjacent to highways of signs giving useful directional  
19 information and of a type that cannot be mistaken for official traffic-  
20 control devices.

21 4. A person may place and maintain commercial advertising in  
22 an airspace above a highway under the conditions specified pursuant  
23 to subsection 3 of NRS 405.110, and a public authority may permit  
24 commercial advertising that has been placed in an airspace above a  
25 highway under the conditions specified pursuant to subsection 3 of  
26 NRS 405.110.

27 5. *The provisions of subsection 1 do not apply to any sign,*  
28 *signal, marking or street banner bearing thereon any commercial*  
29 *advertising that is located:*

30 *(a) On a bench or shelter for passengers of public mass*  
31 *transportation built pursuant to a franchise granted pursuant to*  
32 *NRS 244.187 and 244.188, 268.081 and 268.083, 269.128 and*  
33 *269.129, or 277A.310 and 277A.330;*

34 *(b) On a monorail station; or*

35 *(c) On a touchdown structure if a public authority authorizes*  
36 *such advertising and the advertising is placed and maintained by a*  
37 *person who owns real property adjacent to the touchdown*  
38 *structure and who has:*

39 *(1) Dedicated the touchdown structure to the public*  
40 *authority or has granted a fee or perpetual easement to the public*  
41 *authority for the construction or maintenance of the touchdown*  
42 *structure; and*

43 *(2) Entered a written agreement with the public authority*  
44 *on terms and conditions acceptable to the public authority.*



1       **6.** If a franchisee receives revenues from commercial  
2 advertising authorized by subsection 1 and the franchisee is  
3 obligated to repay a bond issued by the State of Nevada, the  
4 franchisee shall use all revenue generated by the advertising  
5 authorized by subsection 1 to meet its obligations to the State of  
6 Nevada as set forth in the financing agreement and bond indenture,  
7 including, without limitation, the payment of operations and  
8 maintenance obligations, the funding of reserves and the payment of  
9 debt service. To the extent that any surplus revenue remains after  
10 the payment of all such obligations, the surplus revenue must be  
11 used solely to repay the bond until the bond is repaid.

12       ~~†6.†~~ **7.** As used in this section:

13       (a) “Monorail station” means:

14           (1) A structure for the loading and unloading of passengers  
15 from a monorail for which a franchise has been granted pursuant to  
16 NRS 705.695 or an agreement has been entered into pursuant to  
17 NRS 705.695; and

18           (2) Any facilities or appurtenances within such a structure.

19       (b) “Street banner” has the meaning ascribed to it in  
20 NRS 277A.130.

21       (c) *“Touchdown structure” means a structure, connected to a*  
22 *pedestrian bridge, which houses an elevator.*

23       **Sec. 15.4.** NRS 62C.070 is hereby amended to read as follows:

24       62C.070 1. If a child is stopped by a peace officer for a  
25 violation of any traffic law or ordinance which is punishable as a  
26 misdemeanor, the peace officer may prepare and issue a traffic  
27 citation pursuant to the same criteria as would apply to an adult  
28 violator. *The peace officer shall deliver a copy of the citation to the*  
29 *child.*

30       2. If a child who is issued a traffic citation executes a written  
31 promise to appear in court by signing the citation, the *peace* officer

32       ~~†~~

33       ~~—(a) Shall deliver a copy of the citation to the child; and~~

34       ~~—(b) Shall~~ *shall* not take the child into physical custody for the  
35 violation.

36       3. *If a child who is issued a traffic citation refuses to execute*  
37 *a written promise to appear in court but accepts a copy of the*  
38 *citation delivered by the peace officer:*

39           (a) *The acceptance shall be deemed personal service of the*  
40 *notice to appear in court;*

41           (b) *A copy of the citation signed by the peace officer suffices as*  
42 *proof of service; and*

43           (c) *The peace officer shall not take the child into physical*  
44 *custody for the violation.*



1       **Sec. 15.5.** NRS 405.110 is hereby amended to read as follows:

2       405.110 1. Except ~~for benches and shelters for passengers of~~  
3 ~~public mass transportation for which a franchise has been granted~~  
4 ~~pursuant to NRS 244.187 and 244.188, 268.081 and 268.083,~~  
5 ~~269.128 and 269.129, or 277A.310 and 277A.330, or on monorail~~  
6 ~~stations,] as otherwise provided in subsection 5,~~ no advertising  
7 signs, signboards, boards or other materials containing advertising  
8 matter may:

9       (a) Except as otherwise provided in subsection 3, be placed  
10 upon or over any state highway.

11       (b) Except as otherwise provided in subsections 3 and 4, be  
12 placed within the highway right-of-way.

13       (c) Except as otherwise provided in subsection 3, be placed  
14 upon any bridge or other structure thereon.

15       (d) Be so situated with respect to any public highway as to  
16 obstruct clear vision of an intersecting highway or highways or  
17 otherwise so situated as to constitute a hazard upon or prevent the  
18 safe use of the state highway.

19       2. With the permission of the Department of Transportation,  
20 counties, towns or cities of this State may place at such points as are  
21 designated by the Director of the Department of Transportation  
22 suitable signboards advertising the counties, towns or  
23 municipalities.

24       3. A person may place an advertising sign, signboard, board or  
25 other material containing advertising matter in any airspace above a  
26 highway if:

27       (a) The Department of Transportation has leased the airspace to  
28 the person pursuant to subsection 2 of NRS 408.507, the airspace is  
29 over an interstate highway and:

30       (1) The purpose of the sign, signboard, board or other  
31 material is to identify a commercial establishment that is entirely  
32 located within the airspace, services rendered, or goods produced or  
33 sold upon the commercial establishment or that the facility or  
34 property that is located within the airspace is for sale or lease; and

35       (2) The size, location and design of the sign, signboard,  
36 board or other material and the quantity of signs, signboards, boards  
37 or other materials have been approved by the Department of  
38 Transportation; or

39       (b) The person owns real property adjacent to an interstate  
40 highway and:

41       (1) The person has dedicated to a public authority a fee or  
42 perpetual easement interest in at least 1 acre of the property for the  
43 construction or maintenance, or both, of the highway over which  
44 the person is placing the sign, signboard, board or other material and



1 the person retained the air rights in the airspace above the property  
2 for which the person has dedicated the interest;

3 (2) The sign, signboard, board or other material is located in  
4 the airspace for which the person retained the air rights;

5 (3) The structure that supports the sign, signboard, board or  
6 other material is not located on the property for which the person  
7 dedicated the fee or easement interest to the public authority, and  
8 the public authority determines that the location of the structure  
9 does not create a traffic hazard; and

10 (4) The purpose of the sign, signboard, board or other  
11 material is to identify an establishment or activity that is located on  
12 the real property adjacent to the interstate highway, or services  
13 rendered or goods provided or sold on that property.

14 4. A tenant of a mobile home park may exhibit a political sign  
15 within a right-of-way of a state highway or road which is owned or  
16 controlled by the Department of Transportation if the tenant exhibits  
17 the sign within the boundary of the tenant's lot and in accordance  
18 with the requirements and limitations set forth in NRS 118B.145. As  
19 used in this subsection, the term "political sign" has the meaning  
20 ascribed to it in NRS 118B.145.

21 5. *The provisions of subsection 1 do not apply to any*  
22 *advertising, signs, signboards or other materials containing*  
23 *advertising matter located:*

24 (a) *On a bench or shelter for passengers of public mass*  
25 *transportation built pursuant to a franchise granted pursuant to*  
26 *NRS 244.187 and 244.188, 268.081 and 268.083, 269.128 and*  
27 *269.129, or 277A.310 and 277A.330;*

28 (b) *On a monorail station; or*

29 (c) *On a touchdown structure if a public authority authorizes*  
30 *such advertising matter and the advertising matter is placed and*  
31 *maintained by a person who owns real property adjacent to the*  
32 *touchdown structure and who has:*

33 (1) *Dedicated the touchdown structure to the public*  
34 *authority or has granted a fee or perpetual easement to the public*  
35 *authority for the construction or maintenance of the touchdown*  
36 *structure; and*

37 (2) *Entered a written agreement with the public authority*  
38 *on terms and conditions acceptable to the public authority.*

39 6. If any such sign is placed in violation of this section, it is  
40 thereby declared a public nuisance and may be removed forthwith  
41 by the Department of Transportation or the public authority.

42 ~~6.1~~ 7. Any person placing any such sign in violation of the  
43 provisions of this section shall be punished by a fine of not more  
44 than \$250, and is also liable in damages for any injury or injuries



1 incurred or for injury to or loss of property sustained by any person  
2 by reason of the violation.

3 ~~7.7~~ 8. If a franchisee receives revenues from an advertising  
4 sign, signboard, board or other material containing advertising  
5 matter authorized by subsection 1 and the franchisee is obligated to  
6 repay a bond issued by the State of Nevada, the franchisee shall use  
7 all revenue generated by the advertising sign, signboard, board or  
8 other material containing advertising matter authorized by  
9 subsection 1 to meet its obligations to the State of Nevada as set  
10 forth in the financing agreement and bond indenture, including,  
11 without limitation, the payment of operations and maintenance  
12 obligations, the funding of reserves and the payment of debt service.  
13 To the extent that any surplus revenue remains after the payment of  
14 all such obligations, the surplus revenue must be used solely to  
15 repay the bond until the bond is repaid.

16 ~~8.1~~ 9. As used in this section ~~1. "monorail"~~ :

17 (a) "*Monorail* station" means:

18 ~~8(a)~~ (1) A structure for the loading and unloading of passengers  
19 from a monorail for which a franchise has been granted pursuant to  
20 NRS 705.695 or an agreement has been entered into pursuant to  
21 NRS 705.695; and

22 ~~8(b)~~ (2) Any facilities or appurtenances within such a structure.

23 (b) "*Touchdown structure*" means a structure, connected to a  
24 pedestrian bridge, which houses an elevator.

25 **Sec. 15.7.** NRS 410.320 is hereby amended to read as follows:

26 410.320 Outdoor advertising shall not be erected or maintained  
27 within 660 feet of the nearest edge of the right-of-way and visible  
28 from the main-traveled way of the interstate or primary highway  
29 systems in this state, and, outside urban areas outdoor advertising  
30 shall not be erected or maintained beyond 660 feet from the nearest  
31 edge of the right-of-way of the interstate and primary highway  
32 systems which is visible and placed with the purpose of having its  
33 message read from the main-traveled way of the interstate and  
34 primary highway systems in this state, except the following:

35 1. Directional, warning, landmark, informational and other  
36 official signs and notices, including but not limited to signs and  
37 notices pertaining to natural wonders, scenic and historic attractions.  
38 Only signs which are required or authorized by law or by federal,  
39 state or county authority, and which conform to national standards  
40 promulgated by the Secretary of Transportation pursuant to 23  
41 U.S.C. § 131, are permitted.

42 2. Signs, displays and devices which advertise the sale or lease  
43 of the property upon which they are located.

44 3. Signs, displays and devices which advertise the activities  
45 conducted or services rendered or the goods produced or sold upon





1 the property upon which the advertising sign, display or device is  
2 erected.

3 4. Signs, displays and devices located in zoned commercial or  
4 industrial areas, when located within 660 feet of the nearest edge of  
5 the right-of-way and visible from the main-traveled way of the  
6 interstate and primary highway systems within this state.

7 5. Signs, displays and devices located in an unzoned  
8 commercial or industrial area as defined in NRS 410.300, when  
9 located within 660 feet of the nearest edge of the right-of-way and  
10 visible from the main-traveled way of the interstate and primary  
11 highway systems within this state.

12 6. Nonconforming signs in defined hardship areas which  
13 provide directional information about goods and services in the  
14 interest of the traveling public and are approved by the Secretary of  
15 Transportation pursuant to 23 U.S.C. § 131(o).

16 *7. Signs, displays and devices located as described in*  
17 *subsection 5 of NRS 405.110 and subsection 5 of NRS 484B.313.*

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

19 **Sec. 17.** 1. This section and sections 1 to 9, inclusive, and  
20 15.1 to 16, inclusive, of this act become effective on July 1, 2017.

21 2. Sections 10 to 15, inclusive, of this act become effective on  
22 October 1, 2017.







