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FIRST REPRINT

S.B. 177

SENATE BILL NO. 177—SENATORS GUSTAVSON, HALSETH;
CEGAVSKE, LEE, MANENDO, ROBERSON AND SETTELMAYER

FEBRUARY 17, 2011

JOINT SPONSORS: ASSEMBLYMEN ELLISON; GOEDHART,
HAMBRICK, KIRKPATRICK AND MCARTHUR

Referred to Committee on Transportation

SUMMARY—Revises provisions governing the equipment and training required to operate a motorcycle. (BDR 43-571)

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 motorcycles; revising provisions governing the wearing of protective headgear when operating motorcycles under certain circumstances; requiring that all applicants for a motorcycle driver's license complete an approved motorcycle safety course; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law defines a motorcycle to mean a motor vehicle equipped with a seat
2 or a saddle to travel on not more than three wheels, specifically excluding an
3 electric bicycle, a tractor and a moped. (NRS 486.041) Under existing law, an
4 applicant for a motorcycle driver's license is required to complete a written
5 examination and driving test or complete a course of motorcycle safety approved
6 by the Department of Motor Vehicles. (NRS 486.071) **Sections 1-3** of this bill
7 require all applicants for a motorcycle driver's license or a motorcycle endorsement
8 to a driver's license to successfully complete an approved motorcycle safety course.
9 **Section 5** of this bill exempts a person who obtains such a license or endorsement
10 before July 1, 2011, from the requirement to successfully complete an approved
11 motorcycle safety course. Existing law requires drivers and passengers of
12 motorcycles that are driven on a highway to wear protective headgear and exempts
13 drivers and passengers of trimobles and mopeds from the requirement. (NRS
14 486.231) **Section 4** of this bill eliminates the requirement of wearing protective
15 headgear for drivers of motorcycles who: (1) are 21 years of age or older; and (2)
16 have possessed a valid motorcycle license for not less than 1 year. **Section 4** also



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17 removes the exception from these requirements concerning protective headgear for
18 trimobiles and mopeds. Additionally, **section 4** eliminates the requirement of
19 wearing protective headgear for a passenger of a motorcycle who is 21 years of age
20 or older.

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

1 **Section 1.** NRS 486.071 is hereby amended to read as follows:
2 486.071 Except as otherwise provided in NRS 486.161, the
3 Department shall not issue a motorcycle driver's license unless the
4 applicant:
5 1. Is at least 16 years of age; and
6 2. Has successfully completed:
7 (a) Such written examination and driving test as may be required
8 by the Department; ~~for~~ **and**
9 (b) A course of motorcycle safety approved by the Department.
10 **Sec. 2.** NRS 486.131 is hereby amended to read as follows:
11 486.131 1. The Department may require every applicant for a
12 motorcycle driver's license to submit to an examination conducted
13 by the Department . ~~for successfully complete a course of~~
14 ~~motorcycle safety approved by the Department.]~~
15 2. An examination may be held in the county where the
16 applicant resides within 30 days after the date application is made
17 and may include:
18 (a) A test of the applicant's ability to understand official devices
19 used to control traffic;
20 (b) A test of the applicant's knowledge of practices for safe
21 driving and the traffic laws of this State;
22 (c) Except as otherwise provided in a regulation adopted
23 pursuant to subsection 2 of NRS 483.330, a test of the applicant's
24 eyesight; and
25 (d) An actual demonstration of the applicant's ability to exercise
26 ordinary and reasonable control in the operation of a motorcycle.
27 ➤ The examination may also include such further physical and
28 mental examination as the Department finds necessary to determine
29 the applicant's fitness to drive a motorcycle safely upon the
30 highways.
31 **Sec. 3.** NRS 486.161 is hereby amended to read as follows:
32 486.161 1. Except as otherwise provided in subsection 4,
33 every motorcycle driver's license expires on the fourth anniversary
34 of the licensee's birthday, measured in the case of an original
35 license, a renewal license or a license renewing an expired license,
36 from the birthday nearest the date of issuance or renewal. Any
37 applicant whose date of birth is February 29 is, for the purposes of



1 NRS 486.011 to 486.381, inclusive, considered to have the
2 anniversary of his or her birth fall on February 28.

3 2. Every license is renewable at any time before its expiration
4 upon application, submission of the statement required pursuant to
5 NRS 486.084 and payment of the required fee. Every motorcycle
6 endorsement to a driver's license issued on or after January 1, 1972,
7 expires simultaneously with the expiration of the driver's license.

8 3. Except as otherwise provided in subsection 1 of NRS
9 483.384, each applicant for renewal must appear before an examiner
10 for a driver's license and successfully pass a test of the applicant's
11 eyesight.

12 4. Any person who has been issued a driver's license without
13 having the authority to drive a motorcycle endorsed thereon must,
14 before driving a motorcycle, successfully : ~~pass:~~

15 (a) ~~Pass such~~ driving test ~~conducted~~ *as may be required*
16 by the Department; ~~or~~ *and*

17 (b) ~~Complete a~~ course of motorcycle safety approved by the
18 Department,

19 ~~and~~ and have the authority endorsed upon the license.

20 **Sec. 4.** NRS 486.231 is hereby amended to read as follows:

21 486.231 1. The Department shall adopt standards for
22 protective headgear and protective glasses, goggles or face shields
23 to be worn by the drivers and passengers of motorcycles and
24 transparent windscreens for motorcycles.

25 2. Except as *otherwise* provided in this section, when any
26 motorcycle ~~except a trimobile or moped,~~ is being driven on a
27 highway ~~:~~ :

28 (a) *The driver shall wear protective headgear which meets the*
29 *standards adopted pursuant to subsection 1 and is securely*
30 *fastened on his or her head, unless the driver:*

31 (1) *Is 21 years of age or older; and*

32 (2) *Has been licensed to operate a motorcycle for not less*
33 *than 1 year.*

34 (b) *A passenger of a motorcycle shall wear protective headgear*
35 *which meets the standards adopted pursuant to subsection 1 and is*
36 *securely fastened on his or her head, unless the passenger is 21*
37 *years of age or older.*

38 (c) ~~Both the driver and passenger shall wear protective~~
39 ~~headgear securely fastened on the head and~~ protective glasses,
40 goggles or face shields ~~meeting those standards. Drivers and~~
41 ~~passengers of trimobiles shall wear protective glasses, goggles or~~
42 ~~face shields~~ which meet ~~those~~ *the* standards ~~:~~ *adopted pursuant*
43 *to subsection 1.*

44 3. When a motorcycle ~~or a trimobile~~ is equipped with a
45 transparent windscreen ~~meeting those standards,~~ *which meets the*



1 *standards adopted pursuant to subsection 1*, the driver and
2 passenger are not required to wear *protective* glasses, goggles or
3 face shields.

4 4. When a motorcycle is being driven in a parade authorized by
5 a local authority, the driver and passenger are not required to wear
6 the protective devices provided for in this section.

7 5. When a three-wheel motorcycle on which the driver and
8 passengers ride within an enclosed cab is being driven on a
9 highway, the driver and passengers are not required to wear the
10 protective devices required by this section.

11 **Sec. 5.** Notwithstanding the amendatory provisions of this act,
12 the requirement to successfully complete an approved motorcycle
13 safety course before obtaining a motorcycle driver's license or a
14 motorcycle endorsement to a driver's license does not apply to a
15 person who obtains such a license or endorsement before July 1,
16 2011.

17 **Sec. 6.** This act becomes effective upon passage and approval.

