

SENATE BILL NO. 179—SENATOR MANENDO (BY REQUEST)

FEBRUARY 21, 2013

Referred to Committee on Transportation

SUMMARY—Makes various changes to provisions governing public safety. (BDR 43-79)

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

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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; enhancing the penalty for certain traffic violations which occur in school zones or school crossing zones; revising provisions relating to pedestrians and crosswalks; authorizing the imposition by a court of mandatory attendance in a pedestrian, bicycle and traffic safety course for the driver of a vehicle found guilty of certain traffic violations; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a driver who is convicted of a violation of a speed limit or
2 of certain other traffic violations is subject to a doubling of the penalty if the
3 violation occurs in a highway construction zone when workers are present. (NRS
4 484B.130) Existing law also provides that certain maximum speeds are in effect in
5 school zones and school crossing zones at certain times. (NRS 484B.363) **Sections**
6 **1 and 7** of this bill provide that a driver is subject to a doubling of the penalty for a
7 violation of a speed limit or of certain other traffic violations if the violation occurs
8 in a school zone or a school crossing zone at a time when the statutory speed limits
9 for such zones are in effect. **Section 7** also makes it unlawful for a driver to make a
10 U-turn or pass another vehicle in a school zone or a school crossing zone when the
11 school speed limit is in effect. Finally, **section 7** requires that the sign posted to
12 mark the beginning of each school zone and school crossing zone newly include a
13 designation that fines may be doubled when the speed limit is in effect.
14 Existing law requires the driver of a vehicle to yield the right-of-way to a
15 pedestrian in a crosswalk under certain circumstances when the pedestrian is on the
16 half of the highway upon which the vehicle is traveling, and when a pedestrian is
17 lawfully in a crosswalk or intersection that is controlled by traffic lights. (NRS
18 484B.283, 484B.307) **Section 3** of this bill requires a driver to stop for such a



19 pedestrian, specifies that the requirement applies to both marked and unmarked
 20 crosswalks, expands the requirement to when a pedestrian is within one lane of the
 21 half of the highway upon which the vehicle is traveling and defines the term “half
 22 of the highway” to mean the entire width of all the traffic lanes which convey
 23 traffic in the same direction, including any paved shoulder. **Section 3** also
 24 authorizes a court, upon the conviction of the driver of a motor vehicle for violating
 25 certain crosswalk requirements, to order the driver to attend a course of pedestrian,
 26 bicycle and traffic safety. **Section 5** of this bill requires a driver to stop for a
 27 pedestrian who is lawfully in a crosswalk or an intersection that is controlled by
 28 traffic lights.

29 Existing law requires a pedestrian to yield the right-of-way to vehicles when
 30 the pedestrian is crossing a highway outside of a marked or unmarked crosswalk,
 31 and when crossing a highway at a point where a pedestrian tunnel or overhead
 32 pedestrian crossing has been provided. Existing law also prohibits a pedestrian
 33 from crossing a highway outside of a marked crosswalk when the pedestrian is
 34 between adjacent intersections at which traffic-control devices are in operation.
 35 (NRS 484B.287) **Section 4** of this bill eliminates the requirement for a pedestrian
 36 to yield the right-of-way to vehicles when crossing where a pedestrian tunnel or
 37 overhead pedestrian crossing has been provided. **Section 4** also revises the
 38 prohibition on a pedestrian crossing outside of a marked crosswalk between
 39 adjacent intersections to forbid a pedestrian from crossing outside of a marked or
 40 unmarked crosswalk if the pedestrian is within 200 feet of a marked or unmarked
 41 crosswalk. **Section 4** also requires a pedestrian to cross a highway at a right angle
 42 to the edge of the highway or, when a right angle is not possible or practicable, by
 43 the shortest route to the opposite side.

44 Existing law provides that driving a vehicle in willful or wanton disregard of
 45 the safety of persons or property constitutes reckless driving, and provides for the
 46 imposition of certain fines and terms of imprisonment on a driver who is found
 47 guilty of reckless driving. (NRS 484B.653) **Section 8** of this bill authorizes a court
 48 to order a driver found guilty of reckless driving under certain circumstances to, in
 49 addition to the required fine or term of imprisonment, attend a course of pedestrian,
 50 bicycle and traffic safety if the reckless driving involved the safety of pedestrians or
 51 persons riding bicycles.

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

1 **Section 1.** NRS 484B.130 is hereby amended to read as
 2 follows:

3 484B.130 1. Except as otherwise provided in subsections ~~12~~
 4 **5, 9 and 11**, a person who is convicted of a violation of a speed
 5 limit, or of NRS 484B.150, 484B.163, 484B.165, 484B.200 to
 6 484B.217, inclusive, 484B.223, 484B.227, 484B.300, 484B.303,
 7 484B.317, 484B.320, 484B.327, 484B.330, **484B.363**, 484B.403,
 8 484B.587, 484B.600, 484B.603, 484B.650, 484B.653, 484B.657,
 9 484C.110 or 484C.120 ~~11~~ **is subject to the additional penalty set**
 10 **forth in subsection 4 if** that violation occurred ~~11~~

11 ~~—(a) as described in subsection 2 or 3.~~

12 2. **For the purposes of subsection 1, the additional penalty set**
 13 **forth in subsection 4 applies when the violation occurs:**



1 (a) In an area designated as a temporary traffic control zone; and
2 (b) At a time when the workers who are performing
3 construction, maintenance or repair of the highway or other work
4 are present, or when the effects of the act may be aggravated
5 because of the condition of the highway caused by construction,
6 maintenance or repair, including, without limitation, reduction in
7 lane width, reduction in the number of lanes, shifting of lanes from
8 the designated alignment and uneven or temporary surfaces,
9 including, without limitation, modifications to road beds, cement-
10 treated bases, chip seals and other similar conditions. ~~†~~

11 ~~→~~ 3. For the purposes of subsection 1, the additional penalty set
12 forth in subsection 4 applies when the violation occurs:

13 (a) In an area designated as a school zone or a school crossing
14 zone in accordance with NRS 484B.363; and

15 (b) When the speed limits required by NRS 484B.363 are in
16 effect.

17 4. Except as otherwise provided in sections 5, 9 and 11, a
18 person convicted of a violation pursuant to subsection 1 shall be
19 punished by imprisonment or by a fine, or both, for a term or an
20 amount equal to and in addition to the term of imprisonment or
21 amount of the fine, or both, that the court imposes for the primary
22 offense. Any term of imprisonment imposed pursuant to this
23 subsection runs consecutively with the sentence prescribed by the
24 court for the crime. This subsection does not create a separate
25 offense, but provides an additional penalty for the primary offense,
26 whose imposition is contingent upon the finding of the prescribed
27 fact.

28 ~~†~~ 5. The additional penalty imposed pursuant to subsection
29 ~~†~~ 4 must not exceed a total of \$1,000, 6 months of imprisonment
30 or 120 hours of community service.

31 ~~†~~ 6. Except as otherwise provided in subsection ~~†~~ 8, a
32 governmental entity that designates an area or authorizes the
33 designation of an area as a temporary traffic control zone in which
34 construction, maintenance or repair of a highway or other work is
35 conducted, or the person with whom the governmental entity
36 contracts to provide such service, shall cause to be erected:

37 (a) A sign located before the beginning of such an area stating
38 "DOUBLE PENALTIES IN WORK ZONES" to indicate a double
39 penalty may be imposed pursuant to this section;

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

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

43 ~~†~~ 7. A person who otherwise would be subject to an
44 additional penalty pursuant to ~~this section~~ subsection 2 is not
45 relieved of any criminal liability because signs are not erected as



1 required by subsection ~~3~~ 6 if the violation results in injury to any
2 person performing highway construction or maintenance or other
3 work in the temporary traffic control zone or in damage to property
4 in an amount equal to \$1,000 or more.

5 ~~5~~ 8. The requirements of subsection ~~3~~ 6 do not apply to an
6 area designated as a temporary traffic control zone:

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

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

13 ~~6~~ 9. A person who would otherwise be subject to an
14 additional penalty pursuant to ~~this section~~ subsection 2 is not
15 subject to an additional penalty if the violation occurred in a
16 temporary traffic control zone for which signs are not erected
17 pursuant to subsection ~~5~~ 8, unless the violation results in injury to
18 any person performing highway construction or maintenance or
19 other work in the temporary traffic control zone or in damage to
20 property in an amount equal to \$1,000 or more.

21 *10. A person who otherwise would be subject to an additional
22 penalty pursuant to subsection 3 is not relieved of any criminal
23 liability because the school zone or school crossing zone is not
24 marked in accordance with NRS 484B.363 if the violation results
25 in injury to any person in the school zone or school crossing zone
26 or in damage to property in an amount equal to \$1,000 or more.*

27 *11. A person who otherwise would be subject to an additional
28 penalty pursuant to subsection 3 is not subject to an additional
29 penalty if the violation occurred in a school zone or a school
30 crossing zone which is not marked in accordance with NRS
31 484B.363 unless the violation results in injury to any person in the
32 school zone or school crossing zone or in damage to property in an
33 amount equal to \$1,000 or more.*

34 **Sec. 2.** NRS 484B.280 is hereby amended to read as follows:

35 484B.280 1. A driver of a motor vehicle shall:

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

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

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

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

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



1 (3) In or near a *school zone or a* school crossing zone
2 marked in accordance with NRS 484B.363 or a marked or unmarked
3 crosswalk ~~+~~ *in accordance with NRS 484B.283.*

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

8 **Sec. 3.** NRS 484B.283 is hereby amended to read as follows:

9 484B.283 1. Except as otherwise provided in NRS 484B.287,
10 484B.290 and 484B.350:

11 (a) When official traffic-control ~~devices~~ *signals* are not in
12 place or not in operation the driver of a vehicle shall ~~yield the right-~~
13 ~~of way, slowing down or stopping if need be so to yield, to~~ *stop for*
14 a pedestrian crossing the highway within a *marked or unmarked*
15 crosswalk when the pedestrian is upon *or within one traffic lane of*
16 the half of the highway upon which the vehicle is traveling ~~+~~ ~~or~~
17 ~~when the pedestrian is approaching so closely from the opposite half~~
18 ~~of the highway as to be in danger.~~ *or onto which the vehicle is*
19 *about to turn.*

20 (b) A pedestrian shall not suddenly leave a curb or other place of
21 safety and walk or run into the path of a vehicle which is so close
22 that it is impossible for the driver to ~~yield.~~ *stop.*

23 (c) Whenever a vehicle is stopped at a marked crosswalk or at
24 an unmarked crosswalk at an intersection, the driver of any other
25 vehicle approaching from the rear shall not overtake and pass the
26 stopped vehicle until the driver has determined that the vehicle
27 being overtaken was not stopped for the purpose of permitting a
28 pedestrian to cross the highway.

29 (d) Whenever signals exhibiting the words "Walk" or "Don't
30 Walk" *or symbols indicating "Walk" or "Don't Walk"* are in place,
31 such signals indicate as follows:

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

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

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

44 (4) Whenever a signal system provides a signal phase for the
45 stopping of all vehicular traffic and the exclusive movement of



1 pedestrians, and “Walk” and “Don’t Walk” indications control
2 pedestrian movement, pedestrians may cross in any direction
3 between corners of the intersection offering the shortest route within
4 the boundaries of the intersection when the “Walk” indication is
5 exhibited, and when signals and other official traffic-control devices
6 direct pedestrian movement in the manner provided in this section
7 and in NRS 484B.307.

8 2. *The requirements of paragraph (a) of subsection 1 do not*
9 *apply:*

10 (a) *At a marked or unmarked crosswalk where the movement*
11 *of traffic is being directed by a police officer; or*

12 (b) *Where otherwise prohibited by local ordinance or*
13 *regulation.*

14 3. *If the driver of a motor vehicle violates paragraph (a) or*
15 *(c) of subsection 1, the court may, in addition to any fine imposed,*
16 *order the driver to attend, at the driver’s own expense, a course of*
17 *pedestrian, bicycle and traffic safety approved by the Department.*

18 4. If, while violating paragraph (a) or (c) of subsection 1, the
19 driver of a motor vehicle is the proximate cause of a collision with a
20 pedestrian, the driver is subject to the additional penalty set forth in
21 subsection 4 of NRS 484B.653.

22 5. *For the purposes of this section, “half of the highway”*
23 *means the entire width of all the traffic lanes which are conveying*
24 *traffic in the same direction of travel, including any paved*
25 *shoulder.*

26 **Sec. 4.** NRS 484B.287 is hereby amended to read as follows:

27 484B.287 Except as provided in NRS 484B.290:

28 1. Every pedestrian crossing a highway at any point other than
29 within a marked crosswalk or within an unmarked crosswalk at an
30 intersection shall yield the right-of-way to all vehicles upon the
31 highway.

32 2. Any pedestrian crossing a highway ~~at a point where a~~
33 ~~pedestrian tunnel or overhead pedestrian crossing has been provided~~
34 ~~shall yield the right of way to all vehicles upon the highway.~~ *shall*
35 *cross at a right angle to the edge of the highway, or by the shortest*
36 *route to the opposite side of the highway where a right angle is not*
37 *possible or practicable except as otherwise provided in subsections*
38 *4 and 5.*

39 3. ~~Between adjacent intersections at which official traffic-~~
40 ~~control devices are in operation pedestrians shall not cross at any~~
41 ~~place except in a marked crosswalk.~~ *A pedestrian who is within*
42 *200 feet of a marked crosswalk or an unmarked crosswalk at an*
43 *intersection shall not cross the highway outside of the marked or*
44 *unmarked crosswalk.*



1 4. A pedestrian shall not cross an intersection diagonally unless
2 authorized by official traffic-control devices.

3 5. When authorized to cross diagonally, pedestrians shall cross
4 only in accordance with the official traffic-control devices
5 pertaining to such crossing movements.

6 **Sec. 5.** NRS 484B.307 is hereby amended to read as follows:

7 484B.307 1. Whenever traffic is controlled by official traffic-
8 control devices exhibiting different colored lights, or colored lighted
9 arrows, successively one at a time or in combination as declared in
10 the manual and specifications adopted by the Department of
11 Transportation, only the colors green, yellow and red may be used,
12 except for special pedestrian-control devices carrying a word *or*
13 *symbol* legend as provided in NRS 484B.283. The lights, arrows
14 and combinations thereof indicate and apply to drivers of vehicles
15 and pedestrians as provided in this section.

16 2. When the signal is circular green alone:

17 (a) Vehicular traffic facing the signal may proceed straight
18 through or turn right or left unless another device at the place
19 prohibits either or both such turns. Such vehicular traffic, including
20 vehicles turning right or left, must yield the right-of-way to other
21 vehicles and ~~to~~ *stop for* pedestrians lawfully within the
22 intersection or an adjacent crosswalk at the time the signal is
23 exhibited.

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

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

28 (a) Vehicular traffic facing the signal may proceed to make the
29 movement indicated by the green turn arrow or such other
30 movement as is permitted by the circular green signal, but the traffic
31 must ~~yield the right-of-way to~~ *stop for* pedestrians lawfully within
32 an adjacent crosswalk and *yield the right-of-way* to other traffic
33 lawfully using the intersection at the time the signal is exhibited.
34 Drivers turning in the direction of the arrow when displayed with
35 the circular green are thereby advised that so long as a turn arrow is
36 illuminated, oncoming or opposing traffic simultaneously faces a
37 steady red signal.

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

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

42 (a) Vehicular traffic facing the signal may proceed only in the
43 direction indicated by the arrow signal so long as the arrow is
44 illuminated, but the traffic must ~~yield the right-of-way to~~ *stop for*



1 pedestrians lawfully within the adjacent crosswalk and *yield the*
2 *right-of-way* to other traffic lawfully using the intersection.

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

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

7 (a) Vehicular traffic facing the signal may proceed straight
8 through, but must not turn right or left. Such vehicular traffic must
9 yield the right-of-way to other vehicles and ~~to~~ *stop for* pedestrians
10 lawfully within the intersection or an adjacent crosswalk at the time
11 the signal is exhibited.

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

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

17 (a) Vehicular traffic facing the signal is thereby warned that the
18 related green movement is being terminated or that a steady red
19 indication will be exhibited immediately thereafter, and such
20 vehicular traffic must not enter the intersection when the red signal
21 is exhibited.

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

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

27 (a) *Vehicular traffic facing the signal is permitted to*
28 *cautiously enter the intersection only to make the movement*
29 *indicated by the arrow signal, or other such movement as is*
30 *permitted by other signal indications displayed at the same time.*
31 *Such vehicular traffic must stop for pedestrians lawfully within*
32 *the intersection or an adjacent crosswalk and yield the right-of-*
33 *way to other traffic lawfully within the intersection.*

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

39 8. Where the signal is a steady red signal alone:

40 (a) Vehicular traffic facing the signal must stop before entering
41 the crosswalk on the nearest side of the intersection where the sign
42 or pavement marking indicates where the stop must be made, or in
43 the absence of any such crosswalk, sign or marking, then before
44 entering the intersection, and, except as provided in paragraph (c),
45 must remain stopped or standing until the green signal is shown.



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

4 (c) After complying with the requirement to stop, vehicular
5 traffic facing such a signal and situated on the extreme right of the
6 highway may proceed into the intersection for a right turn only
7 when the intersecting highway is two-directional or one-way to
8 the right, or vehicular traffic facing such a signal and situated on the
9 extreme left of a one-way highway may proceed into the
10 intersection for a left turn only when the intersecting highway is
11 one-way to the left, but must ~~yield the right-of-way to~~ *stop for*
12 pedestrians and *yield the right-of-way to* other traffic proceeding as
13 directed by the signal at the intersection.

14 (d) Vehicular traffic facing the signal may not proceed on or
15 through any private or public property to enter the intersecting street
16 where traffic is not facing a red signal to avoid the red signal.

17 ~~8.1~~ 9. Where the signal is a steady red with a green turn
18 arrow:

19 (a) Vehicular traffic facing the signal may enter the intersection
20 only to make the movement indicated by the green turn arrow, but
21 must ~~yield the right-of-way to~~ *stop for* pedestrians lawfully within
22 an adjacent crosswalk and *yield the right-of-way* to other traffic
23 lawfully using the intersection. Drivers turning in the direction of
24 the arrow are thereby advised that so long as the turn arrow is
25 illuminated, oncoming or opposing traffic simultaneously faces a
26 steady red signal.

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

30 ~~9.1~~ 10. If a signal is erected and maintained at a place other
31 than an intersection, the provisions of this section are applicable
32 except as to those provisions which by their nature can have no
33 application. Any stop required must be made at a sign or pavement
34 marking indicating where the stop must be made, but in the absence
35 of any such device the stop must be made at the signal.

36 ~~10.1~~ 11. Whenever signals are placed over the individual
37 lanes of a highway, the signals indicate, and apply to drivers of
38 vehicles, as follows:

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

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



1 ~~11.1~~ 12. A local authority shall not adopt an ordinance or
2 regulation or take any other action that prohibits vehicular traffic
3 from crossing an intersection when:

4 (a) The red signal is exhibited; and

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

11 **Sec. 6.** NRS 484B.330 is hereby amended to read as follows:

12 484B.330 1. It is unlawful for a driver of a vehicle to fail or
13 refuse to comply with any signal of an authorized flagger serving in
14 a traffic control capacity in a clearly marked area of highway
15 construction or maintenance or any other area which has been
16 designated as a temporary traffic control zone.

17 2. A district attorney shall prosecute all violations of
18 subsection 1 which occur in his or her jurisdiction and which result
19 in injury to any person performing highway construction or
20 maintenance or performing other work within an area designated as
21 a temporary traffic control zone unless the district attorney has good
22 cause for not prosecuting the violation. In addition to any other
23 penalty, if a driver violates any provision of subsection 1 and the
24 violation results in injury to any person performing highway
25 construction or maintenance or performing other work within an
26 area designated as a temporary traffic control zone, or in damage to
27 property in an amount of not less than \$1,000, the driver shall be
28 punished by a fine of not less than \$1,000 or more than \$2,000, and
29 ordered to perform 120 hours of community service.

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

33 4. As used in this section, "authorized flagger serving in a
34 traffic control capacity" means:

35 (a) An employee of the Department of Transportation or of a
36 contractor performing highway construction or maintenance or
37 performing other work within an area designated as a temporary
38 traffic control zone for the Department of Transportation while the
39 employee is carrying out the duties of his or her employment;

40 (b) An employee of any other governmental entity or of a
41 contractor performing highway construction or maintenance or
42 performing other work within an area designated as a temporary
43 traffic control zone for the governmental entity while the employee
44 is carrying out the duties of his or her employment; or



1 (c) Any other person employed by a private entity performing
2 highway construction or maintenance or performing other work
3 within an area designated as a temporary traffic control zone while
4 the person is carrying out the duties of his or her employment if the
5 person has satisfactorily completed training as a flagger approved or
6 recognized by the Department of Transportation.

7 **Sec. 7.** NRS 484B.363 is hereby amended to read as follows:

8 484B.363 1. A person shall not drive a motor vehicle at a
9 speed in excess of 15 miles per hour in an area designated as a
10 school zone except:

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

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

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

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

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

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

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

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

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

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

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

37 (b) *During the period from a half hour after school is no*
38 *longer in operation to a half hour before school is next in*
39 *operation;*

40 (c) *If the zone is designated by an operational speed limit*
41 *beacon, during the hours when the pupils of the school are in*
42 *class and the yellow lights of the speed limit beacon are not*
43 *flashing in the manner which indicates that the speed limit is in*
44 *effect; or*



1 (d) *If the zone is not designated by an operational speed limit*
2 *beacon, during the times when the sign designating the school*
3 *zone or school crossing zone indicates that the speed limit is not in*
4 *effect.*

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

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

9 (b) *During the period from a half hour after school is no*
10 *longer in operation to a half hour before school is next in*
11 *operation;*

12 (c) *If the zone is designated by an operational speed limit*
13 *beacon, during the hours when the pupils of the school are in*
14 *class and the yellow lights of the speed limit beacon are not*
15 *flashing in the manner which indicates that the speed limit is in*
16 *effect; or*

17 (d) *If the zone is not designated by an operational speed limit*
18 *beacon, during the times when the sign designating the school*
19 *zone or school crossing zone indicates that the speed limit is not in*
20 *effect.*

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

26 ~~14.~~ 6. Each such governing body and the Department shall
27 provide signs to mark the beginning and end of each school zone
28 and school crossing zone which it respectively designates. Each sign
29 marking the beginning of such a zone must ~~include~~ :

30 (a) *Include* a designation of the hours when the speed limit is in
31 effect or that the speed limit is in effect when children are present ~~f.~~

32 ~~5.~~ (b) *State "DOUBLE PENALTIES IN SCHOOL ZONES"*
33 *to indicate a double penalty may be imposed pursuant to*
34 *NRS 484B.130.*

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

43 ~~16.~~ 8. *A person who violates any provision of subsections 1*
44 *to 4, inclusive, may be subject to the additional penalty set forth in*
45 *NRS 484B.130.*



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

6 ~~7-1~~ 10. As used in this section, "speed limit beacon" means a
7 device which is used in conjunction with a sign and equipped with
8 two or more yellow lights that flash alternately to indicate when the
9 speed limit in a school zone or school crossing zone is in effect.

10 **Sec. 8.** NRS 484B.653 is hereby amended to read as follows:
11 484B.653 1. It is unlawful for a person to:

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

14 (b) Drive a vehicle in an unauthorized speed contest on a public
15 highway.

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

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

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

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

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

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

30 or

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

33 ↪ *and may be ordered to attend, at the driver's own expense, a*
34 *course of pedestrian, bicycle and traffic safety approved by the*
35 *Department if the violation involved the safety of pedestrians or*
36 *persons riding bicycles.*

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

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

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

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

43 (1) By a fine of not less than \$1,500 but not more than
44 \$2,000; or



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

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

6 (a) For the first offense:

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

9 (2) Shall perform not less than 50 hours, but not more than
10 99 hours, of community service; and

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

13 (b) For the second offense:

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

16 (2) Shall perform not less than 100 hours, but not more than
17 199 hours, of community service; and

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

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

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

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

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

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

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

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

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

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

44 6. Unless a greater penalty is provided pursuant to subsection 4
45 of NRS 484B.550, a person who does any act or neglects any duty



1 imposed by law while driving or in actual physical control of any
2 vehicle in willful or wanton disregard of the safety of persons or
3 property, if the act or neglect of duty proximately causes the death
4 of or substantial bodily harm to another person, is guilty of a
5 category B felony and shall be punished by imprisonment in the
6 state prison for a minimum term of not less than 1 year and a
7 maximum term of not more than 6 years and by a fine of not less
8 than \$2,000 but not more than \$5,000.

9 7. A person who violates any provision of this section may be
10 subject to the additional penalty set forth in NRS 484B.130 unless
11 the person is subject to the penalty provided pursuant to subsection
12 4 of NRS 484B.550.

13 8. As used in this section, "organize" means to plan, schedule
14 or promote, or assist in the planning, scheduling or promotion of, an
15 unauthorized speed contest on a public highway, regardless of
16 whether a fee is charged for attending the unauthorized speed
17 contest.

