

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; authorizing certain governing bodies and the Department of Transportation to designate pedestrian safety zones in certain circumstances; providing for enhanced penalties for certain traffic violations in pedestrian safety zones; revising provisions relating to 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 **2 and 24** of this bill provide that a driver is subject to a doubling of the penalty for
7 a violation of a speed limit or of certain other traffic violations if the violation
8 occurs in a school zone or a school crossing zone at a time when the statutory speed
9 limits for such zones are in effect. **Section 24** also makes it unlawful for a driver to
10 make a U-turn or pass another vehicle in a school zone or a school crossing zone
11 when the school speed limit is in effect. Finally, **section 24** requires that the sign
12 posted to mark the beginning of each school zone and school crossing zone newly
13 include a designation that fines may be higher when the speed limit is in effect.



14 **Section 1** of this bill authorizes the governing body of a local government or
15 the Department of Transportation to designate pedestrian safety zones on a highway
16 if certain findings are made. **Section 1** also provides that a person who is convicted
17 of a violation of a speed limit or of certain other violations is subject to a doubling
18 of the penalty if the violation occurs in a pedestrian safety zone. **Sections 3-13, 17,**
19 **18, 20-22, 25-28 and 30-32** of this bill make conforming changes to indicate the
20 possibility of the enhanced penalty.

21 Existing law requires the driver of a vehicle to yield the right-of-way to a
22 pedestrian in a crosswalk under certain circumstances when the pedestrian is on the
23 half of the highway upon which the vehicle is traveling, and when a pedestrian is
24 lawfully in a crosswalk or intersection that is controlled by traffic lights. (NRS
25 484B.283, 484B.307) **Section 15** of this bill requires a driver to stop for such a
26 pedestrian, specifies that the requirement applies to both marked and unmarked
27 crosswalks, expands the requirement to when a pedestrian is within one lane of the
28 half of the highway upon which the vehicle is traveling and defines the term "half
29 of the highway" to mean the entire width of all the traffic lanes which convey
30 traffic in the same direction, including any paved shoulder. **Section 15** also
31 authorizes a court, upon the conviction of the driver of a motor vehicle for violating
32 certain crosswalk requirements, to order the driver to attend a course of pedestrian,
33 bicycle and traffic safety and to lower the amount of any fine imposed if the person
34 attends such a course. **Section 15** further provides that a person who resides more
35 than 50 miles from the nearest location where such a course is offered may be
36 exempted from attending the course. **Section 19** of this bill requires a driver to stop
37 for a pedestrian who is lawfully in a crosswalk or an intersection that is controlled
38 by traffic lights.

39 Existing law requires a pedestrian to yield the right-of-way to vehicles when
40 the pedestrian is crossing a highway outside of a marked or unmarked crosswalk,
41 and when crossing a highway at a point where a pedestrian tunnel or overhead
42 pedestrian crossing has been provided. Existing law also prohibits a pedestrian
43 from crossing a highway outside of a marked crosswalk when the pedestrian is
44 between adjacent intersections at which traffic-control devices are in operation.
45 (NRS 484B.287) **Section 16** of this bill eliminates the requirement for a pedestrian
46 to yield the right-of-way to vehicles when crossing where a pedestrian tunnel or
47 overhead pedestrian crossing has been provided. **Section 16** also revises the
48 prohibition on a pedestrian crossing outside of a marked crosswalk between
49 adjacent intersections to forbid a pedestrian from crossing outside of a marked or
50 unmarked crosswalk if the pedestrian is within 250 feet of a marked or unmarked
51 crosswalk, unless the pedestrian is crossing certain streets in a residential area.
52 **Section 16** also requires a pedestrian to cross a highway at a right angle to the edge
53 of the highway or, when a right angle is not possible or practicable, by the shortest
54 route to the opposite side.

55 Existing law provides that driving a vehicle in willful or wanton disregard of
56 the safety of persons or property constitutes reckless driving, and provides for the
57 imposition of certain fines and terms of imprisonment on a driver who is found
58 guilty of reckless driving. (NRS 484B.653) **Section 29** of this bill authorizes a court
59 to order a driver found guilty of reckless driving under certain circumstances to, in
60 addition to the required fine or term of imprisonment, attend a course of pedestrian,
61 bicycle and traffic safety if the reckless driving involved the safety of pedestrians or
62 persons riding bicycles. **Section 29** further provides that a person who resides more
63 than 50 miles from the nearest location where such a course is offered may be
64 exempted from attending the course.



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

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

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

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

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

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

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

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

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

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

39 (a) *Makes findings as to the necessity and appropriateness of a*
40 *pedestrian safety zone, including, without limitation,*
41 *circumstances on or near a highway which make an area of the*
42 *highway dangerous for pedestrians; and*



1 *(b) Comply with the requirements of subsection 3, NRS*
2 *484A.430 and 484A.440.*

3 **Sec. 2.** NRS 484B.130 is hereby amended to read as follows:

4 484B.130 1. Except as otherwise provided in subsections ~~12~~
5 *5, 9* and ~~16~~ *11*, a person who is convicted of a violation of a speed
6 limit, or of NRS 484B.150, 484B.163, 484B.165, 484B.200 to
7 484B.217, inclusive, 484B.223, 484B.227, 484B.300, 484B.303,
8 484B.317, 484B.320, 484B.327, 484B.330, *484B.363*, 484B.403,
9 484B.587, 484B.600, 484B.603, 484B.650, 484B.653, 484B.657,
10 484C.110 or 484C.120 *11 is subject to the additional penalty set*
11 *forth in subsection 4 if that violation occurred 1:*

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

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

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

16 *(b) At a time when the workers who are performing*
17 *construction, maintenance or repair of the highway or other work*
18 *are present, or when the effects of the act may be aggravated*
19 *because of the condition of the highway caused by construction,*
20 *maintenance or repair, including, without limitation, reduction in*
21 *lane width, reduction in the number of lanes, shifting of lanes from*
22 *the designated alignment and uneven or temporary surfaces,*
23 *including, without limitation, modifications to road beds, cement-*
24 *treated bases, chip seals and other similar conditions. 1:*

25 ~~1~~ *3. For the purposes of subsection 1, the additional penalty set*
26 *forth in subsection 4 applies when the violation occurs:*

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

29 *(b) When the speed limits required by NRS 484B.363 are in*
30 *effect.*

31 *4. Except as otherwise provided in sections 5, 9 and 11, a*
32 *person convicted of a violation pursuant to subsection 1 shall be*
33 *punished by imprisonment or by a fine, or both, for a term or an*
34 *amount equal to and in addition to the term of imprisonment or*
35 *amount of the fine, or both, that the court imposes for the primary*
36 *offense. Any term of imprisonment imposed pursuant to this*
37 *subsection runs consecutively with the sentence prescribed by the*
38 *court for the crime. This subsection does not create a separate*
39 *offense, but provides an additional penalty for the primary offense,*
40 *whose imposition is contingent upon the finding of the prescribed*
41 *fact.*

42 ~~12~~ *5. The additional penalty imposed pursuant to subsection*
43 ~~11~~ *4 must not exceed a total of \$1,000, 6 months of imprisonment*
44 *or 120 hours of community service.*



1 ~~13-1~~ 6. Except as otherwise provided in subsection ~~15-1~~ 8, a
2 governmental entity that designates an area or authorizes the
3 designation of an area as a temporary traffic control zone in which
4 construction, maintenance or repair of a highway or other work is
5 conducted, or the person with whom the governmental entity
6 contracts to provide such service, shall cause to be erected:

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

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

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

13 ~~14-1~~ 7. A person who otherwise would be subject to an
14 additional penalty pursuant to ~~this-section~~ **subsection 2** is not
15 relieved of any criminal liability because signs are not erected as
16 required by subsection ~~13-1~~ 6 if the violation results in injury to any
17 person performing highway construction or maintenance or other
18 work in the temporary traffic control zone or in damage to property
19 in an amount equal to \$1,000 or more.

20 ~~15-1~~ 8. The requirements of subsection ~~13-1~~ 6 do not apply to an
21 area designated as a temporary traffic control zone:

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

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

28 ~~16-1~~ 9. A person who would otherwise be subject to an
29 additional penalty pursuant to ~~this-section~~ **subsection 2** is not
30 subject to an additional penalty if the violation occurred in a
31 temporary traffic control zone for which signs are not erected
32 pursuant to subsection ~~15-1~~ 8, unless the violation results in injury to
33 any person performing highway construction or maintenance or
34 other work in the temporary traffic control zone or in damage to
35 property in an amount equal to \$1,000 or more.

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

42 *11. A person who otherwise would be subject to an additional
43 penalty pursuant to subsection 3 is not subject to an additional
44 penalty if the violation occurred in a school zone or a school
45 crossing zone which is not marked in accordance with*



1 *NRS 484B.363 unless the violation results in injury to any person*
2 *in the school zone or school crossing zone or in damage to*
3 *property in an amount equal to \$1,000 or more.*

4 **Sec. 3.** NRS 484B.150 is hereby amended to read as follows:

5 484B.150 1. It is unlawful for a person to drink an alcoholic
6 beverage while the person is driving or in actual physical control of
7 a motor vehicle upon a highway.

8 2. Except as otherwise provided in this subsection, it is
9 unlawful for a person to have an open container of an alcoholic
10 beverage within the passenger area of a motor vehicle while the
11 motor vehicle is upon a highway. This subsection does not apply to
12 a motor vehicle which is designed, maintained or used primarily for
13 the transportation of persons for compensation, or to the living
14 quarters of a house coach or house trailer.

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

18 4. As used in this section:

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

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

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

25 **Sec. 4.** NRS 484B.163 is hereby amended to read as follows:

26 484B.163 1. A person shall not drive a vehicle when it is so
27 loaded, or when there are in the front seat such number of persons,
28 exceeding three, as to obstruct the view of the driver to the front or
29 sides of the vehicle or as to interfere with the driver's control over
30 the driving mechanism of the vehicle.

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

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

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

40 **Sec. 5.** NRS 484B.165 is hereby amended to read as follows:

41 484B.165 1. Except as otherwise provided in this section, a
42 person shall not, while operating a motor vehicle on a highway in
43 this State:

44 (a) Manually type or enter text into a cellular telephone or other
45 handheld wireless communications device, or send or read data



1 using any such device to access or search the Internet or to engage
2 in nonvoice communications with another person, including,
3 without limitation, texting, electronic messaging and instant
4 messaging.

5 (b) Use a cellular telephone or other handheld wireless
6 communications device to engage in voice communications with
7 another person, unless the device is used with an accessory which
8 allows the person to communicate without using his or her hands,
9 other than to activate, deactivate or initiate a feature or function on
10 the device.

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

12 (a) A paid or volunteer firefighter, emergency medical
13 technician, ambulance attendant or other person trained to provide
14 emergency medical services who is acting within the course and
15 scope of his or her employment.

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

20 (c) A person who is reporting a medical emergency, a safety
21 hazard or criminal activity or who is requesting assistance relating
22 to a medical emergency, a safety hazard or criminal activity.

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

27 (e) A person who is licensed by the Federal Communications
28 Commission as an amateur radio operator and who is providing a
29 communication service in connection with an actual or impending
30 disaster or emergency, participating in a drill, test, or other exercise
31 in preparation for a disaster or emergency or otherwise
32 communicating public information.

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

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

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

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

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

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



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

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

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

8 6. The Department of Motor Vehicles shall not treat a first
9 violation of this section in the manner statutorily required for a
10 moving traffic violation.

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

15 8. As used in this section:

16 (a) "Handheld wireless communications device" means a
17 handheld device for the transfer of information without the use of
18 electrical conductors or wires and includes, without limitation, a
19 cellular telephone, a personal digital assistant, a pager and a text
20 messaging device. The term does not include a device used for two-
21 way radio communications if:

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

24 (2) All the controls for operating the device, other than the
25 microphone and a control to speak into the microphone, are located
26 on a unit which is used to transmit and receive communications and
27 which is separate from the microphone and is not intended to be
28 held.

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

32 **Sec. 6.** NRS 484B.200 is hereby amended to read as follows:

33 484B.200 1. Upon all highways of sufficient width a vehicle
34 must be driven upon the right half of the highway, except as
35 follows:

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

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

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

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

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



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

4 **Sec. 7.** NRS 484B.203 is hereby amended to read as follows:

5 484B.203 1. Drivers of vehicles proceeding in opposite
6 directions shall pass each other keeping to the right, and upon
7 highways having width for not more than one line of traffic in each
8 direction, each driver shall give to the other at least one-half of the
9 paved portion of the highway as nearly as possible.

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

13 **Sec. 8.** NRS 484B.207 is hereby amended to read as follows:

14 484B.207 1. The driver of a vehicle overtaking another
15 vehicle proceeding in the same direction shall pass to the left thereof
16 at a safe distance and shall not again drive to the right side of the
17 highway until safely clear of the overtaken vehicle.

18 2. Except when overtaking and passing on the right is
19 permitted, the driver of an overtaken vehicle shall give way to the
20 right in favor of the overtaking vehicle upon observing the
21 overtaking vehicle or hearing a signal. The driver of an overtaken
22 vehicle shall not increase the speed of the vehicle until completely
23 passed by the overtaking vehicle.

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

27 **Sec. 9.** NRS 484B.210 is hereby amended to read as follows:

28 484B.210 1. The driver of a vehicle may overtake and pass
29 upon the right of another vehicle only under the following
30 conditions:

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

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

36 (c) Upon a highway with unobstructed pavement which is not
37 marked as a traffic lane and which is not occupied by parked
38 vehicles, if the vehicle that is overtaking and passing another
39 vehicle:

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

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



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

4 2. The driver of a vehicle may overtake and pass another
5 vehicle upon the right only under conditions permitting such
6 movement in safety.

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

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

13 **Sec. 10.** NRS 484B.213 is hereby amended to read as follows:

14 484B.213 1. A vehicle must not be driven to the left side of
15 the center of a two-lane, two-directional highway and overtaking
16 and passing another vehicle proceeding in the same direction, unless
17 such left side is clearly visible and is free of oncoming traffic for a
18 sufficient distance ahead to permit such overtaking and passing to
19 be completely made without interfering with the safe operation of
20 any vehicle approaching from the opposite direction or any vehicle
21 overtaken.

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

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

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

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

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

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

36 **Sec. 11.** NRS 484B.217 is hereby amended to read as follows:

37 484B.217 1. The Department of Transportation with respect
38 to highways constructed under the authority of chapter 408 of NRS,
39 and local authorities with respect to highways under their
40 jurisdiction, may determine those zones of highways where
41 overtaking and passing to the left or making a left-hand turn would
42 be hazardous, and may by the erection of official traffic-control
43 devices indicate such zones. When such devices are in place and
44 clearly visible to an ordinarily observant person, every driver of a
45 vehicle shall obey the directions thereof.



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

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

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

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

17 **Sec. 12.** NRS 484B.223 is hereby amended to read as follows:

18 484B.223 1. If a highway has two or more clearly marked
19 lanes for traffic traveling in one direction, vehicles must:

20 (a) Be driven as nearly as practicable entirely within a single
21 lane; and

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

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

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

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

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

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

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

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

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



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

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

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

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

10 **Sec. 13.** NRS 484B.227 is hereby amended to read as follows:

11 484B.227 1. Every vehicle driven upon a divided highway
12 must be driven only upon the right-hand roadway and must not be
13 driven over, across or within any dividing space, barrier or section
14 or make any left turn, semicircular turn or U-turn, except through an
15 opening in the barrier or dividing section or space or at a crossover
16 or intersection established by a public authority.

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

20 **Sec. 14.** NRS 484B.280 is hereby amended to read as follows:

21 484B.280 1. A driver of a motor vehicle shall:

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

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

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

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

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

30 (3) In or near a *school zone or a* school crossing zone
31 marked in accordance with NRS 484B.363 or a marked or unmarked
32 crosswalk ~~§~~ *in accordance with NRS 484B.283.*

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

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

39 **Sec. 15.** NRS 484B.283 is hereby amended to read as follows:

40 484B.283 1. Except as otherwise provided in NRS 484B.287,
41 484B.290 and 484B.350:

42 (a) When official traffic-control ~~devices~~ *signals* are not in
43 place or not in operation , the driver of a vehicle shall ~~yield the~~
44 ~~right of way, slowing down or stopping if need be so to yield, to~~
45 *stop for* a pedestrian crossing the highway within a *marked or*



1 *unmarked* crosswalk when the pedestrian is upon *or within one*
2 *traffic lane of* the half of the highway upon which the vehicle is
3 traveling ~~[- or when the pedestrian is approaching so closely from~~
4 ~~the opposite half of the highway as to be in danger.]~~ *or onto which*
5 *the vehicle is about to turn.*

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

9 (c) Whenever a vehicle is stopped at a marked crosswalk or at
10 an unmarked crosswalk, ~~[at an intersection,]~~ the driver of any other
11 vehicle approaching from the rear shall not overtake and pass the
12 stopped vehicle until the driver has determined that the vehicle
13 being overtaken was not stopped for the purpose of permitting a
14 pedestrian to cross the highway.

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

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

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

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

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

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

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

43 (b) *Where otherwise prohibited by local ordinance or*
44 *regulation.*



1 3. *Except as otherwise provided in subsection 4, if the driver*
2 *of a motor vehicle or a pedestrian violates paragraph (a) or (c) of*
3 *subsection 1, the court may, in addition to any fine imposed, order*
4 *the driver or pedestrian to attend, at the driver's or pedestrian's*
5 *own expense, a course of pedestrian, bicycle and traffic safety*
6 *approved by the Department. The court may lower the amount of*
7 *any fine imposed if the driver or pedestrian attends such a course.*

8 4. *The driver of a motor vehicle or a pedestrian who violates*
9 *paragraph (a) or (c) of subsection 1 may be exempted from*
10 *attending a course of pedestrian, bicycle and traffic safety*
11 *pursuant to subsection 3 if he or she lives more than 50 miles from*
12 *the nearest location where such a course is offered.*

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

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

19 7. *For the purposes of this section, "half of the highway"*
20 *means the entire width of all the traffic lanes which are conveying*
21 *traffic in the same direction of travel, including any paved*
22 *shoulder.*

23 **Sec. 16.** NRS 484B.287 is hereby amended to read as follows:
24 484B.287 1. Except as provided in NRS 484B.290:

25 ~~1-1~~ (a) Every pedestrian crossing a highway at any point other
26 than within a marked crosswalk or within an unmarked crosswalk
27 ~~at an intersection~~ shall yield the right-of-way to all vehicles upon
28 the highway.

29 ~~1-2~~ (b) Any pedestrian crossing a highway ~~at a point where a~~
30 ~~pedestrian tunnel or overhead pedestrian crossing has been provided~~
31 ~~shall yield the right of way to all vehicles upon the highway.~~

32 ~~3.~~ ~~Between adjacent intersections at which official traffic~~
33 ~~control devices are in operation pedestrians shall not cross at any~~
34 ~~place except in a marked crosswalk.~~

35 ~~4.~~ ~~shall cross at a right angle to the edge of the highway, or by~~
36 ~~the shortest route to the opposite side of the highway where a right~~
37 ~~angle is not possible or practicable except as otherwise provided in~~
38 ~~paragraphs (e) and (f).~~

39 (c) *Except as otherwise provided in this paragraph, a*
40 *pedestrian who is within 250 feet of a marked crosswalk or an*
41 *unmarked crosswalk shall not cross the highway outside of the*
42 *marked or unmarked crosswalk. On a residential street, a*
43 *pedestrian who is within 250 feet of a marked or an unmarked*
44 *crosswalk may cross the residential street outside of the marked or*
45 *unmarked crosswalk in accordance with paragraphs (a) and (b).*



1 *(d) A pedestrian who is more than 250 feet from a marked or*
2 *unmarked crosswalk may cross a highway in accordance with*
3 *paragraphs (a) and (b).*

4 *(e) A pedestrian shall not cross an intersection diagonally unless*
5 *authorized by official traffic-control devices.*

6 ~~§~~ *(f) When authorized to cross diagonally, pedestrians shall*
7 *cross only in accordance with the official traffic-control devices*
8 *pertaining to such crossing movements.*

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

11 *3. As used in this section, "residential street" means a public*
12 *highway where the posted speed limit is 25 miles per hour or less*
13 *and that provides access to or is appurtenant to a residential area.*

14 **Sec. 17.** NRS 484B.300 is hereby amended to read as follows:

15 484B.300 1. It is unlawful for any driver to disobey the
16 instructions of any official traffic-control device placed in
17 accordance with the provisions of chapters 484A to 484E, inclusive,
18 of NRS, unless at the time otherwise directed by a police officer.

19 2. No provision of chapters 484A to 484E, inclusive, of NRS
20 for which such devices are required may be enforced against an
21 alleged violator if at the time and place of the alleged violation the
22 device is not in proper position and sufficiently legible to be seen by
23 an ordinarily observant person. Whenever a particular provision of
24 chapters 484A to 484E, inclusive, of NRS does not state that such
25 devices are required, the provision is effective even though no
26 devices are erected or in place.

27 3. Whenever devices are placed in position approximately
28 conforming to the requirements of chapters 484A to 484E, inclusive,
29 of NRS, such devices are presumed to have been so placed by the
30 official act or direction of a public authority, unless the contrary is
31 established by competent evidence.

32 4. Any device placed pursuant to the provisions of chapters
33 484A to 484E, inclusive, of NRS and purporting to conform to the
34 lawful requirements pertaining to such devices is presumed to
35 comply with the requirements of chapters 484A to 484E, inclusive,
36 of NRS unless the contrary is established by competent evidence.

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

40 **Sec. 18.** NRS 484B.303 is hereby amended to read as follows:

41 484B.303 1. Whenever official traffic-control devices are
42 erected indicating that no right or left turn is permitted, it is
43 unlawful for any driver of a vehicle to disobey the directions of any
44 such devices.



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

4 **Sec. 19.** NRS 484B.307 is hereby amended to read as follows:

5 484B.307 1. Whenever traffic is controlled by official traffic-
6 control devices exhibiting different colored lights, or colored lighted
7 arrows, successively one at a time or in combination as declared in
8 the manual and specifications adopted by the Department of
9 Transportation, only the colors green, yellow and red may be used,
10 except for special pedestrian-control devices carrying a word **or**
11 **symbol** legend as provided in NRS 484B.283. The lights, arrows
12 and combinations thereof indicate and apply to drivers of vehicles
13 and pedestrians as provided in this section.

14 2. When the signal is circular green alone:

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

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

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

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

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

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

40 (a) Vehicular traffic facing the signal may proceed only in the
41 direction indicated by the arrow signal so long as the arrow is
42 illuminated, but the traffic must ~~yield the right-of-way to~~ **stop for**
43 pedestrians lawfully within the adjacent crosswalk and **yield the**
44 **right-of-way** to other traffic lawfully using the intersection.



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

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

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

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

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

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

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

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

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

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

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

38 (a) Vehicular traffic facing the signal must stop before entering
39 the crosswalk on the nearest side of the intersection where the sign
40 or pavement marking indicates where the stop must be made, or in
41 the absence of any such crosswalk, sign or marking, then before
42 entering the intersection, and, except as provided in paragraph (c),
43 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 *13. A person who violates any provision of this section may*
12 *be subject to the additional penalty set forth in section 1 of this act.*

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

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

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

21 **Sec. 21.** NRS 484B.320 is hereby amended to read as follows:

22 484B.320 1. Except as otherwise provided in this section:

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

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

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

36 (a) To a provider of mass transit, a signal prioritization device;
37 or

38 (b) To a response agency, a signal preemption device or a signal
39 prioritization device, or both.

40 3. A police officer:

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

44 (b) May, without a warrant, seize and take possession of a
45 vehicle equipped with any device or mechanism that is capable of



1 interfering with or altering the signal of a traffic-control signal,
2 including, without limitation, a mobile transmitter, if the device or
3 mechanism cannot be removed from the motor vehicle by the police
4 officer, and may cause the vehicle to be towed and impounded until:

5 (1) The device or mechanism is removed from the vehicle;
6 and

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

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

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

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

23 7. A person who violates any provision of subsection 1 or 2
24 may be subject to ~~the~~ **any** additional penalty set forth in NRS
25 484B.130 **H** *or section 1 of this act.*

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

30 9. The provisions of this section do not:

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

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

37 10. As used in this section:

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

39 (1) Portable, installed within a vehicle or capable of being
40 installed within a vehicle; and

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



1 ↳ The term includes, without limitation, a signal preemption device
2 and a signal prioritization device.

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

6 (1) A public transit system, as that term is defined in NRS
7 377A.016; or

8 (2) A system of public transportation referred to in
9 NRS 277A.270.

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

15 (1) Provides ambulance service; or

16 (2) Provides intermediate or advanced medical care to sick or
17 injured persons at the scene of an emergency or while transporting
18 those persons to a medical facility.

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

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

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

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

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

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

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

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

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



1 (f) "Traffic-control signal" means a traffic-control signal, as
2 defined in NRS 484A.290, which is capable of receiving and
3 responding to an emission or transmission from a mobile
4 transmitter.

5 **Sec. 22.** NRS 484B.327 is hereby amended to read as follows:

6 484B.327 1. It is unlawful for any person to remove any
7 barrier or sign stating that a highway is closed to traffic.

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

13 **Sec. 23.** NRS 484B.330 is hereby amended to read as follows:

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

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

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

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

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

42 (b) An employee of any other governmental entity or of a
43 contractor performing highway construction or maintenance or
44 performing other work within an area designated as a temporary



1 traffic control zone for the governmental entity while the employee
2 is carrying out the duties of his or her employment; or

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

9 **Sec. 24.** NRS 484B.363 is hereby amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

42 (c) *If the zone is designated by an operational speed limit*
43 *beacon, during the hours when the pupils of the school are in*
44 *class and the yellow lights of the speed limit beacon are not*



1 *flashing in the manner which indicates that the speed limit is in*
2 *effect; or*

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

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

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

11 *(b) During the period from a half hour after school is no*
12 *longer in operation to a half hour before school is next in*
13 *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*
16 *class and the yellow lights of the speed limit beacon are not*
17 *flashing in the manner which indicates that the speed limit is in*
18 *effect; or*

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

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

28 ~~4.~~ *6. Each such governing body and the Department of*
29 *Transportation shall provide signs to mark the beginning and end of*
30 *each school zone and school crossing zone which it respectively*
31 *designates. Each sign marking the beginning of such a zone must*
32 *include ~~4~~:*

33 *(a) A designation of the hours when the speed limit is in effect*
34 *or that the speed limit is in effect when children are present ~~4~~*

35 ~~—5.~~; *and*

36 *(b) A statement which satisfies the requirements of NRS*
37 *484A.430 and provides notice that higher fines may apply in*
38 *school zones.*

39 *7. With respect to each school zone and school crossing zone*
40 *in a school district, the superintendent of the school district or his or*
41 *her designee, in conjunction with the Department of Transportation*
42 *and the governing body of the local government that designated the*
43 *school zone or school crossing zone and after consulting with the*
44 *principal of the school and the agency that is responsible for*



1 enforcing the speed limit in the zone, shall determine the times
2 when the speed limit is in effect.

3 ~~16-1~~ 8. *A person who violates any provision of subsections 1*
4 *to 4, inclusive, may be subject to any additional penalty set forth in*
5 *NRS 484B.130 or section 1 of this act.*

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

11 ~~17-1~~ 10. As used in this section, "speed limit beacon" means a
12 device which is used in conjunction with a sign and equipped with
13 two or more yellow lights that flash alternately to indicate when the
14 speed limit in a school zone or school crossing zone is in effect.

15 **Sec. 25.** NRS 484B.403 is hereby amended to read as follows:

16 484B.403 1. A U-turn may be made on any road where the
17 turn can be made with safety, except as prohibited by this section
18 and by the provisions of NRS 484B.227, *484B.363* and 484B.407.

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

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

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

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

30 **Sec. 26.** NRS 484B.600 is hereby amended to read as follows:

31 484B.600 1. It is unlawful for any person to drive or operate
32 a vehicle of any kind or character at:

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

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

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

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

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



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

4 **Sec. 27.** NRS 484B.603 is hereby amended to read as follows:

5 484B.603 1. The fact that the speed of a vehicle is lower than
6 the prescribed limits does not relieve a driver from the duty to
7 decrease speed when approaching and crossing an intersection,
8 when approaching and going around a curve, when approaching a
9 hill crest, when traveling upon any narrow or winding highway, or
10 when special hazards exist or may exist with respect to pedestrians
11 or other traffic, or by reason of weather or other highway conditions,
12 and speed must be decreased as may be necessary to avoid colliding
13 with any person, vehicle or other conveyance on or entering a
14 highway in compliance with legal requirements and the duty of all
15 persons to use due care.

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

19 **Sec. 28.** NRS 484B.650 is hereby amended to read as follows:

20 484B.650 1. A driver commits an offense of aggressive
21 driving if, during any single, continuous period of driving within the
22 course of 1 mile, the driver does all the following, in any sequence:

23 (a) Commits one or more acts of speeding in violation of NRS
24 484B.363 or 484B.600.

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

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

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

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

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

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

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

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



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

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

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

5 or

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

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

9 (1) By a fine of not less than \$1,000 but not more than
10 \$1,500; or

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

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

14 (1) By a fine of not less than \$1,500 but not more than
15 \$2,000; or

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

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

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

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

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

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

35 7. If the court issues an order suspending or revoking the
36 driver's license of the driver pursuant to this section, the court shall
37 require the driver to surrender to the court all driver's licenses then
38 held by the driver. The court shall, within 5 days after issuing the
39 order, forward the driver's licenses and a copy of the order to the
40 Department.

41 8. If the driver successfully completes a course of traffic safety
42 ordered pursuant to this section, the Department shall cancel three
43 demerit points from his or her driving record in accordance with
44 NRS 483.448 or 483.475, as appropriate, unless the driver would



1 not otherwise be entitled to have those demerit points cancelled
2 pursuant to the provisions of that section.

3 9. This section does not preclude the suspension or revocation
4 of the driver's license of the driver, or the suspension of the future
5 driving privileges of a person, pursuant to any other provision of
6 law.

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

10 **Sec. 29.** 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 ~~or~~,

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. The driver may be exempted from
37 attending such a course if he or she resides more than 50 miles
38 from the nearest location where such a course is offered.*

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

40 (1) By a fine of not less than \$1,000 but not more than
41 \$1,500; or

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

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



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

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

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

8 (a) For the first offense:

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

11 (2) Shall perform not less than 50 hours, but not more than
12 99 hours, of community service; and

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

15 (b) For the second offense:

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

18 (2) Shall perform not less than 100 hours, but not more than
19 199 hours, of community service; and

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

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

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

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

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

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

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

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

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

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



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

11 7. A person who violates any provision of this section may be
12 subject to ~~the~~ any additional penalty set forth in NRS 484B.130 *or*
13 *section 1 of this act* unless the person is subject to the penalty
14 provided pursuant to subsection 4 of NRS 484B.550.

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

20 **Sec. 30.** NRS 484B.657 is hereby amended to read as follows:

21 484B.657 1. A person who, while driving or in actual
22 physical control of any vehicle, proximately causes the death of
23 another person through an act or omission that constitutes simple
24 negligence is guilty of vehicular manslaughter and shall be punished
25 for a misdemeanor.

26 2. A person who commits an offense of vehicular manslaughter
27 may be subject to ~~the~~ any additional penalty set forth in NRS
28 484B.130 ~~H~~ *or section 1 of this act*.

29 3. Upon the conviction of a person for a violation of the
30 provisions of subsection 1, the court shall notify the Department of
31 the conviction.

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

35 **Sec. 31.** NRS 484C.110 is hereby amended to read as follows:

36 484C.110 1. It is unlawful for any person who:

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

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

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

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

45 2. It is unlawful for any person who:



- 1 (a) Is under the influence of a controlled substance;
- 2 (b) Is under the combined influence of intoxicating liquor and a
- 3 controlled substance; or
- 4 (c) Inhales, ingests, applies or otherwise uses any chemical,
- 5 poison or organic solvent, or any compound or combination of any
- 6 of these, to a degree which renders the person incapable of safely
- 7 driving or exercising actual physical control of a vehicle,
- 8 ➔ to drive or be in actual physical control of a vehicle on a highway
- 9 or on premises to which the public has access. The fact that any
- 10 person charged with a violation of this subsection is or has been
- 11 entitled to use that drug under the laws of this State is not a defense
- 12 against any charge of violating this subsection.

13 3. It is unlawful for any person to drive or be in actual physical

14 control of a vehicle on a highway or on premises to which the public

15 has access with an amount of a prohibited substance in his or her

16 blood or urine that is equal to or greater than:

17		Urine	Blood
18		Nanograms	Nanograms
19		per milliliter	per milliliter
20	Prohibited substance		
21			
22	(a) Amphetamine	500	100
23	(b) Cocaine	150	50
24	(c) Cocaine metabolite	150	50
25	(d) Heroin	2,000	50
26	(e) Heroin metabolite:		
27	(1) Morphine	2,000	50
28	(2) 6-monoacetyl morphine	10	10
29	(f) Lysergic acid diethylamide	25	10
30	(g) Marijuana	10	2
31	(h) Marijuana metabolite	15	5
32	(i) Methamphetamine	500	100
33	(j) Phencyclidine	25	10
34			

35 4. If consumption is proven by a preponderance of the

36 evidence, it is an affirmative defense under paragraph (c) of

37 subsection 1 that the defendant consumed a sufficient quantity of

38 alcohol after driving or being in actual physical control of the

39 vehicle, and before his or her blood or breath was tested, to cause

40 the defendant to have a concentration of alcohol of 0.08 or more in

41 his or her blood or breath. A defendant who intends to offer this

42 defense at a trial or preliminary hearing must, not less than 14 days

43 before the trial or hearing or at such other time as the court may

44 direct, file and serve on the prosecuting attorney a written notice of

45 that intent.



* S B 1 7 9 R 2 *

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

4 **Sec. 32.** NRS 484C.120 is hereby amended to read as follows:

5 484C.120 1. It is unlawful for any person who:

- 6 (a) Is under the influence of intoxicating liquor;
- 7 (b) Has a concentration of alcohol of 0.04 or more but less than
8 0.08 in his or her blood or breath; or
- 9 (c) Is found by measurement within 2 hours after driving or
10 being in actual physical control of a commercial motor vehicle to
11 have a concentration of alcohol of 0.04 or more but less than 0.08 in
12 his or her blood or breath,

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

15 2. It is unlawful for any person who:

- 16 (a) Is under the influence of a controlled substance;
- 17 (b) Is under the combined influence of intoxicating liquor and a
18 controlled substance; or
- 19 (c) Inhales, ingests, applies or otherwise uses any chemical,
20 poison or organic solvent, or any compound or combination of any
21 of these, to a degree which renders the person incapable of safely
22 driving or exercising actual physical control of a commercial motor
23 vehicle,

24 ➔ to drive or be in actual physical control of a commercial motor
25 vehicle on a highway or on premises to which the public has access.
26 The fact that any person charged with a violation of this subsection
27 is or has been entitled to use that drug under the laws of this State is
28 not a defense against any charge of violating this subsection.

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

34 Prohibited substance	35 Urine 36 Nanograms 37 per milliliter	38 Blood 39 Nanograms 40 per milliliter
41 (a) Amphetamine	500	100
42 (b) Cocaine	150	50
43 (c) Cocaine metabolite	150	50
44 (d) Heroin	2,000	50
45 (e) Heroin metabolite:		
(1) Morphine	2,000	50
(2) 6-monoacetyl morphine	10	10
(f) Lysergic acid diethylamide	25	10



	Urine	Blood
	Nanograms	Nanograms
Prohibited substance	per milliliter	per milliliter
(g) Marijuana	10	2
(h) Marijuana metabolite	15	5
(i) Methamphetamine	500	100
(j) Phencyclidine	25	10

4. If consumption is proven by a preponderance of the evidence, it is an affirmative defense under paragraph (c) of subsection 1 that the defendant consumed a sufficient quantity of alcohol after driving or being in actual physical control of the commercial motor vehicle, and before his or her blood or breath was tested, to cause the defendant to have a concentration of alcohol of 0.04 or more in his or her blood or breath. A defendant who intends to offer this defense at a trial or preliminary hearing must, not less than 14 days before the trial or hearing or at such other time as the court may direct, file and serve on the prosecuting attorney a written notice of that intent.

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

6. As used in this section:

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

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

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

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

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

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

