

ASSEMBLY BILL NO. 281—ASSEMBLYMEN FIORE, MOORE, GARDNER, ELLIOT ANDERSON, OHRENSCHALL; PAUL ANDERSON, ARAUJO, ARMSTRONG, BUSTAMANTE ADAMS, CARLTON, CARRILLO, DIAZ, DICKMAN, DOOLING, ELLISON, FLORES, HAMBRICK, HICKEY, JONES, KIRKPATRICK, KIRNER, MUNFORD, NEAL, NELSON, O’NEILL, OSCARSON, SEAMAN, SHELTON, SILBERKRAUS, SPIEGEL, SPRINKLE, STEWART, SWANK, THOMPSON, TITUS, TROWBRIDGE, WHEELER AND WOODBURY

MARCH 13, 2015

JOINT SPONSORS: SENATORS KIHUEN, FORD, SPEARMAN, ATKINSON, PARKS; FARLEY, GUSTAVSON, HARDY, MANENDO, SEGERBLOM, SETTELMAYER AND WOODHOUSE

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to certain criminal offenses involving vehicles. (BDR 43-243)

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

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

AN ACT relating to vehicles; providing that violations of certain traffic laws and ordinances must be treated as civil matters; providing that violations of certain laws relating to drivers’ licenses, the registration of motor vehicles and insurance on motor vehicles must be treated as civil matters; establishing procedures for the imposition of civil penalties for violations of certain traffic laws and certain laws relating to vehicles; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law provides that a violation of any traffic law or ordinance is a
- 2 misdemeanor, unless a different penalty is prescribed by a different statute. (NRS
- 3 484A.900) Existing law further provides that a county or an incorporated city may



4 enact ordinances imposing civil penalties for violations of certain ordinances
5 enacted by the county or incorporated city. (NRS 244.3575, 268.019) **Sections 12-**
6 **23 and 39** of this bill enact provisions based on Arizona law to provide for the
7 imposition of civil penalties rather than criminal penalties for violations of certain
8 traffic laws and ordinances. Under **sections 19 and 39**: (1) the maximum civil
9 penalty that may be imposed for a violation of a traffic law or ordinance punishable
10 by a civil penalty is \$250, unless a different amount is specified by statute; and (2)
11 the judgment imposing the civil penalty must include the administrative
12 assessments currently imposed for violations of traffic laws and ordinances.

13 Existing law provides that any violation of state law regarding drivers' licenses
14 or the registration of motor vehicles is a misdemeanor, unless a statute specifies a
15 different penalty. (NRS 482.555, 483.620) **Sections 1-4, 9 and 10** of this bill enact
16 provisions based on Arizona law to provide that a person who: (1) operates, or
17 knowingly permits the operation of, a motor vehicle in this State without current
18 registration and license plates is subject to a civil penalty rather than the penalty for
19 a misdemeanor; (2) fails to register his or her motor vehicle in this State within a
20 certain period after becoming a resident of this State is subject to a civil penalty in
21 the same amount as the criminal fine provided under existing law; or (3) does not
22 obtain a driver's license in this State within a certain period after becoming a
23 resident or drives a motor vehicle in this State without being the holder of a valid
24 driver's license is subject to a civil penalty of not more than \$250 rather than the
25 penalty for a misdemeanor, except that a person who drives a motor vehicle in this
26 State when the person is disqualified from driving is guilty of a misdemeanor.

27 Existing law provides that a person commits a misdemeanor if he or she: (1)
28 operates a motor vehicle registered or required to be registered in this State without
29 having insurance; (2) operates, or knowingly permits the operation of, the motor
30 vehicle without evidence of insurance in the vehicle; or (3) fails or refuses to
31 surrender, upon demand, to a peace officer or an authorized representative of the
32 Department of Motor Vehicles the evidence of insurance. (NRS 485.187) **Section**
33 **37** of this bill enacts provisions based on Arizona law to provide that a person who
34 commits these violations is subject to a civil penalty in the same amount as the
35 criminal fine imposed under current law.

36 Existing law provides that it is unlawful for a person to violate a written
37 promise to appear given to a peace officer upon the issuance of a traffic citation and
38 that a warrant may issue upon a violation of a written promise to appear. (NRS
39 484A.670) **Sections 18, 25 and 27** of this bill provide that a person who violates a
40 written promise to appear given upon the issuance of a citation for a violation that
41 is punishable by a civil penalty must have a judgment for the civil penalty entered
42 against him or her and that a warrant must not be issued for the failure to appear.
43 **Sections 7 and 22** of this bill provide for the suspension of the driver's license of a
44 person who fails to pay a civil penalty within the time prescribed by law.

45 **Sections 5, 6 and 8** of this bill provide that, for the purposes of maintaining a
46 person's driving record, the imposition of a civil penalty for a traffic violation is
47 treated the same as a conviction for a traffic offense under existing law.

48 **Sections 25, 26, 31 and 33-36** of this bill maintain the designation of certain
49 traffic offenses as misdemeanors. **Section 32** of this bill provides that a person who
50 commits certain civil traffic violations in a road construction zone is subject to an
51 additional civil penalty.

52 **Sections 40-42** of this bill enact provisions to govern the jurisdiction and
53 disposition of civil violations committed by juveniles.



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

1 **Section 1.** NRS 482.385 is hereby amended to read as follows:

2 482.385 1. Except as otherwise provided in subsections 5 and
3 7 and NRS 482.390 and 482.3961, a nonresident owner of a vehicle
4 of a type subject to registration pursuant to the provisions of this
5 chapter, owning any vehicle which has been registered for the
6 current year in the state, country or other place of which the owner
7 is a resident and which at all times when operated in this State has
8 displayed upon it the registration license plate issued for the vehicle
9 in the place of residence of the owner, may operate or permit the
10 operation of the vehicle within this State without its registration in
11 this State pursuant to the provisions of this chapter and without the
12 payment of any registration fees to this State:

13 (a) For a period of not more than 30 days in the aggregate in any
14 1 calendar year; and

15 (b) Notwithstanding the provisions of paragraph (a), during any
16 period in which the owner is:

17 (1) On active duty in the military service of the United
18 States;

19 (2) An out-of-state student;

20 (3) Registered as a student at a college or university located
21 outside this State and who is in the State for a period of not more
22 than 6 months to participate in a work-study program for which the
23 student earns academic credits from the college or university; or

24 (4) A migrant or seasonal farm worker.

25 2. This section does not:

26 (a) Prohibit the use of manufacturers', distributors' or dealers'
27 license plates issued by any state or country by any nonresident in
28 the operation of any vehicle on the public highways of this State.

29 (b) Require registration of vehicles of a type subject to
30 registration pursuant to the provisions of this chapter operated by
31 nonresident common motor carriers of persons or property, contract
32 motor carriers of persons or property, or private motor carriers of
33 property as stated in NRS 482.390.

34 (c) Require registration of a vehicle operated by a border state
35 employee.

36 3. Except as otherwise provided in subsection 5, when a
37 person, formerly a nonresident, becomes a resident of this State, the
38 person shall:

39 (a) Within 30 days after becoming a resident; or

40 (b) At the time he or she obtains a driver's license,

41 ➤ whichever occurs earlier, apply for the registration of each
42 vehicle the person owns which is operated in this State. When a



1 person, formerly a nonresident, applies for a driver's license in this
2 State, the Department shall inform the person of the requirements
3 imposed by this subsection and of the penalties that may be imposed
4 for failure to comply with the provisions of this subsection.

5 4. A citation may be issued pursuant to subsection 1, 3 or 5
6 only if the violation is discovered when the vehicle is halted or its
7 driver arrested for another alleged violation or offense. The
8 Department shall maintain or cause to be maintained a list or other
9 record of persons who fail to comply with the provisions of
10 subsection 3 and shall, at least once each month, provide a copy of
11 that list or record to the Department of Public Safety.

12 5. Except as otherwise provided in this subsection and NRS
13 482.3961, a resident or nonresident owner of a vehicle of a type
14 subject to registration pursuant to the provisions of this chapter who
15 engages in a trade, profession or occupation or accepts gainful
16 employment in this State or who enrolls his or her children in a
17 public school in this State shall, within 30 days after the
18 commencement of such employment or enrollment, apply for the
19 registration of each vehicle the person owns which is operated in
20 this State. The provisions of this subsection do not apply to a
21 nonresident who is:

22 (a) On active duty in the military service of the United States;

23 (b) An out-of-state student;

24 (c) Registered as a student at a college or university located
25 outside this State and who is in the State for a period of not more
26 than 6 months to participate in a work-study program for which the
27 student earns academic credits from the college or university; or

28 (d) A migrant or seasonal farm worker.

29 6. A ~~[person who violates]~~ *violation of* the provisions of
30 subsection 1, 3 or 5 ~~[is guilty of a misdemeanor]~~ *must be treated as*
31 *a civil matter pursuant to sections 12 to 22, inclusive, of this act*
32 and, except as otherwise provided in this subsection, *a person who*
33 *violates the provisions of subsection 1, 3 or 5* shall be punished by
34 a ~~[fine]~~ *civil penalty* of \$1,000. The ~~[fine]~~ *civil penalty* imposed
35 pursuant to this subsection is in addition to any fine or penalty
36 imposed for the other alleged violation or offense for which the
37 vehicle was halted or its driver arrested pursuant to subsection 4.
38 The ~~[fine]~~ *civil penalty* imposed pursuant to this subsection may be
39 reduced to not less than \$200 if the person presents evidence at the
40 time of the hearing that the person has registered the vehicle
41 pursuant to this chapter.

42 7. Any resident operating upon a highway of this State a motor
43 vehicle which is owned by a nonresident and which is furnished to
44 the resident operator for his or her continuous use within this State,



1 shall cause that vehicle to be registered within 30 days after
2 beginning its operation within this State.

3 8. A person registering a vehicle pursuant to the provisions of
4 subsection 1, 3, 5, 7 or 9 or pursuant to NRS 482.390:

5 (a) Must be assessed the registration fees and governmental
6 services tax, as required by the provisions of this chapter and
7 chapter 371 of NRS; and

8 (b) Must not be allowed credit on those taxes and fees for the
9 unused months of the previous registration.

10 9. If a vehicle is used in this State for a gainful purpose, the
11 owner shall immediately apply to the Department for registration,
12 except as otherwise provided in NRS 482.390, 482.395, 482.3961
13 and 706.801 to 706.861, inclusive.

14 10. An owner registering a vehicle pursuant to the provisions
15 of this section shall surrender the existing nonresident license plates
16 and registration certificates to the Department for cancellation.

17 11. A vehicle may be cited for a violation of this section
18 regardless of whether it is in operation or is parked on a highway, in
19 a public parking lot or on private property which is open to the
20 public if, after communicating with the owner or operator of the
21 vehicle, the peace officer issuing the citation determines that:

22 (a) The owner of the vehicle is a resident of this State;

23 (b) The vehicle is used in this State for a gainful purpose;

24 (c) Except as otherwise provided in paragraph (b) of subsection
25 1, the owner of the vehicle is a nonresident and has operated the
26 vehicle in this State for more than 30 days in the aggregate in any 1
27 calendar year; or

28 (d) The owner of the vehicle is a nonresident required to register
29 the vehicle pursuant to subsection 5.

30 12. A constable may issue a citation for a violation of this
31 section only if the vehicle is located in his or her township at the
32 time the citation is issued.

33 13. As used in this section, "peace officer" includes a
34 constable.

35 **Sec. 2.** NRS 482.545 is hereby amended to read as follows:

36 482.545 It is unlawful for any person to commit any of the
37 following acts:

38 1. To operate, or for the owner thereof knowingly to permit the
39 operation of, upon a highway any motor vehicle, trailer or
40 semitrailer which is not registered or which does not have attached
41 thereto and displayed thereon the number of plate or plates assigned
42 thereto by the Department for the current period of registration or
43 calendar year, subject to the exemption allowed in NRS 482.316 to
44 482.3175, inclusive, 482.320 to 482.363, inclusive, 482.385 to
45 482.3965, inclusive, and 482.420. *A person who violates this*



1 *subsection is subject to a civil penalty of not more than \$250 to be*
2 *imposed pursuant to sections 12 to 22, inclusive, of this act.*

3 2. To display, cause or permit to be displayed or to have in
4 possession any certificate of registration, license plate, certificate of
5 title, temporary placard, movement permit or other document of title
6 knowing it to be fictitious or to have been cancelled, revoked,
7 suspended or altered.

8 3. To lend to, or knowingly permit the use of by, one not
9 entitled thereto any registration card, plate, temporary placard or
10 movement permit issued to the person so lending or permitting the
11 use thereof.

12 4. To fail or to refuse to surrender to the Department, upon
13 demand, any registration card or plate which has been suspended,
14 cancelled or revoked as provided in this chapter.

15 5. To use a false or fictitious name or address in any
16 application for the registration of any vehicle or for any renewal or
17 duplicate thereof, or knowingly to make a false statement or
18 knowingly to conceal a material fact or otherwise commit a fraud in
19 an application. A violation of this subsection is a gross
20 misdemeanor.

21 6. Knowingly to operate a vehicle which:

22 (a) Has an identification number or mark which has been falsely
23 attached, removed, defaced, altered or obliterated; or

24 (b) Contains a part which has an identification number or mark
25 which has been falsely attached, removed, defaced, altered or
26 obliterated.

27 **Sec. 3.** NRS 482.555 is hereby amended to read as follows:

28 482.555 1. In addition to any other penalty provided by this
29 chapter:

30 (a) It is a gross misdemeanor for any person knowingly to
31 falsify:

32 (1) A dealer's or rebuilder's report of sale, as described in
33 NRS 482.423 and 482.424;

34 (2) An application or document to obtain any license, permit,
35 certificate of title or vehicle registration issued under the provisions
36 of this chapter; or

37 (3) An application or document to obtain a salvage title or
38 nonrepairable vehicle certificate as defined in chapter 487 of NRS.

39 (b) ~~It~~ *Except as otherwise provided in subsection 6 of NRS*
40 *482.385 and subsection 1 of NRS 482.545, it* is a misdemeanor for
41 any person to violate any of the provisions of this chapter unless
42 such violation is by this section or other provision of this chapter or
43 other law of this State declared to be a gross misdemeanor or a
44 felony.



1 2. The provisions of this section do not apply to a violation of
2 subsection 3 of NRS 482.367002.

3 **Sec. 4.** NRS 483.245 is hereby amended to read as follows:

4 483.245 1. When a person becomes a resident of Nevada as
5 defined in this chapter and chapter 482 of NRS, the person must,
6 within 30 days, obtain a Nevada driver's license as a prerequisite to
7 driving any motor vehicle in the State of Nevada. *A person who*
8 *violates this subsection is subject to a civil penalty of not more*
9 *than \$250 to be imposed pursuant to sections 12 to 22, inclusive,*
10 *of this act.*

11 2. Where a person who applies for a license has a valid driver's
12 license from a state which has requirements for issuance of drivers'
13 licenses comparable to those of the State of Nevada, the Department
14 may issue a Nevada license under the same terms and conditions
15 applicable to a renewal of a license in this State.

16 3. In carrying out the provisions of this chapter, the
17 Administrator is authorized to enter into reciprocal agreements with
18 appropriate officials of other states concerning the licensing of
19 drivers of motor vehicles.

20 **Sec. 5.** NRS 483.447 is hereby amended to read as follows:

21 483.447 A person who does not hold a valid license issued by
22 this State or any other state and who operates a vehicle in this State
23 shall be deemed to have future driving privileges that may be
24 suspended if the person is convicted of any traffic offense in this
25 State ~~or~~ *or if a judgment for a civil penalty is entered against the*
26 *person pursuant to sections 12 to 22, inclusive, of this act for any*
27 *traffic offense in this State.*

28 **Sec. 6.** NRS 483.450 is hereby amended to read as follows:

29 483.450 1. A record of conviction must be made in a manner
30 approved by the Department. The court shall provide sufficient
31 information to allow the Department to include accurately the
32 information regarding the conviction in the driver's record.

33 2. The Department shall adopt regulations prescribing the
34 information necessary to record the conviction in the driver's
35 record.

36 3. Every court, including a juvenile court, having jurisdiction
37 over violations of the provisions of NRS 483.010 to 483.630,
38 inclusive, or any other law of this State or municipal ordinance
39 regulating the operation of motor vehicles on highways, shall
40 forward to the Department:

41 (a) If the court is other than a juvenile court, a record of the
42 conviction of any person in that court for a violation of any such
43 laws other than regulations governing standing or parking; or



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

4 ↪ within 5 days after the conviction or finding, and may
5 recommend the suspension of the driver's license of the person
6 convicted or child found in violation of a traffic law or ordinance.

7 4. If a record forwarded to the Department pursuant to
8 subsection 3 is a record of the conviction of a person who holds a
9 commercial driver's license, the Department shall, within 5 days
10 after the date on which it receives such a record, transmit notice of
11 the conviction to the Commercial Driver's License Information
12 System.

13 5. For the purposes of NRS 483.010 to 483.630, inclusive:

14 (a) "Conviction" has the meaning prescribed by regulation
15 pursuant to NRS 481.052 ~~and~~ ***and includes, without limitation, the***
16 ***entering of a judgment for a civil penalty pursuant to sections 12***
17 ***to 22, inclusive, of this act.***

18 (b) A forfeiture of bail or collateral deposited to secure a
19 defendant's appearance in court, if the forfeiture has not been
20 vacated, is equivalent to a conviction.

21 6. The necessary expenses of mailing records of conviction to
22 the Department as required by this section must be paid by the court
23 charged with the duty of forwarding those records of conviction.

24 7. As used in this section, "Commercial Driver's
25 License Information System" has the meaning ascribed to it in
26 NRS 483.904.

27 **Sec. 7.** NRS 483.465 is hereby amended to read as follows:

28 483.465 1. If a driver who holds a Nevada driver's license
29 ***[violates]***:

30 (a) ***Fails to pay a civil penalty or any administrative***
31 ***assessment imposed pursuant to sections 12 to 22, inclusive, of this***
32 ***act within the time required by section 22 of this act, other than***
33 ***for a violation of a traffic law or ordinance occurring within this***
34 ***State governing standing or parking; or***

35 (b) ***Violates*** a written promise to appear pursuant to a citation
36 that was prepared manually or electronically for a violation of a
37 traffic law or ordinance ***punishable as a misdemeanor and***
38 ***occurring within this State other than one governing standing or***
39 ***parking,***

40 ↪ the clerk of the court shall immediately notify the Department on
41 a form approved by the Department.

42 2. Upon receipt of notice from a court in this State of a failure
43 to appear, the Department shall notify the driver by mail that his or
44 her privilege to drive is subject to suspension and allow 30 days
45 after the date of mailing the notice to:



1 (a) Appear in court and obtain a dismissal of the citation or
2 complaint as provided by law;

3 (b) Appear in court and, if permitted by the court, make an
4 arrangement acceptable to the court to satisfy a judgment of
5 conviction ~~or~~ *or a judgment for a civil penalty and administrative*
6 *assessments entered pursuant to sections 12 to 22, inclusive, of*
7 *this act;*

8 (c) *Pay the civil penalty and administrative assessments*
9 *imposed pursuant to sections 12 to 22, inclusive, of this act; or*

10 (d) Make a written request to the Department for a hearing.

11 3. If notified by a court, within 30 days after the notice of a
12 failure to appear, that a driver has been allowed to make an
13 arrangement for the satisfaction of a judgment of conviction ~~or~~ *or a*
14 *judgment for a civil penalty and administrative assessments*
15 *entered pursuant to sections 12 to 22, inclusive, of this act,* the
16 Department shall remove the suspension from the driver's record. If
17 the driver subsequently defaults on the arrangement with the court,
18 the court shall notify the Department which shall immediately
19 suspend the driver's license until the court notifies the Department
20 that the suspension may be removed.

21 4. The Department shall suspend the license of a driver 31 days
22 after it mails the notice provided for in subsection 2 to the driver,
23 unless within that time it has received a written request for a hearing
24 from the driver or notice from the court on a form approved by the
25 Department that the driver has appeared, ~~or~~ the citation or
26 complaint has been dismissed ~~or~~ *or the civil penalty and*
27 *administrative assessments imposed pursuant to sections 12 to 22,*
28 *inclusive, of this act have been paid.* A license so suspended
29 remains suspended until further notice is received from the court
30 that the driver has appeared or that the case has been otherwise
31 disposed of as provided by law.

32 **Sec. 8.** NRS 483.473 is hereby amended to read as follows:

33 483.473 1. As used in this section, "traffic violation" means
34 conviction of a moving traffic violation, *or the entering of a*
35 *judgment for a civil penalty pursuant to sections 12 to 22,*
36 *inclusive, of this act,* in any municipal court, justice court or district
37 court in this State. The term includes a finding by a juvenile court
38 that a child has violated a traffic law or ordinance other than one
39 governing standing or parking. The term does not include a
40 conviction or a finding by a juvenile court of a violation of the speed
41 limit posted by a public authority under the circumstances described
42 in subsection 1 of NRS 484B.617.

43 2. The Department shall establish a uniform system of demerit
44 points for various traffic violations occurring within this State
45 affecting the driving privilege of any person who holds a driver's



1 license issued by the Department and persons deemed to have future
2 driving privileges pursuant to NRS 483.447. The system must be
3 based on the accumulation of demerits during a period of 12
4 months.

5 3. The system must be uniform in its operation, and the
6 Department shall set up a schedule of demerits for each traffic
7 violation, depending upon the gravity of the violation, on a scale of
8 one demerit point for a minor violation of any traffic law to eight
9 demerit points for an extremely serious violation of the law
10 governing traffic violations. If a conviction of *, or the entering of a*
11 *judgment for a civil penalty for*, two or more traffic violations
12 committed on a single occasion is obtained, points must be assessed
13 for one ~~[offense,]~~ *violation*, and if the point values differ, points
14 must be assessed for the ~~[offense]~~ *violation* having the greater point
15 value. Details of the violation must be submitted to the Department
16 by the court where the conviction is obtained ~~[.]~~ *or the judgment for*
17 *the civil penalty is entered*. The Department may provide for a
18 graduated system of demerits within each category of violations
19 according to the extent to which the traffic law was violated.

20 **Sec. 9.** NRS 483.550 is hereby amended to read as follows:

21 483.550 1. ~~[It is unlawful for any]~~ *Except as otherwise*
22 *provided in this subsection, a* person ~~[to drive]~~ *who drives* a motor
23 vehicle upon a public street or highway in this State without being
24 the holder of a valid driver's license ~~[.]~~ *is subject to a civil penalty*
25 *of not more than \$250 to be imposed pursuant to sections 12 to 22,*
26 *inclusive, of this act. A person who drives a motor vehicle upon a*
27 *public street or highway in this State when the person is*
28 *disqualified from driving is guilty of a misdemeanor.*

29 2. The court shall ~~[require]~~ *order* any person ~~[convicted of]~~
30 *upon whom a civil penalty is imposed for* violating this section to
31 obtain a valid driver's license or produce a notice of disqualification
32 from the Department.

33 **Sec. 10.** NRS 483.620 is hereby amended to read as follows:

34 483.620 ~~[It]~~ *Except as otherwise provided in NRS 483.245*
35 *and 483.550, it* is a misdemeanor for any person to violate any of
36 the provisions of NRS 483.010 to 483.630, inclusive, unless such
37 violation is, by NRS 483.010 to 483.630, inclusive, or other law of
38 this State, declared to be a felony.

39 **Sec. 11.** Chapter 484A of NRS is hereby amended by adding
40 thereto the provisions set forth as sections 12 to 22, inclusive, of this
41 act.

42 **Sec. 12.** *A violation of a provision of chapters 484A to 484E,*
43 *inclusive, of NRS must be treated as a civil matter pursuant to*
44 *sections 12 to 22, inclusive, of this act, unless a provision of those*



1 *chapters specifically provides that a particular violation is a*
2 *misdemeanor, gross misdemeanor or felony.*

3 **Sec. 13.** *1. Municipal courts and justice courts have*
4 *concurrent jurisdiction over all violations of a provision of*
5 *chapters 484A to 484E, inclusive, of NRS which must be treated as*
6 *a civil matter pursuant to sections 12 to 22, inclusive, of this act*
7 *and which are committed within their boundaries by persons 18*
8 *years of age or older.*

9 *2. Municipal courts and justice courts have concurrent*
10 *jurisdiction over civil traffic violations committed within their*
11 *boundaries by persons under 18 years of age if the juvenile court*
12 *has transferred the case pursuant to NRS 62B.380.*

13 **Sec. 14.** *1. A case involving a civil traffic violation is*
14 *commenced by the issuance or filing of a traffic citation pursuant*
15 *to sections 12 to 22, inclusive, of this act.*

16 *2. Except as otherwise provided in this subsection, a case*
17 *involving a civil traffic violation must be commenced within 60*
18 *days after the alleged violation of chapters 484A to 484E,*
19 *inclusive, of NRS. Except as otherwise provided in this subsection,*
20 *if an alleged violation of chapters 484A to 484E, inclusive, of NRS*
21 *that must be treated as a civil matter pursuant to sections 12 to 22,*
22 *inclusive, of this act is under investigation in conjunction with a*
23 *traffic accident, a case involving a civil traffic violation must be*
24 *commenced within 180 days after the alleged violation. If an*
25 *alleged violation of chapters 484A to 484E, inclusive, of NRS that*
26 *must be treated as a civil matter pursuant to sections 12 to 22,*
27 *inclusive, of this act is under investigation in conjunction with a*
28 *traffic accident resulting in death or substantial bodily harm of*
29 *any person, the case involving a civil traffic violation must be*
30 *commenced within 1 year after the alleged violation.*

31 *3. If a case involving a civil traffic violation is commenced by*
32 *the filing of a traffic citation in a court having jurisdiction, the*
33 *traffic citation must be served within 90 days after the filing date.*

34 **Sec. 15.** *A traffic citation may be served by delivering a copy*
35 *of the traffic citation to the person charged with the violation or by*
36 *any means authorized by the Nevada Rules of Civil Procedure. At*
37 *the discretion of the issuing traffic enforcement agency, a traffic*
38 *citation issued after an investigation in conjunction with a traffic*
39 *accident may be sent by certified mail, return receipt requested*
40 *and delivered to the addressee only, to the address provided by the*
41 *person charged with the violation. Service of the traffic citation is*
42 *complete on filing the receipt in the court having jurisdiction of*
43 *the violation.*

44 **Sec. 16.** *A peace officer or a duly authorized member or*
45 *volunteer of a traffic enforcement agency in this State who has*



1 *reasonable cause to believe that a person has violated a provision*
2 *of chapters 484A to 484E, inclusive, of NRS that must be treated*
3 *as a civil matter pursuant to sections 12 to 22, inclusive, of this act*
4 *may stop and detain the person as is reasonably necessary to*
5 *investigate the alleged violation and to issue a traffic citation for*
6 *the alleged violation.*

7 **Sec. 17.** 1. *When a person is halted by a peace officer or a*
8 *duly authorized member or volunteer of a traffic enforcement*
9 *agency in this State for any violation of chapters 484A to 484E,*
10 *inclusive, of NRS that must be treated as a civil matter pursuant to*
11 *sections 12 to 22, inclusive, of this act, the peace officer, member*
12 *or volunteer may prepare a traffic citation manually or*
13 *electronically in the form of a complaint issuing in the name of*
14 *“The State of Nevada,” containing a notice to appear in court, the*
15 *name and address of the person, the state registration number of*
16 *the person’s vehicle, if any, the number of the person’s driver’s*
17 *license, if any, the violation alleged, including a brief description*
18 *of the violation and the NRS citation, the time when and place*
19 *where the person is required to appear in court, and such other*
20 *pertinent information as may be necessary. The citation must be*
21 *signed by the peace officer, member or volunteer. If the citation is*
22 *prepared electronically, the officer, member or volunteer shall*
23 *sign the copy of the citation that is delivered to the person charged*
24 *with the violation.*

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

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

30 4. *The person charged with the violation may give his or her*
31 *written promise to appear in court by signing at least one copy of*
32 *the traffic citation prepared by the peace officer, member or*
33 *volunteer, in which event the peace officer, member or volunteer*
34 *shall deliver a copy of the citation to the person. If the citation is*
35 *prepared electronically, the officer, member or volunteer shall*
36 *deliver the signed copy of the citation to the person and shall*
37 *indicate on the electronic record of the citation whether the person*
38 *charged gave his or her written promise to appear. A copy of the*
39 *citation that is signed by the person charged or the electronic*
40 *record of the citation which indicates that the person charged gave*
41 *his or her written promise to appear suffices as proof of service.*

42 **Sec. 18.** 1. *A person served with a traffic citation for any*
43 *violation of chapters 484A to 484E, inclusive, of NRS that must be*
44 *treated as a civil matter pursuant to sections 12 to 22, inclusive, of*
45 *this act shall:*



1 (a) Appear at the time and place stated in the traffic citation;
2 and

3 (b) Admit or deny the allegations stated in the traffic citation.
4 Allegations not denied at the time of appearance are deemed
5 admitted.

6 2. If the allegations stated in the traffic citation are admitted,
7 the court must enter judgment for the State and impose a civil
8 penalty. In determining the civil penalty, the court shall consider
9 the explanation submitted.

10 3. If the person served with the traffic citation denies the
11 allegations stated in the traffic citation, the court must set the
12 matter for a hearing. The hearing is informal and without a jury.
13 At the hearing, the State is required to prove the violation charged
14 by a preponderance of the evidence. Technical rules of evidence
15 do not apply, except for statutory provisions relating to privileged
16 communications. If the person elects to be represented by counsel,
17 he or she must notify the court at least 10 days before the hearing
18 date. If the court finds in favor of the person served with a traffic
19 citation, the court must enter an order dismissing the traffic
20 citation. If the court finds in favor of the State, the court must
21 enter judgment for the State and impose a civil penalty for the
22 violation.

23 4. The State and the person served with the traffic citation
24 may subpoena witnesses as provided by NRS 174.305. Witnesses
25 are not entitled to fees for appearing in connection with a case
26 involving a civil traffic violation.

27 5. Except as otherwise provided in sections 12 to 22,
28 inclusive, of this act, the rules of civil procedure do not apply to a
29 case involving a civil traffic violation.

30 6. If a person served with a traffic citation for an alleged
31 violation of chapters 484A to 484E, inclusive, of NRS that must be
32 treated as a civil matter pursuant to sections 12 to 22, inclusive, of
33 this act fails to appear at the time directed to appear or at the time
34 set for a hearing by the court, the court shall enter judgment for
35 the State and impose a civil penalty for the violation.

36 **Sec. 19.** Except as otherwise provided by specific statute, a
37 civil penalty imposed for a violation of chapters 484A to 484E,
38 inclusive, of NRS that must be treated as a civil matter pursuant to
39 sections 12 to 22, inclusive, of this act must not exceed \$250. In
40 addition to any civil penalty imposed pursuant to this section, the
41 justice or judge shall include in the judgment imposing the civil
42 penalty the sum prescribed for the administrative assessments set
43 forth in NRS 176.059, 176.0611 and 176.0613 and the money
44 collected for those administrative assessments must be applied and
45 distributed in the manner set forth in those sections.



1 **Sec. 20.** *An admission of the allegations contained in a*
2 *traffic citation for an alleged violation of chapters 484A to 484E,*
3 *inclusive, of NRS that must be treated as a civil matter pursuant to*
4 *sections 12 to 22, inclusive, of this act is not evidence of*
5 *negligence in a civil or criminal proceeding that is not authorized*
6 *by chapters 484A to 484E, inclusive, of NRS.*

7 **Sec. 21.** *A party may appeal the judgment of a court*
8 *imposing a civil penalty pursuant to sections 12 to 22, inclusive, of*
9 *this act. The appeal may be to the district court in the same*
10 *manner as any other civil appeal from a municipal court or justice*
11 *court to the district court. The posting of an appeal bond stays*
12 *enforcement of the judgment.*

13 **Sec. 22.** 1. *Except as otherwise provided in this subsection,*
14 *a person shall pay all civil penalties and administrative*
15 *assessments imposed pursuant to sections 12 to 22, inclusive, of*
16 *this act within 30 days after entry of the judgment imposing the*
17 *civil penalty and administrative assessments. If the court finds that*
18 *satisfaction of a judgment within 30 days will place an undue*
19 *economic burden on a person, the court may extend the time for*
20 *payment or may provide for installment payments. If the judgment*
21 *is not satisfied within the time for payment prescribed by the court*
22 *or if an installment payment is not paid when due, the court may*
23 *declare the entire amount of the judgment due. If the court*
24 *declares the entire amount of the judgment due, the clerk of the*
25 *court must notify the Department pursuant to NRS 483.465.*

26 2. *If a civil penalty or administrative assessment imposed*
27 *pursuant to sections 12 to 22, inclusive, of this act, or any part of*
28 *it, remains unpaid after the time established by the court for its*
29 *payment, the defendant is liable for a collection fee, to be imposed*
30 *by the court at the time it finds that the civil penalty or*
31 *administrative assessment is delinquent, of not more than \$100.*

32 3. *Notwithstanding the provisions of subsections 1 and 2, the*
33 *court must not initiate collection procedures on an unsatisfied*
34 *judgment for a civil penalty and administrative assessments*
35 *imposed pursuant to sections 12 to 22, inclusive, of this act and the*
36 *court clerk must not notify the Department pursuant to NRS*
37 *483.465 if:*

38 (a) *The unsatisfied judgment is for a traffic violation for which*
39 *the final disposition occurs more than 36 months before the court*
40 *initiates collection proceedings;*

41 (b) *The court does not have a paper or electronic record dated*
42 *within 36 months after the traffic violation occurs indicating that*
43 *the responsible person was notified that the judgment is*
44 *unsatisfied and due;*



1 (c) *The clerk of the court has not notified the Department*
2 *pursuant to NRS 483.465; and*

3 (d) *The court does not have a record of extending the time for*
4 *satisfying the judgment or providing for installment payments.*

5 4. *If, pursuant to subsection 3, the court is prohibited from*
6 *initiating collection procedures on an unsatisfied judgment or the*
7 *clerk of the court is prohibited from notifying the Department*
8 *pursuant to NRS 483.465, the clerk of the court must notify the*
9 *Department and the Department must remove the violation from*
10 *the person's driving record.*

11 **Sec. 23.** NRS 484A.400 is hereby amended to read as follows:

12 484A.400 1. The provisions of chapters 484A to 484E,
13 inclusive, of NRS are applicable and uniform throughout this State
14 on all highways to which the public has a right of access or to which
15 persons have access as invitees or licensees.

16 2. Except as otherwise provided in ~~subsection~~ *subsections 3*
17 *and 4* and unless otherwise provided by specific statute, any local
18 authority may enact by ordinance traffic regulations which cover the
19 same subject matter as the various sections of chapters 484A to
20 484E, inclusive, of NRS if the provisions of the ordinance are not in
21 conflict with chapters 484A to 484E, inclusive, of NRS, or
22 regulations adopted pursuant thereto. It may also enact by ordinance
23 regulations requiring the registration and licensing of bicycles.

24 3. *An ordinance enacting traffic regulations must provide for*
25 *the imposition of a civil penalty for a violation of the ordinance if*
26 *the ordinance covers the same subject matter as a provision of*
27 *chapters 484A to 484E, inclusive, of NRS that must be treated as a*
28 *civil matter pursuant to sections 12 to 22, inclusive, of this act.*

29 4. A local authority shall not enact an ordinance:

30 (a) Governing the registration of vehicles and the licensing of
31 drivers;

32 (b) Governing the duties and obligations of persons involved in
33 traffic accidents, other than the duties to stop, render aid and provide
34 necessary information;

35 (c) Providing a penalty for an offense for which the penalty
36 prescribed by chapters 484A to 484E, inclusive, of NRS is greater
37 than that imposed for a misdemeanor; or

38 (d) Requiring a permit for a vehicle, or to operate a vehicle, on a
39 highway in this State.

40 ~~4.~~ 5. No person convicted or adjudged guilty or guilty but
41 mentally ill of, *or found liable for a civil penalty for*, a violation of
42 a traffic ordinance may be charged or tried in any other court in this
43 State for the same offense.



1 **Sec. 24.** NRS 484A.660 is hereby amended to read as follows:
2 484A.660 Except for felonies and those offenses set forth in
3 paragraphs (a) to (e), inclusive, of subsection 1 of NRS 484A.710, a
4 peace officer at the scene of a traffic accident may issue a traffic
5 citation, as provided in NRS 484A.630 ~~§~~ *or sections 12 to 22,*
6 *inclusive, of this act,* or a misdemeanor citation, as provided in NRS
7 171.1773, to any person involved in the accident when, based upon
8 personal investigation, the peace officer has reasonable and probable
9 grounds to believe that the person has committed any offense
10 pursuant to the provisions of chapters 482 to 486, inclusive, or 706
11 of NRS in connection with the accident.

12 **Sec. 25.** NRS 484A.670 is hereby amended to read as follows:

13 484A.670 1. It is ~~unlawful~~ *a misdemeanor* for a person to
14 violate a written promise to appear given to a peace officer upon the
15 issuance of a traffic citation prepared manually or electronically ~~§~~
16 *for an alleged violation that is punishable as a misdemeanor,*
17 regardless of the disposition of the charge for which the citation was
18 originally issued.

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

26 3. A warrant may issue upon a violation of a written promise to
27 appear ~~§~~ *, unless the written promise to appear was given*
28 *pursuant to a citation that must be treated as a civil matter*
29 *pursuant to sections 12 to 22, inclusive, of this act.*

30 **Sec. 26.** NRS 484A.680 is hereby amended to read as follows:

31 484A.680 1. Every peace officer upon issuing a traffic
32 citation to an alleged violator of any provision of the motor vehicle
33 laws of this State or of any traffic ordinance of any city or town
34 shall file manually or, if the provisions of subsection 2 are satisfied,
35 file electronically the original or a copy of the traffic citation with a
36 court having jurisdiction over the alleged offense or with its traffic
37 violations bureau.

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

44 (a) Authorizes such electronic filing;



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

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

5 3. Upon the filing of the original or a copy of the traffic
6 citation with a court having jurisdiction over the alleged offense or
7 with its traffic violations bureau, the traffic citation may be disposed
8 of only by trial in that court or other official action by a judge of that
9 court, including forfeiture of the bail, or by the deposit of sufficient
10 bail with, or payment of a fine to, the traffic violations bureau by the
11 person to whom the traffic citation has been issued by the peace
12 officer.

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

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

24 6. The chief administrative officer shall also maintain or cause
25 to be maintained a record of every traffic citation issued by officers
26 under his or her supervision. The record must be retained for at least
27 2 years after issuance of the citation.

28 7. As used in this section, "officer" includes a volunteer
29 appointed to a traffic enforcement agency pursuant to
30 NRS 484B.470.

31 **Sec. 27.** NRS 484A.700 is hereby amended to read as follows:

32 484A.700 1. A traffic citation for a parking violation may be
33 prepared manually or electronically.

34 2. When a traffic citation for a parking violation *that is*
35 *punishable as a misdemeanor* has been issued identifying by
36 license number a vehicle registered to a person who has not signed
37 the citation, a bench warrant may not be issued for that person for
38 failure to appear before the court unless:

39 (a) A notice to appear concerning the violation is first sent to the
40 person by first-class mail within 60 days after the citation is issued;
41 and

42 (b) The person does not appear within 20 days after the date of
43 the notice or the notice to appear is returned with a report that it
44 cannot be delivered.



1 **Sec. 28.** NRS 484A.720 is hereby amended to read as follows:
2 484A.720 Whenever any person is halted by a peace officer for
3 any violation of chapters 484A to 484E, inclusive, of NRS not
4 amounting to a gross misdemeanor or felony ~~§~~ *or that is not*
5 *required to be treated as a civil matter pursuant to sections 12 to*
6 *22, inclusive, of this act*, the person shall be taken without
7 unnecessary delay before the proper magistrate, as specified in NRS
8 484A.750, in either of the following cases:

9 1. When the person demands an immediate appearance before
10 a magistrate; or

11 2. In any other event when the person is issued a traffic citation
12 by an authorized person and refuses to give a written promise to
13 appear in court as provided in NRS 484A.630.

14 **Sec. 29.** NRS 484A.730 is hereby amended to read as follows:

15 484A.730 Whenever any person is halted by a peace officer for
16 any violation of chapters 484A to 484E, inclusive, of NRS *that is*
17 *not required to be treated as a civil matter pursuant to sections 12*
18 *to 22, inclusive, of this act* and is not required to be taken before a
19 magistrate, the person may, in the discretion of the peace officer,
20 either be given a traffic citation, or be taken without unnecessary
21 delay before the proper magistrate. The person must be taken before
22 the magistrate in any of the following cases:

23 1. When the person does not furnish satisfactory evidence of
24 identity or when the peace officer has reasonable and probable
25 grounds to believe the person will disregard a written promise to
26 appear in court;

27 2. When the person is charged with a violation of NRS
28 484D.580 relating to the refusal of a driver of a vehicle to submit
29 the vehicle to an inspection and test;

30 3. When the person is charged with a violation of NRS
31 484D.675 relating to the failure or refusal of a driver of a vehicle to
32 submit the vehicle and load to a weighing or to remove excess
33 weight therefrom; or

34 4. When the person is charged with a violation of NRS
35 484C.110 or 484C.120, unless the person is incapacitated and is
36 being treated for injuries at the time the peace officer would
37 otherwise be taking the person before the magistrate.

38 **Sec. 30.** NRS 484A.900 is hereby amended to read as follows:

39 484A.900 ~~§. It is unlawful and, unless otherwise declared in~~
40 ~~chapters 484A to 484E, inclusive, of NRS with respect to a~~
41 ~~particular offense, it is a misdemeanor for any person to do any act~~
42 ~~forbidden or fail to perform any act required in chapters 484A to~~
43 ~~484E, inclusive, of NRS.~~

44 —2. The court may order any person who is twice convicted of,
45 *or found liable for a civil penalty for*, violating a provision of



1 chapters 484A to 484E, inclusive, of NRS to pay tuition for and
2 attend a school for driver training which is approved by the
3 Department for retraining such drivers. The person so ordered may
4 choose from those so approved the school which the person will
5 attend. A person who willfully fails to comply with such an order is
6 guilty of a misdemeanor.

7 **Sec. 31.** NRS 484B.100 is hereby amended to read as follows:

8 484B.100 It is ~~unlawful~~ *a misdemeanor* for any person
9 willfully to fail or refuse to comply with any lawful order or
10 direction of any police officer while the officer is performing the
11 duties of the officer in the enforcement of chapters 484A to 484E,
12 inclusive, of NRS.

13 **Sec. 32.** NRS 484B.130 is hereby amended to read as follows:

14 484B.130 1. Except as otherwise provided in subsections 2
15 and 6, a person who is convicted of *, or subject to a civil penalty*
16 *for*, a violation of a speed limit, or of NRS 484B.150, 484B.163,
17 484B.165, 484B.200 to 484B.217, inclusive, 484B.223, 484B.227,
18 484B.300, 484B.303, 484B.317, 484B.320, 484B.327, 484B.330,
19 484B.403, 484B.587, 484B.600, 484B.603, 484B.650, 484B.653,
20 484B.657, 484C.110 or 484C.120, that occurred:

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

22 (b) At a time when the workers who are performing
23 construction, maintenance or repair of the highway or other work
24 are present, or when the effects of the act may be aggravated
25 because of the condition of the highway caused by construction,
26 maintenance or repair, including, without limitation, reduction in
27 lane width, reduction in the number of lanes, shifting of lanes from
28 the designated alignment and uneven or temporary surfaces,
29 including, without limitation, modifications to road beds, cement-
30 treated bases, chip seals and other similar conditions,

31 ➤ shall be punished by imprisonment or by a fine, or both, for a
32 term or an amount equal to and in addition to the term of
33 imprisonment or amount of the fine, or both, that the court imposes
34 for the primary offense ~~or~~ *or for an amount equal to and in*
35 *addition to the civil penalty imposed by the court pursuant to*
36 *sections 12 to 22, inclusive, of this act.* Any term of imprisonment
37 imposed pursuant to this subsection runs consecutively with the
38 sentence prescribed by the court for the crime. This subsection does
39 not create a separate offense, but provides an additional penalty for
40 the primary offense, whose imposition is contingent upon the
41 finding of the prescribed fact.

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



1 3. Except as otherwise provided in subsection 5, 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 4. A person who otherwise would be subject to an additional
14 penalty pursuant to this section is not relieved of any criminal *or*
15 *civil* liability because signs are not erected as required by subsection
16 3 if the violation results in injury to any person performing highway
17 construction or maintenance or other work in the temporary traffic
18 control zone or in damage to property in an amount equal to \$1,000
19 or more.

20 5. The requirements of subsection 3 do not apply to an area
21 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 6. A person who would otherwise be subject to an additional
29 penalty pursuant to this section is not subject to an additional
30 penalty if the violation occurred in a temporary traffic control zone
31 for which signs are not erected pursuant to subsection 5, unless the
32 violation results in injury to any person performing highway
33 construction or maintenance or other work in the temporary traffic
34 control zone or in damage to property in an amount equal to \$1,000
35 or more.

36 **Sec. 33.** NRS 484B.150 is hereby amended to read as follows:

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

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



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

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

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

9 4. As used in this section:

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

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

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

16 **Sec. 34.** NRS 484B.317 is hereby amended to read as follows:

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

21 2. A person who violates any provision of this section *is guilty*
22 *of a misdemeanor and* may be subject to the additional penalty set
23 forth in NRS 484B.130.

24 **Sec. 35.** NRS 484B.330 is hereby amended to read as follows:

25 484B.330 1. It is ~~unlawful~~ *a misdemeanor* for a driver of a
26 vehicle to fail or refuse to comply with any signal of an authorized
27 flagger serving in a traffic control capacity in a clearly marked area
28 of highway construction or maintenance or any other area which has
29 been designated as a temporary traffic control zone.

30 2. A district attorney shall prosecute all violations of
31 subsection 1 which occur in his or her jurisdiction and which result
32 in injury to any person performing highway construction or
33 maintenance or performing other work within an area designated as
34 a temporary traffic control zone unless the district attorney has good
35 cause for not prosecuting the violation. In addition to any other
36 penalty, if a driver violates any provision of subsection 1 and the
37 violation results in injury to any person performing highway
38 construction or maintenance or performing other work within an
39 area designated as a temporary traffic control zone, or in damage to
40 property in an amount of not less than \$1,000, the driver shall be
41 punished by a fine of not less than \$1,000 or more than \$2,000, and
42 ordered to perform 120 hours of community service.

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



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

3 (a) An employee of the Department of Transportation or of a
4 contractor performing highway construction or maintenance or
5 performing other work within an area designated as a temporary
6 traffic control zone for the Department of Transportation while the
7 employee is carrying out the duties of his or her employment;

8 (b) An employee of any other governmental entity or of a
9 contractor performing highway construction or maintenance or
10 performing other work within an area designated as a temporary
11 traffic control zone for the governmental entity while the employee
12 is carrying out the duties of his or her employment; or

13 (c) Any other person employed by a private entity performing
14 highway construction or maintenance or performing other work
15 within an area designated as a temporary traffic control zone while
16 the person is carrying out the duties of his or her employment if the
17 person has satisfactorily completed training as a flagger approved or
18 recognized by the Department of Transportation.

19 **Sec. 36.** NRS 484C.470 is hereby amended to read as follows:

20 484C.470 1. A person required to install a device pursuant to
21 NRS 484C.460 shall not operate a motor vehicle without a device or
22 tamper with the device.

23 2. A person who violates any provision of subsection 1:

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

26 (b) ~~[Shall]~~ *Is guilty of a misdemeanor and shall* be:

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

29 (2) Sentenced to a term of not less than 60 days in residential
30 confinement nor more than 6 months, and by a fine of not less than
31 \$500 nor more than \$1,000.

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

39 **Sec. 37.** NRS 485.187 is hereby amended to read as follows:

40 485.187 1. Except as otherwise provided in subsection 5, the
41 owner of a motor vehicle shall not:

42 (a) Operate the motor vehicle, if it is registered or required to be
43 registered in this State, without having insurance as required by
44 NRS 485.185.



1 (b) Operate or knowingly permit the operation of the motor
2 vehicle without having evidence of insurance of the operator or the
3 vehicle in the vehicle.

4 (c) Fail or refuse to surrender, upon demand, to a peace officer
5 or to an authorized representative of the Department the evidence of
6 insurance.

7 (d) Knowingly permit the operation of the motor vehicle in
8 violation of subsection 3 of NRS 485.186.

9 2. A person shall not operate the motor vehicle of another
10 person unless the person who will operate the motor vehicle:

11 (a) First ensures that the required evidence of insurance is
12 present in the motor vehicle; or

13 (b) Has his or her own evidence of insurance which covers that
14 person as the operator of the motor vehicle.

15 3. Except as otherwise provided in *this subsection and*
16 *subsection 4, ~~any person who violates subsection 1 or 2 is guilty of~~*
17 *a misdemeanor.* *a violation of subsection 1 or 2 must be treated as*
18 *a civil matter pursuant to sections 12 to 22, inclusive, of this act.*

19 Except as otherwise provided in this subsection, ~~in addition to~~
20 ~~any other penalty,~~ a person ~~sentenced pursuant to this subsection~~
21 ~~shall be punished by a fine~~ *who violates a provision of subsection*
22 *1 or 2 is subject to a civil penalty* of not less than \$600 nor more
23 than \$1,000 for each violation. The ~~fine~~ *civil penalty* must be
24 reduced to \$100 for the first violation if the person obtains a motor
25 vehicle liability policy by the time ~~of sentencing,~~ *at which a court*
26 *imposes the civil penalty,* unless:

27 (a) The person has registered the vehicle as part of a fleet of
28 vehicles pursuant to subsection 5 of NRS 482.215; or

29 (b) The person has been issued a certificate of self-insurance
30 pursuant to NRS 485.380.

31 4. A court:

32 (a) Shall not ~~find a person guilty or fine~~ *impose a civil penalty*
33 *on* a person for a violation of paragraph (a), (b) or (c) of subsection
34 1 or for a violation of subsection 2 if the person presents evidence to
35 the court that the insurance required by NRS 485.185 was in effect
36 at the time demand was made for it.

37 (b) Except as otherwise provided in paragraph (a), may impose a
38 ~~fine~~ *civil penalty* of not more than \$1,000 for a violation of
39 paragraph (a), (b) or (c) of subsection 1, and suspend the balance of
40 the fine on the condition that the person presents proof to the court
41 each month for 12 months that the insurance required by NRS
42 485.185 is currently in effect.

43 5. The provisions of paragraphs (b) and (c) of subsection 1 do
44 not apply if the motor vehicle in question displays a valid
45 permit issued by the Department pursuant to subsection 1 or 2 of



1 NRS 482.3955, or NRS 482.396 or 482.3965 authorizing the
2 movement or operation of that vehicle within the State for a limited
3 time.

4 **Sec. 38.** NRS 485.326 is hereby amended to read as follows:

5 485.326 1. The Department shall suspend the license of any
6 person ~~[convicted of violating]~~ *against whom a judgment for a civil*
7 *penalty is entered pursuant to sections 12 to 22, inclusive, of this*
8 *act for a violation of* the provisions of paragraph (a) of subsection 1
9 of NRS 485.187.

10 2. Any license suspended pursuant to subsection 1 must remain
11 suspended until the person shows proof of financial responsibility as
12 set forth in NRS 485.307. The person shall maintain proof of
13 financial responsibility for 3 years after the reinstatement of his or
14 her license pursuant to the provisions of this chapter, and if the
15 person fails to do so, the Department shall suspend any license
16 previously suspended pursuant to subsection 1.

17 **Sec. 39.** NRS 486.381 is hereby amended to read as follows:

18 486.381 Any ~~[person violating any provisions]~~ violation of a
19 provision of NRS 486.011 to 486.361, inclusive, ~~[is guilty of a~~
20 ~~misdemeanor.]~~ *must be treated as a civil matter pursuant to*
21 *sections 12 to 22, inclusive, of this act, and a person who violates*
22 *any provision of NRS 486.011 to 486.361, inclusive, is subject to a*
23 *civil penalty of not more than \$250.*

24 **Sec. 40.** NRS 62A.220 is hereby amended to read as follows:

25 62A.220 "Minor traffic offense" means a violation of any state
26 or local law or ordinance governing the operation of a motor vehicle
27 upon any highway within this State other than:

28 1. A violation of chapters 484A to 484E, inclusive, or 706 of
29 NRS that causes the death of a person;

30 2. A violation of NRS 484C.110 or 484C.120; ~~[or]~~

31 3. A violation declared to be a felony ~~[;]~~ *or*

32 4. *A violation of a provision of chapters 482 to 486, inclusive,*
33 *of NRS that must be treated as a civil matter pursuant to sections*
34 *12 to 22, inclusive, of this act.*

35 **Sec. 41.** NRS 62B.380 is hereby amended to read as follows:

36 62B.380 1. ~~[If a child is charged with a minor traffic offense,~~
37 ~~the]~~ *The juvenile court has exclusive jurisdiction over proceedings*
38 *concerning any child who commits a minor traffic offense or who*
39 *violates a provision of chapters 482 to 486, inclusive, of NRS that*
40 *must be treated as a civil matter pursuant to sections 12 to 22,*
41 *inclusive, of this act. The juvenile court* may transfer the case and
42 record to a Justice Court or municipal court if the juvenile court
43 determines that the transfer is in the best interests of the child.

44 2. If a case is transferred pursuant to this section:



1 (a) ~~[The]~~ *If the case concerns a child who commits a minor*
2 *traffic offense, the* restrictions set forth in NRS 62C.030 are
3 applicable in those proceedings; ~~[and]~~

4 (b) *If the case concerns a child who violates a provision of*
5 *chapters 482 to 486, inclusive, of NRS that must be treated as a*
6 *civil matter pursuant to sections 12 to 22, inclusive, of this act, the*
7 *case must be processed, heard and disposed of in the same manner*
8 *and with the same penalties as provided in NRS 482.385, 482.545,*
9 *483.550, 485.187 and 486.381 and sections 12 to 22, inclusive, of*
10 *this act; and*

11 (c) A parent or guardian must accompany the child at all
12 proceedings.

13 3. If the juvenile court transfers a case and record to a Justice
14 Court or municipal court pursuant to this section, the Justice Court
15 or municipal court may transfer the case and record back to the
16 juvenile court with the consent of the juvenile court.

17 4. *If a case concerns a child who violates a provision of*
18 *chapters 482 to 486, inclusive, of NRS that must be treated as a*
19 *civil matter pursuant to sections 12 to 22, inclusive, of this act and*
20 *the case is not transferred pursuant to this section, the child must*
21 *not be treated as a child alleged to be in need of supervision or*
22 *delinquent and the juvenile court must not adjudicate the child*
23 *delinquent or in need of supervision. If the juvenile court finds*
24 *that the child committed the violation, the juvenile court must*
25 *impose the civil penalty authorized by the applicable provision of*
26 *NRS 482.385, 482.545, 483.550, 485.187 or 486.381 or sections 12*
27 *to 22, inclusive, of this act, and order the child or the parent or*
28 *guardian of the child, or both, to pay an administrative assessment*
29 *of \$10 in addition to the civil penalty. The administrative*
30 *assessment must be distributed in the manner provided by*
31 *NRS 62E.270.*

32 **Sec. 42.** NRS 62E.270 is hereby amended to read as follows:

33 62E.270 1. If the juvenile court imposes a *civil penalty*
34 *pursuant to NRS 62B.380 or a* fine against:

35 (a) A delinquent child pursuant to NRS 62E.730;

36 (b) A child who has committed a minor traffic offense, except
37 an offense related to metered parking, pursuant to NRS 62E.700;

38 ~~[or]~~

39 (c) *A child who violates a provision of chapters 482 to 486,*
40 *inclusive, of NRS that must be treated as a civil matter pursuant to*
41 *subsection 4 of NRS 62B.380; or*

42 (d) A child in need of supervision, or the parent or guardian of
43 the child, because the child is a habitual truant pursuant to
44 NRS 62E.430,



1 ↪ the juvenile court shall order the child or the parent or guardian
2 of the child to pay an administrative assessment of \$10 in addition
3 to the *civil penalty or* fine.

4 2. If, pursuant to NRS 62E.440, the juvenile court imposes a
5 fine against a child who has committed an offense related to
6 tobacco, the juvenile court shall order the child to pay an
7 administrative assessment of \$10 in addition to the fine.

8 3. The juvenile court shall state separately on its docket the
9 amount of money that the juvenile court collects for the
10 administrative assessment.

11 4. If the child is found not to have committed the alleged act or
12 the charges are dropped, the juvenile court shall return to the child
13 or the parent or guardian of the child any money deposited with the
14 juvenile court for the administrative assessment.

15 5. On or before the fifth day of each month for the preceding
16 month, the clerk of the court shall pay to the county treasurer the
17 money the juvenile court collects for administrative assessments.

18 6. On or before the 15th day of each month, the county
19 treasurer shall deposit the money in the county general fund for
20 credit to a special account for the use of the county's juvenile court
21 or for services to delinquent children.

22 **Sec. 43.** NRS 176.059 is hereby amended to read as follows:

23 176.059 1. Except as otherwise provided in subsection 2,
24 when a defendant *is found liable for a civil penalty pursuant to*
25 *sections 12 to 22, inclusive, of this act or* pleads guilty or guilty but
26 mentally ill or is found guilty or guilty but mentally ill of a
27 misdemeanor, including the violation of any municipal ordinance,
28 the justice or judge shall include in the *civil judgment or* sentence
29 the sum prescribed by the following schedule as an administrative
30 assessment and render a judgment against the defendant for the
31 assessment:

<i>Civil Penalty or</i> Fine	Assessment
\$5 to \$49.....	\$30
50 to 59.....	45
60 to 69.....	50
70 to 79.....	55
80 to 89.....	60
90 to 99.....	65
100 to 199.....	75
200 to 299.....	85
300 to 399.....	95
400 to 499.....	105
500 to 1,000.....	120



1 If the justice or judge sentences the defendant to perform
2 community service in lieu of a fine, the justice or judge shall include
3 in the sentence the amount of the administrative assessment that
4 corresponds with the fine for which the defendant would have been
5 responsible as prescribed by the schedule in this subsection.

6 2. The provisions of subsection 1 do not apply to:

7 (a) An ordinance regulating metered parking; or

8 (b) An ordinance which is specifically designated as imposing a
9 civil ~~[penalty or]~~ liability pursuant to NRS ~~[244.3575 or]~~ 268.019.

10 3. The money collected for an administrative assessment must
11 not be deducted from the *civil penalty or* fine imposed by the justice
12 or judge but must be taxed against the defendant in addition to the
13 *civil penalty or* fine. The money collected for an administrative
14 assessment must be stated separately on the court's docket and must
15 be included in the amount posted for bail. If bail is forfeited, the
16 administrative assessment included in the amount posted for bail
17 pursuant to this subsection must be disbursed in the manner set forth
18 in subsection 5 or 6. If the defendant is found not guilty or the
19 charges are dismissed, the money deposited with the court must be
20 returned to the defendant. If the justice or judge cancels a *civil*
21 *penalty or* fine because the *civil penalty or* fine has been determined
22 to be uncollectible, any balance of the *civil penalty or* fine and the
23 administrative assessment remaining unpaid shall be deemed to be
24 uncollectible and the defendant is not required to pay it. If a *civil*
25 *penalty or* fine is determined to be uncollectible, the defendant is
26 not entitled to a refund of the *civil penalty or* fine or *the*
27 administrative assessment the defendant has paid and the justice or
28 judge shall not recalculate the administrative assessment.

29 4. If the justice or judge permits the *civil penalty or* fine and
30 administrative assessment to be paid in installments, the payments
31 must be first applied to the unpaid balance of the administrative
32 assessment. The city treasurer shall distribute partially collected
33 administrative assessments in accordance with the requirements of
34 subsection 5. The county treasurer shall distribute partially collected
35 administrative assessments in accordance with the requirements of
36 subsection 6.

37 5. The money collected for administrative assessments in
38 municipal court must be paid by the clerk of the court to the city
39 treasurer on or before the fifth day of each month for the preceding
40 month. The city treasurer shall distribute, on or before the 15th day
41 of that month, the money received in the following amounts for each
42 assessment received:

43 (a) Two dollars to the county treasurer for credit to a special
44 account in the county general fund for the use of the county's
45 juvenile court or for services to juvenile offenders. Any money



1 remaining in the special account after 2 fiscal years must be
2 deposited in the county general fund if it has not been committed for
3 expenditure. The county treasurer shall provide, upon request by a
4 juvenile court, monthly reports of the revenue credited to and
5 expenditures made from the special account.

6 (b) Seven dollars for credit to a special revenue fund for the use
7 of the municipal courts. Any money remaining in the special
8 revenue fund after 2 fiscal years must be deposited in the municipal
9 general fund if it has not been committed for expenditure. The city
10 treasurer shall provide, upon request by a municipal court, monthly
11 reports of the revenue credited to and expenditures made from the
12 special revenue fund.

13 (c) Five dollars to the State Controller for credit to the State
14 General Fund.

15 (d) The remainder of each assessment to the State Controller for
16 credit to a special account in the State General Fund for distribution
17 as provided in subsection 8.

18 6. The money collected for administrative assessments in
19 justice courts must be paid by the clerk of the court to the county
20 treasurer on or before the fifth day of each month for the preceding
21 month. The county treasurer shall distribute, on or before the 15th
22 day of that month, the money received in the following amounts for
23 each assessment received:

24 (a) Two dollars for credit to a special account in the county
25 general fund for the use of the county's juvenile court or for services
26 to juvenile offenders. Any money remaining in the special account
27 after 2 fiscal years must be deposited in the county general fund if it
28 has not been committed for expenditure. The county treasurer shall
29 provide, upon request by a juvenile court, monthly reports of the
30 revenue credited to and expenditures made from the special account.

31 (b) Seven dollars for credit to a special revenue fund for the use
32 of the justice courts. Any money remaining in the special revenue
33 fund after 2 fiscal years must be deposited in the county general
34 fund if it has not been committed for expenditure. The county
35 treasurer shall provide, upon request by a justice court, monthly
36 reports of the revenue credited to and expenditures made from the
37 special revenue fund.

38 (c) Five dollars to the State Controller for credit to the State
39 General Fund.

40 (d) The remainder of each assessment to the State Controller for
41 credit to a special account in the State General Fund for distribution
42 as provided in subsection 8.

43 7. The money apportioned to a juvenile court, a justice court or
44 a municipal court pursuant to this section must be used, in addition
45 to providing services to juvenile offenders in the juvenile court, to



1 improve the operations of the court, or to acquire appropriate
2 advanced technology or the use of such technology, or both. Money
3 used to improve the operations of the court may include
4 expenditures for:

- 5 (a) Training and education of personnel;
- 6 (b) Acquisition of capital goods;
- 7 (c) Management and operational studies; or
- 8 (d) Audits.

9 8. Of the total amount deposited in the State General Fund
10 pursuant to paragraph (d) of subsection 5 and paragraph (d) of
11 subsection 6, the State Controller shall distribute the money
12 received to the following public agencies in the following manner:

13 (a) Not less than 51 percent to the Office of Court Administrator
14 for allocation as follows:

15 (1) Thirty-six and one-half percent of the amount distributed
16 to the Office of Court Administrator for:

- 17 (I) The administration of the courts;
- 18 (II) The development of a uniform system for judicial
19 records; and
- 20 (III) Continuing judicial education.

21 (2) Forty-eight percent of the amount distributed to the
22 Office of Court Administrator for the Supreme Court.

23 (3) Three and one-half percent of the amount distributed to
24 the Office of Court Administrator for the payment for the services of
25 retired justices, retired judges of the Court of Appeals and retired
26 district judges.

27 (4) Twelve percent of the amount distributed to the Office of
28 Court Administrator for the provision of specialty court programs.

29 (b) Not more than 49 percent must be used to the extent of
30 legislative authorization for the support of:

31 (1) The Central Repository for Nevada Records of Criminal
32 History;

33 (2) The Peace Officers' Standards and Training Commission;

34 (3) The operation by the Department of Public Safety of a
35 computerized interoperative system for information related to law
36 enforcement;

37 (4) The Fund for the Compensation of Victims of Crime;

38 (5) The Advisory Council for Prosecuting Attorneys; and

39 (6) Programs within the Office of the Attorney General
40 related to victims of domestic violence.

41 9. Any money deposited in the State General Fund pursuant to
42 paragraph (d) of subsection 5 and paragraph (d) of subsection 6 that
43 is not distributed or used pursuant to paragraph (b) of subsection 8
44 must be transferred to the uncommitted balance of the State General
45 Fund.



1 10. As used in this section:

2 (a) "Juvenile court" has the meaning ascribed to it in
3 NRS 62A.180.

4 (b) "Office of Court Administrator" means the Office of Court
5 Administrator created pursuant to NRS 1.320.

6 **Sec. 44.** NRS 176.0611 is hereby amended to read as follows:

7 176.0611 1. A county or a city, upon recommendation of the
8 appropriate court, may, by ordinance, authorize the justices or
9 judges of the justice or municipal courts within its jurisdiction to
10 impose for not longer than 50 years, in addition to the administrative
11 assessments imposed pursuant to NRS 176.059, 176.0613 and
12 176.0623, an administrative assessment for the provision of court
13 facilities.

14 2. Except as otherwise provided in subsection 3, in any
15 jurisdiction in which an administrative assessment for the provision
16 of court facilities has been authorized, when a defendant *is found*
17 *liable for a civil penalty pursuant to sections 12 to 22, inclusive, of*
18 *this act or* pleads guilty or guilty but mentally ill or is found guilty
19 or guilty but mentally ill of a misdemeanor, including the violation
20 of any municipal ordinance, the justice or judge shall include in the
21 *civil judgment or* sentence the sum of \$10 as an administrative
22 assessment for the provision of court facilities and render a
23 judgment against the defendant for the assessment. If the justice or
24 judge sentences the defendant to perform community service in lieu
25 of a fine, the justice or judge shall include in the sentence the
26 administrative assessment required pursuant to this subsection.

27 3. The provisions of subsection 2 do not apply to:

28 (a) An ordinance regulating metered parking; or

29 (b) An ordinance that is specifically designated as imposing a
30 civil ~~penalty or~~ liability pursuant to NRS ~~[244.3575 or]~~ 268.019.

31 4. The money collected for an administrative assessment for
32 the provision of court facilities must not be deducted from the *civil*
33 *penalty or* fine imposed by the justice or judge but must be taxed
34 against the defendant in addition to the *civil penalty or* fine. The
35 money collected for such an administrative assessment must be
36 stated separately on the court's docket and must be included in the
37 amount posted for bail. If bail is forfeited, the administrative
38 assessment included in the amount posted for bail pursuant to this
39 subsection must be disbursed in the manner set forth in subsection 6
40 or 7. If the defendant is found not guilty or the charges are
41 dismissed, the money deposited with the court must be returned to
42 the defendant. If the justice or judge cancels a *civil penalty or* fine
43 because the *civil penalty or* fine has been determined to be
44 uncollectible, any balance of the *civil penalty or* fine and the
45 administrative assessment remaining unpaid shall be deemed to be



1 uncollectible and the defendant is not required to pay it. If a *civil*
2 *penalty or* fine is determined to be uncollectible, the defendant is
3 not entitled to a refund of the *civil penalty or* fine or *the*
4 administrative assessment the defendant has paid and the justice or
5 judge shall not recalculate the administrative assessment.

6 5. If the justice or judge permits the *civil penalty or* fine and
7 *the* administrative assessment for the provision of court facilities to
8 be paid in installments, the payments must be applied in the
9 following order:

10 (a) To pay the unpaid balance of an administrative assessment
11 imposed pursuant to NRS 176.059;

12 (b) To pay the unpaid balance of an administrative assessment
13 for the provision of court facilities pursuant to this section;

14 (c) To pay the unpaid balance of an administrative assessment
15 for the provision of specialty court programs pursuant to
16 NRS 176.0613;

17 (d) To pay the unpaid balance of an administrative assessment
18 for obtaining a biological specimen and conducting a genetic marker
19 analysis pursuant to NRS 176.0623; and

20 (e) To pay the *civil penalty or* fine.

21 6. The money collected for administrative assessments for the
22 provision of court facilities in municipal courts must be paid by the
23 clerk of the court to the city treasurer on or before the fifth day of
24 each month for the preceding month. The city treasurer shall deposit
25 the money received in a special revenue fund. The city may use the
26 money in the special revenue fund only to:

27 (a) Acquire land on which to construct additional facilities for
28 the municipal courts or a regional justice center that includes the
29 municipal courts.

30 (b) Construct or acquire additional facilities for the municipal
31 courts or a regional justice center that includes the municipal courts.

32 (c) Renovate or remodel existing facilities for the municipal
33 courts.

34 (d) Acquire furniture, fixtures and equipment necessitated by the
35 construction or acquisition of additional facilities or the renovation
36 of an existing facility for the municipal courts or a regional justice
37 center that includes the municipal courts. This paragraph does not
38 authorize the expenditure of money from the fund for furniture,
39 fixtures or equipment for judicial chambers.

40 (e) Acquire advanced technology for use in the additional or
41 renovated facilities.

42 (f) Pay debt service on any bonds issued pursuant to subsection
43 3 of NRS 350.020 for the acquisition of land or facilities or the
44 construction or renovation of facilities for the municipal courts or a
45 regional justice center that includes the municipal courts.



1 ↪ Any money remaining in the special revenue fund after 5 fiscal
2 years must be deposited in the municipal general fund for the
3 continued maintenance of court facilities if it has not been
4 committed for expenditure pursuant to a plan for the construction or
5 acquisition of court facilities or improvements to court facilities.
6 The city treasurer shall provide, upon request by a municipal court,
7 monthly reports of the revenue credited to and expenditures made
8 from the special revenue fund.

9 7. The money collected for administrative assessments for the
10 provision of court facilities in justice courts must be paid by the
11 clerk of the court to the county treasurer on or before the fifth day of
12 each month for the preceding month. The county treasurer shall
13 deposit the money received to a special revenue fund. The county
14 may use the money in the special revenue fund only to:

15 (a) Acquire land on which to construct additional facilities for
16 the justice courts or a regional justice center that includes the justice
17 courts.

18 (b) Construct or acquire additional facilities for the justice
19 courts or a regional justice center that includes the justice courts.

20 (c) Renovate or remodel existing facilities for the justice courts.

21 (d) Acquire furniture, fixtures and equipment necessitated by the
22 construction or acquisition of additional facilities or the renovation
23 of an existing facility for the justice courts or a regional justice
24 center that includes the justice courts. This paragraph does not
25 authorize the expenditure of money from the fund for furniture,
26 fixtures or equipment for judicial chambers.

27 (e) Acquire advanced technology for use in the additional or
28 renovated facilities.

29 (f) Pay debt service on any bonds issued pursuant to subsection
30 3 of NRS 350.020 for the acquisition of land or facilities or the
31 construction or renovation of facilities for the justice courts or a
32 regional justice center that includes the justice courts.

33 ↪ Any money remaining in the special revenue fund after 5 fiscal
34 years must be deposited in the county general fund for the continued
35 maintenance of court facilities if it has not been committed for
36 expenditure pursuant to a plan for the construction or acquisition of
37 court facilities or improvements to court facilities. The county
38 treasurer shall provide, upon request by a justice court, monthly
39 reports of the revenue credited to and expenditures made from the
40 special revenue fund.

41 8. If money collected pursuant to this section is to be used to
42 acquire land on which to construct a regional justice center, to
43 construct a regional justice center or to pay debt service on bonds
44 issued for these purposes, the county and the participating cities
45 shall, by interlocal agreement, determine such issues as the size of



1 the regional justice center, the manner in which the center will be
2 used and the apportionment of fiscal responsibility for the center.

3 **Sec. 45.** NRS 176.0613 is hereby amended to read as follows:

4 176.0613 1. The justices or judges of the justice or municipal
5 courts shall impose, in addition to an administrative assessment
6 imposed pursuant to NRS 176.059, 176.0611 and 176.0623, an
7 administrative assessment for the provision of specialty court
8 programs.

9 2. Except as otherwise provided in subsection 3, when a
10 defendant *is found liable for a civil penalty pursuant to sections 12*
11 *to 22, inclusive, of this act or* pleads guilty or guilty but mentally ill
12 or is found guilty or guilty but mentally ill of a misdemeanor,
13 including the violation of any municipal ordinance, the justice or
14 judge shall include in the *civil judgment or* sentence the sum of \$7
15 as an administrative assessment for the provision of specialty court
16 programs and render a judgment against the defendant for the
17 assessment. If a defendant is sentenced to perform community
18 service in lieu of a fine, the sentence must include the administrative
19 assessment required pursuant to this subsection.

20 3. The provisions of subsection 2 do not apply to:

21 (a) An ordinance regulating metered parking; or

22 (b) An ordinance which is specifically designated as imposing a
23 civil ~~[penalty or]~~ liability pursuant to NRS ~~[244.3575 or]~~ 268.019.

24 4. The money collected for an administrative assessment for
25 the provision of specialty court programs must not be deducted from
26 the *civil penalty or* fine imposed by the justice or judge but must be
27 taxed against the defendant in addition to the *civil penalty or* fine.
28 The money collected for such an administrative assessment must be
29 stated separately on the court's docket and must be included in the
30 amount posted for bail. If bail is forfeited, the administrative
31 assessment included in the bail pursuant to this subsection must be
32 disbursed pursuant to subsection 6 or 7. If the defendant is found not
33 guilty or the charges are dismissed, the money deposited with the
34 court must be returned to the defendant. If the justice or judge
35 cancels a *civil penalty or* fine because the *civil penalty or* fine has
36 been determined to be uncollectible, any balance of the *civil penalty*
37 *or* fine and the administrative assessment remaining unpaid shall be
38 deemed to be uncollectible and the defendant is not required to pay
39 it. If a *civil penalty or* fine is determined to be uncollectible, the
40 defendant is not entitled to a refund of the *civil penalty or* fine or
41 administrative assessment the defendant has paid and the justice or
42 judge shall not recalculate the administrative assessment.

43 5. If the justice or judge permits the *civil penalty or* fine and
44 *the* administrative assessment for the provision of specialty court



1 programs to be paid in installments, the payments must be applied in
2 the following order:

3 (a) To pay the unpaid balance of an administrative assessment
4 imposed pursuant to NRS 176.059;

5 (b) To pay the unpaid balance of an administrative assessment
6 for the provision of court facilities pursuant to NRS 176.0611;

7 (c) To pay the unpaid balance of an administrative assessment
8 for the provision of specialty court programs;

9 (d) To pay the unpaid balance of an administrative assessment
10 for obtaining a biological specimen and conducting a genetic marker
11 analysis pursuant to NRS 176.0623; and

12 (e) To pay the *civil penalty or* fine.

13 6. The money collected for an administrative assessment for
14 the provision of specialty court programs in municipal court must be
15 paid by the clerk of the court to the city treasurer on or before the
16 fifth day of each month for the preceding month. On or before the
17 15th day of that month, the city treasurer shall deposit the money
18 received for each administrative assessment with the State
19 Controller for credit to a special account in the State General Fund
20 administered by the Office of Court Administrator.

21 7. The money collected for an administrative assessment for
22 the provision of specialty court programs in justice courts must be
23 paid by the clerk of the court to the county treasurer on or before the
24 fifth day of each month for the preceding month. On or before the
25 15th day of that month, the county treasurer shall deposit the money
26 received for each administrative assessment with the State
27 Controller for credit to a special account in the State General Fund
28 administered by the Office of Court Administrator.

29 8. The Office of Court Administrator shall allocate the money
30 credited to the State General Fund pursuant to subsections 6 and 7 to
31 courts to assist with the funding or establishment of specialty court
32 programs.

33 9. Money that is apportioned to a court from administrative
34 assessments for the provision of specialty court programs must be
35 used by the court to:

36 (a) Pay for the treatment and testing of persons who participate
37 in the program; and

38 (b) Improve the operations of the specialty court program by any
39 combination of:

40 (1) Acquiring necessary capital goods;

41 (2) Providing for personnel to staff and oversee the specialty
42 court program;

43 (3) Providing training and education to personnel;

44 (4) Studying the management and operation of the program;

45 (5) Conducting audits of the program;



1 (6) Supplementing the funds used to pay for judges to
2 oversee a specialty court program; or

3 (7) Acquiring or using appropriate technology.

4 10. As used in this section:

5 (a) "Office of Court Administrator" means the Office of Court
6 Administrator created pursuant to NRS 1.320; and

7 (b) "Specialty court program" means a program established by a
8 court to facilitate testing, treatment and oversight of certain persons
9 over whom the court has jurisdiction and who the court has
10 determined suffer from a mental illness or abuses alcohol or drugs.
11 Such a program includes, without limitation, a program established
12 pursuant to NRS 176A.250, 176A.280 or 453.580.

13 **Sec. 46.** NRS 244.3575 is hereby repealed.

TEXT OF REPEALED SECTION

244.3575 Ordinances regulating parking: Civil penalty in lieu of criminal sanction. A board of county commissioners may by ordinance provide that the violation of a specific ordinance regulating parking imposes a civil penalty in an amount not to exceed \$155, instead of a criminal sanction.

