

SENATE BILL NO. 142—SENATOR GUSTAVSON

FEBRUARY 12, 2015

JOINT SPONSORS: ASSEMBLYMEN FIORE, HANSEN, CARRILLO;
DICKMAN, ELLISON, JONES, O'NEILL, OSCARSON, TITUS
AND WHEELER

Referred to Committee on Transportation

SUMMARY—Revises provisions governing the equipment and training required to operate a motorcycle. (BDR 43-718)

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

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

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

Legislative Counsel's Digest:

1 Existing law defines a motorcycle to mean a motor vehicle equipped with a seat
2 or a saddle and designed to travel on not more than three wheels, specifically
3 excluding an electric bicycle, a tractor and a moped. (NRS 486.041) Under existing
4 law, an applicant for a motorcycle driver's license is required to complete a written
5 examination or complete a course of motorcycle safety approved by the Department
6 of Motor Vehicles. (NRS 486.071) A person who holds a driver's license and seeks
7 a motorcycle endorsement must successfully pass a driving test conducted by the
8 Department or a course of motorcycle safety approved by the Department. (NRS
9 486.161) **Sections 1-3** of this bill require all applicants for a motorcycle driver's
10 license or a motorcycle endorsement to a driver's license to successfully complete
11 an approved motorcycle safety course. **Section 5** of this bill exempts a person who
12 obtains such a license or endorsement before July 1, 2015, from the requirement to
13 successfully complete an approved motorcycle safety course.



14 Existing law requires drivers and passengers of motorcycles that are driven on a
15 highway to wear protective headgear and exempts drivers and passengers of
16 trimobiles and mopeds from the requirements. (NRS 486.231) **Section 4** of this bill
17 eliminates the requirement of wearing protective headgear for drivers of
18 motorcycles who: (1) are 21 years of age or older; and (2) have possessed a valid
19 motorcycle license for not less than 1 year. **Section 4** also removes the exception
20 from these requirements concerning protective headgear for trimobiles and mopeds.
21 Additionally, **section 4** eliminates the requirement of wearing protective headgear
22 for a passenger of a motorcycle who is 21 years of age or older.

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

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



1 **Sec. 3.** NRS 486.161 is hereby amended to read as follows:

2 486.161 1. Except as otherwise provided in subsection 5,
3 every motorcycle driver's license expires as prescribed by
4 regulation.

5 2. The Department shall adopt regulations prescribing when a
6 motorcycle driver's license expires.

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

12 4. Except as otherwise provided in subsection 1 of NRS
13 483.384, each applicant for renewal must appear before an examiner
14 for a driver's license and successfully pass a test of the applicant's
15 eyesight.

16 5. Any person who has been issued a driver's license without
17 having the authority to drive a motorcycle endorsed thereon must,
18 before driving a motorcycle, successfully : ~~pass:~~

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

21 (b) ~~Complete a~~ course of motorcycle safety approved by the
22 Department,

23 and have the authority endorsed upon the license.

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

25 486.231 1. The Department shall adopt standards for
26 protective headgear and protective glasses, goggles or face shields
27 to be worn by the drivers and passengers of motorcycles and
28 transparent windscreens for motorcycles.

29 2. Except as *otherwise* provided in this section, when any
30 motorcycle ~~is, except a trimobile or moped,~~ is being driven on a
31 highway ~~it~~ :

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

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

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

38 (b) *Any passenger of the motorcycle shall wear protective*
39 *headgear which meets the standards adopted pursuant to*
40 *subsection 1 and is securely fastened on his or her head, unless*
41 *the passenger is 21 years of age or older.*

42 (c) *Both* the driver and *any* passenger shall wear ~~protective~~
43 ~~headgear securely fastened on the head and~~ protective glasses,
44 goggles or face shields ~~meeting those standards. Drivers and~~
45 ~~passengers of trimobiles shall wear protective glasses, goggles or~~



1 ~~face shields~~ which meet ~~those~~ *the* standards ~~that~~ *adopted pursuant*
2 *to subsection 1.*

3 3. When a motorcycle ~~for a trimobile~~ is equipped with a
4 transparent windscreen ~~meeting those standards,~~ *which meets the*
5 *standards adopted pursuant to subsection 1,* the driver and *any*
6 passenger are not required to wear *protective* glasses, goggles or
7 face shields.

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

11 5. When a three-wheel motorcycle on which the driver and *any*
12 passengers ride within an enclosed cab is being driven on a
13 highway, the driver and passengers are not required to wear the
14 protective devices required by this section.

15 **Sec. 5.** Notwithstanding the amendatory provisions of this act,
16 the requirements to successfully complete an approved motorcycle
17 safety course before obtaining a motorcycle driver's license or a
18 motorcycle endorsement to a driver's license does not apply to a
19 person who obtains such a license or endorsement before July 1,
20 2015.

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

