

ASSEMBLY BILL NO. 329—ASSEMBLYMAN EDWARDS

MARCH 20, 2017

Referred to Committee on Transportation

SUMMARY—Prohibits a driver from operating a motor vehicle in the extreme left-hand lane of a highway under certain circumstances. (BDR 43-1149)

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 highways; prohibiting a driver from operating a motor vehicle in the extreme left-hand lane of a highway under certain circumstances; providing exceptions; requiring the Department of Transportation to take certain actions to notify and advise the members of the public of the prohibition; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, a driver operating a motor vehicle at a speed so slow as to  
2 impede the forward movement of traffic proceeding immediately behind the driver  
3 on a highway with two or more lanes for traffic traveling in the same direction must  
4 drive in the extreme right-hand lane of the highway. (NRS 484B.627) **Section 1** of  
5 this bill amends existing law by providing that a driver on a highway with two or  
6 more lanes for traffic traveling in the same direction may not continue to operate a  
7 motor vehicle in the extreme left-hand lane of the highway if the driver knows, or  
8 reasonably should know, that he or she is being overtaken in that lane from the rear  
9 by a motor vehicle traveling at a higher rate of speed. Exceptions are provided for:  
10 (1) a vehicle in the extreme left-hand lane for the purpose of overtaking another  
11 vehicle or preparing for a left turn; (2) a vehicle lawfully operating in a lane  
12 designated for high-occupancy vehicles; (3) a vehicle engaged in the construction,  
13 maintenance or repair of the highway; (4) when traffic conditions, inclement  
14 weather, obstructions, hazards or compliance with an official traffic control device  
15 or the directions of a peace officer make it necessary to drive in the extreme left-  
16 hand lane; and (5) an authorized emergency vehicle in the course of his or her  
17 official duties. A violation of the prohibition is a misdemeanor, and a violator must  
18 be punished: (1) for the first offense within the immediately preceding 7 years, by a  
19 fine of \$50; (2) for a second offense within the immediately preceding 7 years, by a



20 fine of \$100; and (3) for a third or subsequent offense within the immediately  
21 preceding 7 years, by a fine of \$250.

22 **Section 2** of this bill requires the Department of Transportation, for not less  
23 than 2 years after July 1, 2017, to use reasonable means, including public service  
24 announcements, to notify and advise the public of the requirements of this new  
25 traffic law. **Section 2** also requires the Department to prioritize the highways in this  
26 State which have two or more clearly marked lanes for traveling in the same  
27 direction based on the extent to which the effect of the requirements of this new  
28 traffic law will have on traffic safety and maintaining the free flow of traffic, and  
29 then, in priority order, as money becomes available for that purpose, to erect  
30 advisory signs at reasonable intervals along those highways to advise drivers of the  
31 requirements of this new traffic law.

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

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

3 *1. Except as otherwise provided in subsection 2, on a highway*  
4 *which has two or more clearly marked lanes for traveling in the*  
5 *same direction, a driver may not continue to operate a motor*  
6 *vehicle in the extreme left-hand lane if the driver knows, or*  
7 *reasonably should know, that he or she is being overtaken in that*  
8 *lane from the rear by a motor vehicle traveling at a higher rate of*  
9 *speed.*

10 *2. The requirements of subsection 1 do not apply:*

11 *(a) To a driver operating a motor vehicle that is:*

12 *(1) Overtaking another vehicle proceeding in the same*  
13 *direction;*

14 *(2) Preparing for a left turn at an intersection;*

15 *(3) Traveling in a lane designated for the use of high-*  
16 *occupancy vehicles pursuant to NRS 484A.460, if the driver*  
17 *complies with the requirements to travel in such a lane; or*

18 *(4) Engaged in the construction, maintenance or repair of*  
19 *the highway, including, without limitation, the removal of snow.*

20 *(b) When traffic conditions, inclement weather, obstructions*  
21 *or hazards make it necessary to drive in the extreme left-hand*  
22 *lane.*

23 *(c) When compliance with an official traffic control device or*  
24 *the directions given by a peace officer makes it necessary to drive*  
25 *in the extreme left-hand lane.*

26 *(d) To the driver of an authorized emergency vehicle in the*  
27 *course of his or her official duties.*

28 *3. A person who violates subsection 1 is guilty of a*  
29 *misdemeanor and:*



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

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

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

7       **Sec. 2.** The Department of Transportation shall:

8       1. For not less than 2 years after July 1, 2017, use reasonable  
9 means, including, without limitation, public service announcements,  
10 to notify and advise the public of the requirements of section 1 of  
11 this act.

12       2. Prioritize the highways in this State which have two or more  
13 clearly marked lanes for traveling in the same direction based on the  
14 extent to which the effect of the requirements of section 1 of this act  
15 will have on traffic safety and maintaining the free flow of traffic,  
16 and, in order of priority as money becomes available for that  
17 purpose, erect advisory signs at reasonable intervals on those  
18 highways to advise drivers of the requirements of section 1 of this  
19 act.

20       **Sec. 3.** This act becomes effective:

21       1. Upon passage and approval for the purpose of adopting any  
22 regulations and performing any other preparatory administrative  
23 tasks that are necessary to carry out the provisions of this act; and

24       2. On July 1, 2017, for all other purposes.

