

ASSEMBLY BILL NO. 68—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED NOVEMBER 17, 2016

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to public safety.
(BDR 43-223)

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 public safety; revising provisions relating to the photograph on a driver's license; revising provisions governing the licensure and operation of schools for training drivers; revising provisions relating to the fees paid by a person 65 years of age or older for an identification card; revising provisions relating to the issuance of a commercial driver's license to a person who is not a resident of this State; revising provisions relating to the issuance of traffic citations; setting forth exceptions to certain restrictions on the placement of advertising on or near certain highways, rights-of-way, bridges or structures; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Department to issue a driver's license which bears a colored photograph of the licensee. (NRS 483.347) **Section 10** of this bill removes the requirement that the photograph be in color.

Existing law requires a person who seeks to operate a school for training drivers or to be an instructor for a school for training drivers to obtain a license from the Department. (NRS 483.700) The Department may cancel, suspend, revoke or refuse to renew the license if the licensee engages in certain acts or practices. (NRS 483.760) **Section 12** of this bill provides that the Department may also refuse to issue a license if the applicant engages in any of those certain acts or practices, and adds to the list of those acts or practices: (1) making a material misstatement on an application; (2) failing or refusing to provide any information requested by the Department regarding an application; and (3) conviction of a crime for a violation



13 of any of the provisions of law governing schools for training drivers and
14 instructors for a school for training drivers. Existing law also requires that each
15 vehicle used for training drivers and operated on a highway is inspected annually.
16 (NRS 483.745) **Section 11** of this bill requires that a vehicle be inspected within 30
17 days after initial use by the school for training drivers, and then inspected annually
18 thereafter.

19 Existing law allows certain persons who do not hold a valid driver's license
20 from any state or jurisdiction to obtain an identification card from the Department.
21 (NRS 482.820) A person who is 65 years of age or older must pay a fee of \$4 for an
22 original or duplicate identification card. **Section 13** of this bill clarifies that the \$4
23 fee applies to such an identification card which expires on or before the fourth
24 anniversary of the person's birthday and an \$8 fee applies to such an identification
25 card which expires on or before the eighth anniversary of the person's birthday.

26 Existing law requires the Department to adopt regulations providing for the
27 issuance of commercial drivers' licenses, but the regulations may not be more
28 restrictive than the federal regulations adopted pursuant to the Commercial Motor
29 Vehicle Safety Act of 1986, as amended, 49 U.S.C. §§ 31301 et seq. (NRS
30 483.908) The Department may not issue a commercial driver's license or a
31 commercial learner's permit, which allows a person to operate a commercial motor
32 vehicle on the highways of this State if he or she is accompanied by the holder of a
33 commercial driver's license, to a person unless the person is a resident of this State.
34 (NRS 483.924, 483.934) Existing law prohibits a person who is a resident of this
35 State for 30 days or more from driving a commercial motor vehicle under the
36 authority of a commercial driver's license issued by another jurisdiction. (NRS
37 483.932) Existing law authorizes the Department to issue a nonresident commercial
38 driver's license or a nonresident commercial learner's permit to a person who is a
39 resident of a foreign jurisdiction which the Federal Highway Administrator has
40 determined does not test drivers and issue commercial drivers' licenses in
41 accordance with federal standards or who is a resident of a state while that state is
42 prohibited from issuing commercial drivers' licenses pursuant to federal
43 regulations. (NRS 483.936) **Section 15** of this bill removes the authorization for the
44 Department to issue a nonresident commercial driver's license or nonresident
45 commercial learner's permit, and newly provides that the Department may only
46 issue a limited-term commercial driver's license or limited-term commercial
47 learner's permit to a resident of a foreign jurisdiction which the Federal Highway
48 Administrator has determined does not test drivers and issue commercial drivers'
49 licenses in accordance with federal standards. **Section 14** of this bill makes
50 conforming changes to the fees for such a license.

51 Existing law authorizes a peace officer to issue a traffic citation to a person in
52 the form of a complaint that contains a notice to appear in court. The person to
53 whom the traffic citation is issued is authorized to give his or her written promise to
54 appear in court by signing at least one copy of the traffic citation. (NRS 484A.630)
55 Existing law provides that it is unlawful for a person to violate such a written
56 promise to appear in court and authorizes the issuance of a warrant upon such a
57 violation. (NRS 484A.670) Existing law also requires that a person be taken before
58 a magistrate if: (1) the person is issued a traffic citation and refuses to give a
59 written promise to appear in court; or (2) a peace officer has reasonable and
60 probable grounds to believe that the person will disregard a written promise to
61 appear in court. (NRS 484A.720, 484A.730) Finally, existing law provides that
62 when such a person is taken into custody by a peace officer for the purpose of
63 appearing before a magistrate, the person must be released from custody in certain
64 circumstances upon the issuance of a traffic citation to the person and the person
65 signing a written promise to appear in court. (NRS 484A.760)

66 **Section 15.1** of this bill provides that if a person who is issued a traffic citation
67 refuses to sign a copy of the traffic citation but accepts a copy of the citation



68 delivered by a peace officer, such acceptance shall be deemed personal service of
69 the notice to appear in court. **Section 15.15** of this bill provides that it is unlawful
70 for a person to fail to appear at the time and place set forth in a notice to appear in
71 court that is contained in a traffic citation. **Sections 15.2 and 15.25** of this bill,
72 respectively, require that a person be taken before a magistrate if: (1) the person is
73 issued a traffic citation and refuses to sign or accept a copy of the traffic citation; or
74 (2) a peace officer has reasonable and probable grounds to believe that the person
75 will disregard a notice to appear in court. **Section 15.27** of this bill requires that a
76 person taken into custody for the purpose of appearing before a magistrate be
77 released from custody in certain circumstances upon the acceptance of a copy of a
78 traffic citation.

79 Existing law authorizes a peace officer to prepare and issue a traffic citation to
80 a child in certain circumstances pursuant to the same criteria as would apply to an
81 adult violator. If the child executes a written promise to appear in court by signing
82 the citation, the peace officer is prohibited from taking the child into physical
83 custody for the violation. (NRS 62C.070) **Section 15.4** of this bill provides that if
84 such a child refuses to execute a written promise to appear in court but accepts a
85 copy of the citation delivered by the peace officer, such acceptance shall be deemed
86 personal service of the notice to appear in court.

87 Existing law restricts the placement of advertising on or near certain highways,
88 rights-of-way, bridges or structures, with certain exceptions for benches and
89 shelters for passengers of mass transit and monorail stations. (NRS 405.110,
90 410.320, 484B.313) **Sections 15.3, 15.5 and 15.7** of this bill add to the exceptions
91 from those restrictions certain advertisements on a touchdown structure, which is
92 the tower attached to a pedestrian bridge and which houses an elevator.

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

3 **Sec. 3.** (Deleted by amendment.)

4 **Sec. 4.** (Deleted by amendment.)

5 **Sec. 5.** (Deleted by amendment.)

6 **Sec. 6.** (Deleted by amendment.)

7 **Sec. 7.** (Deleted by amendment.)

8 **Sec. 8.** (Deleted by amendment.)

9 **Sec. 9.** (Deleted by amendment.)

10 **Sec. 10.** NRS 483.347 is hereby amended to read as follows:

11 483.347 1. Except as otherwise provided in subsection 2, the
12 Department shall issue a rectangular-shaped driver's license which
13 bears a front view ~~feotored~~ photograph of the licensee. The
14 photograph and any information included on the license must be
15 placed in a manner which ensures that:

16 (a) If the licensee is 21 years of age or older, the longer edges of
17 the rectangle serve as the top and bottom of the license; or

18 (b) If the licensee is under 21 years of age, the shorter edges of
19 the rectangle serve as the top and bottom of the license.



1 2. The Department may issue a temporary driver's license
2 without a photograph of the licensee if the licensee is temporarily
3 absent from this State and requests the renewal of, the issuance of a
4 duplicate of, or a change in the information on, his or her driver's
5 license. If the licensee returns to this State for 14 continuous days or
6 more, the licensee shall, within 24 days after the date of return,
7 surrender the temporary license and obtain a license which bears his
8 or her photograph in accordance with subsection 1. A licensee
9 charged with violating the provisions of this subsection may not be
10 convicted if the licensee surrenders the temporary license, obtains a
11 license which bears his or her photograph in accordance with
12 subsection 1 and produces that license in court or in the office of the
13 arresting officer.

14 3. The Department shall:

15 (a) Establish a uniform procedure for the production of drivers'
16 licenses, applicable to renewal as well as to original licenses.

17 (b) Except as otherwise provided in NRS 483.417 and 483.825,
18 by regulation, increase the fees provided in NRS 483.410, 483.820
19 and 483.910 as necessary to cover the actual cost of production of
20 photographs for drivers' licenses and identification cards. The
21 increase must be deposited in the State Treasury for credit to the
22 Motor Vehicle Fund and must be allocated to the Department to
23 defray the increased costs of producing the drivers' licenses required
24 by this section.

25 **Sec. 11.** NRS 483.745 is hereby amended to read as follows:

26 483.745 1. A school for training drivers or a third-party
27 certifier provided for by regulation shall ensure that each vehicle
28 used for training drivers and operated on a highway is inspected
29 *within 30 days after initial use by the school for training drivers*
30 *and inspected* annually ~~H~~ *thereafter.*

31 2. The school for training drivers or the third-party certifier
32 shall provide to the Department, within 30 days of the inspection or
33 by December 31 of each calendar year, whichever comes first, the
34 results of the inspection regarding the safety and road worthiness of
35 the vehicles inspected pursuant to subsection 1.

36 3. The Department shall adopt regulations setting forth:

37 (a) The persons qualified to conduct the inspection; and

38 (b) The standards with which the inspection must comply.

39 4. The owner of the school for training drivers or the third-
40 party certifier shall maintain a copy of the results of the inspection
41 at his or her principal place of business for 3 years after the
42 inspection is completed.



Sec. 12. NRS 483.760 is hereby amended to read as follows:

483.760 The Department may *refuse to issue a license or may* cancel, suspend, revoke or refuse to renew any license granted pursuant to NRS 483.700 to 483.780, inclusive:

1. *If the applicant or licensee makes a material misstatement on an application.*

2. *If the applicant or licensee fails or refuses to provide any information requested by the Department in conjunction with an application.*

3. *If the applicant has been convicted of a crime for a violation of any of the provisions of NRS 483.700 to 483.780, inclusive.*

4. If the licensee permits fraud or engages in fraudulent practices either with reference to the applicant or the Department or induces or countenances fraud or fraudulent practices on the part of any applicant for driver's license.

~~2-1~~ 5. If the licensee fails to comply with *or is convicted of a crime for a violation of* any of the provisions of NRS 483.700 to 483.780, inclusive, or any of the regulations or requirements of the Department made pursuant thereto.

~~3-1~~ 6. If the licensee or any employee or agent of the licensee solicits persons for enrollment in a school for training drivers in an office of the Department or within 200 feet of any such office.

~~4-1~~ 7. If the licensee or any employee or agent of the licensee follows the identical course of training which is used by the Department in giving an examination for a driver's license.

Sec. 13. NRS 483.820 is hereby amended to read as follows:

483.820 1. A person who applies for an identification card in accordance with the provisions of NRS 483.810 to 483.890, inclusive, and who is not ineligible to receive an identification card pursuant to NRS 483.861, is entitled to receive an identification card if the person is:

(a) A resident of this State and is 10 years of age or older and does not hold a valid driver's license or identification card from any state or jurisdiction; or

(b) A seasonal resident who does not hold a valid Nevada driver's license.

2. Except as otherwise provided in NRS 483.825, the Department shall charge and collect the following fees for the issuance of an original, duplicate or changed identification card:

An original or duplicate identification card issued to a person 65 years of age or older *which expires on or before the fourth anniversary of the person's birthday* \$4



1 *An original or duplicate identification card*
2 *issued to a person 65 years of age or older*
3 *which expires on or before the eighth*
4 *anniversary of the person's birthday.....* \$8

5 An original or duplicate identification card
6 issued to a person under 18 years of age
7 which expires on the eighth anniversary of
8 the person's birthday 6

9 A renewal of an identification card for a person
10 under 18 years of age which expires on the
11 eighth anniversary of the person's birthday 6

12 An original or duplicate identification card
13 issued to a person under 18 years of age
14 which expires on or before the fourth
15 anniversary of the person's birthday 3

16 A renewal of an identification card for a person
17 under 18 years of age which expires on or
18 before the fourth anniversary of the person's
19 birthday 3

20 An original or duplicate identification card
21 issued to any person at least 18 years of age,
22 but less than 65 years of age, which expires
23 on the eighth anniversary of the person's
24 birthday 18

25 A renewal of an identification card for any
26 person at least 18 years of age, but less than
27 65 years of age, which expires on the eighth
28 anniversary of the person's birthday 18

29 An original or duplicate identification card
30 issued to any person at least 18 years of age,
31 but less than 65 years of age, which expires
32 on or before the fourth anniversary of the
33 person's birthday 9

34 A renewal of an identification card for any
35 person at least 18 years of age, but less than
36 65 years of age, which expires on or before
37 the fourth anniversary of the person's
38 birthday 9

39 A new photograph or change of name, or both 4

40

41 3. The Department shall not charge a fee for:

42 (a) An identification card issued to a person who has voluntarily
43 surrendered his or her driver's license pursuant to NRS 483.420; or

44 (b) A renewal of an identification card for a person 65 years of
45 age or older.



1 4. Except as otherwise provided in NRS 483.825, the increase
2 in fees authorized in NRS 483.347 must be paid in addition to the
3 fees charged pursuant to this section.

4 5. As used in this section, "photograph" has the meaning
5 ascribed to it in NRS 483.125.

6 **Sec. 14.** NRS 483.910 is hereby amended to read as follows:

7 483.910 1. The Department shall charge and collect the
8 following fees:

- 9
- 10 For an original commercial driver's license ~~for~~
11 ~~nonresident commercial driver's license~~
12 which expires on *or before* the eighth
13 anniversary of the date of issuance of the
14 license *but after the fourth anniversary of*
15 *the date of issuance of the license*..... \$108
- 16 For an original commercial driver's license ~~for~~
17 ~~nonresident commercial driver's license,~~ *or*
18 commercial learner's permit ~~for nonresident~~
19 ~~commercial learner's permit~~ which expires
20 on or before the fourth anniversary of the
21 birthday of the licensee or permit holder 54
- 22 For renewal of a commercial driver's license ~~for~~
23 ~~nonresident commercial driver's license~~
24 which expires on *or before* the eighth
25 anniversary of the date of issuance of the
26 license *but after the fourth anniversary of*
27 *the date of issuance of the license* 108
- 28 For renewal of a commercial driver's license ~~for~~
29 ~~nonresident commercial driver's license,~~ *or*
30 commercial learner's permit ~~for nonresident~~
31 ~~commercial learner's permit~~ which expires
32 on or before the fourth anniversary of the
33 birthday of the licensee or permit holder 54
- 34 For reinstatement of a commercial driver's
35 license after suspension or revocation of the
36 license for a violation of NRS 484C.110,
37 484C.120, 484C.130 or 484C.430, or
38 pursuant to NRS 484C.210 and 484C.220, or
39 pursuant to 49 C.F.R. § ~~383.51(b)(2)(i) or~~
40 ~~(ii)~~ *383.51(b)(1) to (4)* 145
- 41 For reinstatement of a commercial driver's
42 license after suspension, revocation,
43 cancellation or disqualification of the license,
44 except a suspension or revocation for a
45 violation of NRS 484C.110, 484C.120,



1 484C.130 or 484C.430, or pursuant to NRS
2 484C.210 and 484C.220, or pursuant to 49
3 C.F.R. § ~~383.51(b)(2)(i) or (ii)~~ 383.51(b)(1)
4 to (4) \$110
5 For a duplicate commercial driver’s license..... 19
6 For any change of information on a commercial
7 driver’s license 9
8 For each endorsement added after the issuance
9 of an original commercial driver’s license 14
10 For the administration of a driving skills test for
11 the issuance, renewal or transfer of a
12 commercial driver’s license or to change any
13 information on, or add an endorsement to, an
14 existing commercial driver’s license 30
15

16 2. The Department shall charge and collect an annual fee of
17 \$555 from each person who is authorized by the Department to
18 administer a driving skills test pursuant to NRS 483.912.

19 3. An additional charge of \$3 must be charged for each
20 knowledge test administered to a person who has twice failed the
21 test.

22 4. An additional charge of \$25 must be charged for each
23 driving skills test administered to a person who has twice failed the
24 test.

25 5. The increase in fees authorized in NRS 483.347 must be
26 paid in addition to the fees charged pursuant to this section.

27 6. The Department shall charge an applicant for a hazardous
28 materials endorsement an additional fee for the processing of
29 fingerprints. The Department shall establish the additional fee by
30 regulation, except that the amount of the additional fee must not
31 exceed the sum of the amount charged by the Central Repository for
32 Nevada Records of Criminal History and each applicable federal
33 agency to process the fingerprints for a background check of the
34 applicant in accordance with Section 1012 of the Uniting and
35 Strengthening America by Providing Appropriate Tools Required to
36 Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of
37 2001, 49 U.S.C. § 5103a.

38 **Sec. 15.** NRS 483.936 is hereby amended to read as follows:

39 483.936 A person who is a resident of a foreign jurisdiction
40 which the Federal Highway Administrator has determined does not
41 test drivers and issue commercial drivers’ licenses in accordance
42 with federal standards ~~for who is a resident of a state while that state~~
43 ~~is prohibited from issuing commercial drivers’ licenses pursuant to~~
44 ~~49 C.F.R. § 384.405]~~ and who wishes to be issued a ~~[nonresident]~~



1 *limited-term* commercial driver's license or ~~nonresident~~ *limited-*
2 *term* commercial learner's permit by this State must:

3 1. Apply to the Department for a ~~nonresident~~ *limited-term*
4 commercial driver's license or ~~nonresident~~ *limited-term*
5 commercial learner's permit; and

6 2. Comply with all other requirements contained in the
7 regulations adopted by the Department pursuant to NRS 483.908.

8 **Sec. 15.1.** NRS 484A.630 is hereby amended to read as
9 follows:

10 484A.630 1. Whenever a person is halted by a peace officer
11 for any violation of chapters 484A to 484E, inclusive, of NRS
12 punishable as a misdemeanor and is not taken before a magistrate as
13 required or permitted by NRS 484A.720 and 484A.730, the peace
14 officer may prepare a traffic citation manually or electronically in
15 the form of a complaint issuing in the name of "The State of
16 Nevada," containing a notice to appear in court, the name and
17 address of the person, the state registration number of the person's
18 vehicle, if any, the number of the person's driver's license, if any,
19 the offense charged, including a brief description of the offense and
20 the NRS citation, the time and place when and where the person is
21 required to appear in court, and such other pertinent information as
22 may be necessary. The *peace officer shall sign the* citation ~~must be~~
23 ~~signed by the peace officer.~~ *and deliver a copy of the citation to*
24 *the person charged with the violation.* If the citation is prepared
25 electronically, the *peace* officer shall sign the copy of the citation
26 that is delivered to the person charged with the violation.

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

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

32 4. The person charged with the violation may give his or her
33 written promise to appear in court by signing at least one copy of the
34 traffic citation prepared by the peace officer ~~in which event the~~
35 ~~peace officer shall deliver a copy of the citation to the person,~~ and
36 thereupon the peace officer shall not take the person into physical
37 custody for the violation. If the citation is prepared electronically,
38 the *peace* officer ~~shall deliver the signed copy of the citation to the~~
39 ~~person and~~ shall indicate on the electronic record of the citation
40 whether the person charged gave his or her written promise to
41 appear. A copy of the citation that is signed by the person charged
42 or the electronic record of the citation which indicates that the
43 person charged gave his or her written promise to appear suffices as
44 proof of service.



1 **5. If the person charged with the violation refuses to sign a**
2 **copy of the traffic citation but accepts a copy of the citation**
3 **delivered by the peace officer:**

4 **(a) The acceptance shall be deemed personal service of the**
5 **notice to appear in court;**

6 **(b) A copy of the citation signed by the peace officer suffices as**
7 **proof of service; and**

8 **(c) The peace officer shall not take the person into physical**
9 **custody for the violation.**

10 **Sec. 15.15.** NRS 484A.670 is hereby amended to read as
11 follows:

12 484A.670 1. ~~HH~~ **Regardless of the disposition of the charge**
13 **for which a traffic citation was originally issued, it is unlawful for**
14 **a person to ~~violate~~:**

15 **(a) Violate** a written promise to appear *in court* given to a peace
16 officer upon the issuance of a traffic citation prepared ~~manually or~~
17 ~~electronically, regardless of the disposition of the charge for which~~
18 ~~the citation was originally issued.~~ **by the peace officer; or**

19 **(b) Fail to appear at the time and place set forth in a notice to**
20 **appear in court that is contained in a traffic citation prepared by a**
21 **peace officer.**

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

29 3. A warrant may issue upon a violation of a written promise to
30 appear ~~HH~~ ***in court or a failure to appear at the time and place set***
31 ***forth in a notice to appear in court.***

32 **Sec. 15.2.** NRS 484A.720 is hereby amended to read as
33 follows:

34 484A.720 Whenever any person is halted by a peace officer for
35 any violation of chapters 484A to 484E, inclusive, of NRS not
36 amounting to a gross misdemeanor or felony, the person shall be
37 taken without unnecessary delay before the proper magistrate, as
38 specified in NRS 484A.750, in either of the following cases:

39 1. When the person demands an immediate appearance before
40 a magistrate; or

41 2. In any other event when the person is issued a traffic citation
42 by an authorized person and refuses to ~~give a written promise to~~
43 ~~appear in court as provided in NRS 484A.630.~~ **sign or accept a**
44 **copy of the traffic citation.**



1 **Sec. 15.25.** NRS 484A.730 is hereby amended to read as
2 follows:

3 484A.730 Whenever any person is halted by a peace officer for
4 any violation of chapters 484A to 484E, inclusive, of NRS and is
5 not required to be taken before a magistrate, the person may, in the
6 discretion of the peace officer, either be given a traffic citation, or
7 be taken without unnecessary delay before the proper magistrate.
8 The person must be taken before the magistrate in any of the
9 following cases:

10 1. When the person does not furnish satisfactory evidence of
11 identity or when the peace officer has reasonable and probable
12 grounds to believe the person will disregard a written promise to
13 appear in court **H** *or a notice to appear in court;*

14 2. When the person is charged with a violation of NRS
15 484D.580 relating to the refusal of a driver of a vehicle to submit
16 the vehicle to an inspection and test;

17 3. When the person is charged with a violation of NRS
18 484D.675 relating to the failure or refusal of a driver of a vehicle to
19 submit the vehicle and load to a weighing or to remove excess
20 weight therefrom; or

21 4. When the person is charged with a violation of NRS
22 484C.110 or 484C.120, unless the person is incapacitated and is
23 being treated for injuries at the time the peace officer would
24 otherwise be taking the person before the magistrate.

25 **Sec. 15.27.** NRS 484A.760 is hereby amended to read as
26 follows:

27 484A.760 Whenever any person is taken into custody by a
28 peace officer for the purpose of taking him or her before a
29 magistrate or court as authorized or required in chapters 484A to
30 484E, inclusive, of NRS upon any charge other than a felony or the
31 offenses enumerated in paragraphs (a) to (e), inclusive, of
32 subsection 1 of NRS 484A.710, and no magistrate is available at the
33 time of arrest, and there is no bail schedule established by the
34 magistrate or court and no lawfully designated court clerk or other
35 public officer who is available and authorized to accept bail upon
36 behalf of the magistrate or court, the person must be released from
37 custody upon the issuance to the person of a misdemeanor citation
38 or traffic citation and the person signing a promise to appear, as
39 provided in NRS 171.1773 or 484A.630, respectively **H** , *or*
40 *accepting a copy of the traffic citation, as provided in NRS*
41 *484A.630.*

42 **Sec. 15.3.** NRS 484B.313 is hereby amended to read as
43 follows:

44 484B.313 1. It is unlawful for any person to place, maintain
45 or display upon or in view of any highway any unauthorized sign,



1 signal, marking or device which purports to be or is an imitation of
2 or resembles an official traffic-control device or railroad sign or
3 signal, or which attempts to direct the movement of traffic, or which
4 hides from view or interferes with the effectiveness of any such
5 device, sign or signal, and except as otherwise provided in
6 ~~subsection~~ *subsections 4, 5, and 5*, a person shall not place or
7 maintain nor may any public authority permit upon any highway
8 any sign, signal, marking or street banner bearing thereon any
9 commercial advertising. ~~except on benches and shelters for~~
10 ~~passengers of public mass transportation for which a franchise has~~
11 ~~been granted pursuant to NRS 244.187 and 244.188, 268.081 and~~
12 ~~268.083, 269.128 and 269.129, or 277A.310 and 277A.330, or on~~
13 ~~monorail stations.~~

14 2. Every such prohibited sign, signal or marking is hereby
15 declared to be a public nuisance, and the proper public authority
16 may remove the same or cause it to be removed without notice.

17 3. This section does not prohibit the erection upon private
18 property adjacent to highways of signs giving useful directional
19 information and of a type that cannot be mistaken for official traffic-
20 control devices.

21 4. A person may place and maintain commercial advertising in
22 an airspace above a highway under the conditions specified pursuant
23 to subsection 3 of NRS 405.110, and a public authority may permit
24 commercial advertising that has been placed in an airspace above a
25 highway under the conditions specified pursuant to subsection 3 of
26 NRS 405.110.

27 5. *The provisions of subsection 1 do not apply to any sign,*
28 *signal, marking or street banner bearing thereon any commercial*
29 *advertising that is located:*

30 *(a) On a bench or shelter for passengers of public mass*
31 *transportation built pursuant to a franchise granted pursuant to*
32 *NRS 244.187 and 244.188, 268.081 and 268.083, 269.128 and*
33 *269.129, or 277A.310 and 277A.330;*

34 *(b) On a monorail station; or*

35 *(c) On a touchdown structure if a public authority authorizes*
36 *such advertising and the advertising is placed and maintained by a*
37 *person who owns real property adjacent to the touchdown*
38 *structure and who has:*

39 *(1) Dedicated the touchdown structure to the public*
40 *authority or has granted a fee or perpetual easement to the public*
41 *authority for the construction or maintenance of the touchdown*
42 *structure; and*

43 *(2) Entered a written agreement with the public authority*
44 *on terms and conditions acceptable to the public authority.*



1 **6.** If a franchisee receives revenues from commercial
2 advertising authorized by subsection 1 and the franchisee is
3 obligated to repay a bond issued by the State of Nevada, the
4 franchisee shall use all revenue generated by the advertising
5 authorized by subsection 1 to meet its obligations to the State of
6 Nevada as set forth in the financing agreement and bond indenture,
7 including, without limitation, the payment of operations and
8 maintenance obligations, the funding of reserves and the payment of
9 debt service. To the extent that any surplus revenue remains after
10 the payment of all such obligations, the surplus revenue must be
11 used solely to repay the bond until the bond is repaid.

12 ~~6.~~ **7.** As used in this section:

13 (a) "Monorail station" means:

14 (1) A structure for the loading and unloading of passengers
15 from a monorail for which a franchise has been granted pursuant to
16 NRS 705.695 or an agreement has been entered into pursuant to
17 NRS 705.695; and

18 (2) Any facilities or appurtenances within such a structure.

19 (b) "Street banner" has the meaning ascribed to it in
20 NRS 277A.130.

21 (c) "*Touchdown structure*" means a structure, connected to a
22 pedestrian bridge, which houses an elevator.

23 **Sec. 15.4.** NRS 62C.070 is hereby amended to read as follows:

24 62C.070 1. If a child is stopped by a peace officer for a
25 violation of any traffic law or ordinance which is punishable as a
26 misdemeanor, the peace officer may prepare and issue a traffic
27 citation pursuant to the same criteria as would apply to an adult
28 violator. *The peace officer shall deliver a copy of the citation to the*
29 *child.*

30 2. If a child who is issued a traffic citation executes a written
31 promise to appear in court by signing the citation, the *peace* officer

32 ~~1.~~

33 ~~(a) Shall deliver a copy of the citation to the child; and~~

34 ~~(b) Shall~~ *shall* not take the child into physical custody for the
35 violation.

36 3. *If a child who is issued a traffic citation refuses to execute*
37 *a written promise to appear in court but accepts a copy of the*
38 *citation delivered by the peace officer:*

39 (a) *The acceptance shall be deemed personal service of the*
40 *notice to appear in court;*

41 (b) *A copy of the citation signed by the peace officer suffices as*
42 *proof of service; and*

43 (c) *The peace officer shall not take the child into physical*
44 *custody for the violation.*



1 **Sec. 15.5.** NRS 405.110 is hereby amended to read as follows:

2 405.110 1. Except ~~for benches and shelters for passengers of~~
3 ~~public mass transportation for which a franchise has been granted~~
4 ~~pursuant to NRS 244.187 and 244.188, 268.081 and 268.083,~~
5 ~~269.128 and 269.129, or 277A.310 and 277A.330, or on monorail~~
6 ~~stations,] as otherwise provided in subsection 5,~~ no advertising
7 signs, signboards, boards or other materials containing advertising
8 matter may:

9 (a) Except as otherwise provided in subsection 3, be placed
10 upon or over any state highway.

11 (b) Except as otherwise provided in subsections 3 and 4, be
12 placed within the highway right-of-way.

13 (c) Except as otherwise provided in subsection 3, be placed
14 upon any bridge or other structure thereon.

15 (d) Be so situated with respect to any public highway as to
16 obstruct clear vision of an intersecting highway or highways or
17 otherwise so situated as to constitute a hazard upon or prevent the
18 safe use of the state highway.

19 2. With the permission of the Department of Transportation,
20 counties, towns or cities of this State may place at such points as are
21 designated by the Director of the Department of Transportation
22 suitable signboards advertising the counties, towns or
23 municipalities.

24 3. A person may place an advertising sign, signboard, board or
25 other material containing advertising matter in any airspace above a
26 highway if:

27 (a) The Department of Transportation has leased the airspace to
28 the person pursuant to subsection 2 of NRS 408.507, the airspace is
29 over an interstate highway and:

30 (1) The purpose of the sign, signboard, board or other
31 material is to identify a commercial establishment that is entirely
32 located within the airspace, services rendered, or goods produced or
33 sold upon the commercial establishment or that the facility or
34 property that is located within the airspace is for sale or lease; and

35 (2) The size, location and design of the sign, signboard,
36 board or other material and the quantity of signs, signboards, boards
37 or other materials have been approved by the Department of
38 Transportation; or

39 (b) The person owns real property adjacent to an interstate
40 highway and:

41 (1) The person has dedicated to a public authority a fee or
42 perpetual easement interest in at least 1 acre of the property for the
43 construction or maintenance, or both, of the highway over which
44 the person is placing the sign, signboard, board or other material and



1 the person retained the air rights in the airspace above the property
2 for which the person has dedicated the interest;

3 (2) The sign, signboard, board or other material is located in
4 the airspace for which the person retained the air rights;

5 (3) The structure that supports the sign, signboard, board or
6 other material is not located on the property for which the person
7 dedicated the fee or easement interest to the public authority, and
8 the public authority determines that the location of the structure
9 does not create a traffic hazard; and

10 (4) The purpose of the sign, signboard, board or other
11 material is to identify an establishment or activity that is located on
12 the real property adjacent to the interstate highway, or services
13 rendered or goods provided or sold on that property.

14 4. A tenant of a mobile home park may exhibit a political sign
15 within a right-of-way of a state highway or road which is owned or
16 controlled by the Department of Transportation if the tenant exhibits
17 the sign within the boundary of the tenant's lot and in accordance
18 with the requirements and limitations set forth in NRS 118B.145. As
19 used in this subsection, the term "political sign" has the meaning
20 ascribed to it in NRS 118B.145.

21 5. *The provisions of subsection 1 do not apply to any*
22 *advertising, signs, signboards or other materials containing*
23 *advertising matter located:*

24 (a) *On a bench or shelter for passengers of public mass*
25 *transportation built pursuant to a franchise granted pursuant to*
26 *NRS 244.187 and 244.188, 268.081 and 268.083, 269.128 and*
27 *269.129, or 277A.310 and 277A.330;*

28 (b) *On a monorail station; or*

29 (c) *On a touchdown structure if a public authority authorizes*
30 *such advertising matter and the advertising matter is placed and*
31 *maintained by a person who owns real property adjacent to the*
32 *touchdown structure and who has:*

33 (1) *Dedicated the touchdown structure to the public*
34 *authority or has granted a fee or perpetual easement to the public*
35 *authority for the construction or maintenance of the touchdown*
36 *structure; and*

37 (2) *Entered a written agreement with the public authority*
38 *on terms and conditions acceptable to the public authority.*

39 6. If any such sign is placed in violation of this section, it is
40 thereby declared a public nuisance and may be removed forthwith
41 by the Department of Transportation or the public authority.

42 ~~16.1~~ 7. Any person placing any such sign in violation of the
43 provisions of this section shall be punished by a fine of not more
44 than \$250, and is also liable in damages for any injury or injuries



1 incurred or for injury to or loss of property sustained by any person
2 by reason of the violation.

3 ~~7.7~~ 8. If a franchisee receives revenues from an advertising
4 sign, signboard, board or other material containing advertising
5 matter authorized by subsection 1 and the franchisee is obligated to
6 repay a bond issued by the State of Nevada, the franchisee shall use
7 all revenue generated by the advertising sign, signboard, board or
8 other material containing advertising matter authorized by
9 subsection 1 to meet its obligations to the State of Nevada as set
10 forth in the financing agreement and bond indenture, including,
11 without limitation, the payment of operations and maintenance
12 obligations, the funding of reserves and the payment of debt service.
13 To the extent that any surplus revenue remains after the payment of
14 all such obligations, the surplus revenue must be used solely to
15 repay the bond until the bond is repaid.

16 ~~8.1~~ 9. As used in this section ~~1,~~ ~~“monorail”~~ :

17 (a) *“Monorail station”* means:

18 ~~8(a)~~ (1) A structure for the loading and unloading of passengers
19 from a monorail for which a franchise has been granted pursuant to
20 NRS 705.695 or an agreement has been entered into pursuant to
21 NRS 705.695; and

22 ~~8(b)~~ (2) Any facilities or appurtenances within such a structure.

23 (b) *“Touchdown structure” means a structure, connected to a*
24 *pedestrian bridge, which houses an elevator.*

25 **Sec. 15.7.** NRS 410.320 is hereby amended to read as follows:

26 410.320 Outdoor advertising shall not be erected or maintained
27 within 660 feet of the nearest edge of the right-of-way and visible
28 from the main-traveled way of the interstate or primary highway
29 systems in this state, and, outside urban areas outdoor advertising
30 shall not be erected or maintained beyond 660 feet from the nearest
31 edge of the right-of-way of the interstate and primary highway
32 systems which is visible and placed with the purpose of having its
33 message read from the main-traveled way of the interstate and
34 primary highway systems in this state, except the following:

35 1. Directional, warning, landmark, informational and other
36 official signs and notices, including but not limited to signs and
37 notices pertaining to natural wonders, scenic and historic attractions.
38 Only signs which are required or authorized by law or by federal,
39 state or county authority, and which conform to national standards
40 promulgated by the Secretary of Transportation pursuant to 23
41 U.S.C. § 131, are permitted.

42 2. Signs, displays and devices which advertise the sale or lease
43 of the property upon which they are located.

44 3. Signs, displays and devices which advertise the activities
45 conducted or services rendered or the goods produced or sold upon



1 the property upon which the advertising sign, display or device is
2 erected.

3 4. Signs, displays and devices located in zoned commercial or
4 industrial areas, when located within 660 feet of the nearest edge of
5 the right-of-way and visible from the main-traveled way of the
6 interstate and primary highway systems within this state.

7 5. Signs, displays and devices located in an unzoned
8 commercial or industrial area as defined in NRS 410.300, when
9 located within 660 feet of the nearest edge of the right-of-way and
10 visible from the main-traveled way of the interstate and primary
11 highway systems within this state.

12 6. Nonconforming signs in defined hardship areas which
13 provide directional information about goods and services in the
14 interest of the traveling public and are approved by the Secretary of
15 Transportation pursuant to 23 U.S.C. § 131(o).

16 **7. Signs, displays and devices located as described in**
17 **subsection 5 of NRS 405.110 and subsection 5 of NRS 484B.313.**

18 **Sec. 16.** (Deleted by amendment.)

19 **Sec. 17.** 1. This section and sections 1 to 9, inclusive, and
20 15.1 to 16, inclusive, of this act become effective on July 1, 2017.

21 2. Sections 10 to 15, inclusive, of this act become effective on
22 October 1, 2017.

