
ASSEMBLY BILL NO. 226—ASSEMBLYMEN OCEGUERA, GIBBONS, CHOWNING, CLABORN, ANDONOV, ARBERRY, ATKINSON, BEERS, BROWN, CARPENTER, CHRISTENSEN, CONKLIN, GEDDES, GOICOECHEA, GRIFFIN, HARDY, HETTRICK, HORNE, KOIVISTO, MABEY, MANENDO, MCCLAIN, MORTENSON, PARKS, PIERCE AND SHERER

MARCH 4, 2003

Referred to Committee on Transportation

SUMMARY—Requires drivers and certain passengers of taxicabs and limousines to wear safety belts. (BDR 43-1079)

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 safety belts; requiring drivers and certain passengers of taxicabs and limousines to wear safety belts; prohibiting certain younger passengers from riding in the front seat of a taxicab or limousine; requiring signs within taxicabs and limousines informing passengers of the requirement to wear safety belts; providing a penalty; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 484 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 ***1. Any person driving a taxicab or limousine, and any***
4 ***passenger 5 years of age or older and weighing 40 pounds or more***
5 ***who rides in the front or back seat of any taxicab or limousine, on***
6 ***any highway, road or street in this state shall wear a safety belt if***
7 ***one is available for his seating position, except that this subsection***
8 ***does not apply:***



1 (a) *To a driver or passenger who possesses a written statement*
2 *by a physician certifying that he is unable to wear a safety belt for*
3 *medical or physical reasons; or*

4 (b) *If the taxicab or limousine was not required by federal law*
5 *at the time of initial sale to be equipped with safety belts.*

6 2. *The driver of a taxicab or limousine shall not allow any*
7 *passenger who is 4 years old or younger or who weighs less than*
8 *40 pounds to ride in the front seat of the taxicab or limousine.*

9 3. *A citation must be issued to any driver or passenger who*
10 *violates the provisions of subsections 1 or 2. If a passenger who is*
11 *a child 5 years of age or older but under 18 years fails to wear a*
12 *safety belt as required in subsection 1, a citation must be issued to*
13 *the driver for his failure to require that child to wear the safety*
14 *belt, but if both the driver and that child are not wearing safety*
15 *belts, only one citation may be issued to the driver for both*
16 *violations. A citation may be issued pursuant to this subsection*
17 *only if the violation is discovered when the vehicle is halted or its*
18 *driver arrested for another alleged violation or offense. Any*
19 *person who violates the provisions of subsection 1 or 2 shall be*
20 *punished by a fine of not more than \$25 or by a sentence to*
21 *perform a certain number of hours of community service.*

22 4. *A violation of subsection 1 or 2:*

23 (a) *Is not a moving traffic violation under NRS 483.473.*

24 (b) *May not be considered as negligence or as causation in any*
25 *civil action or as negligent or reckless driving under NRS 484.377.*

26 (c) *May not be considered as misuse or abuse of a product or*
27 *as causation in any action brought to recover damages for injury*
28 *to a person or property resulting from the manufacture,*
29 *distribution, sale or use of a product.*

30 5. *An owner or operator of a taxicab or limousine shall post a*
31 *sign within each of his taxicabs and limousines advising*
32 *passengers that they are required pursuant to this section to wear*
33 *safety belts while being transported by the taxicab or limousine.*
34 *Such a sign must be placed within the taxicab or limousine so as*
35 *to be visible to and easily readable by passengers, except that this*
36 *subsection does not apply if the taxicab or limousine was not*
37 *required by federal law at the time of initial sale to be equipped*
38 *with safety belts.*

39 **Sec. 2.** NRS 484.641 is hereby amended to read as follows:

40 484.641 1. It is unlawful to drive a passenger car
41 manufactured after:

42 (a) January 1, 1968, on a highway unless it is equipped with at
43 least two lap-type safety belt assemblies for use in the front seating
44 positions.



1 (b) January 1, 1970, on a highway, unless it is equipped with a
2 lap-type safety belt assembly for each permanent seating position
3 for passengers. This requirement does not apply to the rear seats of
4 vehicles operated by a police department or sheriff's office.

5 (c) January 1, 1970, unless it is equipped with at least two
6 shoulder-harness-type safety belt assemblies for use in the front
7 seating positions.

8 2. Any person driving and any passenger 5 years of age or
9 older who rides in the front or back seat of any vehicle described in
10 subsection 1, having an unladen weight of less than 6,000 pounds,
11 on any highway, road or street in this state shall wear a safety belt if
12 one is available for his seating position.

13 3. A citation must be issued to any driver or to any adult
14 passenger who fails to wear a safety belt as required by subsection
15 2. If the passenger is a child 5 years of age or older but under 18
16 years, a citation must be issued to the driver for his failure to require
17 that child to wear the safety belt, but if both the driver and that child
18 are not wearing safety belts, only one citation may be issued to the
19 driver for both violations. A citation may be issued pursuant to this
20 subsection only if the violation is discovered when the vehicle is
21 halted or its driver arrested for another alleged violation or offense.
22 Any person who violates the provisions of subsection 2 shall be
23 punished by a fine of not more than \$25 or by a sentence to perform
24 a certain number of hours of community service.

25 4. A violation of subsection 2:

26 (a) Is not a moving traffic violation under NRS 483.473.

27 (b) May not be considered as negligence or as causation in any
28 civil action or as negligent or reckless driving under NRS 484.377.

29 (c) May not be considered as misuse or abuse of a product or as
30 causation in any action brought to recover damages for injury to a
31 person or property resulting from the manufacture, distribution, sale
32 or use of a product.

33 5. The Department shall exempt those types of motor vehicles
34 or seating positions from the requirements of subsection 1 when
35 compliance would be impractical.

36 6. The provisions of subsections 2 and 3 do not apply:

37 (a) To a driver or passenger who possesses a written statement
38 by a physician certifying that he is unable to wear a safety belt for
39 medical or physical reasons;

40 (b) If the vehicle is not required by federal law to be equipped
41 with safety belts;

42 (c) To an employee of the United States Postal Service while
43 delivering mail in the rural areas of this state;

44 (d) If the vehicle is stopping frequently, the speed of that vehicle
45 does not exceed 15 miles per hour between stops and the driver or



1 passenger is frequently leaving the vehicle or delivering property
2 from the vehicle; or
3 (e) ~~[(e)]~~ *Except as otherwise provided in section 1 of this act, to*
4 a passenger riding in a means of public transportation, including a
5 ~~taxi,~~ school bus or emergency vehicle.
6 7. It is unlawful for any person to distribute, have for sale,
7 offer for sale or sell any safety belt or shoulder harness assembly for
8 use in a motor vehicle unless it meets current minimum standards
9 and specifications of the United States Department of
10 Transportation.

