

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

MARCH 4, 2003

Referred to Committee on Transportation

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

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

~

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

AN ACT relating to safety belts; requiring certain passengers of taxicabs to wear safety belts; requiring signs within taxicabs advising passengers that they must wear safety belts while being transported by the taxicab; 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 passenger 18 years of age or older who rides in the***
4 ***front or back seat of any taxicab on any highway, road or street in***
5 ***this state shall wear a safety belt if one is available for his seating***
6 ***position, except that this subsection does not apply:***
7 ***(a) To a passenger who possesses a written statement by a***
8 ***physician certifying that he is unable to wear a safety belt for***
9 ***medical or physical reasons; or***
10 ***(b) If the taxicab was not required by federal law at the time of***
11 ***initial sale to be equipped with safety belts.***



1 2. *A citation must be issued to any passenger who violates the*
2 *provisions of subsection 1. A citation may be issued pursuant to*
3 *this subsection only if the violation is discovered when the vehicle*
4 *is halted or its driver arrested for another alleged violation or*
5 *offense. Any person who violates the provisions of subsection 1*
6 *shall be punished by a fine of not more than \$25 or by a sentence*
7 *to perform a certain number of hours of community service.*

8 3. *A violation of subsection 1:*
9 (a) *Is not a moving traffic violation under NRS 483.473.*
10 (b) *May not be considered as negligence or as causation in any*
11 *civil action or as negligent or reckless driving under NRS 484.377.*
12 (c) *May not be considered as misuse or abuse of a product or*
13 *as causation in any action brought to recover damages for injury*
14 *to a person or property resulting from the manufacture,*
15 *distribution, sale or use of a product.*

16 4. *An owner or operator of a taxicab shall post a sign within*
17 *each of his taxicabs advising passengers that they must wear*
18 *safety belts while being transported by the taxicab. Such a sign*
19 *must be placed within the taxicab so as to be visible to and easily*
20 *readable by passengers, except that this subsection does not apply*
21 *if the taxicab was not required by federal law at the time of initial*
22 *sale to be equipped with safety belts.*

23 **Sec. 2.** NRS 484.641 is hereby amended to read as follows:
24 484.641 1. It is unlawful to drive a passenger car
25 manufactured after:

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

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

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

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

41 3. A citation must be issued to any driver or to any adult
42 passenger who fails to wear a safety belt as required by subsection
43 2. If the passenger is a child 5 years of age or older but under 18
44 years, a citation must be issued to the driver for his failure to require
45 that child to wear the safety belt, but if both the driver and that child



1 are not wearing safety belts, only one citation may be issued to the
2 driver for both violations. A citation may be issued pursuant to this
3 subsection only if the violation is discovered when the vehicle is
4 halted or its driver arrested for another alleged violation or offense.
5 Any person who violates the provisions of subsection 2 shall be
6 punished by a fine of not more than \$25 or by a sentence to perform
7 a certain number of hours of community service.

8 4. A violation of subsection 2:

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

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

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

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

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

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

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

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

27 (d) If the vehicle is stopping frequently, the speed of that vehicle
28 does not exceed 15 miles per hour between stops and the driver or
29 passenger is frequently leaving the vehicle or delivering property
30 from the vehicle; or

31 (e) ~~For~~ *Except as otherwise provided in section 1 of this act, to*
32 a passenger riding in a means of public transportation, including a
33 ~~taxi,~~ school bus or emergency vehicle.

34 7. It is unlawful for any person to distribute, have for sale,
35 offer for sale or sell any safety belt or shoulder harness assembly for
36 use in a motor vehicle unless it meets current minimum standards
37 and specifications of the United States Department of
38 Transportation.

