

ASSEMBLY BILL NO. 58—ASSEMBLYMAN GRADY (BY REQUEST)

FEBRUARY 10, 2003

JOINT SPONSOR: SENATOR AMODEI

Referred to Committee on Transportation

SUMMARY—Revises provisions governing prohibition against driver of motor vehicle allowing person to ride upon or within certain portions of motor vehicle under certain circumstances. (BDR 43-668)

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

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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 traffic laws; extending to all counties the prohibition against the driver of a motor vehicle allowing a person to ride upon or within certain portions of the motor vehicle under certain circumstances; expanding the prohibition from paved highways to all highways; revising provisions governing the exception to the prohibition for certain persons; 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.** NRS 484.473 is hereby amended to read as follows:
2 484.473 1. Except as otherwise provided in subsections 2 and
3 4, a driver shall not permit a person, with regard to a motor vehicle
4 being operated on a ~~[paved highway within a county whose~~
5 ~~population is 100,000 or more.] highway~~, to ride upon or within any
6 portion of the vehicle that is primarily designed or intended for
7 carrying goods or other cargo or that is otherwise not designed or
8 intended for the use of passengers, including, without limitation:
9 (a) Upon the bed of a flatbed truck; or



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- 1 (b) Within the bed of a pickup truck.
- 2 2. A driver may permit a person to ride upon the bed of a
- 3 flatbed truck or within the bed of a pickup truck if the person is:
- 4 (a) Eighteen years of age or older; or
- 5 (b) Under 18 years of age and the motor vehicle is:
- 6 (1) ~~Not being operated on a freeway or other road that has~~
- 7 ~~two or more lanes for traffic traveling in one direction;~~
- 8 ~~(2)~~ Being used in the course of farming or ranching; or
- 9 ~~(3)~~ (2) Being driven in a parade authorized by a local
- 10 authority.
- 11 3. A citation must be issued to a driver who permits a person to
- 12 ride upon ~~the bed of a flatbed truck~~ or within ~~the bed of a pickup~~
- 13 ~~truck~~ *a vehicle* in violation of subsection 1. A driver who is cited
- 14 pursuant to this subsection shall be punished by a fine of at least \$35
- 15 but not more than \$100.
- 16 4. The provisions of subsection 1 do not apply to the portion of
- 17 the bed of a truck that is covered by a camper shell or slide-in
- 18 camper.
- 19 5. A violation of this section:
- 20 (a) Is not a moving traffic violation for the purposes of NRS
- 21 483.473; and
- 22 (b) May not be considered as:
- 23 (1) Negligence or causation in a civil action; or
- 24 (2) Negligent or reckless driving for the purposes of
- 25 NRS 484.377.
- 26 6. As used in this section:
- 27 (a) "Camper shell" has the meaning ascribed to it in
- 28 NRS 361.017.
- 29 (b) "Freeway" has the meaning ascribed to it in NRS 408.060.
- 30 (c) *"Highway" has the meaning ascribed to it in NRS 484.065.*
- 31 (d) "Slide-in camper" has the meaning ascribed to it in
- 32 NRS 482.113.

