
SENATE BILL NO. 10—COMMITTEE ON COMMERCE AND LABOR

PREFILED JANUARY 24, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Prohibits certain regulation of use of telephonic device by person who is operating motor vehicle. (BDR 58-57)

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 telephonic devices; prohibiting certain agencies, boards, commissions or political subdivisions from regulating the use of a telephonic device by a person who is operating a motor vehicle; 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 707 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 ***1. An agency, board, commission or political subdivision of***
4 ***this state, including, without limitation, any agency, board,***
5 ***commission or governing body of a local government, shall not***
6 ***regulate the use of a telephonic device by a person who is***
7 ***operating a motor vehicle.***
8 ***2. As used in subsection 1, “telephonic device” means a***
9 ***cellular phone, satellite phone, portable phone or any other***
10 ***similar electronic device that is hand-held and designed or used to***
11 ***communicate with a person.***
12 **Sec. 2.** NRS 266.277 is hereby amended to read as follows:
13 266.277 The city council may, by ordinance, regulate:
14 1. ~~AAH~~ ***Except as otherwise provided in section 1 of this act,***
15 ***all*** vehicular, pedestrian and other traffic within the city and provide
16 generally for the public safety on public streets, publicly owned



1 parking lots, parking areas to which the public is invited and public
2 rights-of-way.

3 2. The length of time for which vehicles may be parked upon
4 the public streets and publicly owned parking lots.

5 **Sec. 3.** NRS 269.185 is hereby amended to read as follows:

6 269.185 1. ~~HA~~ *Except as otherwise provided in section 1 of*
7 *this act, in* addition to the powers and jurisdiction conferred upon
8 the town boards or boards of county commissioners by this chapter,
9 such boards may:

10 (a) Regulate traffic upon the streets and alleys of towns or cities
11 governed by such boards pursuant to this chapter.

12 (b) Regulate the speed, parking, stopping, turning and operation
13 of all motor vehicles and other vehicles using the streets and alleys.

14 (c) Pass and adopt all ordinances, rules and regulations, and do
15 and perform all acts and things necessary for the execution of the
16 powers and jurisdiction conferred by this section.

17 2. The town board or board of county commissioners shall
18 cause to be displayed, in each school zone and school crossing zone
19 where the county has posted a speed limit, signs or other devices
20 designating the times during which the speed limit in the zone is to
21 apply.

22 **Sec. 4.** Section 2.210 of the Charter of the City of Caliente,
23 being chapter 31, Statutes of Nevada 1971, at page 61, is hereby
24 amended to read as follows:

25 Sec. 2.210 Powers of City Council: Traffic control.
26 The City Council may, by ordinance, regulate:

27 1. ~~AH~~ *Except as otherwise provided in section 1 of*
28 *this act, all* vehicular, pedestrian and other traffic within the
29 City and provide generally for the public safety on public
30 streets and rights of way.

31 2. The length of time for which vehicles may be parked
32 upon the public streets and publicly owned parking lots.

33 **Sec. 5.** Section 2.230 of the Charter of the City of Carlin,
34 being chapter 344, Statutes of Nevada 1971, at page 610, is hereby
35 amended to read as follows:

36 Sec. 2.230 Powers of Board of Councilmen: Traffic
37 control. The Board of Councilmen may, by ordinance,
38 regulate:

39 1. ~~AH~~ *Except as otherwise provided in section 1 of*
40 *this act, all* vehicular, pedestrian and other traffic within the
41 City and provide generally for the public safety on public
42 streets and rights of way.

43 2. The length of time for which vehicles may be parked
44 upon the public streets and publicly owned parking lots.



1 **Sec. 6.** Section 2.130 of the Charter of the City of Carson City,
2 being chapter 213, Statutes of Nevada 1969, at page 297, is hereby
3 amended to read as follows:

4 Sec. 2.130 Uniform codes: Procedure for adoption.
5 ~~[Am]~~ *Except as otherwise provided in section 1 of this act,*
6 *an* ordinance adopting a uniform building, plumbing,
7 electrical, health, traffic or fire code, or any other uniform
8 code or codes, printed in book or pamphlet form, may adopt
9 such code or codes, or any portion thereof, with such changes
10 as may be necessary to make such code or codes applicable to
11 conditions in Carson City, and with such other changes as
12 may be desirable, by reference thereto. Copies of such code
13 or codes, either typewritten or printed, with such changes, if
14 any, shall be filed for use and examination by the public in
15 the office of the Clerk at least 1 week prior to the passage of
16 the ordinance adopting such code or codes.

17 **Sec. 7.** Section 2.250 of the Charter of the City of Carson City,
18 being chapter 213, Statutes of Nevada 1969, at page 299, is hereby
19 amended to read as follows:

20 Sec. 2.250 Power of Board: Traffic control. The
21 Board may, by ordinance, regulate:

- 22 1. ~~[Am]~~ *Except as otherwise provided in section 1 of*
23 *this act, all* vehicular, pedestrian and other traffic within
24 Carson City and provide generally for the public safety on the
25 public streets and rights of way.
- 26 2. The length of time which vehicles may be parked
27 upon the public streets and publicly owned parking lots.

28 **Sec. 8.** Section 2.260 of the Charter of the City of Elko, being
29 chapter 276, Statutes of Nevada 1971, as amended by chapter 51,
30 Statutes of Nevada 2001, at page 457, is hereby amended to read as
31 follows:

32 Sec. 2.260 Powers of City Council: Traffic control.
33 The City Council may, by ordinance, regulate:

- 34 1. ~~[Am]~~ *Except as otherwise provided in section 1 of*
35 *this act, all* vehicular, pedestrian and other traffic within the
36 City and provide generally for the public safety on public
37 streets and rights of way.
- 38 2. The length of time for which vehicles may be parked
39 upon the public streets and publicly owned parking lots.

40 **Sec. 9.** Section 2.210 of the Charter of the City of Henderson,
41 being chapter 266, Statutes of Nevada 1971, at page 408, is hereby
42 amended to read as follows:

43 Sec. 2.210 Powers of City Council: Traffic control.
44 The City Council may, by ordinance, regulate:



1 1. ~~[A]~~ *Except as otherwise provided in section 1 of*
2 *this act, all* vehicular, pedestrian and other traffic within the
3 City and provide generally for the public safety on public
4 streets and rights of way.

5 2. The length of time for which vehicles may be parked
6 upon the public streets and publicly owned parking lots.

7 **Sec. 10.** Section 2.230 of the Charter of the City of Las Vegas,
8 being chapter 517, Statutes of Nevada 1983, at page 1401, is hereby
9 amended to read as follows:

10 Sec. 2.230 Powers of City Council: Traffic control.
11 The City Council may by ordinance regulate:

12 1. ~~[A]~~ *Except as otherwise provided in section 1 of*
13 *this act, all* vehicular, pedestrian and other traffic within the
14 City and provide generally for the public safety on the public
15 streets, publicly owned parking lots, parking areas to which
16 the public is invited and public rights of way.

17 2. The length of time for which vehicles may be parked
18 upon the public streets and publicly owned parking lots.

19 **Sec. 11.** Section 2.210 of the Charter of the City of North Las
20 Vegas, being chapter 573, Statutes of Nevada 1971, at page 1217, is
21 hereby amended to read as follows:

22 Sec. 2.210 Powers of City Council: Traffic control.
23 The City Council may, by ordinance, regulate:

24 1. ~~[A]~~ *Except as otherwise provided in section 1 of*
25 *this act, all* vehicular, pedestrian and other traffic within the
26 City and provide generally for the public safety on public
27 streets and rights of way.

28 2. The length of time for which vehicles may be parked
29 upon the public streets and parking facilities.

30 **Sec. 12.** Section 2.110 of the Charter of the City of Reno,
31 being chapter 662, Statutes of Nevada 1971, as amended by chapter
32 327, Statutes of Nevada 1999, at page 1367, is hereby amended to
33 read as follows:

34 Sec. 2.110 Uniform codes: Procedure for adoption.
35 ~~[A]~~ *Except as otherwise provided in section 1 of this act, a*
36 uniform building, plumbing, electrical, health, traffic or fire
37 code, or any other uniform code, printed in book or pamphlet
38 form, or any portion thereof, with such changes as may be
39 necessary to make the code applicable to conditions in the
40 City, and with such other changes as may be desirable, may
41 be adopted in an ordinance by reference thereto. Copies of the
42 code, with such changes, if any, must be filed for use and
43 examination by the public in the office of the Clerk at least 1
44 week before the passage of the ordinance adopting the code.



1 **Sec. 13.** Section 2.090 of the Charter of the City of Sparks,
2 being chapter 470, Statutes of Nevada 1975, as last amended by
3 chapter 129, Statutes of Nevada 1993, at page 230, is hereby
4 amended to read as follows:

5 Sec. 2.090 Powers of City Council: General areas.
6 The City Council may exercise any power specifically
7 granted in this charter or by any of the provisions of Nevada
8 Revised Statutes not in conflict with this charter, in order to:

- 9 1. License all businesses, trades and professions for
- 10 purposes of regulation and revenue.
- 11 2. Enact and enforce fire ordinances.
- 12 3. Regulate the construction and maintenance of any
- 13 building or other structure within the City.
- 14 4. Provide for safeguarding of public health in the City.
- 15 5. Zone and plan the City, including the regulation of
- 16 subdivision of land, as prescribed by chapter 278 of NRS.
- 17 6. Acquire, control, lease, dedicate, sell and convey
- 18 rights of way, parks and other real property.
- 19 7. ~~Regulate~~ *Except as otherwise provided in section 1*
- 20 *of this act, regulate* vehicular traffic and parking of vehicles.
- 21 8. Establish and maintain a sanitary sewer system.
- 22 9. Condemn property within the territorial limits of the
- 23 City, as well as property outside the territorial limits of the
- 24 City, in the manner prescribed by chapter 37
- 25 of NRS.
- 26 10. Regulate, prescribe the location for, prohibit or
- 27 suppress all businesses selling alcoholic liquors at wholesale
- 28 or retail.
- 29 11. Regulate, prescribe the location for, prohibit or
- 30 suppress gaming of all kinds.

31 **Sec. 14.** Section 2.230 of the Charter of the City of Wells,
32 being chapter 275, Statutes of Nevada 1971, at page 464, is hereby
33 amended to read as follows:

34 Sec. 2.230 Powers of Board of Councilmen: Traffic
35 control. The Board of Councilmen may, by ordinance,
36 regulate:

- 37 1. ~~All~~ *Except as otherwise provided in section 1 of*
- 38 *this act, all* vehicular, pedestrian and other traffic within the
- 39 City and provide generally for the public safety on public
- 40 streets and rights of way.
- 41 2. The length of time for which vehicles may be parked
- 42 on the public streets and publicly owned parking lots.



1 **Sec. 15.** Section 2.210 of the Charter of the City of Yerington,
2 being chapter 465, Statutes of Nevada 1971, as amended by chapter
3 56, Statutes of Nevada 1973, at page 77, is hereby amended to read
4 as follows:

5 Sec. 2.210 Powers of City Council: Traffic control.
6 The City Council may, by ordinance, regulate:

7 1. ~~AM~~ *Except as otherwise provided in section 1 of*
8 *this act, all* vehicular, pedestrian and other traffic within the
9 City and provide generally for the public safety on public
10 streets and rights of way, publicly owned parking lots and
11 parking areas to which the public is invited.

12 2. The length of time for which vehicles may be parked
13 upon the public streets and publicly owned parking lots.

14 **Sec. 16.** This act becomes effective on July 1, 2003.

