

SENATE BILL NO. 17—SENATORS WIENER, TITUS, AMODEI,
CARE, MCGINNESS AND NOLAN

PREFILED JANUARY 24, 2003

Referred to Committee on Judiciary

SUMMARY—Provides penalty for person who leaves child 7 years of age or younger unsupervised in motor vehicle under certain circumstances. (BDR 15-586)

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 crimes; providing a penalty for a person who leaves a child 7 years of age or younger unsupervised in a motor vehicle under certain circumstances; 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 202 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 ***1. A parent, legal guardian or other person responsible for a***
4 ***child who is 7 years of age or younger shall not leave that child in***
5 ***a motor vehicle unless the child is being supervised in the motor***
6 ***vehicle by a person who is at least 14 years of age, if:***
7 ***(a) The conditions present a danger to the health and safety of***
8 ***the child; or***
9 ***(b) The engine of the motor vehicle is running or the keys to***
10 ***the motor vehicle are anywhere in the passenger compartment of***
11 ***the motor vehicle.***
12 ***2. Except as otherwise provided in this subsection, a person***
13 ***who violates the provisions of subsection 1 is guilty of a***
14 ***misdemeanor and shall be punished by a fine of not more than***
15 ***\$300. The court may waive or reduce the fine if the person***
16 ***presents proof to the court, within the time specified by the court,***



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1 *that he has successfully completed an educational program*
2 *satisfactory to the court, which includes information concerning*
3 *the dangers of leaving a child unattended in a motor vehicle.*

4 *3. A law enforcement officer or other person rendering*
5 *emergency services who reasonably believes that a violation of this*
6 *section has occurred may, without incurring civil liability, use any*
7 *reasonable means necessary to protect the child and to remove the*
8 *child from the motor vehicle.*

9 *4. No person may be prosecuted under this section if the*
10 *conduct would give rise to prosecution under any other provision*
11 *of law.*

12 *5. As used in this section, "motor vehicle" means every*
13 *vehicle which is self-propelled but not operated upon rails.*

