

SENATE BILL NO. 363—SENATOR TITUS

MARCH 17, 2003

Referred to Committee on Transportation

SUMMARY—Exempts electric personal assistive mobility devices from regulation as motor vehicles. (BDR 43-837)

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 regulation of motor vehicles; exempting electric personal assistive mobility devices from regulation as motor vehicles; including persons on such devices or in wheelchairs within the definition of “pedestrian” for the purposes of traffic laws; 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 482 of NRS is hereby amended by adding
- 2 thereto a new section to read as follows:
- 3 *“Electric personal assistive mobility device” means a self-*
- 4 *balancing, two nontandem wheeled device, designed to transport*
- 5 *only one person, with an electric propulsion system that limits the*
- 6 *maximum speed of the device to 15 miles per hour or less.*
- 7 **Sec. 2.** NRS 482.135 is hereby amended to read as follows:
- 8 482.135 ~~{-}~~ “Vehicle” means every device in, upon or by
- 9 which any person or property is or may be transported or drawn
- 10 upon a public highway, ~~{-}~~ *except:*
- 11 1. *Devices* moved by human power or used exclusively upon
- 12 stationary rails or tracks ~~{-}~~
- 13 ~~2. The term does not include mobile;~~
- 14 2. *Mobile* homes or commercial coaches as defined in chapter
- 15 489 of NRS ~~{-}~~; and
- 16 3. *Electric personal assistive mobility devices.*



1 **Sec. 3.** NRS 483.190 is hereby amended to read as follows:
2 483.190 “Vehicle” means every device in, upon ~~[]~~ or by which
3 any person or property is or may be transported or drawn upon a
4 public highway, ~~[excepting devices]~~ **except:**

5 **1. Devices** moved by human power or used exclusively upon
6 stationary rails or tracks ~~[]~~; **and**

7 **2. Electric personal assistive mobility devices as defined in**
8 **section 1 of this act.**

9 **Sec. 4.** NRS 484.111 is hereby amended to read as follows:

10 484.111 “Pedestrian” means ~~[any]~~ a person afoot ~~[]~~, **a person**
11 **in a manual or motorized wheelchair, or a person on an electric**
12 **personal assistive mobility device as defined in section 1 of this**
13 **act.**

14 **Sec. 5.** NRS 484.217 is hereby amended to read as follows:

15 484.217 “Vehicle” means every device in, upon or by which
16 any person or property is or may be transported or drawn upon a
17 highway, except ~~[devices]~~ :

18 **1. Devices** moved by human power or used exclusively upon
19 stationary rails ~~[]~~; **and**

20 **2. Electric personal assistive mobility devices as defined in**
21 **section 1 of this act.**

22 **Sec. 6.** NRS 485.050 is hereby amended to read as follows:

23 485.050 “Motor vehicle” means every self-propelled vehicle
24 which is designed for use upon a highway, including ~~[trailers]~~ :

25 **1. Trailers** and semitrailers designed for use with such vehicles
26 , ~~[]~~ except traction engines, road rollers, farm tractors, tractor
27 cranes, power shovels and well drillers ~~[]~~, ~~and every~~; **and**

28 **2. Every** vehicle which is propelled by electric power obtained
29 from overhead wires but not operated upon rails.

30 **The term does not include electric personal assistive mobility**
31 **devices as defined in section 1 of this act.**

32 **Sec. 7.** NRS 100.095 is hereby amended to read as follows:

33 100.095 As used in NRS 100.095 to 100.175, inclusive:

34 1. “Commercial vehicle lease” means a bailment or lease of a
35 single vehicle by a person for a period of more than 4 months for a
36 total contractual obligation not exceeding \$25,000, primarily for
37 business or commercial purposes, whether or not the lessee has the
38 option to purchase or otherwise become the owner of the vehicle at
39 the termination or expiration of the lease. The term includes a
40 bailment or lease where the lessee becomes or may become owner
41 of the vehicle by payment to the lessor of an amount which is
42 substantially equal to the residual value or the unamortized
43 capitalized cost, if the payment is not nominal. The term does not
44 include a bailment or lease where the lessee contracts to pay as
45 compensation for use of the vehicle a sum substantially equivalent



1 to or in excess of the capitalized cost of the vehicle and it is agreed
2 that the lessee may become the owner for no other consideration or
3 for a nominal consideration.

4 2. "Person" includes any governmental entity.

5 3. "Vehicle" means every device in, upon or by which any
6 person or property is or may be transported upon a public highway,
7 except devices:

8 (a) Moved by human power;

9 (b) Used exclusively upon stationary rails or tracks; or

10 (c) Having a gross vehicle weight of more than 10,000 pounds,
11 exclusive of the weight of any slide-in camper as defined in NRS
12 482.113 which may be on it.

13 *The term does not include electric personal assistive mobility*
14 *devices as defined in section 1 of this act.*

15 4. "Vehicle lease" means a bailment or lease of a single vehicle
16 by a person for a period of more than 4 months where the lessee's
17 obligation upon termination or expiration of the lease is based on the
18 excess of the unamortized capitalized cost of the vehicle over its
19 residual value as established pursuant to the provisions of NRS
20 100.145. The term includes a bailment or lease where the lessee
21 becomes or may become owner of the vehicle by payment to the
22 lessor of an amount which is substantially equal to the residual value
23 or the unamortized capitalized cost, if the payment is not nominal.

24 **Sec. 8.** NRS 444A.017 is hereby amended to read as follows:

25 444A.017 "Vehicle" means any device in, upon or by which
26 any person or property is or may be transported or drawn upon land.
27 The term does not include:

28 1. Devices moved by human or electrical power;

29 2. Commercial coaches as defined in NRS 489.062;

30 *3. Electric personal assistive mobility devices as defined in*
31 *section 1 of this act; and*

32 ~~3.~~ 4. Mobile homes as defined in NRS 489.120.

33 **Sec. 9.** NRS 445B.745 is hereby amended to read as follows:

34 445B.745 "Motor vehicle" means every self-propelled vehicle
35 in, upon or by which any person or property is or may be
36 transported or drawn upon a public highway except ~~devices~~ :

37 *1. Devices* moved by human or animal power or used
38 exclusively on stationary rails ~~and~~ ; *and*

39 *2. Electric personal assistive mobility devices as defined in*
40 *section 1 of this act.*

41 **Sec. 10.** NRS 646.006 is hereby amended to read as follows:

42 646.006 "Motor vehicle" means any self-propelled vehicle that
43 is used upon a highway, but not operated on rails, for the purpose of
44 transporting persons or property. *The term does not include electric*



1 *personal assistive mobility devices as defined in section 1 of this*
2 *act.*

3 **Sec. 11.** NRS 647.0191 is hereby amended to read as follows:
4 647.0191 1. A junk dealer or secondhand dealer may not, as
5 part of his business as a junk dealer or secondhand dealer, buy a
6 motor vehicle from a person and sell the motor vehicle to the same
7 person.

8 2. As used in this section, "motor vehicle" means any self-
9 propelled vehicle that is used upon a highway, but not operated on
10 rails, for the purpose of transporting persons or property. *The term*
11 *does not include electric personal assistive mobility devices as*
12 *defined in section 1 of this act.*

13 **Sec. 12.** NRS 706.146 is hereby amended to read as follows:
14 706.146 "Vehicle" means every device in, upon or by which
15 any person or property is or may be transported or drawn upon a
16 highway, except devices moved by human power or used
17 exclusively upon stationary rails. *The term does not include electric*
18 *personal assistive mobility devices as defined in section 1 of this*
19 *act.*

