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SENATE BILL NO. 480—COMMITTEE ON TRANSPORTATION

MARCH 24, 2003

Referred to Committee on Transportation

**SUMMARY**—Deletes provision limiting issuance of citation for failure to wear safety belt in motor vehicle to vehicles halted for other offenses. (BDR 43-1039)

**FISCAL NOTE:** Effect on Local Government: Yes.  
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

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AN ACT relating to traffic laws; deleting the provision which limits the issuance of a citation for a person's failure to wear a safety belt in a motor vehicle to vehicles halted for other offenses; 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 484.641 is hereby amended to read as follows:  
2     484.641 1. It is unlawful to drive a passenger car  
3     manufactured after:  
4         (a) January 1, 1968, on a highway unless it is equipped with at  
5     least two lap-type safety belt assemblies for use in the front seating  
6     positions.  
7         (b) January 1, 1970, on a highway, unless it is equipped with a  
8     lap-type safety belt assembly for each permanent seating position  
9     for passengers. This requirement does not apply to the rear seats of  
10    vehicles operated by a police department or sheriff's office.  
11         (c) January 1, 1970, unless it is equipped with at least two  
12    shoulder-harness-type safety belt assemblies for use in the front  
13    seating positions.



- 1       2. Any person driving and any passenger 5 years of age or  
2 older who rides in the front or back seat of any vehicle described in  
3 subsection 1, having an unladen weight of less than 6,000 pounds,  
4 on any highway, road or street in this state shall wear a safety belt if  
5 one is available for his seating position.
- 6       3. A citation must be issued to any driver or to any adult  
7 passenger who fails to wear a safety belt as required by subsection  
8 2. If the passenger is a child 5 years of age or older but under 18  
9 years, a citation must be issued to the driver for his failure to require  
10 that child to wear the safety belt, but if both the driver and that child  
11 are not wearing safety belts, only one citation may be issued to the  
12 driver for both violations. ~~[A citation may be issued pursuant to this  
13 subsection only if the violation is discovered when the vehicle is  
14 halted or its driver arrested for another alleged violation or offense.]~~  
15 Any person who violates the provisions of subsection 2 shall be  
16 punished by a fine of not more than \$25 or by a sentence to perform  
17 a certain number of hours of community service.
- 18       4. A violation of subsection 2:  
19       (a) Is not a moving traffic violation under NRS 483.473.  
20       (b) May not be considered as negligence or as causation in any  
21 civil action or as negligent or reckless driving under NRS 484.377.  
22       (c) May not be considered as misuse or abuse of a product or as  
23 causation in any action brought to recover damages for injury to a  
24 person or property resulting from the manufacture, distribution, sale  
25 or use of a product.
- 26       5. The Department shall exempt those types of motor vehicles  
27 or seating positions from the requirements of subsection 1 when  
28 compliance would be impractical.
- 29       6. The provisions of subsections 2 and 3 do not apply:  
30       (a) To a driver or passenger who possesses a written statement  
31 by a physician certifying that he is unable to wear a safety belt for  
32 medical or physical reasons;  
33       (b) If the vehicle is not required by federal law to be equipped  
34 with safety belts;  
35       (c) To an employee of the United States Postal Service while  
36 delivering mail in the rural areas of this state;  
37       (d) If the vehicle is stopping frequently, the speed of that vehicle  
38 does not exceed 15 miles per hour between stops and the driver or  
39 passenger is frequently leaving the vehicle or delivering property  
40 from the vehicle; or  
41       (e) To a passenger riding in a means of public transportation,  
42 including a taxi, school bus or emergency vehicle.



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

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