

CHAPTER.....

AN ACT relating to traffic laws; prohibiting the operation of, and the operation of a vehicle equipped with, any device or mechanism capable of interfering with or altering the signal of a traffic-control signal; prohibiting the sale in this State of such devices and mechanisms; providing certain exceptions for response agencies and providers of mass transit; providing a penalty; providing for an increased penalty 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:

**Section 1.** Chapter 484 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as otherwise provided in this section:*

*(a) A person shall not operate a vehicle on the highways of this State if the vehicle is equipped with any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal.*

*(b) A person shall not operate any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal.*

*2. Except as otherwise provided in this subsection, a person shall not in this State sell or offer for sale any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal. The provisions of this subsection do not prohibit a person from selling or offering for sale:*

*(a) To a provider of mass transit, a signal prioritization device;*  
*or*

*(b) To a response agency, a signal preemption device or a signal prioritization device, or both.*

*3. A police officer:*

*(a) Shall, without a warrant, seize any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal;*  
*or*

*(b) May, without a warrant, seize and take possession of a vehicle equipped with any device or mechanism that is capable of interfering with or altering the signal of a traffic-control signal, including, without limitation, a mobile transmitter, if the device or mechanism cannot be removed from the motor vehicle by the*

*police officer, and may cause the vehicle to be towed and impounded until:*

*(1) The device or mechanism is removed from the vehicle; and*

*(2) The owner claims the vehicle by paying the cost of the towing and impoundment.*

*4. Neither the police officer nor the governmental entity which employs him is civilly liable for any damage to a vehicle seized pursuant to the provisions of paragraph (b) of subsection 3 that occurs after the vehicle is seized but before the towing process begins.*

*5. Except as otherwise provided in subsection 8, the presence of any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal in or on a vehicle on the highways of this State constitutes prima facie evidence of a violation of this section. The State need not prove that the device or mechanism in question was in an operative condition or being operated.*

*6. A person who violates the provisions of subsection 1 or 2 is guilty of a misdemeanor.*

*7. A provider of mass transit shall not operate or cause to be operated a signal prioritization device in such a manner as to impede or interfere with the use by response agencies of signal preemption devices.*

*8. The provisions of this section do not:*

*(a) Except as otherwise provided in subsection 7, prohibit a provider of mass transit from acquiring, possessing or operating a signal prioritization device.*

*(b) Prohibit a response agency from acquiring, possessing or operating a signal preemption device or a signal prioritization device, or both.*

*9. As used in this section:*

*(a) "Mobile transmitter" means a device or mechanism that is:*

*(1) Portable, installed within a vehicle or capable of being installed within a vehicle; and*

*(2) Designed to affect or alter, through the emission or transmission of sound, infrared light, strobe light or any other audible, visual or electronic method, the normal operation of a traffic-control signal.*

*↳ The term includes, without limitation, a signal preemption device and a signal prioritization device.*

*(b) "Provider of mass transit" means a governmental entity or a contractor of a governmental entity which operates, in whole or in part:*

(1) *A public transit system, as that term is defined in NRS 377A.016; or*

(2) *A system of public transportation referred to in NRS 373.1165.*

(c) *“Response agency” means an agency of this State or of a political subdivision of this State that provides services related to law enforcement, firefighting, emergency medical care or public safety. The term includes a nonprofit organization or private company that, as authorized pursuant to chapter 450B of NRS:*

(1) *Provides ambulance service; or*

(2) *Provides intermediate or advanced medical care to sick or injured persons at the scene of an emergency or while transporting those persons to a medical facility.*

(d) *“Signal preemption device” means a mobile transmitter that, when activated and when a vehicle equipped with such a device approaches an intersection controlled by a traffic-control signal, causes:*

(1) *The signal, in the direction of travel of the vehicle, to remain green if the signal is already displaying a green light;*

(2) *The signal, in the direction of travel of the vehicle, to change from red to green if the signal is displaying a red light;*

(3) *The signal, in other directions of travel, to remain red or change to red, as applicable, to prevent other vehicles from entering the intersection; and*

(4) *The applicable functions described in subparagraphs (1), (2) and (3) to continue until such time as the vehicle equipped with the device is clear of the intersection.*

(e) *“Signal prioritization device” means a mobile transmitter that, when activated and when a vehicle equipped with such a device approaches an intersection controlled by a traffic-control signal, causes:*

(1) *The signal, in the direction of travel of the vehicle, to display a green light a few seconds sooner than the green light would otherwise be displayed;*

(2) *The signal, in the direction of travel of the vehicle, to display a green light for a few seconds longer than the green light would otherwise be displayed; or*

(3) *The functions described in both subparagraphs (1) and (2).*

(f) *“Traffic-control signal” means a traffic-control signal, as defined in NRS 484.205, which is capable of receiving and responding to an emission or transmission from a mobile transmitter.*

**Sec. 2.** NRS 484.3667 is hereby amended to read as follows:

484.3667 1. Except as otherwise provided in subsection 2, a person who is convicted of a violation of a speed limit, or of NRS

484.254, 484.278, 484.289, 484.291 to 484.301, inclusive, 484.305, 484.309, 484.311, 484.335, 484.337, 484.361, 484.363, 484.3765, 484.377, 484.379, 484.448, 484.453 or 484.479, *and section 1 of this act*, that occurred:

(a) In an area designated as a temporary traffic control zone in which construction, maintenance or repair of a highway is conducted; and

(b) At a time when the workers who are performing the construction, maintenance or repair of the highway are present, or when the effects of the act may be aggravated because of the condition of the highway caused by construction, maintenance or repair, including, without limitation, reduction in lane width, reduction in the number of lanes, shifting of lanes from the designated alignment and uneven or temporary surfaces, including, without limitation, modifications to road beds, cement-treated bases, chip seals and other similar conditions,

↳ shall be punished by imprisonment or by a fine, or both, for a term or an amount equal to and in addition to the term of imprisonment or amount of the fine, or both, that the court imposes for the primary offense. Any term of imprisonment imposed pursuant to this subsection runs consecutively with the sentence prescribed by the court for the crime. This subsection does not create a separate offense, but provides an additional penalty for the primary offense, whose imposition is contingent upon the finding of the prescribed fact.

2. The additional penalty imposed pursuant to subsection 1 must not exceed a total of \$1,000, 6 months of imprisonment or 120 hours of community service.

3. A governmental entity that designates an area as a temporary traffic control zone in which construction, maintenance or repair of a highway is conducted, or the person with whom the governmental entity contracts to provide such service shall cause to be erected:

(a) A sign located before the beginning of such an area stating “DOUBLE PENALTIES IN WORK ZONES” to indicate a double penalty may be imposed pursuant to this section;

(b) A sign to mark the beginning of the temporary traffic control zone; and

(c) A sign to mark the end of the temporary traffic control zone.

4. A person who otherwise would be subject to an additional penalty pursuant to this section is not relieved of any criminal liability because signs are not erected as required by subsection 3 if the violation results in injury to any person performing highway construction or maintenance in the temporary traffic control zone or in damage to property in an amount equal to \$1,000 or more.