

Amendment No. 532

Senate Amendment to Senate Bill No. 296 First Reprint	(BDR 43-196)
Proposed by: Senator D. Harris	
Amendment Box: Replaces Amendment No. 511.	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION		Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/>	Not <input type="checkbox"/>
Receded <input type="checkbox"/>	Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/>	Not <input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



SENATE BILL NO. 296—SENATORS D. HARRIS, SPEARMAN,
DONATE, OHRENSCHALL; HANSEN AND NEAL

MARCH 16, 2023

JOINT SPONSORS: ASSEMBLYMEN GONZÁLEZ; BROWN-MAY, PETERS, SUMMERS-
ARMSTRONG AND WATTS

Referred to Committee on Judiciary

SUMMARY—Revises provisions related to traffic stops. (BDR 43-196)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

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

AN ACT relating to traffic stops; prohibiting a peace officer from issuing a citation for certain violations relating to motor vehicles, unless the violation is discovered when the vehicle is halted or its driver is arrested for another alleged violation or offense; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law prohibits a peace officer from issuing a citation for certain violations relating
2 to motor vehicles unless the violation is discovered: (1) when the vehicle is halted; or (2) the
3 driver is arrested for another alleged violation or offense. (NRS 482.385, 483.2525, 484B.907,
4 484D.495, 484D.500) **Sections 9.1-9.9** of this bill prohibit a peace officer from issuing a
5 citation for certain violations relating to registration, license plates, permits for unregistered
6 vehicles and equipment, unless the violation is discovered when the vehicle is halted or its
7 driver is arrested for another alleged violation or offense.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** (Deleted by amendment.)
- 2 **Sec. 2.** (Deleted by amendment.)
- 3 **Sec. 3.** (Deleted by amendment.)
- 4 **Sec. 4.** (Deleted by amendment.)
- 5 **Sec. 5.** (Deleted by amendment.)
- 6 **Sec. 6.** (Deleted by amendment.)
- 7 **Sec. 7.** (Deleted by amendment.)
- 8 **Sec. 8.** (Deleted by amendment.)
- 9 **Sec. 9.** (Deleted by amendment.)

1 **Sec. 9.1.** NRS 482.205 is hereby amended to read as follows:

2 482.205 *1.* Except as otherwise provided in this chapter and NRS 706.188,
3 every owner of a motor vehicle, trailer or semitrailer intended to be operated upon
4 any highway in this State shall, before the motor vehicle, trailer or semitrailer can
5 be operated, apply to the Department or a registered dealer for and obtain the
6 registration thereof.

7 *2. Except as otherwise provided in subsection 3, a citation may be issued for*
8 *a violation of subsection 1 only if the violation is discovered when the vehicle is*
9 *halted or its driver is arrested for another alleged violation or offense.*

10 *3. The provisions of subsection 2 do not apply if the registration of the*
11 *motor vehicle, trailer or semitrailer has been expired for more than ~~60~~ 30 days.*

12 **Sec. 9.3.** NRS 482.275 is hereby amended to read as follows:

13 482.275 *1.* The license plates for a motor vehicle other than a motorcycle,
14 moped or motor vehicle being transported by a licensed vehicle transporter must be
15 attached thereto, one in the rear and, except as otherwise provided in subsection 2,
16 one in the front. The license plate issued for all other vehicles required to be
17 registered must be attached to the rear of the vehicle. The license plates must be so
18 displayed during the current calendar year or registration period.

19 *2.* If the motor vehicle was not manufactured to include a bracket, device or
20 other contrivance to display and secure a front license plate, and if the manufacturer
21 of the motor vehicle provided no other means or method by which a front license
22 plate may be displayed upon and secured to the motor vehicle:

23 (i) One license plate must be attached to the motor vehicle in the rear; and

24 (ii) The other license plate may, at the option of the owner of the vehicle, be
25 attached to the motor vehicle in the front.

26 *3.* The provisions of subsection 2 do not relieve the Department of the duty to
27 issue a set of two license plates as otherwise required pursuant to NRS 482.265 or
28 other applicable law and do not entitle the owner of a motor vehicle to pay a
29 reduced tax or fee in connection with the registration or transfer of the motor
30 vehicle. If the owner of a motor vehicle, in accordance with the provisions of
31 subsection 2, exercises the option to attach a license plate only to the rear of the
32 motor vehicle, the owner shall:

33 (i) Retain the other license plate; and

34 (ii) Insofar as it may be practicable, return or surrender both plates to the
35 Department as a set when required by law to do so.

36 *4.* Every license plate must at all times be securely fastened to the vehicle to
37 which it is assigned so as to prevent the plate from swinging and at a height not less
38 than 12 inches from the ground, measuring from the bottom of such plate, in a place
39 and position to be clearly visible, and must be maintained free from foreign
40 materials and in a condition to be clearly legible.

41 *5.* Any license plate which is issued to a vehicle transporter or a dealer,
42 rebuilder or manufacturer may be attached to a vehicle owned or controlled by that
43 person by a secure means. No license plate may be displayed loosely in the window
44 or by any other unsecured method in any motor vehicle.

45 ~~*6. Except as otherwise provided in subsection 7, if a license plate is*~~
46 ~~*attached to the rear of a vehicle in a clearly visible location, a citation may be*~~
47 ~~*issued for a violation of this section only if the violation is discovered while the*~~
48 ~~*vehicle is halted or its driver is arrested for another alleged violation or offense.*~~

49 ~~*7. The provisions of subsection 6 do not apply. Nothing in this section*~~
50 ~~*shall be construed to prohibit a citation from being issued, regardless of whether*~~
51 ~~*the vehicle is halted or its driver is arrested for another alleged violation or*~~
52 ~~*offense, if no license plate is attached to the ~~rear of the motor~~ vehicle ~~in~~ in a*~~
53 ~~*clearly visible location.*~~

1 **Sec. 9.4.** NRS 482.396 is hereby amended to read as follows:

2 482.396 1. A person who is not a dealer, manufacturer or rebuilder may
3 apply to the Department for a permit to operate a vehicle which:

4 (a) Is not subject to the provisions of NRS 482.390, 482.395 and 706.801 to
5 706.861, inclusive; and

6 (b) Is not currently registered in this State, another state or a foreign country, or
7 has been purchased by the applicant from a person who is not a dealer.

8 2. The Department shall adopt regulations imposing a fee for the issuance of
9 the permit.

10 3. Each permit must:

11 (a) Bear the date of expiration in numerals of sufficient size to be plainly
12 readable from a reasonable distance during daylight;

13 (b) Expire at 5 p.m. not more than 60 days after its date of issuance;

14 (c) Be affixed to the vehicle in the manner prescribed by the Department; and

15 (d) Be removed and destroyed upon its expiration or the issuance of a new
16 permit or a certificate of registration for the vehicle, whichever occurs first.

17 4. The Department may authorize the issuance of more than one permit for
18 the vehicle to be operated by the applicant.

19 5. A person who is not a dealer, manufacturer or rebuilder who purchased a
20 vehicle described in subsection 1 may move the vehicle without being issued a
21 permit pursuant to this section for 3 days after the date of purchase if the person
22 carries in the vehicle:

23 (a) Proof of ownership or proof of purchase; and

24 (b) Proof of liability insurance.

25 6. ~~Except as otherwise provided in subsection 7,~~ *If a permit is attached to
26 the vehicle in a clearly visible location, a citation may be issued for a violation of
27 this section only if the violation is discovered while the vehicle is halted or its
28 driver is arrested for another alleged violation or offense.*

29 7. *The provisions of subsection 6 ~~do~~ must not ~~apply~~ be construed to
30 prohibit a citation from being issued, regardless of whether the vehicle is halted
31 or its driver is arrested for another alleged violation or offense, if ~~no~~ a permit is
32 not affixed to the vehicle ~~in~~ in a clearly visible location.*

33 **Sec. 9.5.** NRS 484D.115 is hereby amended to read as follows:

34 484D.115 1. Except as otherwise provided in chapters 484A to 484E,
35 inclusive, of NRS and NRS 486.261, every motor vehicle, trailer, semitrailer and
36 any vehicle which is being drawn at the end of a train of vehicles must be equipped
37 with at least two tail lamps mounted on the rear, which, when lighted as required by
38 this chapter, emit a red light plainly visible from a distance of 500 feet to the rear,
39 except that vehicles manufactured before July 1, 1969, must have at least one tail
40 lamp if they were originally equipped with only one tail lamp.

41 2. Only the tail lamp on the rearmost vehicle of a train of vehicles need
42 actually be seen from the distance specified.

43 3. On vehicles equipped with more than one tail lamp, the lamps must be
44 mounted on the same level, as widely spaced laterally as practicable and at a height
45 of not more than 72 inches nor less than 15 inches.

46 4. Every passenger car, bus and truck under 80 inches in overall width must
47 be equipped with a lamp so constructed and placed as to illuminate with a white
48 light the rear registration or license plate and render it clearly legible from a
49 distance of 50 feet to the rear.

50 5. All such lamps must be wired to be lighted whenever the headlamps or
51 auxiliary driving lamps are lighted.

1 6. *Except as otherwise provided in subsection 7, a citation may be issued for*
2 *a violation of this section only if the violation is discovered while the vehicle is*
3 *halted or its driver is arrested for another alleged violation or offense.*

4 7. *The provisions of subsection 6 do not apply if more than one tail lamp*
5 *mounted on the vehicle is broken.*

6 8. *Nothing in this section shall be construed to prohibit a peace officer from*
7 *issuing an oral advisory or warning citation concerning a violation of this*
8 *section, regardless of whether the violation is discovered while the vehicle is*
9 *halted or its driver is arrested for another alleged violation or offense.*

10 9. The provisions of this section do not apply to towable tools or equipment
11 which is being towed during the hours of daylight.

12 **Sec. 9.7.** NRS 484D.120 is hereby amended to read as follows:

13 484D.120 1. Except as provided in subsection ~~[3-]~~ 6, every motor vehicle,
14 trailer, semitrailer and pole trailer must carry on the rear, either as a part of the tail
15 lamps or separately, two or more red reflectors meeting the requirements of this
16 section, except that vehicles of the types mentioned in NRS 484D.460 must be
17 equipped with reflectors meeting the requirements of NRS 484D.150 and
18 subsection 1 of NRS 484D.155.

19 2. Every such reflector must be mounted on the vehicle at a height not less
20 than 15 inches nor more than 60 inches measured as set forth in NRS 484D.105,
21 and must be of such size and characteristics and so mounted as to be visible at night
22 from all distances within 600 feet to 100 feet from the vehicle when directly in
23 front of lawful lower beams of headlamps, except that reflectors on vehicles
24 manufactured or assembled before January 1, 1970, must be visible at night from
25 all distances within 350 feet to 100 feet when directly in front of lawful upper
26 beams of headlamps.

27 3. *Except as otherwise provided in subsection 4, a citation may be issued for*
28 *a violation of this section only if the violation is discovered while the vehicle is*
29 *halted or its driver is arrested for another alleged violation or offense.*

30 4. *The provisions of subsection 3 do not apply if more than one reflector*
31 *mounted on the vehicle is broken.*

32 5. *Nothing in this section shall be construed to prohibit a peace officer from*
33 *issuing an oral advisory or warning citation concerning a violation of this*
34 *section, regardless of whether the violation is discovered while the vehicle is*
35 *halted or its driver is arrested for another alleged violation or offense.*

36 6. The provisions of this section do not apply to towable tools or equipment.

37 **Sec. 9.9.** NRS 484D.125 is hereby amended to read as follows:

38 484D.125 1. Except as provided in subsection ~~[5-]~~ 8, every motor vehicle,
39 trailer and semitrailer, and any vehicle which is being drawn at the end of a train of
40 vehicles must be equipped with two or more stop lamps, except that any vehicle
41 manufactured before July 1, 1969, must have at least one stop lamp if the vehicle
42 was originally equipped with only one stop lamp.

43 2. Except as otherwise provided in chapters 484A to 484E, inclusive, of NRS,
44 the stop lamp or lamps must:

45 (a) Be on the rear of the vehicle, and if there are two or more than two must be
46 as widely spaced laterally as practicable;

47 (b) Display a red, amber or yellow light visible from a distance of not less than
48 300 feet to the rear in normal sunlight; and

49 (c) Be activated upon application of the brake.

50 3. On a combination of vehicles, stop lamps on the rearmost vehicle only are
51 required.

52 4. A stop lamp may be incorporated with a tail lamp.

1 5. *Except as otherwise provided in subsection 6, a citation may be issued for*
2 *a violation of this section only if the violation is discovered while the vehicle is*
3 *halted or its driver is arrested for another alleged violation or offense.*

4 6. *The provisions of subsection 6 do not apply if more than one stop lamp*
5 *on the vehicle is broken.*

6 7. *Nothing in this section shall be construed to prohibit a peace officer from*
7 *issuing an oral advisory or warning citation concerning a violation of this*
8 *section, regardless of whether the violation is discovered while the vehicle is*
9 *halted or its driver is arrested for another alleged violation or offense.*

10 8. The provisions of this section do not apply to towable tools or equipment.

11 **Sec. 10.** The amendatory provisions of this act apply to a traffic stop which
12 occurs on or after October 1, 2023.

13 **Sec. 11.** (Deleted by amendment.)