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FIRST REPRINT

S.B. 296

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.

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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 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
2 violations relating to motor vehicles unless the violation is discovered: (1) when the
3 vehicle is halted; or (2) the driver is arrested for another alleged violation or
4 offense. (NRS 482.385, 483.2525, 484B.907, 484D.495, 484D.500) **Sections 9.1-**
5 **9.9** of this bill prohibit a peace officer from issuing a citation for certain violations
6 relating to registration, license plates, permits for unregistered vehicles and
7 equipment, unless the violation is discovered when the vehicle is halted or its driver
8 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.)



* S B 2 9 6 R 1 *

1 **Sec. 3.** (Deleted by amendment.)

2 **Sec. 4.** (Deleted by amendment.)

3 **Sec. 5.** (Deleted by amendment.)

4 **Sec. 6.** (Deleted by amendment.)

5 **Sec. 7.** (Deleted by amendment.)

6 **Sec. 8.** (Deleted by amendment.)

7 **Sec. 9.** (Deleted by amendment.)

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

9 482.205 **1.** Except as otherwise provided in this chapter and
10 NRS 706.188, every owner of a motor vehicle, trailer or semitrailer
11 intended to be operated upon any highway in this State shall, before
12 the motor vehicle, trailer or semitrailer can be operated, apply to the
13 Department or a registered dealer for and obtain the registration
14 thereof.

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

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

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

23 482.275 **1.** The license plates for a motor vehicle other than a
24 motorcycle, moped or motor vehicle being transported by a licensed
25 vehicle transporter must be attached thereto, one in the rear and,
26 except as otherwise provided in subsection 2, one in the front. The
27 license plate issued for all other vehicles required to be registered
28 must be attached to the rear of the vehicle. The license plates must
29 be so displayed during the current calendar year or registration
30 period.

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

36 (a) One license plate must be attached to the motor vehicle in
37 the rear; and

38 (b) The other license plate may, at the option of the owner of the
39 vehicle, be attached to the motor vehicle in the front.

40 **3.** The provisions of subsection 2 do not relieve the
41 Department of the duty to issue a set of two license plates as
42 otherwise required pursuant to NRS 482.265 or other applicable law
43 and do not entitle the owner of a motor vehicle to pay a reduced tax
44 or fee in connection with the registration or transfer of the motor
45 vehicle. If the owner of a motor vehicle, in accordance with the



1 provisions of subsection 2, exercises the option to attach a license
2 plate only to the rear of the motor vehicle, the owner shall:

3 (a) Retain the other license plate; and

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

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

12 5. Any license plate which is issued to a vehicle transporter or
13 a dealer, rebuilder or manufacturer may be attached to a vehicle
14 owned or controlled by that person by a secure means. No license
15 plate may be displayed loosely in the window or by any other
16 unsecured method in any motor vehicle.

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

21 *7. The provisions of subsection 6 do not apply if no license*
22 *plate is attached to the rear of the motor vehicle.*

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

24 482.396 1. A person who is not a dealer, manufacturer or
25 rebuilder may apply to the Department for a permit to operate a
26 vehicle which:

27 (a) Is not subject to the provisions of NRS 482.390, 482.395 and
28 706.801 to 706.861, inclusive; and

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

32 2. The Department shall adopt regulations imposing a fee for
33 the issuance of the permit.

34 3. Each permit must:

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

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

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

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

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



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

- 5 (a) Proof of ownership or proof of purchase; and
- 6 (b) Proof of liability insurance.

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

11 ***7. The provisions of subsection 6 do not apply if no permit is***
12 ***affixed to the vehicle.***

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

15 484D.115 1. Except as otherwise provided in chapters 484A
16 to 484E, inclusive, of NRS and NRS 486.261, every motor vehicle,
17 trailer, semitrailer and any vehicle which is being drawn at the end
18 of a train of vehicles must be equipped with at least two tail lamps
19 mounted on the rear, which, when lighted as required by this
20 chapter, emit a red light plainly visible from a distance of 500 feet to
21 the rear, except that vehicles manufactured before July 1, 1969,
22 must have at least one tail lamp if they were originally equipped
23 with only one tail lamp.

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

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

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

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

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

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

43 ***8. Nothing in this section shall be construed to prohibit a***
44 ***peace officer from issuing an oral advisory or warning citation***
45 ***concerning a violation of this section, regardless of whether the***



1 *violation is discovered while the vehicle is halted or its driver is*
2 *arrested for another alleged violation or offense.*

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

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

7 484D.120 1. Except as provided in subsection ~~3~~ **6**, every
8 motor vehicle, trailer, semitrailer and pole trailer must carry on the
9 rear, either as a part of the tail lamps or separately, two or more red
10 reflectors meeting the requirements of this section, except that
11 vehicles of the types mentioned in NRS 484D.460 must be equipped
12 with reflectors meeting the requirements of NRS 484D.150 and
13 subsection 1 of NRS 484D.155.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

