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ASSEMBLY BILL NO. 54—COMMITTEE  
ON GROWTH AND INFRASTRUCTURE

(ON BEHALF OF THE NEVADA HIGHWAY PATROL DIVISION  
OF THE DEPARTMENT OF PUBLIC SAFETY)

PREFILED NOVEMBER 20, 2024

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Referred to Committee on Growth and Infrastructure

SUMMARY—Revises penalties for failing to take certain precautions when approaching a traffic incident. (BDR 43-244)

FISCAL NOTE: Effect on Local Government: No.  
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.

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AN ACT relating to public safety; increasing the penalty for failing to take certain precautions when approaching a traffic incident if such a failure proximately causes the death of or substantial bodily harm to a first responder; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires the driver of a vehicle, in the absence of other direction  
2 given by a law enforcement officer, to take certain precautions when approaching  
3 any traffic incident, including decreasing the speed of the vehicle, proceeding with  
4 caution, being prepared to stop and, if possible, driving in a lane that is not adjacent  
5 to the lane or lanes where the traffic incident is located. Existing law makes it a  
6 misdemeanor to fail to take such precautions. (NRS 484B.607) This bill increases  
7 this penalty by providing that if a person fails to take such precautions upon  
8 approaching a traffic incident and that failure is the proximate cause of the death of  
9 or substantial bodily harm to a first responder, the person is guilty of a category B  
10 felony and shall be punished by: (1) imprisonment in the state prison for a  
11 minimum term of not less than 1 year and a maximum term of not more than 6  
12 years; and (2) a fine of not less than \$2,000 but not more than \$5,000.



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

1     **Section 1.** NRS 484B.607 is hereby amended to read as  
2 follows:

3     484B.607 1. Upon approaching any traffic incident, the  
4 driver of the approaching vehicle shall, in the absence of other  
5 direction given by a law enforcement officer:

6     (a) Decrease the speed of the vehicle to a speed that is  
7 reasonable and proper, pursuant to the criteria set forth in subsection  
8 1 of NRS 484B.600;

9     (b) Proceed with caution;

10    (c) Be prepared to stop; and

11    (d) If possible, drive in a lane that is not adjacent to the lane or  
12 lanes where the traffic incident is located unless roadway, traffic,  
13 weather or other conditions make doing so unsafe or impossible.

14    2. ~~[A]~~ *Except as otherwise provided in subsection 3, a person*  
15 *who violates subsection 1 is guilty of a misdemeanor.*

16    3. *If a person violates subsection 1 and the violation is the*  
17 *proximate cause of the death of or substantial bodily harm to a*  
18 *first responder, the person is guilty of a category B felony and*  
19 *shall be punished by imprisonment in the state prison for a*  
20 *minimum term of not less than 1 year and a maximum term of not*  
21 *more than 6 years and by a fine of not less than \$2,000 but not*  
22 *more than \$5,000.*

23    4. As used in this section ~~[, "traffic"]~~ :

24    (a) *"Emergency medical provider" has the meaning ascribed*  
25 *to it in NRS 450B.199.*

26    (b) *"Firefighter" has the meaning ascribed to it in*  
27 *NRS 450B.071.*

28    (c) *"First responder" means a person responding to or*  
29 *assisting with a traffic incident in the course of duty of his or her*  
30 *profession, including, without limitation, a peace officer,*  
31 *firefighter, emergency medical provider, tow car operator,*  
32 *employee of a public utility, employee of the Department of*  
33 *Transportation or a local government or a person contracted by*  
34 *the Department of Transportation or a local government to*  
35 *provide aid to motorists or to mitigate traffic incidents.*

36    (d) *"Peace officer" has the meaning ascribed to it in*  
37 *NRS 169.125.*

38    (e) *"Traffic incident" means any vehicle, person, condition or*  
39 *other traffic hazard which is located on or near a roadway and which*  
40 *poses a danger to the flow of traffic or to a person involved in,*  
41 *responding to or assisting with the traffic hazard. The term includes,*  
42 *without limitation:*



1 ~~(a)~~ (1) An authorized emergency vehicle which is stopped and  
2 is making use of flashing lights meeting the requirements of  
3 subsection 3 of NRS 484A.480;

4 ~~(b)~~ (2) A tow car which is stopped and is making use of  
5 flashing amber warning lights meeting the requirements of NRS  
6 484B.748 or lamps that emit nonflashing blue light meeting the  
7 requirements of NRS 484D.475, or both;

8 ~~(c)~~ (3) An authorized vehicle used by the Department of  
9 Transportation which is stopped or moving at a speed slower than  
10 the normal flow of traffic and which is making use of flashing  
11 amber warning lights meeting the requirements of subsection 1 of  
12 NRS 484D.185 or lamps that emit nonflashing blue light meeting  
13 the requirements of NRS 484D.200;

14 ~~(d)~~ (4) A vehicle, owned or operated by a person who  
15 contracts with the Department of Transportation to provide aid to  
16 motorists or to mitigate traffic incidents, which is stopped or  
17 moving at a speed slower than the normal flow of traffic and making  
18 use of lamps that emit nonflashing blue light meeting the  
19 requirements of NRS 484D.200;

20 ~~(e)~~ (5) A public utility vehicle which is stopped or moving at  
21 a speed slower than the normal flow of traffic and is making use of  
22 flashing amber warning lights meeting the requirements of  
23 NRS 484D.195;

24 ~~(f)~~ (6) An authorized vehicle of a local governmental agency  
25 which is stopped or moving at a speed slower than the normal flow  
26 of traffic and is making use of flashing amber warning lights  
27 meeting the requirements of NRS 484D.185 or lamps that emit  
28 nonflashing blue light meeting the requirements of NRS 484D.200;

29 ~~(g)~~ (7) A vehicle, owned or operated by a person who  
30 contracts with a local governmental agency to provide aid to  
31 motorists or to mitigate traffic incidents, which is stopped or  
32 moving at a speed slower than the normal flow of traffic and making  
33 use of lamps that emit nonflashing blue light meeting the  
34 requirements of NRS 484D.200;

35 ~~(h)~~ (8) Any vehicle which is stopped or moving at a speed  
36 slower than the normal flow of traffic and is making use of flashing  
37 amber warning lights meeting the requirements of NRS 484D.185;

38 ~~(i)~~ (9) A crash scene;

39 ~~(j)~~ (10) A stalled vehicle;

40 ~~(k)~~ (11) Debris on the roadway; or

41 ~~(l)~~ (12) A person who is out of his or her vehicle attending to  
42 a repair of the vehicle.

43 **Sec. 2.** The amendatory provisions of this act apply only to  
44 offenses committed on or after the effective date of this act.



1     **Sec. 3.** This act becomes effective upon passage and approval.

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