

SENATE BILL NO. 179—SENATOR MANENDO (BY REQUEST)

FEBRUARY 21, 2013

Referred to Committee on Transportation

SUMMARY—Makes various changes to provisions governing public safety. (BDR 43-79)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.  
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 public safety; enhancing the penalty for certain traffic violations which occur in school zones or school crossing zones; revising provisions relating to pedestrians and crosswalks; authorizing the imposition by a court of mandatory attendance in a pedestrian, bicycle and traffic safety course for the driver of a vehicle found guilty of certain traffic violations; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, a driver who is convicted of a violation of a speed limit or  
2 of certain other traffic violations is subject to a doubling of the penalty if the  
3 violation occurs in a highway construction zone when workers are present. (NRS  
4 484B.130) Existing law also provides that certain maximum speeds are in effect in  
5 school zones and school crossing zones at certain times. (NRS 484B.363) **Sections**  
6 **1 and 7** of this bill provide that a driver is subject to a doubling of the penalty for a  
7 violation of a speed limit or of certain other traffic violations if the violation occurs  
8 in a school zone or a school crossing zone at a time when the statutory speed limits  
9 for such zones are in effect. **Section 7** also makes it unlawful for a driver to make a  
10 U-turn or pass another vehicle in a school zone or a school crossing zone when the  
11 school speed limit is in effect. Finally, **section 7** requires that the sign posted to  
12 mark the beginning of each school zone and school crossing zone newly include a  
13 designation that fines may be doubled when the speed limit is in effect.

14 Existing law requires the driver of a vehicle to yield the right-of-way to a  
15 pedestrian in a crosswalk under certain circumstances when the pedestrian is on the  
16 half of the highway upon which the vehicle is traveling, and when a pedestrian is  
17 lawfully in a crosswalk or intersection that is controlled by traffic lights. (NRS  
18 484B.283, 484B.307) **Section 3** of this bill requires a driver to stop for such a



19 pedestrian, specifies that the requirement applies to both marked and unmarked  
 20 crosswalks, expands the requirement to when a pedestrian is within one lane of the  
 21 half of the highway upon which the vehicle is traveling and defines the term “half  
 22 of the highway” to mean the entire width of all the traffic lanes which convey  
 23 traffic in the same direction, including any paved shoulder. **Section 3** also  
 24 authorizes a court, upon the conviction of the driver of a motor vehicle for violating  
 25 certain crosswalk requirements, to order the driver to attend a course of pedestrian,  
 26 bicycle and traffic safety. **Section 5** of this bill requires a driver to stop for a  
 27 pedestrian who is lawfully in a crosswalk or an intersection that is controlled by  
 28 traffic lights.

29 Existing law requires a pedestrian to yield the right-of-way to vehicles when  
 30 the pedestrian is crossing a highway outside of a marked or unmarked crosswalk,  
 31 and when crossing a highway at a point where a pedestrian tunnel or overhead  
 32 pedestrian crossing has been provided. Existing law also prohibits a pedestrian  
 33 from crossing a highway outside of a marked crosswalk when the pedestrian is  
 34 between adjacent intersections at which traffic-control devices are in operation.  
 35 (NRS 484B.287) **Section 4** of this bill eliminates the requirement for a pedestrian  
 36 to yield the right-of-way to vehicles when crossing where a pedestrian tunnel or  
 37 overhead pedestrian crossing has been provided. **Section 4** also revises the  
 38 prohibition on a pedestrian crossing outside of a marked crosswalk between  
 39 adjacent intersections to forbid a pedestrian from crossing outside of a marked or  
 40 unmarked crosswalk if the pedestrian is within 200 feet of a marked or unmarked  
 41 crosswalk. **Section 4** also requires a pedestrian to cross a highway at a right angle  
 42 to the edge of the highway or, when a right angle is not possible or practicable, by  
 43 the shortest route to the opposite side.

44 Existing law provides that driving a vehicle in willful or wanton disregard of  
 45 the safety of persons or property constitutes reckless driving, and provides for the  
 46 imposition of certain fines and terms of imprisonment on a driver who is found  
 47 guilty of reckless driving. (NRS 484B.653) **Section 8** of this bill authorizes a court  
 48 to order a driver found guilty of reckless driving under certain circumstances to, in  
 49 addition to the required fine or term of imprisonment, attend a course of pedestrian,  
 50 bicycle and traffic safety if the reckless driving involved the safety of pedestrians or  
 51 persons riding bicycles.

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

1 **Section 1.** NRS 484B.130 is hereby amended to read as  
 2 follows:

3 484B.130 1. Except as otherwise provided in subsections ~~12~~  
 4 **5, 9** and ~~16~~ **11**, a person who is convicted of a violation of a speed  
 5 limit, or of NRS 484B.150, 484B.163, 484B.165, 484B.200 to  
 6 484B.217, inclusive, 484B.223, 484B.227, 484B.300, 484B.303,  
 7 484B.317, 484B.320, 484B.327, 484B.330, **484B.363**, 484B.403,  
 8 484B.587, 484B.600, 484B.603, 484B.650, 484B.653, 484B.657,  
 9 484C.110 or 484C.120 ~~11~~ **is subject to the additional penalty set**  
 10 **forth in subsection 4 if** that violation occurred ~~1~~

11 ~~—(a)~~ **as described in subsection 2 or 3.**

12 **2. For the purposes of subsection 1, the additional penalty set**  
 13 **forth in subsection 4 applies when the violation occurs:**



1 (a) In an area designated as a temporary traffic control zone; and  
2 (b) At a time when the workers who are performing  
3 construction, maintenance or repair of the highway or other work  
4 are present, or when the effects of the act may be aggravated  
5 because of the condition of the highway caused by construction,  
6 maintenance or repair, including, without limitation, reduction in  
7 lane width, reduction in the number of lanes, shifting of lanes from  
8 the designated alignment and uneven or temporary surfaces,  
9 including, without limitation, modifications to road beds, cement-  
10 treated bases, chip seals and other similar conditions. ~~†~~

11 ~~→~~ 3. *For the purposes of subsection 1, the additional penalty set*  
12 *forth in subsection 4 applies when the violation occurs:*

13 (a) *In an area designated as a school zone or a school crossing*  
14 *zone in accordance with NRS 484B.363; and*

15 (b) *When the speed limits required by NRS 484B.363 are in*  
16 *effect.*

17 4. *Except as otherwise provided in sections 5, 9 and 11, a*  
18 *person convicted of a violation pursuant to subsection 1 shall be*  
19 *punished by imprisonment or by a fine, or both, for a term or an*  
20 *amount equal to and in addition to the term of imprisonment or*  
21 *amount of the fine, or both, that the court imposes for the primary*  
22 *offense. Any term of imprisonment imposed pursuant to this*  
23 *subsection runs consecutively with the sentence prescribed by the*  
24 *court for the crime. This subsection does not create a separate*  
25 *offense, but provides an additional penalty for the primary offense,*  
26 *whose imposition is contingent upon the finding of the prescribed*  
27 *fact.*

28 ~~†~~ 5. The additional penalty imposed pursuant to subsection  
29 ~~†~~ 4 must not exceed a total of \$1,000, 6 months of imprisonment  
30 or 120 hours of community service.

31 ~~†~~ 6. Except as otherwise provided in subsection ~~†~~ 8, a  
32 governmental entity that designates an area or authorizes the  
33 designation of an area as a temporary traffic control zone in which  
34 construction, maintenance or repair of a highway or other work is  
35 conducted, or the person with whom the governmental entity  
36 contracts to provide such service, shall cause to be erected:

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

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

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

43 ~~†~~ 7. A person who otherwise would be subject to an  
44 additional penalty pursuant to ~~this section~~ subsection 2 is not  
45 relieved of any criminal liability because signs are not erected as



1 required by subsection ~~3~~ 6 if the violation results in injury to any  
2 person performing highway construction or maintenance or other  
3 work in the temporary traffic control zone or in damage to property  
4 in an amount equal to \$1,000 or more.

5 ~~5~~ 8. The requirements of subsection ~~3~~ 6 do not apply to an  
6 area designated as a temporary traffic control zone:

7 (a) Pursuant to an emergency which results from a natural or  
8 other disaster and which threatens the health, safety or welfare of  
9 the public; or

10 (b) On a public highway where the posted speed limit is 25  
11 miles per hour or less and that provides access to or is appurtenant  
12 to a residential area.

13 ~~6~~ 9. A person who would otherwise be subject to an  
14 additional penalty pursuant to ~~this section~~ subsection 2 is not  
15 subject to an additional penalty if the violation occurred in a  
16 temporary traffic control zone for which signs are not erected  
17 pursuant to subsection ~~5~~ 8, unless the violation results in injury to  
18 any person performing highway construction or maintenance or  
19 other work in the temporary traffic control zone or in damage to  
20 property in an amount equal to \$1,000 or more.

21 *10. A person who otherwise would be subject to an additional*  
22 *penalty pursuant to subsection 3 is not relieved of any criminal*  
23 *liability because the school zone or school crossing zone is not*  
24 *marked in accordance with NRS 484B.363 if the violation results*  
25 *in injury to any person in the school zone or school crossing zone*  
26 *or in damage to property in an amount equal to \$1,000 or more.*

27 *11. A person who otherwise would be subject to an additional*  
28 *penalty pursuant to subsection 3 is not subject to an additional*  
29 *penalty if the violation occurred in a school zone or a school*  
30 *crossing zone which is not marked in accordance with NRS*  
31 *484B.363 unless the violation results in injury to any person in the*  
32 *school zone or school crossing zone or in damage to property in an*  
33 *amount equal to \$1,000 or more.*

34 **Sec. 2.** NRS 484B.280 is hereby amended to read as follows:

35 484B.280 1. A driver of a motor vehicle shall:

36 (a) Exercise due care to avoid a collision with a pedestrian;

37 (b) Give an audible warning with the horn of the vehicle if  
38 appropriate and when necessary to avoid such a collision; and

39 (c) Exercise proper caution upon observing a pedestrian:

40 (1) On or near a highway, street or road;

41 (2) At or near a bus stop or bench, shelter or transit stop for  
42 passengers of public mass transportation or in the act of boarding a  
43 bus or other public transportation vehicle; or



1 (3) In or near a *school zone or a* school crossing zone  
2 marked in accordance with NRS 484B.363 or a marked or unmarked  
3 crosswalk ~~+~~ *in accordance with NRS 484B.283.*

4 2. If, while violating any provision of this section, the driver of  
5 a motor vehicle is the proximate cause of a collision with a  
6 pedestrian, the driver is subject to the additional penalty set forth in  
7 subsection 4 of NRS 484B.653.

8 **Sec. 3.** NRS 484B.283 is hereby amended to read as follows:

9 484B.283 1. Except as otherwise provided in NRS 484B.287,  
10 484B.290 and 484B.350:

11 (a) When official traffic-control ~~devices~~ *signals* are not in  
12 place or not in operation the driver of a vehicle shall ~~yield the right-~~  
13 ~~of way, slowing down or stopping if need be so to yield, to~~ *stop for*  
14 a pedestrian crossing the highway within a *marked or unmarked*  
15 crosswalk when the pedestrian is upon *or within one traffic lane of*  
16 the half of the highway upon which the vehicle is traveling ~~+~~ ~~or~~  
17 ~~when the pedestrian is approaching so closely from the opposite half~~  
18 ~~of the highway as to be in danger.~~ *or onto which the vehicle is*  
19 *about to turn.*

20 (b) A pedestrian shall not suddenly leave a curb or other place of  
21 safety and walk or run into the path of a vehicle which is so close  
22 that it is impossible for the driver to ~~yield.~~ *stop.*

23 (c) Whenever a vehicle is stopped at a marked crosswalk or at  
24 an unmarked crosswalk at an intersection, the driver of any other  
25 vehicle approaching from the rear shall not overtake and pass the  
26 stopped vehicle until the driver has determined that the vehicle  
27 being overtaken was not stopped for the purpose of permitting a  
28 pedestrian to cross the highway.

29 (d) Whenever signals exhibiting the words "Walk" or "Don't  
30 Walk" *or symbols indicating "Walk" or "Don't Walk"* are in place,  
31 such signals indicate as follows:

32 (1) While the "Walk" indication is illuminated, pedestrians  
33 facing the signal may proceed across the highway in the direction of  
34 the signal and must be given the right-of-way by the drivers of all  
35 vehicles.

36 (2) While the "Don't Walk" indication is illuminated, either  
37 steady or flashing, a pedestrian shall not start to cross the highway  
38 in the direction of the signal, but any pedestrian who has partially  
39 completed the crossing during the "Walk" indication shall proceed  
40 to a sidewalk, or to a safety zone if one is provided.

41 (3) Whenever the word "Wait" still appears in a signal, the  
42 indication has the same meaning as assigned in this section to  
43 the "Don't Walk" indication.

44 (4) Whenever a signal system provides a signal phase for the  
45 stopping of all vehicular traffic and the exclusive movement of



1 pedestrians, and “Walk” and “Don’t Walk” indications control  
2 pedestrian movement, pedestrians may cross in any direction  
3 between corners of the intersection offering the shortest route within  
4 the boundaries of the intersection when the “Walk” indication is  
5 exhibited, and when signals and other official traffic-control devices  
6 direct pedestrian movement in the manner provided in this section  
7 and in NRS 484B.307.

8 2. *The requirements of paragraph (a) of subsection 1 do not*  
9 *apply:*

10 (a) *At a marked or unmarked crosswalk where the movement*  
11 *of traffic is being directed by a police officer; or*

12 (b) *Where otherwise prohibited by local ordinance or*  
13 *regulation.*

14 3. *If the driver of a motor vehicle violates paragraph (a) or*  
15 *(c) of subsection 1, the court may, in addition to any fine imposed,*  
16 *order the driver to attend, at the driver’s own expense, a course of*  
17 *pedestrian, bicycle and traffic safety approved by the Department.*

18 4. If, while violating paragraph (a) or (c) of subsection 1, the  
19 driver of a motor vehicle is the proximate cause of a collision with a  
20 pedestrian, the driver is subject to the additional penalty set forth in  
21 subsection 4 of NRS 484B.653.

22 5. *For the purposes of this section, “half of the highway”*  
23 *means the entire width of all the traffic lanes which are conveying*  
24 *traffic in the same direction of travel, including any paved*  
25 *shoulder.*

26 **Sec. 4.** NRS 484B.287 is hereby amended to read as follows:

27 484B.287 Except as provided in NRS 484B.290:

28 1. Every pedestrian crossing a highway at any point other than  
29 within a marked crosswalk or within an unmarked crosswalk at an  
30 intersection shall yield the right-of-way to all vehicles upon the  
31 highway.

32 2. Any pedestrian crossing a highway ~~at a point where a~~  
33 ~~pedestrian tunnel or overhead pedestrian crossing has been provided~~  
34 ~~shall yield the right of way to all vehicles upon the highway.~~ *shall*  
35 *cross at a right angle to the edge of the highway, or by the shortest*  
36 *route to the opposite side of the highway where a right angle is not*  
37 *possible or practicable except as otherwise provided in subsections*  
38 *4 and 5.*

39 3. ~~Between adjacent intersections at which official traffic-~~  
40 ~~control devices are in operation pedestrians shall not cross at any~~  
41 ~~place except in a marked crosswalk.~~ *A pedestrian who is within*  
42 *200 feet of a marked crosswalk or an unmarked crosswalk at an*  
43 *intersection shall not cross the highway outside of the marked or*  
44 *unmarked crosswalk.*



1 4. A pedestrian shall not cross an intersection diagonally unless  
2 authorized by official traffic-control devices.

3 5. When authorized to cross diagonally, pedestrians shall cross  
4 only in accordance with the official traffic-control devices  
5 pertaining to such crossing movements.

6 **Sec. 5.** NRS 484B.307 is hereby amended to read as follows:

7 484B.307 1. Whenever traffic is controlled by official traffic-  
8 control devices exhibiting different colored lights, or colored lighted  
9 arrows, successively one at a time or in combination as declared in  
10 the manual and specifications adopted by the Department of  
11 Transportation, only the colors green, yellow and red may be used,  
12 except for special pedestrian-control devices carrying a word *or*  
13 *symbol* legend as provided in NRS 484B.283. The lights, arrows  
14 and combinations thereof indicate and apply to drivers of vehicles  
15 and pedestrians as provided in this section.

16 2. When the signal is circular green alone:

17 (a) Vehicular traffic facing the signal may proceed straight  
18 through or turn right or left unless another device at the place  
19 prohibits either or both such turns. Such vehicular traffic, including  
20 vehicles turning right or left, must yield the right-of-way to other  
21 vehicles and ~~to~~ *stop for* pedestrians lawfully within the  
22 intersection or an adjacent crosswalk at the time the signal is  
23 exhibited.

24 (b) Pedestrians facing such a signal may proceed across the  
25 highway within any marked or unmarked crosswalk, unless directed  
26 otherwise by another device as provided in NRS 484B.283.

27 3. Where the signal is circular green with a green turn arrow:

28 (a) Vehicular traffic facing the signal may proceed to make the  
29 movement indicated by the green turn arrow or such other  
30 movement as is permitted by the circular green signal, but the traffic  
31 must ~~yield the right-of-way to~~ *stop for* pedestrians lawfully within  
32 an adjacent crosswalk and *yield the right-of-way* to other traffic  
33 lawfully using the intersection at the time the signal is exhibited.  
34 Drivers turning in the direction of the arrow when displayed with  
35 the circular green are thereby advised that so long as a turn arrow is  
36 illuminated, oncoming or opposing traffic simultaneously faces a  
37 steady red signal.

38 (b) Pedestrians facing such a signal may proceed across the  
39 highway within any marked or unmarked crosswalk, unless directed  
40 otherwise by another device as provided in NRS 484B.283.

41 4. Where the signal is a green turn arrow alone:

42 (a) Vehicular traffic facing the signal may proceed only in the  
43 direction indicated by the arrow signal so long as the arrow is  
44 illuminated, but the traffic must ~~yield the right-of-way to~~ *stop for*



1 pedestrians lawfully within the adjacent crosswalk and *yield the*  
2 *right-of-way* to other traffic lawfully using the intersection.

3 (b) Pedestrians facing such a signal shall not enter the highway  
4 until permitted to proceed by another device as provided in  
5 NRS 484B.283.

6 5. Where the signal is a green straight-through arrow alone:

7 (a) Vehicular traffic facing the signal may proceed straight  
8 through, but must not turn right or left. Such vehicular traffic must  
9 yield the right-of-way to other vehicles and ~~to~~ *stop for* pedestrians  
10 lawfully within the intersection or an adjacent crosswalk at the time  
11 the signal is exhibited.

12 (b) Pedestrians facing such a signal may proceed across the  
13 highway within the appropriate marked or unmarked crosswalk,  
14 unless directed otherwise by another device as provided in  
15 NRS 484B.283.

16 6. Where the signal is a steady yellow signal alone:

17 (a) Vehicular traffic facing the signal is thereby warned that the  
18 related green movement is being terminated or that a steady red  
19 indication will be exhibited immediately thereafter, and such  
20 vehicular traffic must not enter the intersection when the red signal  
21 is exhibited.

22 (b) Pedestrians facing such a signal, unless otherwise directed  
23 by another device as provided in NRS 484B.283, are thereby  
24 advised that there is insufficient time to cross the highway.

25 7. *Where the signal is a flashing yellow turn arrow, displayed*  
26 *alone or in combination with another signal:*

27 (a) *Vehicular traffic facing the signal is permitted to*  
28 *cautiously enter the intersection only to make the movement*  
29 *indicated by the arrow signal, or other such movement as is*  
30 *permitted by other signal indications displayed at the same time.*  
31 *Such vehicular traffic must stop for pedestrians lawfully within*  
32 *the intersection or an adjacent crosswalk and yield the right-of-*  
33 *way to other traffic lawfully within the intersection.*

34 (b) *Pedestrians facing such a signal, unless otherwise directed*  
35 *by another device as provided in NRS 484B.283, are thereby*  
36 *advised that there may be insufficient time to cross the highway,*  
37 *but may proceed across the highway within the appropriate*  
38 *marked or unmarked crosswalk.*

39 8. Where the signal is a steady red signal alone:

40 (a) Vehicular traffic facing the signal must stop before entering  
41 the crosswalk on the nearest side of the intersection where the sign  
42 or pavement marking indicates where the stop must be made, or in  
43 the absence of any such crosswalk, sign or marking, then before  
44 entering the intersection, and, except as provided in paragraph (c),  
45 must remain stopped or standing until the green signal is shown.





1 (b) Pedestrians facing such a signal shall not enter the highway,  
2 unless permitted to proceed by another device as provided in  
3 NRS 484B.283.

4 (c) After complying with the requirement to stop, vehicular  
5 traffic facing such a signal and situated on the extreme right of the  
6 highway may proceed into the intersection for a right turn only  
7 when the intersecting highway is two-directional or one-way to  
8 the right, or vehicular traffic facing such a signal and situated on the  
9 extreme left of a one-way highway may proceed into the  
10 intersection for a left turn only when the intersecting highway is  
11 one-way to the left, but must ~~yield the right-of-way to~~ *stop for*  
12 pedestrians and *yield the right-of-way to* other traffic proceeding as  
13 directed by the signal at the intersection.

14 (d) Vehicular traffic facing the signal may not proceed on or  
15 through any private or public property to enter the intersecting street  
16 where traffic is not facing a red signal to avoid the red signal.

17 ~~8.1~~ 9. Where the signal is a steady red with a green turn  
18 arrow:

19 (a) Vehicular traffic facing the signal may enter the intersection  
20 only to make the movement indicated by the green turn arrow, but  
21 must ~~yield the right-of-way to~~ *stop for* pedestrians lawfully within  
22 an adjacent crosswalk and *yield the right-of-way* to other traffic  
23 lawfully using the intersection. Drivers turning in the direction of  
24 the arrow are thereby advised that so long as the turn arrow is  
25 illuminated, oncoming or opposing traffic simultaneously faces a  
26 steady red signal.

27 (b) Pedestrians facing such a signal shall not enter the highway,  
28 unless permitted to proceed by another device as provided in  
29 NRS 484B.283.

30 ~~9.1~~ 10. If a signal is erected and maintained at a place other  
31 than an intersection, the provisions of this section are applicable  
32 except as to those provisions which by their nature can have no  
33 application. Any stop required must be made at a sign or pavement  
34 marking indicating where the stop must be made, but in the absence  
35 of any such device the stop must be made at the signal.

36 ~~10.1~~ 11. Whenever signals are placed over the individual  
37 lanes of a highway, the signals indicate, and apply to drivers of  
38 vehicles, as follows:

39 (a) A downward-pointing green arrow means that a driver facing  
40 the signal may drive in any lane over which the green signal is  
41 shown.

42 (b) A red "X" symbol means a driver facing the signal must not  
43 enter or drive in any lane over which the red signal is shown.



1 ~~11.1~~ 12. A local authority shall not adopt an ordinance or  
2 regulation or take any other action that prohibits vehicular traffic  
3 from crossing an intersection when:

4 (a) The red signal is exhibited; and

5 (b) The vehicular traffic in question had already completely  
6 entered the intersection before the red signal was exhibited. For the  
7 purposes of this paragraph, a vehicle shall be considered to have  
8 "completely entered" an intersection when all portions of the vehicle  
9 have crossed the limit line or other point of demarcation behind  
10 which vehicular traffic must stop when a red signal is displayed.

11 **Sec. 6.** NRS 484B.330 is hereby amended to read as follows:

12 484B.330 1. It is unlawful for a driver of a vehicle to fail or  
13 refuse to comply with any signal of an authorized flagger serving in  
14 a traffic control capacity in a clearly marked area of highway  
15 construction or maintenance or any other area which has been  
16 designated as a temporary traffic control zone.

17 2. A district attorney shall prosecute all violations of  
18 subsection 1 which occur in his or her jurisdiction and which result  
19 in injury to any person performing highway construction or  
20 maintenance or performing other work within an area designated as  
21 a temporary traffic control zone unless the district attorney has good  
22 cause for not prosecuting the violation. In addition to any other  
23 penalty, if a driver violates any provision of subsection 1 and the  
24 violation results in injury to any person performing highway  
25 construction or maintenance or performing other work within an  
26 area designated as a temporary traffic control zone, or in damage to  
27 property in an amount of not less than \$1,000, the driver shall be  
28 punished by a fine of not less than \$1,000 or more than \$2,000, and  
29 ordered to perform 120 hours of community service.

30 3. A person who violates any provision of subsection 1 may be  
31 subject to the additional penalty set forth in ~~subsection 1 of~~  
32 NRS 484B.130.

33 4. As used in this section, "authorized flagger serving in a  
34 traffic control capacity" means:

35 (a) An employee of the Department of Transportation or of a  
36 contractor performing highway construction or maintenance or  
37 performing other work within an area designated as a temporary  
38 traffic control zone for the Department of Transportation while the  
39 employee is carrying out the duties of his or her employment;

40 (b) An employee of any other governmental entity or of a  
41 contractor performing highway construction or maintenance or  
42 performing other work within an area designated as a temporary  
43 traffic control zone for the governmental entity while the employee  
44 is carrying out the duties of his or her employment; or



1 (c) Any other person employed by a private entity performing  
2 highway construction or maintenance or performing other work  
3 within an area designated as a temporary traffic control zone while  
4 the person is carrying out the duties of his or her employment if the  
5 person has satisfactorily completed training as a flagger approved or  
6 recognized by the Department of Transportation.

7 **Sec. 7.** NRS 484B.363 is hereby amended to read as follows:

8 484B.363 1. A person shall not drive a motor vehicle at a  
9 speed in excess of 15 miles per hour in an area designated as a  
10 school zone except:

11 (a) On a day on which school is not in session;

12 (b) During the period from a half hour after school is no longer  
13 in operation to a half hour before school is next in operation;

14 (c) If the zone is designated by an operational speed limit  
15 beacon, during the hours when the pupils of the school are in class  
16 and the yellow lights of the speed limit beacon are not flashing in  
17 the manner which indicates that the speed limit is in effect; or

18 (d) If the zone is not designated by an operational speed limit  
19 beacon, during the times when the sign designating the school zone  
20 indicates that the speed limit is not in effect.

21 2. A person shall not drive a motor vehicle at a speed in excess  
22 of 25 miles per hour in an area designated as a school crossing zone  
23 except:

24 (a) On a day on which school is not in session;

25 (b) During the period from a half hour after school is no longer  
26 in operation to a half hour before school is next in operation;

27 (c) If the zone is designated by an operational speed limit  
28 beacon, during the hours when the pupils of the school are in class  
29 and the yellow lights of the speed limit beacon are not flashing in  
30 the manner which indicates that the speed limit is in effect; or

31 (d) If the zone is not designated by an operational speed limit  
32 beacon, during the times when the sign designating the school zone  
33 indicates that the speed limit is not in effect.

34 3. *The driver of a vehicle shall not make a U-turn in an area*  
35 *designated as a school zone or school crossing zone except:*

36 (a) *On a day on which school is not in session;*

37 (b) *During the period from a half hour after school is no*  
38 *longer in operation to a half hour before school is next in*  
39 *operation;*

40 (c) *If the zone is designated by an operational speed limit*  
41 *beacon, during the hours when the pupils of the school are in*  
42 *class and the yellow lights of the speed limit beacon are not*  
43 *flashing in the manner which indicates that the speed limit is in*  
44 *effect; or*



1 (d) *If the zone is not designated by an operational speed limit*  
2 *beacon, during the times when the sign designating the school*  
3 *zone or school crossing zone indicates that the speed limit is not in*  
4 *effect.*

5 4. *The driver of a vehicle shall not overtake and pass another*  
6 *vehicle traveling in the same direction in an area designated as a*  
7 *school zone or school crossing zone except:*

8 (a) *On a day on which school is not in session;*

9 (b) *During the period from a half hour after school is no*  
10 *longer in operation to a half hour before school is next in*  
11 *operation;*

12 (c) *If the zone is designated by an operational speed limit*  
13 *beacon, during the hours when the pupils of the school are in*  
14 *class and the yellow lights of the speed limit beacon are not*  
15 *flashing in the manner which indicates that the speed limit is in*  
16 *effect; or*

17 (d) *If the zone is not designated by an operational speed limit*  
18 *beacon, during the times when the sign designating the school*  
19 *zone or school crossing zone indicates that the speed limit is not in*  
20 *effect.*

21 5. The governing body of a local government or the  
22 Department of Transportation shall designate school zones and  
23 school crossing zones. An area must not be designated as a school  
24 zone if imposing a speed limit of 15 miles per hour would be unsafe  
25 because of higher speed limits in adjoining areas.

26 ~~14.~~ 6. Each such governing body and the Department shall  
27 provide signs to mark the beginning and end of each school zone  
28 and school crossing zone which it respectively designates. Each sign  
29 marking the beginning of such a zone must ~~include~~ :

30 (a) *Include* a designation of the hours when the speed limit is in  
31 effect or that the speed limit is in effect when children are present ~~f.~~

32 ~~5.~~ (b) *State "DOUBLE PENALTIES IN SCHOOL ZONES"*  
33 *to indicate a double penalty may be imposed pursuant to*  
34 *NRS 484B.130.*

35 7. With respect to each school zone and school crossing zone  
36 in a school district, the superintendent of the school district or his or  
37 her designee, in conjunction with the Department of Transportation  
38 and the governing body of the local government that designated the  
39 school zone or school crossing zone and after consulting with the  
40 principal of the school and the agency that is responsible for  
41 enforcing the speed limit in the zone, shall determine the times  
42 when the speed limit is in effect.

43 ~~16.~~ 8. *A person who violates any provision of subsections 1*  
44 *to 4, inclusive, may be subject to the additional penalty set forth in*  
45 *NRS 484B.130.*



1 9. If, while violating ~~subsection 1 or 2,~~ *any provision of*  
2 *subsections 1 to 4, inclusive,* the driver of a motor vehicle is the  
3 proximate cause of a collision with a pedestrian or a person riding a  
4 bicycle, the driver is subject to the additional penalty set forth in  
5 subsection 4 of NRS 484B.653.

6 ~~7-1~~ 10. As used in this section, "speed limit beacon" means a  
7 device which is used in conjunction with a sign and equipped with  
8 two or more yellow lights that flash alternately to indicate when the  
9 speed limit in a school zone or school crossing zone is in effect.

10 **Sec. 8.** NRS 484B.653 is hereby amended to read as follows:  
11 484B.653 1. It is unlawful for a person to:

12 (a) Drive a vehicle in willful or wanton disregard of the safety of  
13 persons or property.

14 (b) Drive a vehicle in an unauthorized speed contest on a public  
15 highway.

16 (c) Organize an unauthorized speed contest on a public highway.

17 ↪ A violation of paragraph (a) or (b) of this subsection or  
18 subsection 1 of NRS 484B.550 constitutes reckless driving.

19 2. If, while violating the provisions of subsections 1 to 5,  
20 inclusive, of NRS 484B.270, NRS 484B.280, paragraph (a) or (c) of  
21 subsection 1 of NRS 484B.283, NRS 484B.350, ~~subsection 1 or 2~~  
22 *subsections 1 to 4, inclusive,* of NRS 484B.363 or subsection 1 of  
23 NRS 484B.600, the driver of a motor vehicle is the proximate cause  
24 of a collision with a pedestrian or a person riding a bicycle, the  
25 violation constitutes reckless driving.

26 3. A person who violates paragraph (a) of subsection 1 is guilty  
27 of a misdemeanor and:

28 (a) For the first offense, shall be punished:

29 (1) By a fine of not less than \$250 but not more than \$1,000;

30 or

31 (2) By both fine and imprisonment in the county jail for not  
32 more than 6 months ~~H~~,

33 ↪ *and may be ordered to attend, at the driver's own expense, a*  
34 *course of pedestrian, bicycle and traffic safety approved by the*  
35 *Department if the violation involved the safety of pedestrians or*  
36 *persons riding bicycles.*

37 (b) For the second offense, shall be punished:

38 (1) By a fine of not less than \$1,000 but not more than  
39 \$1,500; or

40 (2) By both fine and imprisonment in the county jail for not  
41 more than 6 months.

42 (c) For the third and each subsequent offense, shall be punished:

43 (1) By a fine of not less than \$1,500 but not more than  
44 \$2,000; or



1 (2) By both fine and imprisonment in the county jail for not  
2 more than 6 months.

3 4. A person who violates paragraph (b) or (c) of subsection 1  
4 or commits a violation which constitutes reckless driving pursuant  
5 to subsection 2 is guilty of a misdemeanor and:

6 (a) For the first offense:

7 (1) Shall be punished by a fine of not less than \$250 but not  
8 more than \$1,000;

9 (2) Shall perform not less than 50 hours, but not more than  
10 99 hours, of community service; and

11 (3) May be punished by imprisonment in the county jail for  
12 not more than 6 months.

13 (b) For the second offense:

14 (1) Shall be punished by a fine of not less than \$1,000 but  
15 not more than \$1,500;

16 (2) Shall perform not less than 100 hours, but not more than  
17 199 hours, of community service; and

18 (3) May be punished by imprisonment in the county jail for  
19 not more than 6 months.

20 (c) For the third and each subsequent offense:

21 (1) Shall be punished by a fine of not less than \$1,500 but  
22 not more than \$2,000;

23 (2) Shall perform 200 hours of community service; and

24 (3) May be punished by imprisonment in the county jail for  
25 not more than 6 months.

26 5. In addition to any fine, community service and  
27 imprisonment imposed upon a person pursuant to subsection 4, the  
28 court:

29 (a) Shall issue an order suspending the driver's license of the  
30 person for a period of not less than 6 months but not more than 2  
31 years and requiring the person to surrender all driver's licenses then  
32 held by the person;

33 (b) Within 5 days after issuing an order pursuant to paragraph  
34 (a), shall forward to the Department any licenses, together with a  
35 copy of the order;

36 (c) For the first offense, may issue an order impounding, for a  
37 period of 15 days, any vehicle that is registered to the person who  
38 violates paragraph (b) or (c) of subsection 1 if the vehicle is used in  
39 the commission of the offense; and

40 (d) For the second and each subsequent offense, shall issue an  
41 order impounding, for a period of 30 days, any vehicle that is  
42 registered to the person who violates paragraph (b) or (c) of  
43 subsection 1 if the vehicle is used in the commission of the offense.

44 6. Unless a greater penalty is provided pursuant to subsection 4  
45 of NRS 484B.550, a person who does any act or neglects any duty



1 imposed by law while driving or in actual physical control of any  
2 vehicle in willful or wanton disregard of the safety of persons or  
3 property, if the act or neglect of duty proximately causes the death  
4 of or substantial bodily harm to another person, is guilty of a  
5 category B felony and shall be punished by imprisonment in the  
6 state prison for a minimum term of not less than 1 year and a  
7 maximum term of not more than 6 years and by a fine of not less  
8 than \$2,000 but not more than \$5,000.

9 7. A person who violates any provision of this section may be  
10 subject to the additional penalty set forth in NRS 484B.130 unless  
11 the person is subject to the penalty provided pursuant to subsection  
12 4 of NRS 484B.550.

13 8. As used in this section, "organize" means to plan, schedule  
14 or promote, or assist in the planning, scheduling or promotion of, an  
15 unauthorized speed contest on a public highway, regardless of  
16 whether a fee is charged for attending the unauthorized speed  
17 contest.



