
SENATE BILL NO. 154—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY)

FEBRUARY 10, 1999

Referred to Committee on Transportation

SUMMARY—Revises provisions governing use of devices for restraining certain children being transported in motor vehicles in this state. (BDR 43-412)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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

AN ACT relating to motor vehicles; revising the provisions governing the use of devices for restraining certain children being transported in motor vehicles in this state; making a fine mandatory for a violation of such provisions; including a violation of such provisions within the demerit system established by the department of motor vehicles and public safety; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 484.474 is hereby amended to read as follows:
2 484.474 1. Except as otherwise provided in subsection ~~[5,]~~ **3**, any
3 person who is transporting a child who is under 5 years of age ~~and who~~
4 ~~weighs less than 40 pounds~~ in a motor vehicle operated in this state which
5 is equipped to carry passengers shall ~~secure him~~ :
6 **(a) Place the child** in a device for restraining a child which ~~has been~~
7 ~~approved by the United States Department of Transportation.]~~ **meets the**
8 **federal standard for such a device set forth in 49 C.F.R. § 571.213, as**
9 **that section existed on January 1, 1999; and**
10 **(b) Ensure that the device is adjusted properly and fastened securely.**
11 2. A person who violates the provisions of subsection 1 shall be
12 punished by a fine of not less than \$35 nor more than \$100 . ~~unless, within~~
13 ~~14 days after the issuance of the citation for such a violation, the person~~

1 presents to the court specified in the citation proof of his purchase of such a
2 restraining device. Upon presentation of such proof, the court shall void the
3 citation.

4 ~~3. For the purposes of NRS 483.473, a violation of this section is not a~~
5 ~~moving traffic violation.~~

6 ~~4. A violation of this section may not be considered:~~

7 ~~(a) Negligence in any civil action; or~~

8 ~~(b) Negligence or reckless driving for the purposes of NRS 484.377.~~

9 ~~5.] 3. This section does not apply:~~

10 (a) To a person who is transporting a child in a means of public
11 transportation, including , **without limitation**, a taxi, school bus or
12 emergency vehicle.

13 (b) When a physician determines that the use of such a restraining
14 device for the particular child would be impractical or dangerous because
15 of such factors as the child's weight, physical unfitness or medical
16 condition. In this case, the person transporting the child shall carry in the
17 vehicle the signed statement of the physician to that effect.

18 **Sec. 2.** The amendatory provisions of this act do not apply to offenses
19 that are committed before October 1, 1999.