

ASSEMBLY BILL NO. 383—ASSEMBLYMEN KOIVISTO, BACHE, MCCLAIN,
PARKS, ANDERSON, ARBERRY, BROWN, CHOWNING, CLABORN,
FREEMAN, GIUNCHIGLIANI, MANENDO, MORTENSON, NOLAN,
OCEGUERA, OHRENSCHALL, PRICE, SMITH AND TIFFANY

MARCH 15, 2001

Referred to Committee on Transportation

SUMMARY—Prohibits driver of motor vehicle from permitting person to ride upon or within certain portions of motor vehicles under certain circumstances.
(BDR 43-150)

FISCAL NOTE: Effect on Local Government: Yes.
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 laws; prohibiting the driver of a motor vehicle from permitting a person to ride upon the bed of a flatbed truck, within the bed of a pickup truck or within a camper shell or slide-in camper under certain circumstances; providing a penalty; 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 484.473 is hereby amended to read as follows:
2 484.473 ~~{A person}~~
3 1. *Except as otherwise provided in subsection 2, a driver shall not*
4 *permit a person, with regard to a motor vehicle being operated on a*
5 *paved highway, to ride ~~on any vehicle~~ upon or within any portion*
6 *~~thereof~~ of the vehicle that is primarily designed or intended for carrying*
7 *goods or other cargo or that is otherwise not designed or intended for the*
8 *use of passengers ~~[This provision does not apply to an employee engaged~~*
9 *~~in the necessary discharge of a duty, or to a person or persons riding within~~*
10 *~~truck bodies and space intended for merchandise.] , including, without~~*
11 *limitation:*
12 (i) *Upon the bed of a flatbed truck;*
13 (ii) *Within the bed of a pickup truck; or*
14 (iii) *Within a camper shell or slide-in camper.*
15 2. *A driver may permit a person to ride upon the bed of a flatbed*
16 *truck, within the bed of a pickup truck or within a camper shell or slide-*
17 *in camper if the person is:*



- 1 (a) *Eighteen years of age or older; or*
2 (b) *Under 18 years of age and the motor vehicle is:*
3 (1) *Not being operated on a freeway or other road that has two or*
4 *more lanes for traffic traveling in one direction;*
5 (2) *Being used in the course of farming or ranching; or*
6 (3) *Being driven in a parade authorized by a local authority.*
7 3. *A citation must be issued to a driver who permits a person to ride*
8 *upon the bed of a flatbed truck or within the bed of a pickup truck in*
9 *violation of subsection 1. A driver who is cited pursuant to this*
10 *subsection shall be punished by a fine of at least \$35 but not more than*
11 *\$100.*
12 4. *A citation must be issued to a driver who permits a person to ride*
13 *within a camper shell or slide-in camper in violation of subsection 1 only*
14 *if the violation is discovered when the motor vehicle is halted or its driver*
15 *arrested for another alleged violation or offense. A driver who is cited*
16 *pursuant to this subsection shall be punished by a fine of not more than*
17 *\$25 or by a sentence to perform a certain number of hours of work for*
18 *the community.*
19 5. *A violation of this section:*
20 (a) *Is not a moving traffic violation for the purposes of NRS 483.473;*
21 *and*
22 (b) *May not be considered as:*
23 (1) *Negligence or causation in a civil action; or*
24 (2) *Negligent or reckless driving for the purposes of NRS 484.377.*
25 6. *As used in this section:*
26 (a) *"Camper shell" has the meaning ascribed to it in NRS 361.017.*
27 (b) *"Freeway" has the meaning ascribed to it in NRS 408.060.*
28 (c) *"Slide-in camper" has the meaning ascribed to it in NRS 482.113.*
29 Sec. 2. *The amendatory provisions of this act do not apply to offenses*
30 *committed before October 1, 2001.*

