

SENATE BILL NO. 396—SENATOR MCGINNESS

MARCH 19, 2001

Referred to Committee on Transportation

SUMMARY—Makes various changes regarding traffic laws. (BDR 43-1219)

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; requiring the driver of a slow-moving vehicle to turn off the roadway in certain circumstances; providing that a vehicle upon a highway of this state must display appropriate lighted lamps and illuminating devices in certain circumstances; authorizing the department of transportation or a local law enforcement agency to allow a person to drive or move certain vehicles or combinations of vehicles to and from the site of an emergency without a special permit under certain circumstances; requiring the department to integrate the consideration of turnouts for vehicles into plans, designs, construction and maintenance of highways in certain circumstances; providing penalties; 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.** Chapter 484 of NRS is hereby amended by adding thereto  
2     the provisions set forth as sections 2 and 3 of this act.  
3     **Sec. 2. 1. *On a highway that has one lane for traveling in each***  
4     ***direction, where passing is unsafe because of traffic traveling in the***  
5     ***opposite direction or other conditions, the driver of a slow-moving***  
6     ***vehicle, behind which five or more vehicles are formed in a line, shall, to***  
7     ***allow the vehicles following behind to proceed, turn off the roadway:***  
8     ***(a) At the nearest place designated as a turnout by signs erected by the***  
9     ***public authority having jurisdiction over the highway; or***  
10    ***(b) In the absence of such a designated turnout, at the nearest place***  
11    ***where:***  
12    ***(1) Sufficient area for a safe turnout exists; and***  
13    ***(2) The circumstances and conditions are such that the driver is***  
14    ***able to turn off the roadway in a safe manner.***  
15    **2. A person who violates subsection 1 is guilty of a misdemeanor.**  
16    **3. As used in this section, “slow-moving vehicle” means a vehicle**  
17    **that is traveling at a rate of speed which is less than the posted speed**



\* S B 3 9 6 R 3 \*

1 *limit for the highway or portion of the highway upon which the vehicle is*  
2 *traveling.*

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

4 **Sec. 4.** NRS 484.373 is hereby amended to read as follows:

5 484.373 1. If any driver drives a motor vehicle at a speed so slow as  
6 to impede the forward movement of traffic proceeding immediately behind  
7 him, the driver shall:

8 (a) If the highway has one lane for traveling in each direction and the  
9 width of the paved portion permits, drive to the extreme right side of the  
10 highway ~~and~~ *and, if applicable, comply with the provisions of section 2 of*  
11 *this act;*

12 (b) If the highway has two or more clearly marked lanes for traffic  
13 traveling in his direction, drive in the extreme right-hand lane except when  
14 necessary to pass other slowly moving vehicles; or

15 (c) If the highway is a controlled-access highway, use alternate routes  
16 whenever possible.

17 2. A person shall not bring a vehicle to a complete stop upon a  
18 roadway so as to impede or block the normal and reasonable movement of  
19 traffic unless the stop is necessary for safe operation or in compliance with  
20 law.

21 **Sec. 5.** NRS 484.545 is hereby amended to read as follows:

22 484.545 1. Every vehicle upon a highway of this state ~~at any time~~  
23 ~~from a half hour after sunset to a half hour before sunrise and at any other~~  
24 ~~time when, because of insufficient light or unfavorable atmospheric~~  
25 ~~conditions, persons and vehicles on the highway are not clearly discernible~~  
26 ~~at a distance of 1,000 feet ahead shall~~ *, subject to exceptions with respect*  
27 *to parked vehicles as stated in this chapter, must* display lighted lamps  
28 and illuminating devices as respectively required in this chapter for  
29 different classes of vehicles ~~subject to exceptions with respect to parked~~  
30 ~~vehicles as stated in this chapter.~~

31 (a) *At any time from one-half hour after sunset to one-half hour*  
32 *before sunrise;*

33 (b) *At any other time when, because of insufficient light or*  
34 *unfavorable atmospheric conditions, persons and vehicles on the*  
35 *highway are not clearly discernible at a distance of 1,000 feet ahead; and*

36 (c) *When directed by an official traffic control device.*

37 2. Every vehicle upon a highway ~~shall~~ *must* be equipped with stop  
38 lights, turn signals and other signaling devices to be lighted in the manner  
39 prescribed for the use of such devices.

40 **Sec. 6.** NRS 484.737 is hereby amended to read as follows:

41 484.737 1. ~~Except as otherwise provided in this section, a~~  
42 person shall not drive, move, stop or park any vehicle or combination of  
43 vehicles, and an owner shall not cause or knowingly permit any vehicle or  
44 combination of vehicles to be driven, moved, stopped or parked, on any  
45 highway if ~~such~~ *the* vehicle or combination of vehicles exceeds in size or  
46 weight or gross loaded weight the maximum limitation specified by law ~~as~~  
47 ~~to such~~ *for that* size, weight and gross loaded weight unless ~~such~~ *the*  
48 person or owner is authorized to drive, move, stop or park ~~such~~ *the*



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1 vehicle or combination of vehicles by a special permit issued by the proper  
2 public authority.

3 2. *If the department of transportation or a local law enforcement*  
4 *agency determines that an emergency exists, the department or the local*  
5 *law enforcement agency may authorize a person to drive, move, stop or*  
6 *park a vehicle or combination of vehicles without obtaining a special*  
7 *permit pursuant to subsection 1. Such an authorization may be given*  
8 *orally and may, if requested by a local law enforcement agency or a*  
9 *public safety agency, include driving or moving the vehicle or*  
10 *combination of vehicles to and from the site of the emergency. If a*  
11 *person receives such an authorization, he shall, on the next business day*  
12 *after receiving the authorization, obtain a special permit pursuant to*  
13 *subsection 1.*

14 3. This section does not apply to fire apparatus, highway machinery ~~to~~  
15 ~~or~~ snowplows or to a farm tractor or other implement of husbandry  
16 temporarily moved upon a highway.

17 **Sec. 7.** NRS 408.321 is hereby amended to read as follows:

18 408.321 The department shall ~~integrate~~, *in accordance with*  
19 *appropriate standards of design:*

20 1. *Integrate* the consideration of motor vehicle recovery and bicycle  
21 lanes and bicycle routes, facilities and signs into all plans, designs,  
22 construction and maintenance of highways ~~to, in accordance with~~  
23 ~~appropriate standards of design.~~; and

24 2. *To the extent practicable, integrate the consideration of periodic*  
25 *turnouts for slower vehicles into plans, designs, construction and*  
26 *maintenance of highways that have one lane for traveling in each*  
27 *direction.*

28 **Sec. 8.** The amendatory provisions of this act do not apply to offenses  
29 committed before October 1, 2001.

