

Assembly Bill No. 335—Assemblymen Manendo, Horne, Parks, McCleary, Conklin, Andonov, Arberry, Atkinson, Carpenter, Chowning, Christensen, Claborn, Collins, Gibbons, Giunchigliani, Goicoechea, Goldwater, Grady, Gustavson, Hardy, Knecht, Koivisto, Leslie, McClain, Mortenson, Ocegüera, Ohrenschall, Perkins, Pierce, Sherer, Weber and Williams

CHAPTER.....

AN ACT relating to traffic laws; increasing the penalty for evading a peace officer when evading the peace officer results in death or substantial bodily harm to another person; and providing other matters properly relating thereto.

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

**Section 1.** NRS 484.348 is hereby amended to read as follows:

484.348 1. Except as otherwise provided in this section, the driver of a motor vehicle who willfully fails or refuses to bring his vehicle to a stop, or who otherwise flees or attempts to elude a peace officer in a readily identifiable vehicle of any police department or regulatory agency, when given a signal to bring his vehicle to a stop is guilty of a misdemeanor.

2. The signal by the peace officer described in subsection 1 must be by flashing red lamp and siren.

3. ~~Except as otherwise provided in subsection 2)~~ *Unless the provisions* of NRS 484.377 ~~[-]~~ *apply* if, while violating the provisions of subsection 1, the driver of the motor vehicle:

(a) Is the proximate cause of ~~the death of or bodily harm to any person other than himself or~~ damage to the property of a person other than himself; or

(b) Operates the motor vehicle in a manner which endangers or is likely to endanger any person other than himself or the property of any person other than himself,

the driver is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

*4. If, while violating the provisions of subsection 1, the driver of the motor vehicle is the proximate cause of the death of or bodily harm to any person other than himself, the driver is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, or by a fine of not more than \$10,000, or by both fine and imprisonment.*



**Sec. 2.** NRS 484.377 is hereby amended to read as follows:

484.377 1. It is unlawful for a person to:

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

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

A violation of this subsection or subsection 1 of NRS 484.348 constitutes reckless driving.

2. ~~[A]~~ *Unless a greater penalty is provided pursuant to subsection 4 of NRS 484.348,* a person who does any act or neglects any duty imposed by law while driving or in actual physical control of any vehicle in willful or wanton disregard of the safety of persons or property, if the act or neglect of duty proximately causes the death of or substantial bodily harm to a person other than himself, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.