

SENATE BILL NO. 124—SENATORS HECK AND NOLAN

FEBRUARY 23, 2005

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JOINT SPONSORS: ASSEMBLYMEN HARDY AND OCEGUERA

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Referred to Committee on Transportation and Homeland Security

**SUMMARY**—Provides for imposition of surcharge for certain traffic violations to be used to support emergency medical services and services for treatment of trauma. (BDR 43-887)

**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State: No.

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

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AN ACT relating to traffic laws; providing for a surcharge to be imposed against and collected from a person who, in committing a traffic violation, proximately causes a collision requiring the dispatch of emergency medical services; requiring the proceeds from the surcharge to be distributed to certain entities to support emergency medical services and services for the treatment of trauma; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law prescribes penalties for the violation of traffic laws. (Chapter 484 of NRS)

This bill requires a person who pleads or is found guilty of a traffic violation, or who pleads no contest to a traffic violation, to pay a surcharge of \$25 in addition to any other penalty that is imposed if the traffic violation proximately caused a collision involving a vehicle or pedestrian and the collision was of sufficient severity to require emergency medical services to be dispatched or summoned to the scene of the collision. For the purposes of the surcharge, this bill defines a traffic violation as a moving traffic violation for which a driver would be eligible to receive demerit points on his driving record.

Existing law provides that, in a county whose population is 400,000 or more (currently Clark County), the district health department has jurisdiction over matters concerning emergency medical services. In counties whose population is less than 400,000, jurisdiction over matters concerning emergency medical services



belongs to the Health Division of the Department of Human Resources. (NRS 439.410, 450B.077, 450B.150)

This bill provides that the proceeds from the surcharge authorized pursuant to the bill must be distributed proportionally, on a quarterly basis, between the entities having oversight of emergency medical services in the various counties. Money received from the proceeds so distributed must be expended only for certain purposes relating to the enhancement and improvement of emergency medical services and services and facilities for the treatment of trauma in this State.

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

**Section 1.** Chapter 484 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. In addition to any other penalty provided by law, if:*

*(a) A defendant pleads or is found guilty of a traffic violation, or enters a plea of nolo contendere to a traffic violation;*

*(b) The traffic violation proximately caused a collision involving a vehicle or pedestrian; and*

*(c) The collision was of sufficient severity to require a person who administers emergency medical services to be dispatched or summoned to the scene of the collision,*

*↳ the defendant is liable to the State for a surcharge in the amount of \$25 to support emergency medical services and services for the treatment of trauma.*

*2. Any money collected pursuant to subsection 1 must be deposited by the clerk of the court with the State Treasurer on or before the fifth day of each month for the preceding month for credit to the State General Fund.*

*3. The State Treasurer shall, on a quarterly basis, distribute the money deposited pursuant to subsection 2 in the following manner:*

*(a) To the county or district health department having oversight of emergency medical services pursuant to chapter 450B of NRS, that part of the quarterly distribution which is equal in proportion to the proportion that the population of the county served by that county or district health department bears to the population of all counties in this State.*

*(b) To the Health Division of the Department of Human Resources, that part of the quarterly distribution not distributed pursuant to paragraph (a).*

*4. The entities to which money is distributed pursuant to subsection 3 may expend the money only:*

*(a) To create, expand, operate and promote programs to increase and enhance the level and quality of emergency medical services provided within this State;*



1       (b) To create, expand, operate and promote programs to  
2 increase and enhance the level and quality of facilities and  
3 services for the treatment of trauma within this State;

4       (c) To provide grants of money to state agencies, local  
5 governments, local governmental agencies and nonprofit  
6 organizations that are involved in the delivery, to residents of this  
7 State, of emergency medical services or services for the treatment  
8 of trauma; and

9       (d) For such other purposes as, in the determination of the  
10 entities to which the money is distributed pursuant to subsection 3,  
11 may improve and increase the delivery, to residents of this State, of  
12 emergency medical services and services for the treatment of  
13 trauma.

14       5. As used in this section:

15       (a) "Person who administers emergency medical services" has  
16 the meaning ascribed to it in NRS 450B.460.

17       (b) "Traffic violation" means an act that is a moving traffic  
18 violation for the purposes of NRS 483.473.

19       (c) "Trauma" has the meaning ascribed to it in  
20 NRS 450B.105.

21       **Sec. 2.** This act becomes effective on July 1, 2005.



