

SENATE BILL NO. 310—SENATOR NOLAN

MARCH 24, 2005

Referred to Committee on Transportation and Homeland Security

SUMMARY—Establishes provisions relating to promotion of safety of pedestrians. (BDR 43-290)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 3, 4)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 motor vehicles; establishing provisions relating to the promotion of safety of pedestrians; providing for the imposition of required community service for certain violations; 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. Chapter 484 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. 1. *Within the limits of available time, money and staff, a response agency shall:*

(a) Establish and maintain a record of those street intersections and portions of freeways, highways, roads and streets within which, as determined by the administrative head of the response agency, there is an unusually high frequency of collisions involving motor vehicles and pedestrians; and

(b) Periodically, but not less frequently than once each month, provide the information established and maintained pursuant to paragraph (a) to the various public authorities having jurisdiction over the applicable intersections, freeways, highways, roads and streets.



2. As used in this section, "response agency" has the meaning ascribed to it in NRS 239C.080.

Sec. 3. 1. Each public authority having jurisdiction over a street intersection or portion of a freeway, highway, road or street shall establish a system for the receipt and processing of complaints concerning the existence of alleged dangerous conditions within such intersections, freeways, highways, roads and streets.

2. After establishing such a system and within 24 hours after receiving a complaint, the applicable public authority shall verify the accuracy of the complaint by, as necessary:

(a) Interviewing the person who filed the complaint; and

(b) If applicable, reviewing any photographic, videotaped or other similar evidence pertaining to the location at which the dangerous condition is alleged to exist.

Sec. 4. Whenever a pedestrian is injured by a collision with a motor vehicle or a public authority receives credible evidence, including, without limitation, pursuant to section 2 or 3 of this act, indicating that a dangerous condition exists within a street intersection or a freeway, highway, road or street over which the public authority has jurisdiction, the public authority having jurisdiction over the street intersection or portion of the freeway, highway, road or street within which the collision occurred or within which the dangerous condition is alleged to exist shall:

1. Within 72 hours after the collision or the receipt of credible evidence indicating the existence of a dangerous condition, take temporary actions to reduce the risk of a collision between a pedestrian and a motor vehicle from occurring at the applicable location, including, without limitation, placing a temporary sign at the location to warn drivers of:

(a) The potential presence of pedestrians at that location; and

(b) The risk of collisions with pedestrians at that location; and

2. After complying with the requirements of subsection 1, commence and carry out an evaluation of the circumstances in which the collision occurred or in which collisions may occur to determine the course of action necessary to reduce the risk of collisions between pedestrians and motor vehicles at the applicable location.

Sec. 5. NRS 484.3245 is hereby amended to read as follows:

484.3245 1. A driver of a motor vehicle shall:

~~1-1~~ (a) Exercise due care to avoid a collision with a pedestrian;

~~1-2~~ (b) Give an audible warning with the horn of the vehicle if appropriate and when necessary to avoid such a collision; and

~~1-3~~ (c) Exercise proper caution upon observing a pedestrian on or near a highway, street or road or in or near a school crossing zone



1 marked in accordance with NRS 484.366 or a marked or unmarked
2 crosswalk.

3 *2. A person who violates subsection 1 and in so doing*
4 *proximately causes injury to a pedestrian shall, in addition to any*
5 *other fine or penalty imposed:*

6 *(a) For the first offense, perform not less than 50 hours, nor*
7 *more than 99 hours, of community service.*

8 *(b) For the second offense, perform not less than 100 hours,*
9 *nor more than 199 hours, of community service.*

10 *(c) For the third and each subsequent offense, perform not*
11 *less than 200 hours of community service.*

12 *↪ The community service assigned pursuant to this subsection*
13 *must, if possible, be related to activities to promote the safety of*
14 *pedestrians.*

15 **Sec. 6.** The provisions of subsection 1 of NRS 354.599 do not
16 apply to any additional expenses of a local government that are
17 related to the provisions of this act.



