

CHAPTER.....

AN ACT relating to motor carriers; revising the definition of “intrastate driver” to exclude drivers who work for a public utility; repealing the exemption of commercial intrastate drivers from the hours-of-service limitations in certain emergencies; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law prohibits motor carriers from permitting intrastate drivers to drive more than a certain number of hours within a single day or week but provides an exemption from the hours-of-service limitations to allow an intrastate driver who works for a public utility or an intrastate driver who is transporting property or passengers during a state of emergency declared by a governmental official to exceed the hours-of-service limitations. (NRS 706.678, 706.682, 706.687) Section 4132 of the Motor Carrier Safety Reauthorization Act of 2005 exempted drivers of certain utility service vehicles from the federal hours-of-service regulations adopted by the Federal Motor Carrier Safety Administration.

Section 2 of this bill exempts a driver who works for a public utility from the definition of an “intrastate driver” thereby allowing such a driver to be subject to federal hours-of-service regulations and exemptions. (NRS 706.678) **Section 5** of this bill repeals the provision exempting intrastate drivers from the hours-of-service limitations during a declared state of emergency. (NRS 706.687)

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

Section 1. NRS 706.672 is hereby amended to read as follows:
706.672 As used in NRS 706.672 to ~~706.687,~~ **706.692**, inclusive, unless the context otherwise requires, the words and terms defined in NRS 706.675 and 706.678 have the meanings ascribed to them in those sections.

Sec. 2. NRS 706.678 is hereby amended to read as follows:
706.678 “Intrastate driver” means a driver who operates a commercial motor vehicle exclusively within this State for a period of 7 or more consecutive days. *The term does not include a person who is an employee of a public utility, as that term is defined in NRS 704.020.*

Sec. 3. NRS 706.682 is hereby amended to read as follows:
706.682 1. ~~Except as otherwise provided in NRS 706.687, a~~
A motor carrier shall not allow or require an intrastate driver to drive, and an intrastate driver shall not drive:
(a) Within any 24-hour period:



(1) More than 12 hours following 10 consecutive hours off duty; or

(2) For any number of hours after having accrued more than 15 consecutive hours of on-duty time; or

(b) Within any period of 7 consecutive days, after having accrued 70 hours of on-duty time.

2. As used in this section:

(a) "Motor carrier" has the meaning ascribed to it in 49 C.F.R. § 350.105.

(b) "On-duty time" has the meaning ascribed to it in 49 C.F.R. § 395.2.

Sec. 4. NRS 706.692 is hereby amended to read as follows:

706.692 1. Except as otherwise provided in NRS 706.672 to ~~706.687,~~ **706.692**, inclusive, the owner or operator of a motor vehicle to which any provisions of NRS 706.011 to 706.861, inclusive, apply, carrying passengers or property on any highway in the State of Nevada shall not require or permit any driver of the motor vehicle to drive it in any one period longer than the time permitted for that period by the order of the Authority or the Department.

2. In addition to other persons so required, the Labor Commissioner shall enforce the provisions of this section.

Sec. 5. NRS 706.687 is hereby repealed.

