

Amendment No. 327

Senate Amendment to Senate Bill No. 293

(BDR 43-6)

Proposed by: Senate Committee on Transportation and Homeland Security**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) **blue bold italics** is new language in the original bill; (2) **green bold italic underlining** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) **green bold** is newly added transitory language.

SSH/KCP



Date: 4/18/2007

S.B. No. 293—Revises provisions governing drivers who are 16 or 17 years of age.
(BDR 43-6)



SENATE BILL NO. 293—SENATORS CEGAVSKE, NOLAN, COFFIN, HARDY, HECK, MATHEWS, MCGINNESS, RAGGIO, WIENER AND WOODHOUSE

MARCH 15, 2007

Referred to Committee on Transportation and Homeland Security

SUMMARY—Revises provisions governing drivers who are ~~{16 or 17}~~ **less than 18** years of age. (BDR 43-6)

FISCAL NOTE: Effect on Local Government: No.
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 motor vehicles; **revising certain restrictions imposed on driver's licenses held by minors**; providing that **under certain circumstances** a parent or legal guardian of a ~~{person who is 16 or 17 years of age}~~ **minor** who commits certain ~~{motor vehicle}~~ **traffic** violations ~~{after obtaining a driver's license is liable to pay the fine or penalties imposed for such violations and}~~ **is liable for the monetary penalties and restitution imposed on the minor for the violations**; **providing that such a parent or legal guardian** may be required to perform community service if unable to pay the ~~{fine or}~~ **monetary penalties or restitution** because of financial hardship; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits a person who is 16 or 17 years of age who obtains a driver's license from transporting a passenger under 18 years of age who is not a member of his immediate family during the first 3 months after the license is issued. (NRS 483.2523) **Section 1** of this bill increases from 3 months to 6 months the time during which a person who is 16 or 17 years of age who obtains a driver's license must abide by this provision.

~~{Existing law also prohibits a licensed driver who is 16 or 17 years of age from driving between the hours of 10 p.m. and 5 a.m. unless he is driving to or from a scheduled event. (NRS 484.466) This bill makes a}~~ **Under existing law, if a child is adjudicated delinquent for committing certain unlawful acts, the juvenile court may hold the parent or legal guardian {of such a driver} of the child liable for {the fine imposed if the driver violates either of these provisions and} any monetary penalties and restitution imposed on the child. (Chapter 62E of NRS) Sections 3 and 4 of this bill require the juvenile court to hold the parent or legal guardian of a child liable for any monetary penalties and restitution imposed on the child if the parent or guardian knowingly and willfully allows the child to operate a motor vehicle without a valid driver's license or instruction permit or in violation of any restrictions imposed on a valid driver's license or instruction permit held by the child. This bill also provides that a court may order the parent or legal guardian to perform community service if the parent or legal guardian is unable to pay the {fine or} monetary penalties or restitution because of financial hardship.**

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

Section 1. NRS 483.2523 is hereby amended to read as follows:

483.2523 1. A person to whom a driver's license is issued pursuant to NRS 483.2521 shall not, during the first ~~3~~ 6 months after the date on which the driver's license is issued, transport as a passenger a person who is under 18 years of age, unless the person is a member of his immediate family.

2. A person who violates the provisions of this section:

(a) For a first offense, must be ordered to comply with the provisions of this section for 6 months after the date on which the driver's license is issued.

(b) For a second or subsequent offense, must be ordered to:

(1) Pay a fine in an amount not to exceed \$250;

(2) Comply with the provisions of this section for such additional time as determined by the court; or

(3) Both pay such a fine and comply with the provisions of this section for such additional time as determined by the court.

3. A violation of this section:

(a) Is not a moving traffic violation for the purposes of NRS 483.473; and

(b) Is not grounds for suspension or revocation of the driver's license for the purposes of NRS 483.360.

~~4. If the parent or legal guardian of a person to whom a driver's license is issued pursuant to NRS 483.2521 knowingly and willfully allows the person to operate a motor vehicle in violation of this section, the parent or legal guardian is liable for all fines and penalties imposed against the person. If the parent or legal guardian is unable to pay the fine and penalties resulting from a violation of this section because of financial hardship, the court may require the parent or legal guardian to perform community service.~~

Sec. 2. ~~NRS 484.466~~ is hereby amended to read as follows:

~~484.466 1. A person to whom a driver's license has been issued pursuant to NRS 483.2521 shall not operate a motor vehicle between the hours of 10 p.m. and 5 a.m. unless he is operating the vehicle to drive to or from a scheduled event. A peace officer shall not issue a citation to a person for operating a vehicle in violation of this section if the person provides evidence satisfactory to the peace officer that the reason that the person is operating the vehicle between the hours of 10 p.m. and 5 a.m. is because he is driving to or from a scheduled event.~~

~~2. A peace officer shall not stop a motor vehicle for the sole purpose of determining whether the driver of the vehicle is violating subsection 1. A citation may be issued for a violation of subsection 1 only if the violation is discovered when the vehicle is halted or its driver is arrested for another violation or offense.~~

~~3. If the parent or legal guardian of a person to whom a driver's license is issued pursuant to NRS 483.2521 knowingly and willfully allows the person to operate a motor vehicle in violation of this section, the parent or legal guardian is liable for all fines and penalties imposed against the person. If the parent or legal guardian is unable to pay the fine and penalties resulting from a violation of this section because of financial hardship, the court may require the parent or legal guardian to perform community service.~~ (Deleted by amendment.)

Sec. 3. Chapter 62E of NRS is hereby amended by adding thereto a new section to read as follows:

1. If the juvenile court:

(a) Adjudicates a child delinquent for the unlawful act of operating a motor vehicle without a valid driver's license or instruction permit for the type or class

1 of vehicle being driven or in violation of any restrictions imposed on a valid
2 driver's license or instruction permit held by the child; and

3 (b) Finds that the parent or guardian of the child knowingly and willfully
4 allowed the child to operate the vehicle without a valid driver's license or
5 instruction permit for the type or class of vehicle being driven or in violation of
6 any restrictions imposed on a valid driver's license or instruction permit held by
7 the child,

8 ↳ the juvenile court shall order the parent or guardian of the child to be held
9 jointly and severally liable with the child for all fines, fees, assessments and other
10 monetary penalties and any restitution imposed on the child for the unlawful act
11 and any other traffic offense committed by the child while operating the vehicle,
12 including, without limitation, any other traffic offense in violation of chapter 483
13 or 484 of NRS.

14 2. If, because of financial hardship, the parent or guardian is unable to pay
15 any fine, fee, assessment or other monetary penalty or any restitution that the
16 juvenile court imposes on the parent or guardian pursuant to this section, the
17 juvenile court may order the parent or guardian to perform community service.

18 3. As used in this section, "juvenile court" means:

19 (a) The juvenile court; or

20 (b) The justice court or municipal court if the juvenile court has transferred
21 the case and record to the justice court or municipal court pursuant to NRS
22 62B.380.

23 Sec. 4. NRS 62E.500 is hereby amended to read as follows:

24 62E.500 1. The provisions of NRS 62E.500 to 62E.730, inclusive, ~~§~~ and
25 section 3 of this act;

26 (a) Apply to the disposition of a case involving a child who is adjudicated
27 delinquent.

28 (b) Except as otherwise provided in NRS 62E.700, ~~§~~ and section 3 of this act,
29 do not apply to the disposition of a case involving a child who is found to have
30 committed a minor traffic offense.

31 2. If a child is adjudicated delinquent:

32 (a) The juvenile court may issue any orders or take any actions set forth in
33 NRS 62E.500 to 62E.730, inclusive, and section 3 of this act that the juvenile court
34 deems proper for the disposition of the case; and

35 (b) If required by a specific statute, the juvenile court shall issue the
36 appropriate orders or take the appropriate actions set forth in the statute.