

ASSEMBLY BILL NO. 217—ASSEMBLYMEN MANENDO; AIZLEY,
ANDERSON, CARPENTER, CLABORN, DONDERO LOOP,
GOICOECHEA, HAMBRICK, HARDY, HOGAN, KOIVISTO,
LESLIE, MCARTHUR, MORTENSON, MUNFORD,
OHRENSCHALL, PARNELL, SEGERBLOM, SETTELMAYER,
SPIEGEL AND WOODBURY

FEBRUARY 26, 2009

JOINT SPONSORS: SENATORS BREEDEN, NOLAN,
SCHNEIDER, WIENER AND WOODHOUSE

Referred to Committee on Transportation

SUMMARY—Prohibits minors from using cellular telephones and
similar devices while operating motor vehicles.
(BDR 43-32)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 traffic laws; prohibiting minors from using
cellular telephones and similar devices while operating
motor vehicles; and providing other matters properly
relating thereto.

Legislative Counsel's Digest:

1 This bill prohibits a minor who is operating a motor vehicle from
2 simultaneously using a cellular telephone or other similar means of communication,
3 except in the case of an emergency. A violation of this provision would be treated
4 as a minor traffic offense by the juvenile court. (NRS 62A.220) The juvenile court
5 is authorized to take certain actions as appropriate for such a violation, which may
6 include ordering the minor to pay a fine or complete a traffic safety course or
7 recommending suspension of the driver's license of the minor. The offense is also
8 reported to the Department of Motor Vehicles. (NRS 62E.700)



* A B 2 1 7 *

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. Except as otherwise provided in subsection 2, a person who is under 18 years of age shall not use a cellular telephone or other similar means of communication to talk or listen to another person, to send or receive a text message, read or write an electronic message or to access a World Wide Web page while operating a motor vehicle, regardless of whether an accessory is used which allows the person to communicate without using his hands.

2. The provisions of this section do not apply if the person is using the cellular telephone or other similar means of communication in a situation in which immediate action is necessary to protect the health, welfare or safety of the driver or another person and stopping the vehicle would be inadvisable, impractical or dangerous.

3. The provisions of this section do not prohibit the use of a voice-activated global positioning or navigation system that is affixed to the vehicle.

Sec. 2. NRS 707.375 is hereby amended to read as follows:

707.375 1. An agency, board, commission or political subdivision of this State, including, without limitation, any agency, board, commission or governing body of a local government, shall not regulate the use of a telephonic device by a person who is operating a motor vehicle ~~that~~, *except as otherwise provided pursuant to section 1 of this act.*

2. As used in subsection 1, "telephonic device" means a cellular phone, satellite phone, portable phone or any other similar electronic device that is handheld and designed or used to communicate with ~~that~~ *another* person.

