

Amendment No. 358

Senate Amendment to Senate Bill No. 309

(BDR 43-533)

Proposed by: Senate Committee on Energy, Infrastructure and Transportation**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of S.B. 309 (§ 3).

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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 dashed underlining* is newly added transitory language.

MSN/TMC



Date: 4/16/2009

S.B. No. 309—Makes various changes to provisions governing mopeds.
(BDR 43-533)



SENATE BILL NO. 309—SENATOR NOLAN

MARCH 16, 2009

Referred to Committee on Energy, Infrastructure and Transportation

SUMMARY—Makes various changes to provisions governing ~~mopeds~~, **motor vehicles**. (BDR 43-533)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
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; **prohibiting a dealer from offering a motorcycle for sale in this State unless the dealer provides a written statement concerning laws governing motorcycles to the purchaser at the time of sale;** removing the exemption of mopeds from certain registration requirements; requiring a fee for the registration of mopeds; requiring drivers and passengers of mopeds to wear protective headgear; **defining “electric scooter” and exempting such vehicles from certain registration requirements; making electric scooters subject to certain provisions governing the safe operation of mopeds;** providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1.2 of this bill prohibits a dealer from offering a motorcycle for sale in this State unless, at the time of sale, the dealer provides a written statement to the purchaser which provides that: (1) the motorcycle must be registered; (2) a license is required to drive a motorcycle upon a highway in this State; and (3) state law requires a driver or passenger of a motorcycle to wear certain protective gear under certain circumstances. A dealer who does not make the written disclosures required by section 1.2 is guilty of a misdemeanor.

Existing law exempts mopeds from the requirement that every owner of a motor vehicle, trailer or semitrailer intended to be operated upon any highway in this State register the motor vehicle, trailer or semitrailer with the Department of Motor Vehicles. (NRS 482.205) **Section 1.1 of this bill removes the exemption of mopeds from these registration requirements. (NRS 482.210) Section 3 of this bill requires that every moped be registered with the Department for a fee of \$33. (NRS 482.480) A person who does not register his moped pursuant to chapter 482 of NRS is guilty of a misdemeanor. (NRS 482.555) Section 1.1 of this bill defines an electric scooter and section 1.9 exempts such vehicles from the requirement that every owner of a motor vehicle, trailer or semitrailer intended to be operated upon any highway in this State register the motor vehicle, trailer or semitrailer with the Department.**

Existing law prohibits a person from driving a motor vehicle upon a highway in this State unless the person possesses a valid driver's license. (NRS 483.230) Section 3.3 of this bill expands the definition of motor vehicle to include an electric scooter, thereby requiring a person who drives an electric scooter upon a highway in this State to possess a valid driver's license.

Sections 4.5 to 14, inclusive, of this bill make certain provisions governing the safe operation of mopeds applicable to electric scooters.

Section 5 of this bill requires drivers and passengers of mopeds and electric scooters to wear protective headgear securely fastened on the head which meets certain standards adopted by the Department. ~~(NRS 486.221)~~ A driver or passenger of a moped or electric scooter who does not wear such protective headgear is guilty of a misdemeanor. (NRS 486.381)

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

Section 1. Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.1 and 1.2 of this act.

Sec. 1.1. "Electric scooter" means a device upon which a person may ride that:

1. Has two tandem wheels either of which is more than 14 inches in diameter;

2. Is propelled by a small electric motor which produces not more than 750 watts;

3. Is designed to travel on not more than three wheels in contact with the ground but is not a tractor; and

4. Is capable of a maximum speed of not more than 20 miles per hour.

☞ The term does not include a moped.

Sec. 1.2. 1. A dealer shall not offer a motorcycle for sale in this State unless, at the time of sale, the dealer provides to the purchaser a written statement which provides that:

(a) The motorcycle must be registered in accordance with the provisions of chapter 482 of NRS;

(b) It is unlawful to drive a motorcycle upon any highway in this State unless the driver holds a valid motorcycle driver's license issued pursuant to NRS 486.011 to 486.381, inclusive, or a driver's license issued pursuant to chapter 483 of NRS endorsed to authorize the holder to drive a motorcycle or the driver is authorized by his state of residency to drive a motorcycle; and

(c) Chapter 486 of NRS requires drivers and passengers of motorcycles to wear protective headgear, glasses, goggles or face shields that meet standards adopted by the Department under certain circumstances.

2. A vehicle dealer who offers a motorcycle for sale in violation of subsection 1 is guilty of a misdemeanor.

Sec. 1.3. NRS 482.010 is hereby amended to read as follows:

482.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 482.0105 to 482.137, inclusive, and section 1.1 of this act have the meanings ascribed to them in those sections.

Sec. 1.5. NRS 482.069 is hereby amended to read as follows:

482.069 "Moped" means a vehicle which looks and handles essentially like a bicycle and is propelled by a small engine which produces not more than 2 gross brake horsepower and which has a displacement of not more than 50 cubic centimeters, and:

1 1. Is designed to travel on not more than three wheels in contact with the
2 ground but is not a tractor; and

3 2. Is capable of a maximum speed of not more than 30 miles per hour on a flat
4 surface with not more than 1 percent grade in any direction when the motor is
5 engaged.

6 ↪ The term does not include an electric scooter.

7 Sec. 1.7. NRS 482.070 is hereby amended to read as follows:

8 482.070 "Motorcycle" means every motor vehicle designed to travel on not
9 more than three wheels in contact with the ground, except any such vehicle as may
10 be included within the term "electric scooter," "tractor" or "moped" as defined in
11 this chapter.

12 ~~[Section 1.9]~~ Sec. 1.9. NRS 482.210 is hereby amended to read as follows:

13 482.210 1. The provisions of this chapter requiring the registration of
14 certain vehicles do not apply to:

15 (a) Special mobile equipment.

16 (b) Implements of husbandry temporarily drawn, moved or otherwise propelled
17 upon the highways.

18 (c) Any mobile home or commercial coach subject to the provisions of chapter
19 489 of NRS.

20 (d) Golf carts which are:

21 (1) Traveling upon highways properly designated by the appropriate city or
22 county as permissible for the operation of golf carts; and

23 (2) Operating pursuant to a permit issued pursuant to this chapter.

24 (e) ~~[Mopeds.]~~ Electric scooters.

25 (f) Towable tools or equipment as defined in NRS 484.202.

26 (g) ~~Any~~ Any motorized conveyance for a wheelchair, whose operator is a
27 person with a disability who is unable to walk about.

28 2. For the purposes of this section, "motorized conveyance for a wheelchair"
29 means a vehicle which:

30 (a) Can carry a wheelchair;

31 (b) Is propelled by an engine which produces not more than 3 gross brake
32 horsepower or has a displacement of not more than 50 cubic centimeters;

33 (c) Is designed to travel on not more than three wheels; and

34 (d) Can reach a speed of not more than 30 miles per hour on a flat surface with
35 not more than a grade of 1 percent in any direction.

36 ↪ The term does not include a tractor.

37 Sec. 2. NRS 482.451 is hereby amended to read as follows:

38 482.451 1. The Department shall, upon receiving an order from a court to
39 suspend the registration of each motor vehicle that is registered to or owned by a
40 person pursuant to NRS 484.37975, suspend the registration of each such motor
41 vehicle for 5 days and require the return to the Department of the license plates of
42 each such motor vehicle.

43 2. If the registration of a motor vehicle of a person is suspended pursuant to
44 this section, he shall immediately return the certificate of registration and the
45 license plates to the Department.

46 3. The period of suspension of the registration of a motor vehicle that is
47 suspended pursuant to this section begins on the effective date of the suspension as
48 set forth in the notice thereof.

49 4. The Department shall reinstate the registration of a motor vehicle that was
50 suspended pursuant to this section and reissue the license plates of the motor
51 vehicle only upon the payment of the fee for reinstatement of registration
52 prescribed in subsection ~~409~~ 11 of NRS 482.480.

5. The suspension of the registration of a motor vehicle pursuant to this section does not prevent the owner of the motor vehicle from selling or otherwise transferring an interest in the motor vehicle.

Sec. 3. NRS 482.480 is hereby amended to read as follows:

482.480 There must be paid to the Department for the registration or the transfer or reinstatement of the registration of motor vehicles, trailers and semitrailers ~~the~~ fees according to the following schedule:

1. Except as otherwise provided in this section, for each stock passenger car and each reconstructed or specially constructed passenger car registered to a person, regardless of weight or number of passenger capacity, a fee for registration of \$33.

2. Except as otherwise provided in subsection 3:

(a) For each of the fifth and sixth such cars registered to a person, a fee for registration of \$16.50.

(b) For each of the seventh and eighth such cars registered to a person, a fee for registration of \$12.

(c) For each of the ninth or more such cars registered to a person, a fee for registration of \$8.

3. The fees specified in subsection 2 do not apply:

(a) Unless the person registering the cars presents to the Department at the time of registration the registrations of all of the cars registered to him.

(b) To cars that are part of a fleet.

4. For every motorcycle, a fee for registration of \$33 and for each motorcycle other than a trimobile, an additional fee of \$6 for motorcycle safety. The additional fee must be deposited in the State Highway Fund for credit to the Account for the Program for the Education of Motorcycle Riders.

5. *For each moped, a fee for registration of \$33.*

6. For each transfer of registration, a fee of \$6 in addition to any other fees.

~~6.7.~~ 7. Except as otherwise provided in subsection 9 of NRS 485.317, to reinstate the registration of a motor vehicle suspended pursuant to that section:

(a) A fee of \$250 for a registered owner who failed to have insurance on the date specified in the form for verification that was mailed by the Department pursuant to subsection 3 of NRS 485.317; or

(b) A fee of \$50 for a registered owner of a dormant vehicle who cancelled the insurance coverage for that vehicle or allowed the insurance coverage for that vehicle to expire without first cancelling the registration for the vehicle in accordance with subsection 3 of NRS 485.320,

— both of which must be deposited in the Account for Verification of Insurance which is hereby created in the State Highway Fund. The money in the Account must be used to carry out the provisions of NRS 485.313 to 485.318, inclusive.

~~7.8.~~ 8. For every travel trailer, a fee for registration of \$27.

~~8.9.~~ 9. For every permit for the operation of a golf cart, an annual fee of \$10.

~~9.10.~~ 10. For every low-speed vehicle, as that term is defined in NRS 484.527, a fee for registration of \$33.

~~10.11.~~ 11. To reinstate the registration of a motor vehicle that is suspended pursuant to NRS 482.451, a fee of \$33.

Sec. 3.1. Chapter 483 of NRS is hereby amended by adding thereto a new section to read as follows:

“Electric scooter” means a device upon which a person may ride that:

1. Has two tandem wheels either of which is more than 14 inches in diameter;

2. Is propelled by a small electric motor which produces not more than 750 watts;

1 3. Is designed to travel on not more than three wheels in contact with the
2 ground but is not a tractor; and

3 4. Is capable of a maximum speed of not more than 20 miles per hour.

4 ↪ The term does not include a moped.

5 Sec. 3.15. NRS 483.010 is hereby amended to read as follows:

6 483.010 The provisions of NRS 483.010 to 483.630, inclusive, and section
7 3.1 of this act may be cited as the Uniform Motor Vehicle Drivers' License Act.

8 Sec. 3.18. NRS 483.015 is hereby amended to read as follows:

9 483.015 Except as otherwise provided in NRS 483.330, the provisions of
10 NRS 483.010 to 483.630, inclusive, and section 3.1 of this act apply only with
11 respect to noncommercial drivers' licenses.

12 Sec. 3.2. NRS 483.020 is hereby amended to read as follows:

13 483.020 As used in NRS 483.010 to 483.630, inclusive, and section 3.1 of
14 this act, unless the context otherwise requires, the words and terms defined in NRS
15 483.030 to 483.190, inclusive, and section 3.1 of this act have the meanings
16 ascribed to them in those sections.

17 Sec. 3.25. NRS 483.088 is hereby amended to read as follows:

18 483.088 "Moped" means a vehicle which looks and handles essentially like a
19 bicycle and is propelled by a small engine which produces not more than 2 gross
20 brake horsepower and which has a displacement of not more than 50 cubic
21 centimeters, and:

22 1. Is designed to travel on not more than three wheels in contact with the
23 ground but is not a tractor; and

24 2. Is capable of a maximum speed of not more than 30 miles per hour on a flat
25 surface with not more than 1 percent grade in any direction when the motor is
26 engaged.

27 ↪ The term does not include an electric scooter.

28 Sec. 3.3. NRS 483.090 is hereby amended to read as follows:

29 483.090 "Motor vehicle" means every vehicle which is self-propelled, and
30 every vehicle which is propelled by electric power obtained from overhead trolley
31 wires but not operated upon rails. "Motor vehicle" includes moped ↪ and electric
32 scooter.

33 Sec. 3.35. NRS 483.220 is hereby amended to read as follows:

34 483.220 The Administrator is authorized to promulgate rules and regulations
35 governing activities of the Department under NRS 483.010 to 483.630, inclusive, ↪
36 and section 3.1 of this act.

37 Sec. 3.4. NRS 483.360 is hereby amended to read as follows:

38 483.360 1. The Department upon issuing a driver's license shall have
39 authority, whenever good cause appears, to impose restrictions suitable to the
40 licensee's driving ability with respect to special mechanical control devices
41 required on a motor vehicle which the licensee may drive, or such other restrictions
42 applicable to the licensee as the Department may determine to be appropriate to
43 assure the safe driving of a motor vehicle by the licensee.

44 2. The Department may either issue a special restricted license or may set
45 forth such restrictions upon the usual license form.

46 3. The Department may, upon receiving satisfactory evidence of any violation
47 of the restrictions of such license, suspend or revoke the same, but the licensee shall
48 be entitled to a hearing as upon a suspension or revocation under NRS 483.010 to
49 483.630, inclusive, ↪, and section 3.1 of this act.

50 4. It is a misdemeanor for any person to drive a motor vehicle in any manner
51 in violation of the restrictions imposed in a restricted license issued to him.

1 **Sec. 3.45. NRS 483.450 is hereby amended to read as follows:**

2 483.450 1. Whenever any person is convicted of any offense for which the
3 provisions of NRS 483.010 to 483.630, inclusive, **and section 3.1 of this act** make
4 mandatory the revocation of his driver's license by the Department, the court in
5 which the person is convicted may require the surrender to it of all driver's licenses
6 then held by the person convicted, and the court may, within 20 days after the
7 conviction, forward these licenses, together with a record of the conviction, to the
8 Department.

9 2. A record of conviction must be made in a manner approved by the
10 Department. The court shall provide sufficient information to allow the Department
11 to include accurately the information regarding the conviction in the driver's
12 record.

13 3. The Department shall adopt regulations prescribing the information
14 necessary to record the conviction in the driver's record.

15 4. Every court, including a juvenile court, having jurisdiction over violations
16 of the provisions of NRS 483.010 to 483.630, inclusive, **and section 3.1 of this act**,
17 or any other law of this State or municipal ordinance regulating the operation of
18 motor vehicles on highways, shall forward to the Department:

19 (a) If the court is other than a juvenile court, a record of the conviction of any
20 person in that court for a violation of any such laws other than regulations
21 governing standing or parking; or

22 (b) If the court is a juvenile court, a record of any finding that a child has
23 violated a traffic law or ordinance other than one governing standing or parking,

24 ➤ within 20 days after the conviction or finding, and may recommend the
25 suspension of the driver's license of the person convicted or child found in
26 violation of a traffic law or ordinance.

27 5. For the purposes of NRS 483.010 to 483.630, inclusive, ~~483.450~~, **and section 3.1**
28 **of this act**:

29 (a) "Conviction" has the meaning prescribed by regulation pursuant to NRS
30 481.052.

31 (b) A forfeiture of bail or collateral deposited to secure a defendant's
32 appearance in court, if the forfeiture has not been vacated, is equivalent to a
33 conviction.

34 6. The necessary expenses of mailing licenses and records of conviction to the
35 Department as required by subsections 1 and 4 must be paid by the court charged
36 with the duty of forwarding those licenses and records of conviction.

37 **Sec. 3.5. NRS 483.460 is hereby amended to read as follows:**

38 483.460 1. Except as otherwise provided by specific statute, the Department
39 shall revoke the license, permit or privilege of any driver upon receiving a record of
40 his conviction of any of the following offenses, when that conviction has become
41 final, and the driver is not eligible for a license, permit or privilege to drive for the
42 period indicated:

43 (a) For a period of 3 years if the offense is:

44 (1) A violation of subsection 5 of NRS 484.377.

45 (2) A violation of NRS 484.379 or 484.379778 that is punishable as a
46 felony pursuant to NRS 484.3792.

47 (3) A violation of NRS 484.3795 or a homicide resulting from driving or
48 being in actual physical control of a vehicle while under the influence of
49 intoxicating liquor or a controlled substance or resulting from any other conduct
50 prohibited by NRS 484.379, 484.3795 or 484.37955.

51 ➤ The period during which such a driver is not eligible for a license, permit or
52 privilege to drive must be set aside during any period of imprisonment and the
53 period of revocation must resume when the Department is notified pursuant to

1 NRS 209.517 or 213.12185 that the person has completed the period of
2 imprisonment or that the person has been placed on residential confinement or
3 parole.

4 (b) For a period of 1 year if the offense is:

5 (1) Any other manslaughter, including vehicular manslaughter as described
6 in NRS 484.3775, resulting from the driving of a motor vehicle or felony in the
7 commission of which a motor vehicle is used, including the unlawful taking of a
8 motor vehicle.

9 (2) Failure to stop and render aid as required pursuant to the laws of this
10 State in the event of a motor vehicle accident resulting in the death or bodily injury
11 of another.

12 (3) Perjury or the making of a false affidavit or statement under oath to the
13 Department pursuant to NRS 483.010 to 483.630, inclusive, and section 3.1 of this
14 act, or pursuant to any other law relating to the ownership or driving of motor
15 vehicles.

16 (4) Conviction, or forfeiture of bail not vacated, upon three charges of
17 reckless driving committed within a period of 12 months.

18 (5) A violation of NRS 484.379 or 484.379778 that is punishable pursuant
19 to paragraph (b) of subsection 1 of NRS 484.3792 and the driver is not eligible for a
20 restricted license during any of that period.

21 (6) A violation of NRS 484.348.

22 (c) For a period of 90 days, if the offense is a violation of NRS 484.379 or
23 484.379778 that is punishable pursuant to paragraph (a) of subsection 1 of
24 NRS 484.3792.

25 2. The Department shall revoke the license, permit or privilege of a driver
26 convicted of violating NRS 484.379 or 484.379778 who fails to complete the
27 educational course on the use of alcohol and controlled substances within the time
28 ordered by the court and shall add a period of 90 days during which the driver is not
29 eligible for a license, permit or privilege to drive.

30 3. When the Department is notified by a court that a person who has been
31 convicted of a violation of NRS 484.379 that is punishable pursuant to paragraph
32 (a) of subsection 1 of NRS 484.3792 has been permitted to enter a program of
33 treatment pursuant to NRS 484.37937, the Department shall reduce by one-half the
34 period during which he is not eligible for a license, permit or privilege to drive, but
35 shall restore that reduction in time if notified that he was not accepted for or failed
36 to complete the treatment.

37 4. The Department shall revoke the license, permit or privilege to drive of a
38 person who is required to install a device pursuant to NRS 484.3943 but who
39 operates a motor vehicle without such a device:

40 (a) For 3 years, if it is his first such offense during the period of required use of
41 the device.

42 (b) For 5 years, if it is his second such offense during the period of required
43 use of the device.

44 5. A driver whose license, permit or privilege is revoked pursuant to
45 subsection 4 is not eligible for a restricted license during the period set forth in
46 paragraph (a) or (b) of that subsection, whichever applies.

47 6. In addition to any other requirements set forth by specific statute, if the
48 Department is notified that a court has ordered the revocation, suspension or delay
49 in the issuance of a license pursuant to title 5 of NRS, NRS 176.064 or 206.330,
50 chapter 484 of NRS or any other provision of law, the Department shall take such
51 actions as are necessary to carry out the court's order.

52 7. As used in this section, "device" has the meaning ascribed to it in
53 NRS 484.3941.

1 **Sec. 3.55. NRS 483.530 is hereby amended to read as follows:**

2 483.530 1. Except as otherwise provided in subsection 2, it is a
3 misdemeanor for any person:

4 (a) To display or cause or permit to be displayed or have in his possession any
5 cancelled, revoked, suspended, fictitious, fraudulently altered or fraudulently
6 obtained driver's license;

7 (b) To alter, forge, substitute, counterfeit or use an unvalidated driver's license;

8 (c) To lend his driver's license to any other person or knowingly permit the use
9 thereof by another;

10 (d) To display or represent as one's own any driver's license not issued to him;

11 (e) To fail or refuse to surrender to the Department, a peace officer or a court
12 upon lawful demand any driver's license which has been suspended, revoked or
13 cancelled;

14 (f) To permit any unlawful use of a driver's license issued to him;

15 (g) To do any act forbidden, or fail to perform any act required, by NRS
16 483.010 to 483.630, inclusive, ~~or~~ **or section 3.1 of this act;** or

17 (h) To photograph, photostat, duplicate or in any way reproduce any driver's
18 license or facsimile thereof in such a manner that it could be mistaken for a valid
19 license, or to display or have in his possession any such photograph, photostat,
20 duplicate, reproduction or facsimile unless authorized by this chapter.

21 2. Except as otherwise provided in this subsection, a person who uses a false
22 or fictitious name in any application for a driver's license or identification card or
23 who knowingly makes a false statement or knowingly conceals a material fact or
24 otherwise commits a fraud in any such application is guilty of a category E felony
25 and shall be punished as provided in NRS 193.130. If the false statement, knowing
26 concealment of a material fact or other commission of fraud described in this
27 subsection relates solely to the age of a person, including, without limitation, to
28 establish false proof of age to game, purchase alcoholic beverages or purchase
29 cigarettes or other tobacco products, the person is guilty of a misdemeanor.

30 **Sec. 3.6. NRS 483.620 is hereby amended to read as follows:**

31 483.620 It is a misdemeanor for any person to violate any of the provisions of
32 NRS 483.010 to 483.630, inclusive, **and section 3.1 of this act,** unless such
33 violation is, by NRS 483.010 to 483.630, inclusive, **and section 3.1 of this act** or
34 other law of this State, declared to be a felony.

35 **Sec. 3.65. NRS 483.630 is hereby amended to read as follows:**

36 483.630 NRS 483.010 to 483.630, inclusive, ~~shall~~ **and section 3.1 of this**
37 **act must** be so interpreted and construed as to effectuate their general purpose to
38 make uniform the law of those states which enact them.

39 **Sec. 3.7. Chapter 484 of NRS is hereby amended by adding thereto a**
40 **new section to read as follows:**

41 **"Electric scooter" means a device upon which a person may ride that:**

42 **1. Has two tandem wheels either of which is more than 14 inches in**
43 **diameter;**

44 **2. Is propelled by a small electric motor which produces not more than 750**
45 **watts;**

46 **3. Is designed to travel on not more than three wheels in contact with the**
47 **ground but is not a tractor; and**

48 **4. Is capable of a maximum speed of not more than 20 miles per hour.**

49 **↪ The term does not include a moped.**

50 **Sec. 3.75. NRS 484.013 is hereby amended to read as follows:**

51 484.013 As used in this chapter, unless the context otherwise requires, the
52 words and terms defined in NRS 484.014 to 484.217, inclusive, **and section 3.7 of**
53 **this act** have the meanings ascribed to them in those sections.

1 **Sec. 3.8. NRS 484.019 is hereby amended to read as follows:**

2 484.019 “Bicycle” means a device propelled by human power upon which a
3 person may ride, having two tandem wheels either of which is over 14 inches in
4 diameter, or every such device generally recognized as a bicycle though equipped
5 with two front or two rear wheels except a moped ~~[or an electric scooter]~~.

6 **Sec. 3.85. NRS 484.0798 is hereby amended to read as follows:**

7 484.0798 “Moped” means a vehicle which looks and handles essentially like
8 a bicycle and is propelled by a small engine which produces not more than 2 gross
9 brake horsepower and which has a displacement of not more than 50 cubic
10 centimeters, and:

11 1. Is designed to travel on not more than three wheels in contact with the
12 ground but is not a tractor; and

13 2. Is capable of a maximum speed of not more than 30 miles per hour on a flat
14 surface with not more than 1 percent grade in any direction when the motor is
15 engaged.

16 **☛ The term does not include an electric scooter.**

17 **Sec. 3.88. NRS 484.083 is hereby amended to read as follows:**

18 484.083 “Motorcycle” means every motor vehicle equipped with a seat or
19 saddle for the use of the driver and designed to travel on not more than three wheels
20 in contact with the ground, including a power cycle but excluding an electric
21 scooter, a tractor or a moped.

22 **Sec. 3.9. NRS 484.549 is hereby amended to read as follows:**

23 484.549 1. Every motor vehicle, other than a motorcycle, ~~[for moped, shall]~~
24 moped or electric scooter must be equipped with at least two head lamps with at
25 least one on each side of the front of the motor vehicle, which head lamps ~~[shall]~~
26 must comply with the requirements and limitations set forth in this chapter.

27 2. Every head lamp upon every motor vehicle ~~[shall]~~ must be located at a
28 height, measured from the center of the head lamp, of not more than 54 inches nor
29 less than 24 inches to be measured in the manner set forth in NRS 484.547.

30 3. Snow removal equipment used in clearing snow from highways and other
31 special mobile equipment which by the nature of its design makes it impracticable
32 to comply with the requirements of subsection 2 may have such head lamps located
33 at a height higher than 54 inches.

34 **Sec. 3.95. NRS 484.587 is hereby amended to read as follows:**

35 484.587 Except as hereinafter provided, the head lamps or the auxiliary
36 driving lamp or the auxiliary passing lamp, or combination thereof, on motor
37 vehicles other than motorcycles ~~[for mopeds shall]~~ , mopeds or electric scooters
38 must be so arranged that the driver may select at will between distributions of light
39 projected to different elevations, and such lamps may, in addition, be so arranged
40 that such selection can be made automatically, subject to the following limitations:

41 1. There ~~[shall]~~ must be an uppermost distribution of light, or composite
42 beam, so aimed and of such intensity to reveal persons and vehicles at a distance of
43 at least 350 feet ahead for all conditions of loading.

44 2. There ~~[shall]~~ must be a lowermost distribution of light, or composite beam,
45 so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at
46 least 100 feet ahead; and on a straight, level road under any condition of loading
47 ~~[none of]~~ the high-intensity portion of the beam ~~[shall]~~ must not be directed to
48 strike the eyes of an approaching driver.

49 3. Every new motor vehicle, other than a motorcycle ~~[for moped,]~~ , moped or
50 electric scooter, registered in this State after January 1, 1956, which has multiple-
51 beam road lighting equipment ~~[shall]~~ must be equipped with a beam indicator,
52 which ~~[shall]~~ must be lighted whenever the uppermost distribution of light from the
53 head lamps is in use, and ~~[shall]~~ must not otherwise be lighted. The indicator ~~[shall]~~

1 must be so designed and located that when lighted it will be readily visible without
2 glare to the driver of the vehicle so equipped.

3 **Sec. 4.** NRS 485.317 is hereby amended to read as follows:

4 485.317 1. Subject to the limitations set forth in this subsection and
5 subsection 2, the Department shall, at least monthly, compare the current
6 registrations of motor vehicles to the information in the database created pursuant
7 to NRS 485.313 to verify that each motor vehicle:

8 (a) Which is newly registered in this State; or

9 (b) For which a policy of liability insurance has been issued, amended or
10 terminated,

11 is covered by a policy of liability insurance as required by NRS 485.185. In
12 identifying a motor vehicle for verification pursuant to this subsection, the
13 Department may, if the motor vehicle was manufactured during or after 1981, use
14 only the last eight digits of the vehicle identification number. In comparing the
15 vehicle identification number of a motor vehicle to the vehicle identification
16 number in a policy of liability insurance, to determine if the two vehicle
17 identification numbers match, the Department may find that the two vehicle
18 identification numbers match if no fewer than seven of the last eight digits of the
19 two vehicle identification numbers match.

20 2. Except as otherwise provided in this subsection, the Department may use
21 any information to verify, pursuant to subsection 1, whether the motor vehicle is
22 covered by a policy of liability insurance as required by NRS 485.185. The
23 Department may not use the name of the owner of a motor vehicle as the primary
24 means of verifying that a motor vehicle is covered by a policy of liability insurance.

25 3. If, pursuant to subsection 1, the Department determines that a motor
26 vehicle is not covered by a policy of liability insurance as required by NRS
27 485.185, the Department shall send a form for verification by first-class mail to
28 each registered owner that it determines has not maintained the insurance required
29 by NRS 485.185. The owner shall complete the form with all the information which
30 is requested by the Department, including whether he carries an owner's or
31 operator's policy of liability insurance or a certificate of self-insurance, and return
32 the completed form within 20 days after the date on which the form was mailed by
33 the Department. If the Department does not receive the completed form within 20
34 days after it mailed the form to the owner, the Department shall send to the owner a
35 notice of suspension of registration by certified mail. The notice must inform the
36 owner that unless he submits a completed form to the Department within 15 days
37 after the date on which the notice was sent by the Department his registration will
38 be suspended pursuant to subsection 5. This subsection does not prohibit an
39 authorized agent of the owner from providing to the Department:

40 (a) The information requested by the Department pursuant to this subsection.

41 (b) Additional information to amend or correct information already submitted
42 to the Department pursuant to this subsection.

43 4. When the Department receives a completed form for verification, it shall
44 verify the information on the form.

45 5. The Department shall suspend the registration and require the return to the
46 Department of the license plates of any vehicle for which the form for verification
47 set forth in subsection 3 is:

48 (a) Not returned to the Department by the registered owner or his authorized
49 agent within the period specified in that subsection;

50 (b) Returned to the Department by the registered owner or his authorized agent
51 and the Department is not able to verify the information on the form; or

(c) Returned by the registered owner or his authorized agent with an admission of having no insurance or without indicating an insurer or the number of a motor vehicle liability policy or a certificate of self-insurance.

6. If the Department suspends a registration pursuant to subsection 5 because:

(a) Neither the owner nor his authorized agent returned a form for verification within the specified period or the owner or his authorized agent returned a form for verification that was not completed sufficiently, and the owner or his authorized agent, thereafter:

(1) Proves to the satisfaction of the Department that there was a justifiable cause for his failure to do so;

(2) Submits a completed form regarding his insurance on the date stated in the form mailed by the Department pursuant to subsection 3; and

(3) Presents evidence of current insurance; or

(b) The owner or his authorized agent submitted to the Department a form for verification containing information that the Department was unable to verify and, thereafter, the owner or his authorized agent presents to the Department:

(1) A corrected form or otherwise verifiable evidence setting forth that the owner possessed insurance on the date stated in the form; and

(2) Evidence of current insurance,

the Department shall rescind its suspension of the registration if it is able to verify the information on the form or the other evidence presented. The Department shall not charge a fee to reinstate a registration, the suspension of which was rescinded pursuant to this subsection. For the purposes of this subsection, "justifiable cause" may include, but is not limited to, the fact that the owner did not receive the form mailed by the Department pursuant to subsection 3.

7. Except as otherwise provided in subsections 8 and 9, if a registered owner whose registration is suspended pursuant to subsection 5, failed to have insurance on the date specified in the form for verification, the Department shall reinstate the registration of the vehicle and reissue the license plates only upon filing by the registered owner of evidence of current insurance and payment of the fee for reinstatement of registration prescribed in paragraph (a) of subsection ~~6~~ 7 of NRS 482.480.

8. If a registered owner proves to the satisfaction of the Department that his vehicle was a dormant vehicle during the period in which the information provided pursuant to NRS 485.314 indicated that there was no insurance for the vehicle, the Department shall reinstate his registration and, if applicable, reissue his license plates. If such an owner of a dormant vehicle failed to cancel the registration for the vehicle in accordance with subsection 3 of NRS 485.320, the Department shall not reinstate his registration or reissue his license plates unless the owner pays the fee set forth in paragraph (b) of subsection ~~6~~ 7 of NRS 482.480.

9. If the Department suspends the registration of a motor vehicle pursuant to subsection 5 because the registered owner of the motor vehicle failed to have insurance on the date specified in the form for verification, and if the registered owner, in accordance with regulations adopted by the Department, proves to the satisfaction of the Department that he was unable to comply with the provisions of NRS 485.185 on that date because of extenuating circumstances, the Department may:

(a) Reinstate the registration of the motor vehicle and reissue the license plates upon payment by the registered owner of a fee of \$50, which must be deposited in the Account for Verification of Insurance created by subsection ~~6~~ 7 of NRS 482.480; or

(b) Rescind the suspension of the registration without the payment of a fee.

1 ✧ The Department shall adopt regulations to carry out the provisions of this
2 subsection.

3 10. For the purposes of verification of insurance by the Department pursuant
4 to this section, a motor vehicle shall be deemed to be covered by liability insurance
5 unless the motor vehicle is without coverage for a period of more than 7 days.

6 Sec. 4.1. Chapter 486 of NRS is hereby amended by adding thereto a
7 new section to read as follows:

8 “Electric scooter” means a device upon which a person may ride that:

9 1. Has two tandem wheels either of which is more than 14 inches in
10 diameter;

11 2. Is propelled by a small electric motor which produces not more than 750
12 watts;

13 3. Is designed to travel on not more than three wheels in contact with the
14 ground but is not a tractor; and

15 4. Is capable of a maximum speed of not more than 20 miles per hour.

16 ✧ The term does not include a moped.

17 Sec. 4.2. NRS 486.011 is hereby amended to read as follows:

18 486.011 As used in NRS 486.011 to 486.381, inclusive, and section 4.1 of
19 this act, unless the context otherwise requires, the words and terms defined in NRS
20 486.031 to 486.057, inclusive, and section 4.1 of this act have the meanings
21 ascribed to them in those sections.

22 Sec. 4.3. NRS 486.038 is hereby amended to read as follows:

23 486.038 “Moped” means a vehicle which looks and handles essentially like a
24 bicycle and is propelled by a small engine which produces not more than 2 gross
25 brake horsepower and which has a displacement of not more than 50 cubic
26 centimeters, and:

27 1. Is designed to travel on not more than three wheels in contact with the
28 ground but is not a tractor; and

29 2. Is capable of a maximum speed of not more than 30 miles per hour on a flat
30 surface with not more than 1 percent grade in any direction when the motor is
31 engaged.

32 ✧ The term does not include an electric scooter.

33 Sec. 4.4. NRS 486.041 is hereby amended to read as follows:

34 486.041 “Motorcycle” means every motor vehicle equipped with a seat or a
35 saddle for the use of the driver and designed to travel on not more than three wheels
36 in contact with the ground, including a power cycle but excluding an electric
37 scooter, a tractor and a moped.

38 Sec. 4.5. NRS 486.181 is hereby amended to read as follows:

39 486.181 1. A motorcycle, ~~for~~ moped ~~shall~~ or electric scooter must not be
40 driven upon a highway while carrying more than one person unless ~~such~~
41 ~~motorcycle or~~ the motorcycle, moped or electric scooter is designed by the
42 manufacturer to carry more than one person.

43 2. A passenger shall ride:

44 (a) Behind the driver and astride the permanent or regular seat which was
45 designed for two persons;

46 (b) Astride another seat firmly attached at the rear of the driver; or

47 (c) In a sidecar attached.

48 3. Every ~~such motorcycle or~~ motorcycle, moped or electric scooter designed
49 for transporting a passenger ~~shall~~ must be equipped with footrests adjusted to fit
50 ~~such~~ the passenger.

51 Sec. 4.6. NRS 486.191 is hereby amended to read as follows:

52 486.191 1. A person driving a motorcycle, ~~for~~ moped or electric scooter
53 shall ride only upon the permanent and regular seat attached thereto.

2. A person shall not drive a motorcycle, ~~or~~ moped or electric scooter with the seat for the driver so positioned that the driver, when sitting astride the seat with the motorcycle, ~~or~~ moped or electric scooter in a stopped and upright position, cannot reach the ground with both feet simultaneously.

Sec. 4.7. NRS 486.201 is hereby amended to read as follows:

486.201 A person shall not drive a motorcycle, ~~or~~ moped or electric scooter equipped with handlebars which extend above the uppermost portion of the driver's shoulders when the driver sits on the seat and the seat is depressed by the weight of the driver.

Sec. 4.8. NRS 486.211 is hereby amended to read as follows:

486.211 The driver of a motorcycle, ~~or~~ moped or electric scooter shall drive with at least one hand on a handlebar at all times.

Sec. 4.9. NRS 486.221 is hereby amended to read as follows:

486.221 A person shall not drive a motorcycle, ~~or~~ moped or electric scooter unless the wheels are protected by fenders to prevent the throwing of rocks, dirt, water or other substances to the rear.

Sec. 5. NRS 486.231 is hereby amended to read as follows:

486.231 1. The Department shall adopt standards for ~~protective~~ :

(a) Protective headgear for drivers and passengers of mopeds ~~or~~ and electric scooters.

(b) Protective headgear and protective glasses, goggles or face shields ~~to be worn by the~~ **for** drivers and passengers of motorcycles and transparent windscreens for motorcycles.

2. Except as **otherwise** provided in this section, ~~when~~ **the driver and passenger of any** ~~motorcycle~~ :

(a) Motorcycle, except a trimobile, ~~or moped, is~~ being driven on a highway ~~the driver and passenger~~ shall wear protective headgear securely fastened on the head and protective glasses, goggles or face shields ~~meeting~~ **which meet** those standards. ~~Drivers and passengers of trimobiles~~

(b) Trimobile shall wear protective glasses, goggles or face shields which meet those standards.

(c) Moped or electric scooter shall wear protective headgear securely fastened on the head which meets those standards.

3. When a motorcycle or a trimobile is equipped with a transparent windscreen ~~meeting~~ **which meets** those standards, the driver and passenger are not required to wear glasses, goggles or face shields.

4. When a motorcycle is being driven in a parade authorized by a local authority, the driver and passenger are not required to wear the protective devices provided for in this section.

5. When a three-wheel motorcycle on which the driver and passengers ride within an enclosed cab is being driven on a highway, the driver and passengers are not required to wear the protective devices required by this section.

Sec. 6. NRS 486.251 is hereby amended to read as follows:

486.251 1. Every motorcycle, ~~or~~ moped or electric scooter operated upon a highway of this State at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, because of insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead must display lighted lamps and illuminating devices as respectively required pursuant to NRS 486.011 to 486.381, inclusive, ~~or~~ **and section 4.1 of this act.**

2. Every motorcycle or moped operated upon a highway must be equipped with stop lights to be lighted in the manner prescribed for the use of such devices.

1 **Sec. 7. NRS 486.261 is hereby amended to read as follows:**

2 486.261 1. Except as otherwise provided in subsection 3, every motorcycle
3 or moped must be equipped with at least one tail lamp mounted on the rear, which,
4 when lighted as required by NRS 486.011 to 486.381, inclusive, **and section 4.1 of**
5 **this act**, emits a red light plainly visible from a distance of 500 feet to the rear.

6 2. The tail lamp must be wired to be lighted whenever the head lamp is
7 lighted.

8 3. The tail lamp on a motorcycle may contain a blue insert that does not
9 exceed 1 inch in diameter.

10 **Sec. 8. NRS 486.281 is hereby amended to read as follows:**

11 486.281 1. Every motorcycle ~~for moped shall~~, **moped or electric scooter**
12 **must** be equipped with at least one and not more than two head lamps.

13 2. Every ~~such~~ head lamp on a motorcycle ~~shall~~ **must** be located at a height
14 of not more than 54 inches nor less than 24 inches from the ground as measured
15 from the center of the lamp to the level ground upon which ~~such~~ **the** motorcycle
16 stands without a load.

17 **Sec. 9. NRS 486.291 is hereby amended to read as follows:**

18 486.291 1. Every motorcycle ~~for moped shall~~, **moped or electric scooter**
19 **must** carry on the rear at least one reflector, which ~~shall~~ **must** be mounted at a
20 height not less than 20 inches nor more than 60 inches from the ground as measured
21 from the center of the reflector to the level ground upon which ~~such motorcycle or~~
22 **the motorcycle, moped or electric scooter** stands without a load.

23 2. Each such reflector ~~shall~~ **must** be of a size and character and so mounted
24 as to be visible at night from all distances within 300 feet when directly in front of
25 lawful lower beams of head lamps.

26 **Sec. 10. NRS 486.301 is hereby amended to read as follows:**

27 486.301 Every motorcycle ~~for moped shall~~, **moped or electric scooter must**
28 be equipped with brakes adequate to control the stopping and holding as prescribed
29 in NRS 484.593 and 484.595.

30 **Sec. 11. NRS 486.311 is hereby amended to read as follows:**

31 486.311 Every motorcycle ~~for moped shall~~, **moped or electric scooter must**
32 be equipped with two mirrors, each containing a reflection surface not less than 3
33 inches in diameter, with one mirror mounted on each handlebar, in positions
34 enabling the driver to view clearly the highway for a distance of 200 feet to the
35 rear.

36 **Sec. 12. NRS 486.331 is hereby amended to read as follows:**

37 486.331 A person driving a motorcycle, ~~for~~ moped **or electric scooter** upon
38 a highway is entitled to all the rights and subject to all the duties applicable to the
39 drivers of motor vehicles as provided by law, except those provisions which by
40 their nature can have no application.

41 **Sec. 13. NRS 486.341 is hereby amended to read as follows:**

42 486.341 Every motorcycle, ~~for~~ moped **or electric scooter** when being driven
43 on the highway is entitled to full use of the traffic lane it is occupying, and a person
44 shall not drive another motor vehicle in a manner which would deprive any such
45 motorcycle, ~~for~~ moped **or electric scooter** of such use.

46 **Sec. 14. NRS 486.351 is hereby amended to read as follows:**

47 486.351 1. A person, except a police officer in the performance of his duty,
48 shall not drive a motorcycle, ~~for~~ moped **or electric scooter** between moving or
49 stationary vehicles occupying adjacent traffic lanes.

50 2. Except as provided in subsection 3, a person shall not drive a motorcycle,
51 moped, **electric scooter** or trimobile abreast of or overtake or pass another vehicle
52 within the same traffic lane.

3. Motorcycles, ~~and~~ mopeds and electric scooters may, with the consent of the drivers, be operated no more than two abreast in a single traffic lane.

Sec. 15. NRS 486A.110 is hereby amended to read as follows:

486A.110 "Motor vehicle" means every vehicle which is self-propelled, but not operated on rails, used upon a highway for the purpose of transporting persons or property. The term does not include ~~the~~

~~1. Farm;~~

1. An electric scooter as defined in section 1.1 of this act;

2. A farm tractor as defined in NRS 482.035;

~~2. Moped;~~

3. A moped as defined in NRS 482.069; and

~~3. Motorcycle;~~

4. A motorcycle as defined in NRS 482.070.