

SENATE BILL NO. 136—SENATORS BREEDEN, WIENER, NOLAN,
SCHNEIDER; COPENING, PARKS AND WOODHOUSE

FEBRUARY 12, 2009

JOINT SPONSORS: ASSEMBLYMEN DENIS, HAMBRICK, KOIVISTO,
MANENDO, MUNFORD, OHRENSCHALL, PARNELL AND SEGERBLOM

Referred to Committee on Energy, Infrastructure and Transportation

SUMMARY—Prohibits certain persons from using a telephonic device to write, send or read a text-based communication while operating a motor vehicle. (BDR 43-776)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 certain persons from using a telephonic device to write, send or read a text-based communication while operating a motor vehicle; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 This bill prohibits a person from using a telephonic device to write, send or
- 2 read a text-based communication while operating a motor vehicle except in certain
- 3 circumstances. A person who violates this provision must pay a fine of \$20 for a
- 4 first offense and a fine of \$50 for a second or subsequent offense. This bill does not
- 5 create a moving violation.



* S B 1 3 6 *

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 shall not use a telephonic device to write, send or read a text-based communication while operating a motor vehicle.

2. The provisions of subsection 1 do not apply to:

(a) An emergency medical attendant, firefighter or law enforcement officer who uses a telephonic device in the course of his duties; or

(b) A person who reads, selects or enters a telephone number or name in a telephonic device for the purpose of making or receiving a telephone call.

3. A person who violates the provisions of subsection 1 shall:

(a) For a first offense, pay a fine of \$20.

(b) For a second or subsequent offense, pay a fine of \$50.

4. A violation of subsection 1 is not a moving traffic violation under NRS 483.473.

5. As used in this section:

(a) "Emergency medical attendant" means a person licensed as an attendant or certified as an emergency medical technician, intermediate emergency medical technician or advanced emergency medical technician pursuant to chapter 450B of NRS.

(b) "Telephonic device" has the meaning ascribed to it in NRS 707.375.

(c) "Text-based communication" includes, without limitation, communication by text message, instant message or electronic mail.

