

SENATE BILL NO. 18—SENATOR WASHINGTON

PREFILED DECEMBER 5, 2008

Referred to Committee on Energy, Infrastructure and Transportation

SUMMARY—Revises provisions governing speed limits in school zones and school crossing zones. (BDR 43-384)

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; revising provisions governing speed limits in school zones and school crossing zones; providing for different school zone speed limits based on the grade level of students attending the school; authorizing local school and law enforcement personnel to adjust school zone and school crossing zone speed limits in certain circumstances; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 With limited exceptions, existing law provides for a speed limit of 15 miles per
2 hour in a school zone and a speed limit of 25 miles per hour in a school crossing
3 zone, and authorizes certain local school and law enforcement personnel to
4 determine the times when such school zone and school crossing zone speed limits
5 are to be in effect. (NRS 484.1485, 484.149, 484.366) This bill provides for
6 different school zone speed limits based on the grade level of the students at each
7 school, with an increased speed limit for schools with students in higher grades, and
8 also authorizes certain local school and law enforcement personnel to vary the
9 statutory speed limits within certain parameters. This bill provides further for a
10 limitation on the amount of time in each day that a school zone or school crossing
11 zone speed limit may be in effect. Additionally, this bill provides for penalties for a
12 violation of the speed limit in a school zone or school crossing zone, with graduated
13 penalties based on how many miles per hour in excess of the posted speed limit the
14 driver is driving.



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

Section 1. NRS 484.149 is hereby amended to read as follows:
484.149 "School zone" means those sections of streets which
are adjacent to school property ~~and to which access by a person~~
~~on such school property is not impeded or prevented by a physical~~
~~barrier, including, without limitation, a block wall or chain-link~~
~~fence.~~

Sec. 2. NRS 484.366 is hereby amended to read as follows:

484.366 1. ~~Except as otherwise provided in subsection~~
7, a person shall not drive a motor vehicle at a speed in excess of 15
miles per hour in an area designated as a school zone ~~for an~~
~~elementary school, as that term is defined in NRS 388.020, or any~~
~~school that includes pupils in elementary school grades,~~ except:

(a) On a day on which school is not in session;

~~(b) During the period from a half hour after school is no longer~~
~~in operation to a half hour before school is next in operation;~~ ~~In a~~
~~fixed zone, during times when:~~

~~(1) The sign designating the zone indicates that the speed~~
~~limit is not in effect; or~~

~~(2) The yellow lights of the operational speed limit beacon~~
~~are not flashing; or~~

~~(c) If the zone is designated by an operational speed limit~~
~~beacon, during the hours when the pupils of the school are in class~~
~~and the yellow lights of the speed limit beacon are not flashing in~~
~~the manner which indicates that the speed limit is in effect; or~~

~~—(d) If the zone is not designated by an operational speed limit~~
~~beacon, during the times when the sign designating the school zone~~
~~indicates that the speed limit is not in effect.~~

~~2. A} In a hazard-actuated zone, during times when:~~

~~(1) The sign designating the zone indicates that the speed~~
~~limit is not in effect; or~~

~~(2) Children are not present.~~

2. Except as otherwise provided in subsection 7, a person
shall not drive a motor vehicle at a speed in excess of 20 miles per
hour in an area designated as a school zone for a middle school or
junior high school, as those terms are defined in NRS 388.020,
except:

(a) On a day on which school is not in session;

(b) In a fixed zone, during times when:

(1) The sign designating the zone indicates that the speed
limit is not in effect; or

(2) The yellow lights of the operational speed limit beacon
are not flashing; or



- 1 (c) In a hazard-actuated zone, during times when:
2 (1) The sign designating the zone indicates that the speed
3 limit is not in effect; or
4 (2) Children are not present.
- 5 3. Except as otherwise provided in subsection 7, a person
6 shall not drive a motor vehicle at a speed in excess of 25 miles per
7 hour in an area designated as a school zone for a high school, as
8 that term is defined in NRS 388.020, except:
9 (a) On a day on which school is not in session;
10 (b) In a fixed zone, during times when:
11 (1) The sign designating the zone indicates that the speed
12 limit is not in effect; or
13 (2) The yellow lights of the operational speed limit beacon
14 are not flashing; or
15 (c) In a hazard-actuated zone, during times when:
16 (1) The sign designating the zone indicates that the speed
17 limit is not in effect; or
18 (2) Children are not present.
- 19 4. Except as otherwise provided in subsection 7, a person shall
20 not drive a motor vehicle at a speed in excess of 25 miles per hour in
21 an area designated as a school crossing zone, except:
22 (a) On a day on which school is not in session;
23 (b) ~~During the period from a half hour after school is no longer~~
24 ~~in operation to a half hour before school is next in operation;~~ In a
25 fixed zone, during times when:
26 (1) The sign designating the zone indicates that the speed
27 limit is not in effect; or
28 (2) The yellow lights of the operational speed limit beacon
29 are not flashing; or
30 (c) ~~If the zone is designated by an operational speed limit~~
31 ~~beacon, during the hours when the pupils of the school are in class~~
32 ~~and the yellow lights of the speed limit beacon are not flashing in~~
33 ~~the manner which indicates that the speed limit is in effect; or~~
34 ~~—(d) If the zone is not designated by an operational speed limit~~
35 ~~beacon, during the times when the sign designating the school zone~~
36 ~~indicates that the speed limit is not in effect.~~
37 ~~—3. In a hazard-actuated zone, during times when:~~
38 (1) The sign designating the zone indicates that the speed
39 limit is not in effect; or
40 (2) Children are not present.
- 41 5. The governing body of a local government or the
42 Department of Transportation shall designate school zones and
43 school crossing zones. An area must not be designated as a school
44 zone if imposing ~~the~~ speed limit ~~of 15 miles per hour~~



1 *applicable pursuant to this section* would be unsafe because of
2 higher speed limits in adjoining areas.

3 ~~[4.]~~ 6. Each such governing body and the Department of
4 *Transportation* shall provide signs to mark the beginning and end of
5 each school zone and school crossing zone which it respectively
6 designates. Each sign marking the beginning of such a zone must
7 include a designation of the hours when the speed limit is in effect
8 ~~[or]~~ *and, where applicable*, that the speed limit is in effect when
9 children are present.

10 ~~[5.]~~ 7. With respect to each school zone and school crossing
11 zone in a school district, *the superintendent of the school district or*
12 *his designee, in conjunction with the Department of*
13 *Transportation and the governing body of the local government*
14 *that designated the school zone or school crossing zone, and after*
15 *consulting with the principal of the applicable school and the*
16 *agency that is responsible for enforcing the speed limit in the zone,*
17 *may:*

18 (a) *Decrease the speed limit in a school zone designated for a*
19 *middle school or junior high school, as those terms are defined in*
20 *NRS 388.020, to 15 miles per hour;*

21 (b) *Decrease the speed limit designated for a high school, as*
22 *that term is defined in NRS 388.020, to 20 miles per hour;*

23 (c) *Decrease the speed limit in a school crossing zone to 20*
24 *miles per hour; or*

25 (d) *Raise the speed limit in a school crossing zone to 30 miles*
26 *per hour.*

27 8. *Except as otherwise provided in this subsection,* the
28 superintendent of the school district or his designee, in conjunction
29 with the Department of Transportation and the governing body of
30 the local government that designated the school zone or school
31 crossing zone , and after consulting with the principal of the
32 *applicable* school and the agency that is responsible for enforcing
33 the speed limit in the zone, shall determine *whether each school*
34 *zone and school crossing zone is to be a fixed zone or a hazard-*
35 *actuated zone, and* the times when the speed limit *in the zone* is in
36 effect.

37 ~~[6.]~~ *The times when the speed limit for a school zone or*
38 *school crossing zone may be in effect at any one school are limited*
39 *as follows:*

40 (a) *The times designated for speed limits in school zones and*
41 *school crossing zones to be in effect may not, regardless of*
42 *whether those zones are fixed or hazard-actuated, amount to more*
43 *than 8 hours in a single day; and*

44 (b) *The times designated for speed limits in fixed zones to be in*
45 *effect may not amount to more than 3 hours in a single day.*



9. A person who violates any of the provisions of this section is guilty of a misdemeanor and:

(a) For exceeding the posted speed limit by 10 miles per hour or less, shall be punished:

(1) By a fine of not less than \$250 but not more than \$500; or

(2) By both fine and imprisonment in the county jail for not more than 6 months.

(b) For exceeding the posted speed limit by more than 10 miles per hour but less than 20 miles per hour, shall be punished:

(1) By a fine of not less than \$500 but not more than \$1,000; or

(2) By both fine and imprisonment in the county jail for not more than 6 months.

(c) For exceeding the posted speed limit by 20 miles per hour or more, shall be punished:

(1) By a fine of not less than \$1,000 but not more than \$2,000; or

(2) By both fine and imprisonment in the county jail for not more than 6 months.

10. As used in this section ~~["speed limit beacon" means a device which is used in conjunction with a sign and equipped with two or more yellow lights that flash alternately to indicate when the speed limit in a school zone or school crossing zone is in effect.]:~~

(a) "Child" means a person who is less than 18 years of age.

(b) "Children are present" means one or more children occupying a crosswalk or road where a school zone or school crossing zone is designated, or occupying a sidewalk or shoulder that provides unimpeded access to the adjacent road where a school zone or school crossing zone is designated.

(c) "Fixed zone" means a school zone or school crossing zone where the speed limit is only in effect:

(1) During the times when the sign designating the zone indicates that the speed limit is in effect; or

(2) When the yellow lights of an operational speed limit beacon are flashing in the manner which indicates that the speed limit is in effect.

(d) "Hazard-actuated zone" means a school zone or school crossing zone where the speed limit is only in effect during the times when the sign designating the zone indicates that the speed limit is in effect and children are present. The sign designating the speed limit may be accompanied by an operational speed limit beacon.

(e) "Operational speed limit beacon" means a device which is used in conjunction with a sign and equipped with two or more



- 1 *yellow lights that flash alternately to indicate when the speed limit*
- 2 *is in effect in a school zone or school crossing zone.*
- 3 **Sec. 3.** This act becomes effective on July 1, 2009.

