

Amendment No. 938

Senate Amendment to Assembly Bill No. 511 Second Reprint (BDR 43-1109)

Proposed by: Senate Committee on Finance

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

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 underlining* is newly added transitory language.

MSM/BJE



Date: 6/6/2011

A.B. No. 511—Revises certain provisions governing transportation.
(BDR 43-1109)



ASSEMBLY BILL NO. 511—COMMITTEE ON TRANSPORTATION

MARCH 28, 2011

Referred to Committee on Transportation

SUMMARY—Revises certain provisions governing transportation.
(BDR 43-1109)

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 transportation; providing certain privileges to the owner or long-term lessee of a qualified ~~[plug-in electric drive]~~ **alternative fuel** vehicle; authorizing in this State the operation of, and a driver's license endorsement for operators of, autonomous vehicles; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Department of Transportation to adopt regulations to allow certified low emission and energy-efficient vehicles to be operated in a lane on a highway under its jurisdiction designated for the preferential use or exclusive use of high-occupancy vehicles. (NRS 484A.463) **Section 6** of this bill defines the term "qualified ~~[plug-in electric drive]~~ **alternative fuel** vehicle" in **such** a manner ~~[substantially similar]~~ **as to include within the definition [used by the Internal Revenue Service for the purpose of the tax credit made available for the initial acquisition of such] both plug-in vehicles, [] that are powered by an electric motor, and vehicles which are powered by an alternative fuel and meet specified federal emissions standards.** **Section 7** of this bill requires that, with limited exceptions, each local authority shall establish a parking program for qualified ~~[plug-in electric drive]~~ **alternative fuel** vehicles. **Section 7** provides that the owner or long-term lessee of such a vehicle may: (1) apply to the local authority for a distinctive decal, label or other identifier that distinguishes the vehicle from other vehicles; and (2) while displaying the distinctive identifier, park the vehicle without the payment of a parking fee at certain times in certain public parking lots, parking areas and metered parking zones. **Section 10** of this bill authorizes the use of a qualified ~~[plug-in electric drive]~~ **alternative fuel** vehicle in high-occupancy vehicle lanes irrespective of the occupancy of the vehicle, if the Department of Transportation has adopted the necessary regulations. **Section 13** of this bill causes the provisions of this bill that pertain to qualified ~~[plug-in electric drive]~~ **alternative fuel** vehicles to expire by limitation ("sunset") as of January 1, 2018.

Section 8 of this bill requires the Department of Motor Vehicles to adopt regulations authorizing the operation of autonomous vehicles on highways within the State of Nevada. **Section 8** defines an "autonomous vehicle" to mean a motor vehicle that uses artificial intelligence, sensors and global positioning system coordinates to drive itself without the active intervention of a human operator. **Section 2** of this bill requires the Department, by regulation, to establish a driver's license endorsement for the operation of an autonomous vehicle on the highways of this State.

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

Section 1. (Deleted by amendment.)

Sec. 2. Chapter 483 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall by regulation establish a driver's license endorsement for the operation of an autonomous vehicle on the highways of this State. The driver's license endorsement described in this subsection must, in its restrictions or lack thereof, recognize the fact that a person is not required to actively drive an autonomous vehicle.

2. As used in this section, "autonomous vehicle" has the meaning ascribed to it in section 8 of this act.

Sec. 3. NRS 483.230 is hereby amended to read as follows:

483.230 1. Except persons expressly exempted in NRS 483.010 to 483.630, inclusive, *and section 2 of this act*, a person shall not drive any motor vehicle upon a highway in this State unless such person has a valid license as a driver under the provisions of NRS 483.010 to 483.630, inclusive, *and section 2 of this act* for the type or class of vehicle being driven.

2. Any person licensed as a driver under the provisions of NRS 483.010 to 483.630, inclusive, *and section 2 of this act* may exercise the privilege thereby granted upon all streets and highways of this State and shall not be required to obtain any other license to exercise such privilege by any county, municipal or local board or body having authority to adopt local police regulations.

3. Except persons expressly exempted in NRS 483.010 to 483.630, inclusive, *and section 2 of this act*, a person shall not steer or exercise any degree of physical control of a vehicle being towed by a motor vehicle upon a highway unless such person has a license to drive the type or class of vehicle being towed.

4. A person shall not receive a driver's license until the person surrenders to the Department all valid licenses in his or her possession issued to the person by this or any other jurisdiction. Surrendered licenses issued by another jurisdiction shall be returned by the Department to such jurisdiction. A person shall not have more than one valid driver's license.

Sec. 4. NRS 483.620 is hereby amended to read as follows:

483.620 It is a misdemeanor for any person to violate any of the provisions of NRS 483.010 to 483.630, inclusive, *and section 2 of this act* unless such violation is, by NRS 483.010 to 483.630, inclusive, *and section 2 of this act* or other law of this State, declared to be a felony.

Sec. 5. Chapter 484A of NRS is hereby amended by adding thereto the provisions set forth as sections ~~6, 7 and~~ *5.3 to 8, inclusive*, of this act.

Sec. 5.3. *"Original equipment manufacturer" means the original manufacturer of a new vehicle or engine, or relating to the vehicle or engine in its original, certified configuration.*

Sec. 5.7. *"Qualified alternative fuel" means compressed natural gas, hydrogen or propane.*

Sec. 6. *"Qualified ~~plug-in electric drive~~ alternative fuel vehicle" means a motor vehicle that:*

1. Is equipped with four wheels;

2. Is made by ~~an~~ :

(a) An original equipment manufacturer; or

(b) A qualified vehicle modifier of alternative fuel vehicles;

3. Is manufactured primarily for use on public streets, roads and highways;

4. Has a manufacturer's gross vehicle weight rating of less than 8,500 pounds;

5. Can maintain a maximum rate of speed of at least 70 miles per hour; and

6. Is propelled ~~by~~ :

(a) To a significant extent by an electric motor which draws electricity from a battery that:

~~(a)(1)~~ (1) Has a capacity of not less than 4 kilowatt hours; and

~~(a)(2)~~ (2) Can be recharged from a source of electricity that is external to the vehicle ~~it~~ ; or

(b) Solely by a qualified alternative fuel, and meets or exceeds the federal Tier 2 bin 2 exhaust emission standard, as set forth in 40 C.F.R. § 86.1811-04.

Sec. 6.5. "Qualified vehicle modifier of alternative fuel vehicles" means a manufacturer directly authorized by an original equipment manufacturer to modify a vehicle produced by an original equipment manufacturer to run on a qualified alternative fuel.

Sec. 7. 1. Except as otherwise provided in subsection 6, a local authority that has within its jurisdiction a public metered parking zone, parking lot or parking area for the use of which a fee is charged, shall by ordinance establish a parking program for qualified ~~(plug-in electric drive)~~ alternative fuel vehicles pursuant to this section.

2. Upon the application of the owner or long-term lessee of a qualified ~~(plug-in electric drive)~~ alternative fuel vehicle, the local authority or its designee shall issue to the owner or long-term lessee a distinctive decal, label or other identifier that clearly distinguishes the qualified ~~(plug-in electric drive)~~ alternative fuel vehicle from other vehicles.

3. The board of county commissioners or the governing body of the city may charge a fee for the distinctive decal, label or other identifier issued pursuant to subsection 2 in an amount not to exceed \$10 annually.

4. Except as otherwise provided in subsection 5, the driver of a qualified ~~(plug-in electric drive)~~ alternative fuel vehicle displaying the distinctive decal, label or other identifier issued pursuant to subsection 2 may:

(a) Stop, stand or park the qualified ~~(plug-in electric drive)~~ alternative fuel vehicle in any public metered parking zone within the jurisdiction of the local authority without depositing a coin of United States currency of the designated denomination, or making payment using another acceptable method of payment, in the applicable parking meter; and

(b) Stop, stand or park the qualified ~~(plug-in electric drive)~~ alternative fuel vehicle in any public parking lot or parking area within the jurisdiction of the local authority without paying a parking fee.

5. In addition to the requirements set forth in this section, the local authority may by ordinance establish such other requirements as it determines necessary for the parking program for qualified ~~(plug-in electric drive)~~ alternative fuel vehicles, including, without limitation:

(a) Requiring that the driver of a qualified ~~(plug-in electric drive)~~ alternative fuel vehicle comply with any limits on the amount of time for stopping, standing or parking imposed on other drivers; and

(b) Requiring that the driver of a qualified ~~(plug-in electric drive)~~ alternative fuel vehicle pay applicable parking fees during certain special events or activities designated by the local authority, regardless of whether the vehicle displays a distinctive decal, label or other identifier issued pursuant to subsection 2.

6. The provisions of this section do not apply to any public metered parking zone, parking lot or parking area of an airport.

Sec. 8. 1. The Department shall adopt regulations authorizing the operation of autonomous vehicles on highways within the State of Nevada.

2. The regulations required to be adopted by subsection 1 must:

(a) Set forth requirements that an autonomous vehicle must meet before it may be operated on a highway within this State;

(b) Set forth requirements for the insurance that is required to test or operate an autonomous vehicle on a highway within this State;

(c) Establish minimum safety standards for autonomous vehicles and their operation;

(d) Provide for the testing of autonomous vehicles;

(e) Restrict the testing of autonomous vehicles to specified geographic areas; and

(f) Set forth such other requirements as the Department determines to be necessary.

3. As used in this section:

(a) "Artificial intelligence" means the use of computers and related equipment to enable a machine to duplicate or mimic the behavior of human beings.

(b) "Autonomous vehicle" means a motor vehicle that uses artificial intelligence, sensors and global positioning system coordinates to drive itself without the active intervention of a human operator.

(c) "Sensors" includes, without limitation, cameras, lasers and radar.

Sec. 9. NRS 484A.010 is hereby amended to read as follows:

484A.010 As used in chapters 484A to 484E, inclusive, of NRS, unless the context otherwise requires, the words and terms defined in NRS 484A.015 to 484A.320, inclusive, ~~and section 6~~ **sections 5.3 to 6.5, inclusive, of this act** have the meanings ascribed to them in those sections.

Sec. 10. NRS 484A.463 is hereby amended to read as follows:

484A.463 1. To the extent not inconsistent with federal law, the Department of Transportation may, in consultation with the Federal Highway Administration and the United States Environmental Protection Agency, adopt regulations establishing a program to allow a vehicle that is certified by the Administrator of the United States Environmental Protection Agency as a low emission and energy-efficient vehicle to be operated in a lane that is designated for the use of high-occupancy vehicles pursuant to NRS 484A.460.

2. As used in this section, "low emission and energy-efficient vehicle" has the meaning ascribed to it in 23 U.S.C. § 166(f)(3). **The term includes, without limitation, a qualified ~~plug-in electric drive~~ alternative fuel vehicle.**

Sec. 11. NRS 484B.523 is hereby amended to read as follows:

484B.523 1. ~~[When]~~ **Except as otherwise provided in section 7 of this act, when** parking meters are erected by any local authority pursuant to an adopted ordinance giving notice thereof, it is unlawful for any person to stop, stand or park a vehicle in any metered parking zone for a period of time longer than designated by such parking meters upon a deposit of a coin of United States currency of the designated denomination.

2. Every vehicle shall be parked wholly within the metered parking space for which the meter shows parking privilege has been granted.

3. It is unlawful for any unauthorized person to remove, deface, tamper with, open, willfully break, destroy or damage any parking meter, or willfully to manipulate any parking meter in such a manner that the indicator will fail to show the correct amount of unexpired time before a violation occurs.

1 **Sec. 12.** 1. The Department of Motor Vehicles shall adopt the regulations
2 necessary to implement the provisions of sections 2 and 8 of this act on or before
3 March 1, 2012.

4 2. Each local authority to which the provisions of section 7 of this act apply
5 shall adopt the ordinances necessary to implement the provisions of sections ~~6,~~
6 5.3 to 7, inclusive, 9, 10 and 11 of this act on or before January 1, 2012.

7 3. As used in this section, "local authority" has the meaning ascribed to it in
8 NRS 484A.115.

9 **Sec. 13.** 1. This section and section 12 of this act become effective upon
10 passage and approval.

11 2. Sections 5 ~~to 6,~~ to 7, inclusive, 9, 10 and 11 of this act become effective
12 on January 1, 2012.

13 3. Sections 2, 3, 4 and 8 of this act become effective on March 1, 2012.

14 4. The following provisions expire by limitation on January 1, 2018:

15 (a) Sections 5 ~~to 6 and~~ to 7, inclusive, of this act;

16 (b) The amendatory provisions of sections 9, 10 and 11 of this act; and

17 (c) Subsections 2 and 3 of section 12 of this act.