

Amendment No. 756

Senate Amendment to Assembly Bill No. 236 First Reprint (BDR 43-659)

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

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

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.

DLJ/MSM



Date: 5/20/2013

A.B. No. 236—Makes changes to the rules of the road regarding motorcycles.
(BDR 43-659)



ASSEMBLY BILL NO. 236—ASSEMBLYMEN
DALY, CARRILLO; AND HEALEY

MARCH 12, 2013

Referred to Committee on Transportation

SUMMARY—Makes changes to the rules of the road regarding motorcycles.
(BDR 43-659)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 motorcycles; allowing lane splitting in certain circumstances;
and providing other matters properly relating thereto.**Legislative Counsel's Digest:**

Under existing law, a person other than a police officer in the performance of his or her duty may not drive a motorcycle or moped between moving or stationary vehicles occupying adjacent traffic lanes, a maneuver commonly known as lane splitting. (NRS 486.351) **Section 3** of this bill allows lane splitting *between stationary vehicles* by a person driving a motorcycle provided that, while driving between the other vehicles: (1) the person drives in a manner that is reasonable and proper, having due regard for the traffic, surface and width of the highway, the weather and other highway conditions; *and* (2) the motorcycle does not ~~travel at a speed which is more than 10 miles per hour faster than the speed of those other vehicles; and (3) the motorcycle does not~~ exceed a maximum speed of ~~130~~ *10* miles per hour.

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

Section 1. NRS 484B.207 is hereby amended to read as follows:
484B.207 1. ~~The~~ *Except as otherwise provided in NRS 486.351, the* driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the highway until safely clear of the overtaken vehicle.
2. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle upon observing the overtaking vehicle or hearing a signal. The driver of an overtaken vehicle shall not increase the speed of the vehicle until completely passed by the overtaking vehicle.
3. A person who violates any provision of this section may be subject to the additional penalty set forth in NRS 484B.130.

1 **Sec. 2.** NRS 484B.210 is hereby amended to read as follows:

2 484B.210 1. ~~The~~ *Except as otherwise provided in NRS 486.351, the*
3 driver of a vehicle may overtake and pass upon the right of another vehicle only
4 under the following conditions:

5 (a) When the driver of the vehicle overtaken is making or signaling to make a
6 left turn.

7 (b) Upon a highway with unobstructed pavement which is not occupied by
8 parked vehicles and which is of sufficient width for two or more lines of moving
9 vehicles in each direction.

10 (c) Upon a highway with unobstructed pavement which is not marked as a
11 traffic lane and which is not occupied by parked vehicles, if the vehicle that is
12 overtaking and passing another vehicle:

13 (1) Does not travel more than 200 feet in the section of pavement not
14 marked as a traffic lane; or

15 (2) While being driven in the section of pavement not marked as a traffic
16 lane, does not travel through an intersection or past any private way that is used to
17 enter or exit the highway.

18 (d) Upon any highway on which traffic is restricted to one direction of
19 movement, where the highway is free from obstructions and of sufficient width for
20 two or more lines of moving vehicles.

21 2. The driver of a vehicle may overtake and pass another vehicle upon the
22 right only under conditions permitting such movement in safety.

23 3. The driver of a vehicle shall not overtake and pass another vehicle upon the
24 right when such movement requires driving off the paved portion of the highway.

25 4. A person who violates any provision of this section may be subject to the
26 additional penalty set forth in NRS 484B.130.

27 **Sec. 3.** NRS 486.351 is hereby amended to read as follows:

28 486.351 1. ~~A~~ *Except as otherwise provided in this section, a* person ~~;~~
29 ~~except a police officer in the performance of his or her duty;~~ shall not drive a
30 motorcycle or moped ~~between~~ :

31 (a) *Between* moving or stationary vehicles occupying adjacent traffic lanes.

32 ~~2. Except as provided in subsection 3, a person shall not drive a motorcycle,~~
33 ~~moped or trimobile abreast~~

34 (b) *Abreast* of or overtake or pass another vehicle within the same traffic lane.

35 2. *The provisions of subsection 1 do not apply to a police officer in the*
36 *performance of his or her duty.*

37 3. *A person may drive a motorcycle between ~~moving or~~ stationary vehicles*
38 *occupying adjacent traffic lanes and traveling in the same direction as the*
39 *motorcycle provided that:*

40 (a) *The person drives in a manner that is reasonable and proper, having due*
41 *regard for the traffic, surface and width of the highway, the weather and other*
42 *highway conditions; and*

43 (b) *The motorcycle, while ~~driving~~ being driven between such vehicles* ~~;~~ ~~;~~

44 ~~(1) Does not travel at a speed which is more than 10 miles per hour faster~~
45 ~~than the speed of those other vehicles; and~~

46 ~~(2) Does;~~ *does not exceed a maximum speed of ~~30~~ 10 miles per hour.*

47 4. Motorcycles and mopeds may, with the consent of the drivers, be operated
48 no more than two abreast in a single traffic lane.

49 **Sec. 4.** This act becomes effective on January 1, 2014.