

Amendment No. 131

Assembly Amendment to Assembly Bill No. 256 (BDR 43-661)

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

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 256 (§ 7).

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: 4/9/2013

A.B. No. 256—Makes various changes relating to motorcycles. (BDR 43-661)



ASSEMBLY BILL NO. 256—ASSEMBLYMEN CARRILLO, DALY; BENITEZ-THOMPSON,
EISEN, FIORE, HANSEN AND WHEELER

MARCH 13, 2013

Referred to Committee on Transportation

SUMMARY—Makes various changes relating to motorcycles. (BDR 43-661)

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; revising provisions pertaining to trimobiles; revising provisions relating to the equipment that is required on a motorcycle or moped operating on the highways of this State; revising provisions concerning the protective equipment that a person is required to wear when driving or riding on a motorcycle or moped; increasing the amount the Director of the Department of Public Safety is authorized to charge for a course of motorcycle safety; revising other provisions related to certain courses of motorcycle safety; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a person driving a trimobile is required to hold a driver's license, but is not required to hold a motorcycle driver's license or a driver's license with a motorcycle endorsement. (NRS 486.061) Existing law also requires a person driving or riding on a trimobile to wear protective glasses, goggles or a face shield, but does not require such a person to wear protective headgear. (NRS 486.231) A trimobile is defined in existing law as a motor vehicle designed to travel with three wheels in contact with the ground, two of which are power driven. (NRS 482.129, 486.057) **Sections 1 and 2** of this bill revise the definition of trimobile by removing the requirement that two of the wheels be power driven ~~and~~ ***and by excluding from the definition a motorcycle with a sidecar.***

Existing law requires the Department of Motor Vehicles to adopt standards for protective headgear and protective glasses, goggles or face shields to be worn by drivers and passengers of motorcycles, and transparent windcreens for motorcycles. (NRS 486.231) **Section 3** of this bill removes the requirement for the Department to adopt standards for protective glasses, goggles, face shields and transparent windcreens.

Existing law requires a motorcycle or moped that is driven on the highways of this State to be equipped with certain equipment, including, for example, head lamps and rear reflectors, and provides for height restrictions for handlebars. (NRS 486.201, 486.281, 486.291) **Section 4** of this bill increases the maximum number of allowable head lamps on a motorcycle or moped, **section 5** of this bill removes the minimum height requirement for rear reflectors on a motorcycle or moped, and **section ~~4.1~~ 2.5** of this bill ~~repeals~~ ***revises*** the restriction on the height of the handlebars on a motorcycle or moped.

Existing law requires the Director of the Department of Public Safety to establish a Program for the Education of Motorcycle Riders and provides that money in the Account for the Program may be used to pay the expenses of the Program or for any other purpose

authorized by the Legislature. (NRS 486.372) **Section 6** of this bill removes the authorization for money in the Account to be used for any other purpose authorized by the Legislature. Existing law also authorizes certain residents of this State to enroll in the Program and authorizes the Director to establish a fee of not more than \$100 for the Program. (NRS 486.373) **Section 7** of this bill raises the limit of the fee to ~~[\$200]~~ \$150 and allows for the enrollment in the Program of a person who is ~~not~~ an active duty member of the Armed Forces of the United States stationed at a military installation located in this State and who is authorized by ~~the person's~~ any state ~~of residency~~ to drive a motorcycle ~~not~~ or who is eligible to apply for such authorization from any state.

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

Section 1. NRS 482.129 is hereby amended to read as follows:

482.129 "Trimobile" means every motor vehicle designed to travel with three wheels in contact with the ground. ~~two of which are power driven.~~ The term does not include an electric bicycle, a farm tractor, a moped or a motorcycle with a sidecar.

Sec. 2. NRS 486.057 is hereby amended to read as follows:

486.057 1. "Trimobile" means every motor vehicle designed to travel with three wheels in contact with the ground. ~~two of which are power driven.~~

2. The term does not include:

(a) An electric bicycle, as that term is defined in NRS 482.0287;

(b) A farm tractor, as that term is defined in NRS 482.035; not

(c) A moped; or

(d) A motorcycle with a sidecar.

Sec. 2.5. NRS 486.201 is hereby amended to read as follows:

486.201 A person shall not drive a motorcycle or moped equipped with handlebars which extend more than 6 inches 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. 3. NRS 486.231 is hereby amended to read as follows:

486.231 1. The Department shall adopt standards for protective headgear ~~and protective glasses, goggles or face shields~~ to be worn by the drivers and passengers of motorcycles. ~~and transparent windcreens for motorcycles.~~

2. Except as provided in this section, when any motorcycle, except a trimobile or moped, is being driven on a highway, the driver and passenger shall wear protective headgear which meets those standards, securely fastened on the head, and protective glasses, goggles or face shields. ~~meeting those standards.~~ Drivers and passengers of trimobiles shall wear protective glasses, goggles or face shields. ~~which meet those standards.~~

3. When a motorcycle or a trimobile is equipped with a transparent windscreen, ~~meeting 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.

1 **Sec. 4.** NRS 486.281 is hereby amended to read as follows:

2 486.281 1. Every motorcycle or moped shall be equipped with at least one
3 and not more than ~~two~~ **four** head lamps.

4 2. Every such head lamp on a motorcycle shall be located at a height of not
5 more than 54 inches nor less than 24 inches from the ground as measured from the
6 center of the lamp to the level ground upon which such motorcycle stands without a
7 load.

8 **Sec. 5.** NRS 486.291 is hereby amended to read as follows:

9 486.291 1. Every motorcycle or moped shall carry on the rear at least one
10 reflector, which shall be mounted at a height not ~~less than 20 inches nor~~ more than
11 60 inches from the ground as measured from the center of the reflector to the level
12 ground upon which such motorcycle or moped stands without a load.

13 2. Each such reflector shall be of a size and character and so mounted as to be
14 visible at night from all distances within 300 feet when directly in front of lawful
15 lower beams of head lamps.

16 **Sec. 6.** NRS 486.372 is hereby amended to read as follows:

17 486.372 1. The Director shall:

18 (a) Establish the Program.

19 (b) Appoint an Administrator to carry out the Program.

20 (c) Consult regularly with the Advisory Committee for Motorcycle Safety
21 concerning the content and implementation of the Program.

22 (d) Approve courses of instruction provided by public or private organizations
23 which comply with the requirements established for the Program.

24 (e) Adopt rules and regulations which are necessary to carry out the Program.

25 2. The Director may contract for the provision of services necessary for the
26 Program.

27 3. The money in the Account for the Program for the Education of
28 Motorcycle Riders may be used ~~to~~

29 ~~—(a) To~~ **to** pay the expenses of the Program, including reimbursement to
30 instructors licensed pursuant to NRS 486.375 for services provided for the Program
31 ~~· to or~~

32 ~~—(b) For any other purpose authorized by the Legislature.~~

33 4. The interest and income earned on the money in the Account, after
34 deducting any applicable charges, must be credited to the Account.

35 **Sec. 7.** NRS 486.373 is hereby amended to read as follows:

36 486.373 1. A **person who:**

37 **(a) Is a** resident of this State who holds a motorcycle driver's license or a
38 motorcycle endorsement to a driver's license ~~for who is~~ ;

39 **(b) Is** eligible to apply for such a license or endorsement ; **or**

40 **(c) Is ~~not~~ an active duty member of the Armed Forces of the United States**
41 **stationed at a military installation located in this State ~~and is authorized by the~~**
42 **person's state of residency to drive a motorcycle, who holds a motorcycle driver's**
43 **license or motorcycle endorsement to a driver's license issued by any state or who**
44 **is eligible to apply for such a license or endorsement issued by any state.**

45 **➤** may enroll in the Program.

46 2. The Director shall establish a fee of not more than ~~[\$100] [\$200]~~ **\$150** for
47 the Program.

48 **Sec. 8.** ~~NRS 486.201 is hereby repealed.~~ **(Deleted by amendment.)**

49 **Sec. 9.** This act becomes effective on July 1, 2013.

†

~~TEXT OF REPEALED SECTION~~

~~486.201 Height of handlebar. A person shall not drive a motorcycle or moped 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.~~