

Amendment No. 542

Senate Amendment to Senate Bill No. 179 First Reprint (BDR 43-79)

Proposed by: Senators Manendo and Hardy

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.

SHORT FORM AMENDMENT

Section 16 of this act is the only section affected by this amendment.

DLJ/WLK



Date: 4/20/2013

S.B. No. 179—Makes various changes to provisions governing public safety.
(BDR 43-79)



If this amendment is adopted, the Legislative Counsel's Digest will be changed as follows:

Legislative Counsel's Digest:

Under existing law, a driver who is convicted of a violation of a speed limit or of certain other traffic violations is subject to a doubling of the penalty if the violation occurs in a highway construction zone when workers are present. (NRS 484B.130) Existing law also provides that certain maximum speeds are in effect in school zones and school crossing zones at certain times. (NRS 484B.363) **Sections 2 and 24** of this bill provide that a driver is subject to a doubling of the penalty for a violation of a speed limit or of certain other traffic violations if the violation occurs in a school zone or a school crossing zone at a time when the statutory speed limits for such zones are in effect. **Section 24** also makes it unlawful for a driver to make a U-turn or pass another vehicle in a school zone or a school crossing zone when the school speed limit is in effect. Finally, **section 24** requires that the sign posted to mark the beginning of each school zone and school crossing zone newly include a designation that fines may be higher when the speed limit is in effect.

Section 1 of this bill authorizes the governing body of a local government or the Department of Transportation to designate pedestrian safety zones on a highway if certain findings are made. **Section 1** also provides that a person who is convicted of a violation of a speed limit or of certain other violations is subject to a doubling of the penalty if the violation occurs in a pedestrian safety zone. **Sections 3-13, 17, 18, 20-22, 25-28 and 30-32** of this bill make conforming changes to indicate the possibility of the enhanced penalty.

Existing law requires the driver of a vehicle to yield the right-of-way to a pedestrian in a crosswalk under certain circumstances when the pedestrian is on the half of the highway upon which the vehicle is traveling, and when a pedestrian is lawfully in a crosswalk or intersection that is controlled by traffic lights. (NRS 484B.283, 484B.307) **Section 15** of this bill requires a driver to stop for such a pedestrian, specifies that the requirement applies to both marked and unmarked crosswalks, expands the requirement to when a pedestrian is within one lane of the half of the highway upon which the vehicle is traveling and defines the term "half of the highway" to mean the entire width of all the traffic lanes which convey traffic in the same direction, including any paved shoulder. **Section 15** also authorizes a court, upon the conviction of the driver of a motor vehicle for violating certain crosswalk requirements, to order the driver to attend a course of pedestrian, bicycle and traffic safety and to lower the amount of any fine imposed if the person attends such a course. **Section 15** further provides that a person who resides more than 50 miles from the nearest location where such a course is offered may be exempted from attending the course. **Section 19** of this bill requires a driver to stop for a pedestrian who is lawfully in a crosswalk or an intersection that is controlled by traffic lights.

Existing law requires a pedestrian to yield the right-of-way to vehicles when the pedestrian is crossing a highway outside of a marked or unmarked crosswalk, and when crossing a highway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided. Existing law also prohibits a pedestrian from crossing a highway outside of a marked crosswalk when the pedestrian is between adjacent intersections at which traffic-control devices are in operation. (NRS 484B.287) **Section 16** of this bill eliminates the requirement for a pedestrian to yield the right-of-way to vehicles when crossing where a pedestrian tunnel or overhead pedestrian crossing has been provided. **Section 16** also revises the prohibition on a pedestrian crossing outside of a marked crosswalk between adjacent intersections to forbid a pedestrian from crossing outside of a marked or unmarked crosswalk if the pedestrian is within 250 feet of a marked or unmarked crosswalk ~~or~~ **unless the pedestrian is crossing certain streets in a residential area.** **Section 16** also requires a pedestrian to cross a highway at a right angle to the edge of the highway or, when a right angle is not possible or practicable, by the shortest route to the opposite side.

Existing law provides that driving a vehicle in willful or wanton disregard of the safety of persons or property constitutes reckless driving, and provides for the imposition of certain fines and terms of imprisonment on a driver who is found guilty of reckless driving. (NRS 484B.653) **Section 29** of this bill authorizes a court to order a driver found guilty of reckless driving under certain circumstances to, in addition to the required fine or term of imprisonment, attend a course of pedestrian, bicycle and traffic safety if the reckless driving involved the safety of pedestrians or persons riding bicycles. **Section 29** further provides that

1 a person who resides more than 50 miles from the nearest location where such a course is
2 offered may be exempted from attending the course.

Section 16 of Senate Bill No. 179 is hereby amended as follows:

3 **Sec. 16.** NRS 484B.287 is hereby amended to read as follows:

4 484B.287 *1.* Except as provided in NRS 484B.290:

5 ~~1-1~~ *(a)* Every pedestrian crossing a highway at any point other than within a
6 marked crosswalk or within an unmarked crosswalk ~~{at an intersection}~~ shall yield
7 the right-of-way to all vehicles upon the highway.

8 ~~1-2~~ *(b)* Any pedestrian crossing a highway ~~{at a point where a pedestrian~~
9 ~~tunnel or overhead pedestrian crossing has been provided shall yield the right of~~
10 ~~way to all vehicles upon the highway.~~

11 ~~3. Between adjacent intersections at which official traffic control devices are~~
12 ~~in operation pedestrians shall not cross at any place except in a marked crosswalk.~~

13 ~~4-1~~ *shall cross at a right angle to the edge of the highway, or by the shortest*
14 *route to the opposite side of the highway where a right angle is not possible or*
15 *practicable except as otherwise provided in paragraphs ~~(d)~~ (e) and ~~(e)~~ (f).*

16 *(c) ~~1-4~~ Except as otherwise provided in this paragraph, a pedestrian who is*
17 *within 250 feet of a marked crosswalk or an unmarked crosswalk shall not cross*
18 *the highway outside of the marked or unmarked crosswalk. ~~1-4~~ On a residential*
19 *street, a pedestrian who is within 250 feet of a marked or an unmarked crosswalk*
20 *may cross the residential street outside of the marked or unmarked crosswalk in*
21 *accordance with paragraphs (a) and (b).*

22 *(d) A pedestrian who is more than 250 feet from a marked or unmarked*
23 *crosswalk may cross a highway in accordance with paragraphs (a) and (b).*

24 ~~1-4~~ *(e)* A pedestrian shall not cross an intersection diagonally unless
25 authorized by official traffic-control devices.

26 ~~1-5~~ ~~1-6~~ *(f)* When authorized to cross diagonally, pedestrians shall cross only
27 in accordance with the official traffic-control devices pertaining to such crossing
28 movements.

29 *2. A person who violates any provision of this section may be subject to the*
30 *additional penalty set forth in section 1 of this act.*

31 *3. As used in this section, "residential street" means a public highway*
32 *where the posted speed limit is 25 miles per hour or less and that provides access*
33 *to or is appurtenant to a residential area.*