

Amendment No. 76

Senate Amendment to Senate Bill No. 19

(BDR 43-366)

Proposed by: Senate Committee on Transportation**Amends:** Summary: No Title: Yes 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.

WBD/BFG



Date: 4/8/2013

S.B. No. 19—Revises provisions concerning driving under the influence of intoxicating liquor or a controlled substance. (BDR 43-366)



SENATE BILL NO. 19—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED DECEMBER 20, 2012

Referred to Committee on Transportation

SUMMARY—Revises provisions concerning driving under the influence of intoxicating liquor or a controlled substance. (BDR 43-366)

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 driving under the influence; ~~providing that the violation of a local ordinance~~ **revising provisions concerning violations of local ordinances** prohibiting driving under the influence of intoxicating liquor or a controlled substance; ~~is deemed to be a violation of the state law prohibiting the same or similar conduct for all purposes other than the imposition of certain criminal penalties;~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the governing body of each city to enact an ordinance adopting the penalties set forth in state law for a misdemeanor offense of driving under the influence of intoxicating liquor or a controlled substance. (NRS 484A.410) This bill specifically authorizes the governing body of each county to adopt such an ordinance. This bill also provides that a **person convicted of a** violation of a city or county ordinance prohibiting driving under the influence is ~~deemed to be a violation of the state law prohibiting the same or similar conduct for all purposes other than the imposition of certain criminal penalties. Thus, under this bill, the consequences of a violation of a city or county ordinance prohibiting driving under the influence are the same as the~~ **subject to the same legal** consequences **as a person convicted** of a violation of the state law prohibiting the same or similar conduct, including, without limitation, consequences related to the revocation of the driver's license of a person convicted of driving under the influence. (NRS 483.460)

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

Section 1. NRS 484A.410 is hereby amended to read as follows:
484A.410 **1.** The governing body of each city **or county** may enact an ordinance adopting the penalties set forth for misdemeanors in NRS 484C.400 for similar offenses under city **or county** ordinance.

1 2. A person convicted of a violation of an ordinance enacted by the
2 governing body of a city or county that prohibits the same or similar conduct as
3 set forth in NRS 484C.110 or 484C.120 ~~shall be deemed to be a violation of NRS~~
4 ~~484C.110 or 484C.120 for all purposes other than the imposition of a criminal~~
5 ~~penalty pursuant to NRS 484C.400. A person convicted of a violation of such an~~
6 ~~ordinance~~ is subject to each ~~other~~ provision of law that applies to a person
7 convicted of a violation of NRS 484C.110 or 484C.120, including, without
8 limitation, the revocation of the license, permit or privilege to drive of the person
9 pursuant to NRS 483.460.

10 Sec. 2. The amendatory provisions of this act apply to a person convicted of
11 a violation before, on or after July 1, 2013.

12 Sec. 3. This act becomes effective on July 1, 2013.