

ASSEMBLY BILL NO. 2—COMMITTEE
ON GROWTH AND INFRASTRUCTURE

(ON BEHALF OF THE CITY OF SPARKS)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to public safety.
(BDR 43-355)

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 public safety; authorizing certain vehicles used by a local governmental agency, or owned or operated by a contractor thereof, to be equipped with and use tail lamps that emit nonflashing blue light under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes: (1) a vehicle used by the Department of Transportation for the construction, maintenance or repair of highways or a vehicle owned by a person who contracts with the Department to aid motorists or mitigate traffic incidents to be equipped with lamps located toward the rear of the vehicle that emit nonflashing blue light; and (2) the use of such blue tail lamps under certain circumstances. (NRS 484D.200) **Section 2** of this bill authorizes: (1) a vehicle used by a local governmental agency for the construction, maintenance or repair of highways, or a vehicle owned or operated by a person who contracts with a local governmental agency to aid motorists or mitigate traffic incidents, to also be equipped with lamps located toward the rear of the vehicle that emit nonflashing blue light; and (2) the use of such blue tail lamps under certain circumstances.

Existing law requires the driver of a vehicle to take certain precautions when approaching any traffic incident, including, without limitation, when approaching certain vehicles used by the Department or a person who contracts with the Department that are making use of their blue tail lamps. (NRS 484B.607) **Section 1** of this bill requires the driver of a vehicle to also take the same precautions when approaching certain vehicles used by a local governmental agency or a person



19 who contracts with a local governmental agency that are making use of their blue
20 tail lamps.

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

1 **Section 1.** NRS 484B.607 is hereby amended to read as
2 follows:

3 484B.607 1. Upon approaching any traffic incident, the
4 driver of the approaching vehicle shall, in the absence of other
5 direction given by a law enforcement officer:

6 (a) Decrease the speed of the vehicle to a speed that is
7 reasonable and proper, pursuant to the criteria set forth in subsection
8 1 of NRS 484B.600;

9 (b) Proceed with caution;

10 (c) Be prepared to stop; and

11 (d) If possible, drive in a lane that is not adjacent to the lane or
12 lanes where the traffic incident is located unless roadway, traffic,
13 weather or other conditions make doing so unsafe or impossible.

14 2. A person who violates subsection 1 is guilty of a
15 misdemeanor.

16 3. As used in this section, "traffic incident" means any vehicle,
17 person, condition or other traffic hazard which is located on or near
18 a roadway and which poses a danger to the flow of traffic or to a
19 person involved in, responding to or assisting with the traffic
20 hazard. The term includes, without limitation:

21 (a) An authorized emergency vehicle which is stopped and is
22 making use of flashing lights meeting the requirements of
23 subsection 3 of NRS 484A.480;

24 (b) A tow car which is stopped and is making use of flashing
25 amber warning lights meeting the requirements of NRS 484B.748 or
26 lamps that emit nonflashing blue light meeting the requirements of
27 NRS 484D.475, or both;

28 (c) An authorized vehicle used by the Department of
29 Transportation which is stopped or moving at a speed slower than
30 the normal flow of traffic and which is making use of flashing
31 amber warning lights meeting the requirements of subsection 1 of
32 NRS 484D.185 or lamps that emit nonflashing blue light meeting
33 the requirements of NRS 484D.200;

34 (d) A vehicle, owned or operated by a person who contracts with
35 the Department of Transportation to provide aid to motorists or to
36 mitigate traffic incidents, which is stopped or moving at a speed
37 slower than the normal flow of traffic and making use of lamps that
38 emit nonflashing blue light meeting the requirements of
39 NRS 484D.200;



(e) A public utility vehicle which is stopped or moving at a speed slower than the normal flow of traffic and is making use of flashing amber warning lights meeting the requirements of NRS 484D.195;

(f) An authorized vehicle of a local governmental agency which is stopped or moving at a speed slower than the normal flow of traffic and is making use of flashing amber warning lights meeting the requirements of NRS 484D.185 ~~or~~ *or lamps that emit nonflashing blue light meeting the requirements of NRS 484D.200;*

(g) *A vehicle, owned or operated by a person who contracts with a local governmental agency to provide aid to motorists or to mitigate traffic incidents, which is stopped or moving at a speed slower than the normal flow of traffic and making use of lamps that emit nonflashing blue light meeting the requirements of NRS 484D.200;*

(h) Any vehicle which is stopped or moving at a speed slower than the normal flow of traffic and is making use of flashing amber warning lights meeting the requirements of NRS 484D.185;

~~(i)~~ (i) A crash scene;

~~(j)~~ (j) A stalled vehicle;

~~(k)~~ (k) Debris on the roadway; or

~~(l)~~ (l) A person who is out of his or her vehicle attending to a repair of the vehicle.

Sec. 2. NRS 484D.200 is hereby amended to read as follows:

484D.200 1. An authorized vehicle used by the Department of Transportation *or a local governmental agency* for the construction, maintenance or repair of highways , or a vehicle owned *or operated* by a person who contracts with the Department *or a local governmental agency* to aid motorists or mitigate traffic incidents , may be equipped with lamps located toward the rear of the vehicle that emit nonflashing blue light . ~~which~~ *The nonflashing blue light* may be used:

(a) For vehicles that perform construction, maintenance or repair of highways, including, without limitation, vehicles used for the removal of snow, when the vehicle is engaged in such construction, maintenance or repair;

(b) For other authorized vehicles of the Department of Transportation *or a local governmental agency* used in the construction, maintenance or repair of highways:

(1) In an area designated as a temporary traffic control zone in which construction, maintenance or repair of a highway is conducted; and

(2) At a time when the workers who are performing the construction, maintenance or repair of the highway are present; and



- 1 (c) For a vehicle owned *or operated* by a person who contracts
2 with the Department of Transportation *or a local governmental*
3 *agency* to aid motorists or mitigate traffic incidents, at a time when
4 the vehicles or the workers who are performing the aid or mitigation
5 are present.
6 2. As used in this section, “traffic incident” has the meaning
7 ascribed to it in NRS 484B.607.

