

SUMMARY: Amends Chapter 70 of the Washoe County Code by adding additional vehicular and traffic violations.

BILL NO. 765

ORDINANCE NO. 593

AN ORDINANCE AMENDING CHAPTER 70 OF THE WASHOE COUNTY CODE BY ADDING ADDITIONAL VEHICULAR AND TRAFFIC VIOLATIONS.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Chapter 70 of the Washoe County Code is hereby amended by adding thereto the provisions set forth as sections 2 to 16, inclusive, of this ordinance.

SECTION 2.

70.XXX Duty to stop at scene of accident involving damage to vehicle or property.

1. The driver of any vehicle involved in an accident resulting only in damage to a vehicle or other property which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible, and shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of NRS 484.223.

2. Every such stop shall be made without obstructing traffic more than is necessary.

SECTION 3.

70.XXX Duty upon damaging unattended vehicle or other property. The driver of any vehicle which collides with or is involved in an accident with any vehicle or other property which is unattended, resulting in any damage to such other vehicle or property, shall immediately stop and shall then and there locate and notify the operator or owner of such vehicle or other property of the name and address of the driver and owner of the vehicle striking the unattended vehicle or other property or shall attach securely in a conspicuous place in or on such vehicle or property a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking.

SECTION 4.

70.XXX Immediate notice of accident.

1. The driver of a vehicle which collides with or is involved in an accident with any vehicle or other property which is unattended, resulting in any damage to such other vehicle or property, shall immediately by the quickest

means of communication give notice of such accident to the nearest office of a police authority or of the Nevada highway patrol.

2. Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in subsection 1 and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall make or cause to be given the notice not given by the driver.

SECTION 5.

70.XXX Vehicle entering highway from private way. The driver of a vehicle about to enter or cross a road or highway from a private way shall yield the right of way to all vehicles approaching on such road or highway.

SECTION 6.

70.XXX Unlawful use of license constitutes misdemeanor. It is a misdemeanor for any person:

1. To display or cause or permit to be displayed or have in his possession any canceled, revoked, suspended, fictitious, fraudulently altered or fraudulently obtained driver's license;
2. To display or represent as one's own any driver's license not issued to him.

SECTION 7.

70.XXX Turning movements and required signals.

1. A driver shall not turn a vehicle from a direct course upon a road or highway unless and until such movement can be made with reasonable safety, and then only after giving a clearly audible signal by sounding the horn if any pedestrian may be affected by such movement and after giving an appropriate signal if any other vehicle may be affected by such movement.

2. A signal of intention to turn right or left, or otherwise turn a vehicle from a direct course, shall be given continuously during not less than the last 100 feet traveled in a business or residential district and not less than the last 300 feet traveled in any other area prior to changing the course of a vehicle. This rule shall be observed, regardless of the weather.

3. A driver shall not stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to the driver of any vehicle immediately to the rear.

SECTION 8.

70.XXX Driving without valid license.

1. It is unlawful for any person to drive a motor vehicle upon a public road or highway in Washoe County without being the holder of a valid driver's license.

SECTION 9.

70.XXX Driving when nonresident privileges canceled, suspended or revoked. No person whose driving privilege as a nonresident has been canceled, suspended or revoked, as provided in NRS 483.010 to 483.630, inclusive, shall drive any motor vehicle upon the roads or highways of Washoe County while such privilege is canceled, suspended or revoked.

SECTION 10.

70.XXX Duty of driver to decrease speed under certain circumstances. The fact that the speed of a vehicle is lower than the prescribed limits does not relieve a driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding road or highway, or when special hazards exist or may exist with respect to pedestrians or other traffic, or by reason of weather or other highway conditions, and speed shall be decreased as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering a road or highway in compliance with legal requirements and the duty of all persons to use due care.

SECTION 11.

70.XXX Restricted licenses. It is a misdemeanor for any person to drive a motor vehicle in the County of Washoe in any manner in violation of the restrictions imposed upon that person's driver's license pursuant to NRS 483.360.

SECTION 12.

70.XXX Nevada license required when person becomes resident; issuance. When a person becomes a resident of Nevada as defined in chapter 482 and chapter 483 of NRS he must, within 45 days, obtain a Nevada driver's license as a prerequisite to driving any motor vehicle in the County of Washoe.

SECTION 13.

70.XXX Unlawful to operate vehicle in Washoe County without security required by NRS 485.185.

1. Except as otherwise provided in subsection 5, a person shall not:

(a) Operate within Washoe County a motor vehicle registered or required to be registered in the State of Nevada without having security covering the vehicle as required by NRS 485.185.

(b) Operate or knowingly permit the operation of a motor vehicle within Washoe County without having evidence of current insurance in the vehicle.

(c) Fail or refuse to surrender to a peace officer, upon demand, proof of security.

2. Except as provided in subsection 3, any person who violates subsection 1 shall be fined not less than \$100 nor more than \$500.

3. A person may not be fined if he presents evidence to the court that the security required by NRS 485.185 was in effect at the time demand was made for it.

4. Failure to deposit security if so required by the provisions of NRS 485.190 is prima facie evidence of violation of the provisions of this section.

5. The provisions of paragraphs (b) and (c) of subsection 1 do not apply if the motor vehicle in question displays a valid permit issued by the Nevada department of motor vehicles pursuant to NRS 482.3212, 482.396, 482.423 or 482.424 authorizing the movement or operation of that vehicle within the state for a limited period of time.

SECTION 14.

70.XXX Driving under influence of intoxicating liquor, controlled substances: Special penalty.

1. It is unlawful for any person who is under the influence of intoxicating liquor, or who has 0.10 percent or more by weight of alcohol in his blood, to drive or be in actual physical control of a vehicle on a road or highway in the County of Washoe or on premises to which the public has access within the County of Washoe.

2. It is unlawful for any person who is an habitual user of or under the influence of any controlled substance, or who is under the combined influence of intoxicating liquor and a controlled substance, or any person who inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any of these, to a degree which renders him incapable of safely driving or exercising actual physical control of a vehicle to drive or be in actual physical control of a vehicle on a road or highway in the County of Washoe or on premises to which the public has access within the County of Washoe. The fact that any person charged with a violation of this subsection is or has been entitled to use that drug under the laws of this state is not a defense against any charge of violating this subsection.

3. Any person convicted of violating the provisions of this section must be sentenced and must serve a term of confinement in the manner provided in Chapter 484 of the Nevada Revised Statutes (NRS) for a violation of NRS 484.379.

4. The provisions of this section apply only to that conduct which constitutes a misdemeanor under Chapter 484

of NRS. Nothing contained in this section prevents the prosecution and conviction of a person under the NRS for a gross misdemeanor or felony based upon conduct which also violates the provisions of this section.

SECTION 15.

70.XXX Exhibition of speed: Aiding and abetting speed contest; placing barricades upon highways.

1. No person shall engage in any motor vehicle exhibition of speed on a road or highway and no person shall aid or abet any motor vehicle speed contest or exhibition of speed upon any road or highway.

2. No person shall, for the purpose of facilitating or aiding or as an incident to any vehicle speed contest upon a highway or street, in any manner obstruct or place any barricade or obstruction or assist or participate in placing any such barricade or obstruction upon any road or highway.

3. Any person who violates this section is guilty of a misdemeanor.

SECTION 16.

70.XXX Driving while license cancelled, revoked or suspended; probation, suspended sentences, plea bargaining prohibited; special penalties.

1. Except as provided in subsection 2, any person who drives a motor vehicle within Washoe County at a time when his driver's license has been cancelled, revoked or suspended is guilty of a misdemeanor. If the license was suspended, revoked or restricted because of a violation of NRS 484.379, 484.3795 or homicide resulting from driving a vehicle while under the influence of intoxicating liquor or a controlled substance, or of the violation of a law of any other jurisdiction which prohibits the same conduct, he shall be punished by imprisonment in jail for not less than thirty days nor more than six months, and by a fine of not less than \$500 nor more than \$1000.

2. No person who is punished under this section may be granted probation and no sentence imposed for such a violation may be suspended. No prosecutor may dismiss a charge of such a violation in exchange for a plea of guilty or of nolo contendere to a lesser charge or for any other reason unless, in his judgment, the charge is not supported by probable cause or cannot be proved at trial.

3. Any term of confinement imposed under the provisions of this section may be served intermittently at the discretion of the judge or justice of the peace. This discretion must be exercised after considering all the circumstances surrounding the offense and the family and employment of the person convicted. However, the full term of confinement must be served within six months after

the date of conviction, and any segment of time the person is confined must not consist of less than 24 hours.

SECTION 17. Section 70.270 of the Washoe County Code is hereby amended to read as follows:

70.270 Basic rule. It is unlawful for any person to drive or operate a vehicle of any kind or character at:

1. A rate of speed greater than is reasonable or proper, having due regard for the traffic, surface and width of the highway.
2. Such a rate of speed as to endanger the life, limb or property of any person.
3. A rate of speed greater than that posted by a public authority for the particular portion of highway being traversed.
4. A rate of speed greater than the national maximum speed limit specified in section 114 of P.L. 93-643 (23 U.S.C. §154).
5. In careless disregard of the safety of persons or property.

SECTION 18. Section 70.390 of the Washoe County Code is hereby amended to read as follows:

70.390 Reckless driving; acts, neglect of duty constituting.

It is unlawful for any person to:

- (a) Drive a vehicle in willful or wanton disregard of the safety of persons or property.
- (b) Fail willfully or refuse to stop his vehicle for a peace officer under the circumstances provided in subsection 1 of NRS 484.348.
- (c) Drive a vehicle in an unauthorized speed contest on a public road or highway.

A violation of this section constitutes reckless driving.

SECTION 19. Section 70.380 of the Washoe County Code is hereby repealed.

Proposed on the 13th day of December, 1983.

Proposed by Commissioners McDowell.

Passed on the 10th day of January, 1984.

Vote:

Ayes: Commissioners: Williams, King, Lillard, McDowell, Ritter

Nays: Commissioners: None

Absent: Commissioners: None

[Signature]
Chairman of the Board

ATTEST:

[Signature]
County Clerk

This ordinance shall be in force and effect from and after
the 23rd day of January, 1984.