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Media Release

Special Enforcement Campaign Focused on Distracted Driving and Failure to Yield to Stopped Emergency Vehicle Violations Commences Next Week

Throughout the calendar year, our agency is engaged with many diverse traffic safety awareness and enforcement campaigns by participating in the “*Joining Forces*” grant program with funding secured by the Nevada Office of Traffic Safety. Over two dozen law enforcement agencies from around the Silver State currently participate in this federally funded grant program which helps provide equipment, training and overtime dollars for scheduled and planned enforcement activities. Initiatives and campaigns such as DUI checkpoints and saturation patrols to crosswalk or speed enforcement events are just a few of such measures that are scheduled throughout the year.

Beginning next week, several troopers will be teaming up in the Reno-Sparks and Carson City areas to enforce two specific traffic laws. Troopers will be looking for distracted drivers and for those motorists who fail to obey the law which relates to approaching stopped emergency vehicles with emergency lights activated. Whenever a motorist approaches a stopped emergency vehicle with flashing emergency lights, or a tow truck utilizing flashing amber lights, Nevada Revised Statute 484B.607 clearly states that drivers must reduce their speed, and when possible move over one lane on a multiple-lane roadway and proceed safely. This is often a difficult law to actively enforce as the officer is usually already committed to a traffic stop or is out of his or her vehicle assisting another motorist with a disabled vehicle or completing an accident report. We are asking motorists to slow down and move over in an effort to reduce an unplanned event and to help keep us all safe.

As for the distracted driving component, we are still continuing to observe many motorists not obeying the distracted driving law as it relates to talking or texting on a hand-held cell phone. The most common offense is observing motorists talking, texting or reading e-mails while their vehicle is stopped for a traffic signal light. Even though the vehicle is stopped, one is still operating a motor vehicle. In an effort to avoid such a distraction, motorists should refrain or reduce their cell phone activity and adapt to a hands-free type device to be in compliance with the law.

I have included the entire text for both traffic laws below that will be strictly enforced next week and attached a photo of NHP Trooper Greg Moore on a traffic enforcement stop this afternoon in Reno to illustrate a vehicle not moving over when 3 adjacent lanes were completely clear.

NRS 484B.165 Using handheld wireless communications device to type or enter text, send or read data, engage in non-voice communication or engage in voice communications without use of hands-free device unlawful; exceptions; penalty.

1. Except as otherwise provided in this section, a person shall not, while operating a motor vehicle on a highway in this State:

(a) Manually type or enter text into a cellular telephone or other handheld wireless communications device, or send or read data using any such device to access or search the Internet or to engage in non-voice communications with another person, including, without limitation, texting, electronic messaging and instant messaging.

(b) Use a cellular telephone or other handheld wireless communications device to engage in voice communications with another person, unless the device is used with an accessory which allows the person to communicate without using his or her hands, other than to activate, deactivate or initiate a feature or function on the device.

2. The provisions of this section do not apply to:

(a) A paid or volunteer firefighter, emergency medical technician, ambulance attendant or other person trained to provide emergency medical services who are acting within the course and scope of his or her employment.

(b) A law enforcement officer or any person designated by a sheriff or chief of police or the Director of the Department of Public Safety who is acting within the course and scope of his or her employment.

(c) A person who is reporting a medical emergency, a safety hazard or criminal activity or who is requesting assistance relating to a medical emergency, a safety hazard or criminal activity.

(d) A person who is responding to a situation requiring immediate action to protect the health, welfare or safety of the driver or another person and stopping the vehicle would be inadvisable, impractical or dangerous.

(e) A person who is licensed by the Federal Communications Commission as an amateur radio operator and who is providing a communication service in connection with an actual or impending disaster or emergency, participating in a drill, test, or other exercise in preparation for a disaster or emergency or otherwise communicating public information.

(f) An employee or contractor of a public utility who uses a handheld wireless communications device:

(1) That has been provided by the public utility; and

(2) While responding to a dispatch by the public utility to respond to an emergency, including, without limitation, a response to a power outage or an interruption in utility service.

3. The provisions of this section do not prohibit the use of a voice-operated global positioning or navigation system that is affixed to the vehicle.

4. A person who violates any provision of subsection 1 is guilty of a misdemeanor and:

(a) For the first offense within the immediately preceding 7 years, shall pay a fine of \$50.

(b) For the second offense within the immediately preceding 7 years, shall pay a fine of \$100.

(c) For the third or subsequent offense within the immediately preceding 7 years, shall pay a fine of \$250.

5. A person who violates any provision of subsection 1 may be subject to the additional penalty set forth in [NRS 484B.130](#).

6. The Department of Motor Vehicles shall not treat a first violation of this section in the manner statutorily required for a moving traffic violation.

7. For the purposes of this section, a person shall be deemed not to be operating a motor vehicle if the motor vehicle is driven autonomously through the use of artificial-intelligence software and the autonomous operation of the motor vehicle is authorized by law.

8. As used in this section:

(a) "Handheld wireless communications device" means a handheld device for the transfer of information without the use of electrical conductors or wires and includes, without limitation, a cellular telephone, a personal digital assistant, a pager and a text messaging device. The term does not include a device used for two-way radio communications if:

(1) The person using the device has a license to operate the device, if required; and

(2) All the controls for operating the device, other than the microphone and a control to speak into the microphone, are located on a unit which is used to transmit and receive communications and which is separate from the microphone and is not intended to be held.

(b) "Public utility" means a supplier of electricity or natural gas or a provider of telecommunications service for public use who is subject to regulation by the Public Utilities Commission of Nevada.

(Added to NRS by [2011, 3647](#))

NRS 484B.607 Duties of driver when approaching authorized emergency vehicle which is stopped and using flashing lights or tow car which is stopped and using flashing amber warning lights; penalty.

1. Upon approaching an authorized emergency vehicle which is stopped and is making use of flashing lights meeting the requirements of subsection 3 of [NRS 484A.480](#) or a tow car which is stopped and is making use of flashing amber warning lights meeting the requirements of [NRS 484B.748](#), the driver of the approaching vehicle shall, in the absence of other direction given by a peace officer:

(a) Decrease the speed of the vehicle to a speed that is:

(1) Reasonable and proper, pursuant to the criteria set forth in subsection 1 of [NRS 484B.600](#); and

(2) Less than the posted speed limit, if a speed limit has been posted;

(b) Proceed with caution;

(c) Be prepared to stop; and

(d) If possible, drive in a lane that is not adjacent to the lane in which the emergency vehicle or tow car is stopped, unless roadway, traffic, weather or other conditions make doing so unsafe or impossible.

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

(Added to NRS by [2003, 486](#); A [2009, 1096](#))—(Substituted in revision for NRS 484.364)

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