

JURISDICTION:

NEVADA

General Reference:

This chapter summarizes Nevada State statutes related to speed. Nevada Revised Statutes and Nevada Administrative Code (NAC)

Basis for a Speed Law Violation:

Basic Speed Rule:

A person shall not drive a vehicle greater than is reasonable or proper, having due regard for the traffic, surface and width of the highway, the weather and other highway conditions. §484.361(1)

Statutory Speed Limit:
See Other below.

I. A person shall not operate any vehicle at a speed >75 MPH §484.361(4)
II. A person shall not operate a motor vehicle >15 MPH¹ in a school zone or >25 MPH in school crossing zone² §484.366(1) & (2)

Posted (Maximum) Speed Limit:

I. The State Department of Transportation may adopt speed limits of not >75 MPH on highways constructed and maintained by it. Such authority includes the establishment of lower speed limits (1) "where necessary to protect public health and safety" or (2) "for trucks, overweight and oversized vehicles, trailer drawn by motor vehicles and buses." §§484.361(3), 484.367(2) & 484.368
II. After appropriate studies, the State may establish special speed zones on a highway where a hazard exists. §484.361(3) & 484.369(1)
III. After an appropriate investigation, the State may establish the maximum safe speed limits for bridges and elevated structures. §§484.361(3) & 484.375(2)
IV. Except for State constructed and maintained highways, local governments and unincorporated towns may establish speed limits within their jurisdictions. §§269.185(1)(b), 484.361(3) & 484.367(1)

Minimum Speed Limit:

I. A person shall not operate a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic. §484.371(1)
II. If a person is driving at a speed so slow as to impede the forward movement of traffic, they shall, on one lane highways, drive to the extreme right hand side of the highway, on highways with two or more lanes, drive in the extreme right hand lane and, on controlled-access highways, use an alternate route if possible. §484.373

Posted (Minimum) Speed Limit:

Based on engineering and traffic investigations, the State or a local government may establish a minimum speed for a highway or a part thereof. §484.371(2)

Other:

I. A person shall not drive a motor vehicle at such a rate of speed so as to endanger the life, limb or property of any person. §484.361(2)
II. A person shall not drive a school bus at speed >55 MPH while transporting students to and from school or while on a school activity. §484.365

Basis for a Speed Law Violation: (continued)

Other: (continued)

III. A person shall not drive a vehicle equipped with solid rubber tires or cushion tires >10 MPH. §484.375(1)

Adjudication of Speed Law Violations:

¹This 15 MPH speed limit is not to be imposed if it would result in unsafe conditions because of higher speed limits on adjoining streets. §484.366(3)

²The speed limits in these zones do not apply (1) on a day when the school is in not in session during, (2) one-half hour after school is no longer in operation to one-half hour before school operations or (3) when a sign indicates that such limits are not in effect. §484.366(1) & (2)
Note: Local governments are required to post the times these speed limits are in effect. §§268.425 & 269.185(2)

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Civil/Criminal Adjudication of Violation: All Speed Law Violations are Misdemeanors. §§193.170 & 484.251(1)
Other:

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:

Imprisonment:

Term (Day, Month, Years,
Etc.):

Not more than **6 months**³ §193.150(1)

Mandatory Minimum Term:

None

Fine:

Amount (\$ Range):

Not more than **\$1,000**³ §193.150(1)

Mandatory Min. Fine (\$):

None

Other Penalties:

Traffic School:

I. A person, who has been convicted of a 2nd offense, may be ordered by the court to attend a driver training school. §484.251(2)

II. The licensing agency can also require a person, who has had their license suspended via the point system, to attend a driver's training school. §483.477

Other:

Construction Zone. A person, who exceeds the posted speed limit in a construction zone, is subject to an **additional** sanction which is **equal** to the original sanctions imposed for exceeding such limit. Imprisonment sanctions for the original and additional sanctions must run consecutively. However, the combined sanctions cannot exceed 6 months of imprisonment, \$1,000 or 120 hours of community service. §484.3667

Licensing Action:

Type of Licensing Action

³A person, who exceeds the following posted speed limits, during the hours of daylight, is only subject to a fine of **\$25**. (1) The posted speed limit is 60 MPH and the offender is driving ≤ 70 MPH. (2) The posted speed limit is 65 MPH and the offender is driving ≤ 75 MPH. And, (3) the posted speed limit is 70 MPH and the offender is driving ≤ 75 MPH. A violation is not considered a moving violation and is not recorded on a person's driving record. §484.3685(1) & (2) **Exception.** This fine does "not apply to a violation ... that occurs in a county whose population is 100,000 or more if the portion of highway being traversed is in (a) an urban district; or (b) an area which is adjacent to an urban area and which has been designated by the public authority that established the posted speed limit for the portion of highway being traversed as an area that requires strict observance of the posted speed limit to protect public health and safety." §484.3685(3)

(Susp/Rev):
Sanctions Following an Adjudication of a Speed Law Violation:
 (continued)

I. **Suspension** via a Point System⁴ §§483.473 & 483.475 and NAC

Licensing Action:

Type of Licensing Action
 (Susp/Rev): (continued)

483.500 & 483.510

II. **Suspension**-6 offenses within 5 years with a point value of ≥ 4 §483.475(4)

Term of License Withdrawal
 (Days, Months, Years, etc.):

I. **Suspension** via Point System-**6 months to 1 year** §483.475(3)

II. **Suspension-1 year** for 6 offenses within 5 years with a point value of ≥ 4 §483.475(4)

Mandatory Minimum Term of

⁴**Point System.** I. If a person, who for the first time, accumulates 12 points within 12 months, their license is suspended for 6 months. If within 3 years, a person has a second accumulation of 12 points within 12 months, their license is suspended for 1 year. Likewise, if within 5 years, a person has a third accumulation of 12 points within 12 months, their license is suspended for 1 year. §483.475(3) II. The following points have been assigned to speeding or speed related violations: Reckless driving-8 points; speeding in school zone ≥ 16 MPH over the limit-6 points; speeding in school zone ≥ 1 but < 15 MPH over the limit-4 points; speeding ≥ 21 MPH over the posed speed limit-4 points; speeding ≥ 15 MPH over the speed limit in a vehicle used for commercial purposes-4 points; speeding ≥ 16 MPH but ≤ 20 MPH over the speed limit-3 points; speeding ≥ 11 MPH but < 15 MPH over the speed limit-2 points; excessive speeding for the conditions-2 points; and, speeding ≥ 1 MPH but ≤ 10 MPH over the speed limit-1 point. NAC 483.510

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Withdrawal:

I. **Suspension** via Point System. Under certain conditions, an offender is eligible for restricted driving privileges for employment, and other necessities is available.⁵ §483.490

II. **Suspension-1 year mandatory** for 6 offenses within 5 years with a point value of ≥4 I.e., a restricted license is not available. §483.475(4)

Miscellaneous Sanctions
Not Included Elsewhere:

Alternative to Imprisonment or Fine. The court may order an offender to participate in community service in lieu of all or part of an imprisonment or fine sanctions. §193.150(2)

Other Criminal Actions Related to Speeding:

Reckless Driving (Speed Contest on Highway)⁶:

Misdemeanor §§484.251(1) & 484.377

Sanctions:

Criminal Sanction:

Not more than **6 months** §193.150

Imprisonment (Term):

None

Mandatory Minimum Term:

Fine (\$ Range):

Not more than **\$1,000** §193.150

Mandatory Minimum Fine:

None

Administrative Licensing Action:

Licensing Authorized and

Type of Action:

I. **Suspension** via a Point System⁴ §§483.473 & 483.475 and NAC 483.500 & 483.510

Other Criminal Actions Related to Speeding:

(continued)

Reckless Driving (Speed Contest on Highway):

(continued)

Licensing Authorized and

Type of Action: (continued)

II. **Suspension**-6 offenses within 5 years with a point value of ≥4 §483.475(4)

III. **Revocation**-3 Reckless Driving Convictions within 1 year §483.460(1)(b)(4)

Length of Term of

Licensing Withdrawal:

I. **Suspension** via Point System-**6 months to 1 year** §483.475(3)

II. **Suspension-1 year** for 6 offenses within 5 years with a point value of ≥4 §483.475(4)

III. **Revocation**-3 Reckless Driving Convictions within 1 year-**1 year** §483.460(1)(b)(4)

Mandatory Action--Minimum

Length of License

Withdrawal:

I. **Suspension** via Point System. Under certain conditions, an offender is

⁵For a suspension based either on a first or second accumulation of 12 points within 12 months, an offender is eligible for restricted driving privileges. §483.475(3)(a) & (b) However, such privileges are not available for a third such accumulation. §483.475(3)(c)

⁶A person commits the offense of "reckless driving" if they either (1) "drive in willful or wanton disregard of the safety persons or property" or (2) "drive a vehicle in an unauthorized speed contest on a public highway." §484.377(1)(a) & (b)

eligible for restricted driving privileges for employment, and other necessities is available.⁵ §483.490

Mandatory Action--Minimum Length of License
Withdrawal: (continued)

II. **Suspension-1 year mandatory** for 6 offenses within 5 years with a point value of ≥ 4 I.e., a restricted license is not available. §483.475(4)
III. **Revocation-3** Reckless Driving Convictions within 1 year-**None** §483.460(1)(b)(4) This revocation does not appear to be mandatory. A restricted license for employment, and other necessities is available. §483.490

Other:

The licensing agency can require a person, who has had their license suspended via the point system, to attend a driver's training school. §483.477

Death or Injury Related Offense. Reckless driving is a Category B Felony if it involved willful or wanton disregard of the safety of persons or property that resulted in either death or substantial bodily injury. The criminal sanctions for this offense are either imprisonment for **from 1 to 6 years** and/or a fine of not more than **\$5,000**. §484.377(2) In addition, a persons license is revoked for **3 years**. §483.460(1)(a)(3) After one-half of the revocation period has "expired," an offender may be issued a restricted license for employment and for other necessities. §483.490

Aggressive Driving⁷:
Other Criminal Actions Related to Speeding:
(continued)

Misdemeanor §484.3765(3)

Aggressive Driving: (continued)
Sanction:
Criminal:
Imprisonment (Term):
Mandatory Minimum Term
of Imprisonment:
Fine (\$ Range):
Mandatory Minimum Fine:

Not more than **6 months** §193.150(1)

None
Not more than **\$1,000** §193.150(1)
None

Administrative Licensing Actions:
Type of Licensing Action
(Susp/Rev):

1st offense-Suspension Subsequent offense (within 2 years)-**Revocation**

⁷A person commits "Aggressive Driving" if, during a course of one (1) mile, they, in any sequence, do **ALL** of the following. I. Violate either (a) the basic speed rules (driving greater than is reasonable or at a rate of speed so as to endanger life, limb or property), (b) the speed limit in a school zone, (c) the posted speed limit, or (d) the prohibition against driving >75 MPH. II. Commit **TWO (2)** or more of the following offenses: (a) Failing to obey a traffic control device (§484.278); (b) overtaking and passing another vehicle on the right by driving off the paved portion of the highway (§484.297); (c) driving unsafely or improperly upon a highway that has marked lanes for traffic (§484.305); (d) following another vehicle too closely (§484.307); or, (e) failing to yield the right of way (§§484.315 & 484.323). III. Create an immediate hazard, regardless of its duration, to another vehicle or to another person. §484.3765(1)

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§484.3765(3) Note: This licensing action is consecutive to any other license suspension or revocation. §484.3765(5)

Length of Term of License

Withdrawal Action:

1st offense-Not more than **30 days** Subsequent offense (within 2 years)-**1 year** §484.3765(3)

Mandatory Term of License

Withdrawal Action:

1st offense-**None** Subsequent offense (within 2 years)-**1 year** §484.3765(3)

Other:

1st offense-An offender is **required** to attend a course on traffic safety. §484.3765(3) Note: If the offender successfully completes this course, three (3) points may be canceled from their driving record. §484.3765(7)

Commercial Motor Vehicle (CMV) Operators⁸:

Grounds for Disqualification:

A person is disqualified from operating a CMV if while driving such a vehicle they either (1) commit 2 "serious traffic violations"⁹ within a 3 year period or (2) commit 3 such violations within a 3 year period. §483.908, NAC 706.247(1) & 49 CFR §383.51(c)

Period of Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** §483.908, NAC 706.247(1) & 49 CFR §383.51(c)

Commercial Motor Vehicle (CMV) Operators:
(continued)

Period of Mandatory Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** §483.908, NAC 706.247(1) & 49 CFR §383.51(c)

⁸A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of ≥10,001 lbs., is designed to transport 15 or more persons, or is transporting hazardous materials which requires that the vehicle to be placarded in accordance with U.S. Department of Transportation regulations. NAC 706.247(f)

⁹A "serious traffic violation" includes exceeding the speed limit by 15 or more MPH or reckless driving. §483.908, NAC 706.247(1) & 49 CFR §383.5