Advisory Opinion
Based on national research and the potential for saving lives throughout the state, the Nevada SHSP Lane Departure Prevention Task Force strongly recommends the following:

◢ Enhance cell phone law (NRS 484B.165) to be inclusive of inattentive/distracted driving behaviors and increase fine(s) for violation of NRS 484B.165

◢ Support Occupant Protection Task Force’s Advisory Opinion to Upgrade NRS 484D.495 to a Primary Seat Belt Law

Statement of Scope
Advise the Nevada Executive Committee on Traffic Safety (NECTS) concerning issues relating to transportation safety, specifically lane departure crashes.

1. Advisory Opinion #1

1.1 Recommendation
Enhance NRS 484B.165 cell phone law (NRS 484B.165) to be inclusive of inattentive/distracted driving behaviors and increase fine(s) for violation of NRS 484B.165.

Revise NRS 484B.165 to include additional language, such as (changes in italics): “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; engaging in other activities that interfere or reasonably appear to interfere with the person’s ability to drive the vehicle safely; exceptions; penalty; additional penalty for violation in work zone or pedestrian safety zone.”

1.2 Issues
The existing Nevada Revised Statute regarding use of a cell phone (wireless communications device) while driving does not include other forms of inattentive/distracted driving.

1.3 Explanation
Inattentive/distracted driving is any activity that could divert a person’s attention away from the primary task of driving. All distractions endanger driver, passenger, and bystander safety. These types of distractions include:

- Eating and drinking
- Talking to passengers
- Grooming
- Reading, including maps
- Using a navigation system
Watching a video
Adjusting a radio, CD player, or MP3 player

Statistics on inattentive/distracted driving are often underreported, because unless witnessed, it would require the driver to self-report that they were driving distracted, however, 9.2 percent of fatal crashes in 2016 were reported as distraction-affected crashes (NHTSA). That equates to 3,450 fatalities nationwide due to distracted driving.

Local governments such as the City of Reno have implemented a new “Inattentive Driving” law (Reno Municipal Code 6.06.670), allowing Reno Police to issue citations if they see that distractions are causing the driver to be unsafe.

2. Advisory Opinion #2

2.1 Recommendation
Support Occupant Protection Task Force’s Advisory Opinion to Upgrade NRS 484D.495 to a Primary Seat Belt Law.

2.2 Issues
The current seat belt law (NRS 484D.495) allows officers to cite individuals who are not properly restrained as a secondary offense. This means that a citation can be issued only after another traffic violation has been observed by the officer. Because a primary seat belt law is not in effect, there is no direct enforcement of proper restraint use within the state.

2.3 Explanation
In Nevada among vehicle occupants, 57% of fatally injured vehicle passengers were unbelted (2013-2017). An individual who is not properly restrained is twice as likely to be killed or seriously injured in a crash. Improper use of seat belts in Nevada results in over $250M annually in societal costs.

Nevada is one of 15 states that does not currently have a primary seat belt law.

Based on National and local statistics, we believe that revising NRS 484D.495 will result in lives saved and the number of serious injuries reduced, to aid in reaching the goal of zero fatalities in Nevada.