

BILL NO. 84-1

PAHRUMP TOWN ORDINANCE NO. P-15

PAHRUMP TOWN MOTORCYCLE ORDINANCE

SUMMARY: An ordinance pertaining to motorcycles for the unincorporated town of Pahrump, Nye County, Nevada.

TITLE: AN ORDINANCE ESTABLISHING MINIMUM SAFETY REQUIREMENTS FOR MOTORCYCLES, THE OPERATION THEREOF, REQUIRED SAFETY EQUIPMENT, AND OTHER MATTERS PROPERLY RELATING THERETO, AND REPEALING ALL OTHER PAHRUMP TOWN ORDINANCES IN CONFLICT THEREWITH.

The Board of Nye County Commissioners, acting as the Board of Trustees of the unincorporated Town of Pahrump, Nye County, Nevada, does hereby ordain as follows:

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15.100

DEFINITIONS. As used herein, unless the context otherwise requires, the words and terms defined herein have the meanings ascribed to them, as follows:

(a) **Department.** "Department" means the Department of Motor Vehicles of the State of Nevada.

(b) **Highway.** "Highway" means the entire width between the boundary lines of every way maintained by a public authority when any part thereof is open to the use of the public for purposes of vehicular traffic.

(c) **Moped.** "Moped" means a vehicle which looks and handles essentially like a bicycle and is propelled by a small engine which produces not more than 2 gross brake horsepower and which has a displacement of not more than 50 cubic centimeters, and:

(1) is designed to travel on not more than 3 wheels in contact with the ground but is not a tractor; and

(2) is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than 1% grade in any direction when the motor is engaged.

(d) **Motorcycle.** "Motorcycle" means every motor vehicle equipped with a seat or a saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, including a power cycle but excluding a tractor and a moped.

(e) **Muffler.** "Muffler" means a device consisting of a series of chambers or baffle plates, or other mechanical design, for the purpose of receiving exhaust gas from an internal combustion engine, and is effective in reducing noise, but does not include such device equipped with an apparatus which permits the exhaust gas to be discharged directly into the air without passing through such device.

(f) **Triobile.** "Triobile" means every motor vehicle designed to travel with three wheels in contact with the ground, two of which are power driven.

(g) **County.** "County" shall mean Nye County, Nevada.

(h) **Town.** "Town" shall mean the unincorporated town of Pahrump, Nye County, Nevada.

15.200

LICENSE REQUIRED. Except for a nonresident who is at least 16 years of age and is authorized by the state of his residency to drive a motorcycle, a person shall not drive:

1. A motorcycle, except a trimobile, upon a highway unless that person holds a valid motorcycle driver's license issued pursuant to Nevada Revised Statutes, Chapter 486, or a drivers license issued pursuant to Chapter 483 of Nevada Revised Statutes, endorsed to authorize the holder to drive a motorcycle.

2. A trimobile upon a highway unless that person holds a valid motorcycle driver's license issued pursuant to Chapter 486, Nevada Revised Statutes, or a driver's license issued pursuant to Chapter 483, Nevada Revised Statutes.

15.300

CARRYING PASSENGERS.

1. A motorcycle or moped shall not be driven upon a highway while carrying more than one person unless such motorcycle or moped is designed by the manufacturer to carry more than one person.

2. A passenger shall ride:

(a) Behind the driver and astride the permanent or regular seat which was designed for two persons;

(b) Astride another seat firmly attached at the rear of the driver; or

(c) In a sidecar attached.

3. Every such motorcycle or moped designed for transporting a passenger shall be equipped with footrests adjusted to fit such passenger.

15.400

DRIVER'S POSITION WHILE OPERATING.

1. A person driving a motorcycle or moped shall ride only upon the permanent and regular seat attached thereto.

2. A person shall not drive a motorcycle or moped with the seat for the driver so positioned that the driver, when sitting astride the seat with the motorcycle or moped in a stopped and upright position cannot reach the ground with both feet simultaneously.

15.500

HANDLEBAR HEIGHTS. A person shall not drive a motorcycle or moped equipped with handlebars which are more than 15 inches in height above the uppermost portion of the driver's seat when such seat is depressed by the weight of the driver.

15.600

HAND POSITIONS OF DRIVER. The driver of a motorcycle or moped shall drive with one hand on each handlebar at all times, except when it is necessary to use or remove one hand for the safe operation of the motorcycle or moped.

15.700 FENDERS REQUIRED WHILE IN OPERATION. The driver of a motorcycle or moped unless the wheels are protected by fenders to prevent the throwing of rocks, dirt, water or other substances to the rear.

15.800 PROTECTIVE HEADGEAR, GLASSES: STANDARDS; WHEN USE REQUIRED.

1. The department of motor vehicle shall adopt standards for protective headgear and protective glasses, goggles or face shields to be worn by the drivers and passengers of motorcycles and transparent windscreens for motorcycles.

2. Except as provided in this section, when any motorcycle, except a trimobile or moped, is being driven on a highway, the driver and passenger shall wear protective headgear securely fastened on the head and protective glasses, goggles or face shields meeting those standards. Drivers and passengers of trimobiles shall wear protective glasses or face shields which meet those standards.

3. When a motorcycle or a trimobile is equipped with a transparent wind screen meeting those standards, the driver and passenger are not required to wear glasses, goggles or face shields.

4. When a motorcycle is being driven in a parade authorized by a local authority, the driver and passenger are not required to wear the protective devices provided for in this section.

5. When a 3-wheel motorcycle, on which the driver and passengers ride within an enclosed cab, is being driven on a highway, the driver and passengers are not required to wear the protective devices required by this section.

15.900 PROTECTIVE HEADGEAR, GLASSES: COMPLIANCE WITH STANDARDS REQUIRED.

1. A person shall not sell, offer for sale or distribute any protective headgear, glasses, goggles or face shields for use by any drivers or passengers of motorcycles or transparent windscreens for motorcycles unless such equipment is of a type and specification meeting the standards therefor adopted by the department of motor vehicles.

2. The provisions of this section shall not prohibit the sale of protective headgear, glasses, goggles or face shields which comply with the rules and regulations adopted by the United States Department of Transportation.

15.1000 USE OF HEAD LAMPS, STOP LIGHTS, TURN SIGNALS REQUIRED.

1. Every motorcycle or moped operated upon a highway of this town at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, because of insufficient light or unfavorable atmospheric conditions,

persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead shall display lighted lamps and illuminating devices as respectively required in this section.

2. Every motorcycle or moped operated upon a highway shall be equipped with stop lights to be lighted in the manner prescribed for the use of such devices.

15.1100 TAIL LAMPS.

1. Every motorcycle or moped shall be equipped with at least one tail lamp mounted on the rear, which, when lighted as required by this section, shall emit a red light plainly visible from a distance of 500 feet to the rear.

2. Such lamp shall be wired to be lighted whenever the head lamp is lighted.

15.1200 TURN SIGNALS.

1. Every motorcycle manufactured after January 1, 1973, which is sold or offered for sale and which is intended to be operated upon the highways of this town shall be equipped with electric turn signal lamps.

2. Such lamps shall be located on the front and rear and shall indicate an intention to turn by flashing lights in the direction toward which the turn is to be made.

3. The lamps showing to the front shall be mounted on the same level and as widely spaced laterally as practicable and, when signaling, shall emit white or amber light, or any shade of light between white and amber.

4. The lamps showing to the rear shall be mounted on the same level and as widely spaced laterally as practicable, and, when signaling, shall emit red or amber light, or any shade of light between red and amber.

15.1300 HEAD LAMPS.

1. Every motorcycle or moped shall be equipped with at least one and not more than two head lamps.

2. Every such head lamp on a motorcycle shall be located at a height of not more than 54 inches not less than 24 inches from the ground as measured from the center of the lamp to the level ground upon which such motorcycle stands without a load.

15.1400 REFLECTORS.

1. Every motorcycle or moped shall carry on the rear at least one reflector, which shall be mounted at a height not

less than 20 inches nor more than 60 inches from the ground measured from the center of the reflector to the level ground upon which such motorcycle or moped stands without a load.

2. Each such reflector shall be of a size and character and so mounted as to be visible at night from all distances within 300 feet when directly in front of lawful lower beams of head lamps.

- 15.1500 BRAKES. Every motorcycle or moped shall be equipped with brakes adequate to control the stopping and holding as prescribed in NRS 484.593 and 484.595.
- 15.1600 MIRRORS. Every motorcycle or moped shall be equipped with two mirrors, each containing a reflection surface not less than 3 inches in diameter, with one mirror mounted on each handlebar, in positions enabling the driver to view clearly the highway for a distance of 200 feet to the rear.
- 15.1700 RIGHTS AND DUTIES OF DRIVERS. A person driving a motorcycle or moped upon a highway is entitled to all the rights and subject to all the duties applicable to the drivers of motor vehicles as provided by law, except those provisions which by their nature can have no application.
- 15.1800 RIGHT TO FULL USE OF TRAFFIC LANE. Every motorcycle or moped when being driven on the highway is entitled to full use of the traffic lane it is occupying, and a person shall not drive another motor vehicle in a manner which would deprive any such motorcycle or moped of such use.
- 15.1900 UNLAWFUL PASSING, DRIVING ABREAST.
1. A person, except a police officer in the performance of his duty, shall not drive a motorcycle or moped between moving or stationary vehicles occupying adjacent traffic lanes.
 2. Except as provided in subsection 3, a person shall not drive a motorcycle, moped or trimobile abreast of or overtake or pass another vehicle within the same traffic lane.
 3. Motorcycles and mopeds may, with the consent of the drivers, be operated no more than two abreast in a single traffic lane.
- 15.2000 DRIVER'S LICENSE TO BE SURRENDERED ON DEMAND. Every person driving a motorcycle shall manually deliver his license to drive a motorcycle to any police officer or court upon request therefor by such officer or court.
- 15.2100 SPEEDOMETER. All motorcycles, mopeds and trimobiles under this section shall be equipped with a properly operating speedometer capable of registering at least the maximum legal speed limit for that vehicle.

- 15.2200 SHOES. No person shall operate or ride upon any vehicle covered under this section unless such person is wearing protective foot covering. Sandals, thongs and open-toed shoes are not considered protective foot covering.
- 15.2300 CERTAIN METHODS OF OPERATION PROHIBITED.
1. No vehicle covered hereunder shall be ridden upon any sidewalk within this town.
 2. No rider of a motorcycle or other vehicle covered herein shall hold to any moving vehicle for the purpose of being propelled.
 3. No person shall operate any motorcycle or vehicle covered herein at a speed greater than the speed limit legally posted.
- 15.2400 PENALTIES. Any person violating any provisions of this ordinance is guilty of a misdemeanor and shall be punished by a fine not exceeding ONE THOUSAND DOLLARS (\$1,000.00), or imprisonment in the Nye County Jail for a term not to exceed six (6) months, or both.
- 15.2500 SEVERABILITY. If any clause, sentence, section, provisions or part of this ordinance shall be adjudged to be unconstitutional or invalid for any reason by a court of competent jurisdiction, such judgement shall not invalidate, impair or affect the remainder of this ordinance.
- 15.2600 REPEAL OF CONFLICTING ORDINANCES. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

John

COPY

NOTICE OF PROPOSAL OF ORDINANCE
BILL NO. 84-1 PAHRUMP TOWN'ORD. P-15
PAHRUMP TOWN MOTORCYCLE ORDINANCE

NOTICE IS HEREBY GIVEN that Bill No.84-1, Pahrump Town Ordinance No. P-15, Pahrump Town Motorcycle Ordinance, in summary an ordinance establishing minimum safety requirements for motorcycles, the operation thereof, required safety equipment, and other matters properly relating thereto, and repealing all other Pahrump Town ordinances in conflict therewith; and all other matters relating thereto, was proposed and read by title to the Board of Nye County Commissioners, acting as the Board of Trustees of the unincorporated town of Pahrump, Nye County, Nevada at their meeting held the 17th day of APRIL, 1984.

A copy of said ordinance has been filed with the Nye County Clerk, Ex-Officio Clerk of said Board, and is available for public inspection at the office of said Clerk, Courthouse, Tonopah, Nevada, and at the Complex, Pahrump, Nevada.

A public hearing on the said ordinance will be held on Tuesday, the 15TH day of May, 1984, at the hour of 11:00 o'clock, a.m., in the Commissioners' Chambers, Nye County Courthouse, Tonopah, Nevada, at which time further discussion regarding said ordinance, including public comments, will be held.

This notice shall be published once in a newspaper published in the county or having general circulation in the county at least 10 days before the date set for hearing.

DATED this 17th day of April, 1984.

151-K9
KAREN QUIZTER
NYE COUNTY CLERK

Seal:

Publish: Pahrump Valley Times-Star
April 27, 1984