

Section ID:
Section:
Title: TRAFFIC LAWS - BILL NO. 80-2 - ODINANCE NO. 8
Last Revised Date: July 21, 1980
Description: AN ORDINANCE TO ESTABLISH TRAFFIC LAWS WHICH ARE UNIFORM WITHIN THE UNINCORPORATED TOWN OF PAHRUMP, NYE COUNTY, NEVADA; AND TO PROVIDE A PENALTY FOR THE VIOLATIONS THEREOF

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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8.250 Effective Date.

8.010 DEFINITIONS. As used in this ordinance, unless the context otherwise requires, the words and terms defined in 8.011 to 8.036, inclusive, have the meaning ascribed to them in such sections.

(8-1980)

8.011 "AUTHORIZED EMERGENCY VEHICLE" DEFINED. "Authorized emergency vehicle" means a vehicle permitted to depart from certain traffic laws when equipped and operated in the manner provided by law.

(8-1980)

8.012 "BICYCLE DEFINED" . "Bicycle" means a device propelled by human power upon which a person may ride, having two tandem wheels either of which is over 14 inches in diameter, or every such device generally recognized as a bicycle though equipped with two front or two rear wheels.

(8-1980)

8.013 "COMBINATION OF VEHICLES" DEFINED. "Combination of vehicles" means two or more vehicles coupled together.

(8-1980)

8.014 "CROSSWALK" DEFINED. "Crosswalk" means:

1. That part of a highway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traveled portions of highways; or

2. Any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(8-1980)

8.015 "DOUBLE PARKING," "DOUBLE STANDING," "DOUBLE STOPPING" DEFINED. "Double parking" or "double standing" or "double stopping" means the parking, standing or stopping of a vehicle upon the highway side of another vehicle parking, standing or stopping, but not illegally within or adjacent to an open parking space.

(8-1980)

8.016 "DRIVER" DEFINED. "Driver" means every person who drives or is in actual physical control of a vehicle.

(8-1980)

8.017 "HIGHWAY" DEFINED. "Highway" means the entire width between the boundary lines of every way maintained by a public authority when any part of such way is open to the use of the public for purposes of vehicular traffic.

(8-1980)

8.018

"INTERSECTION" DEFINED. "Intersection" means:

1. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicle traveling upon different highways joining at any other angle may come in conflict.

2. Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

3. The junction of an alley with a street, road or highway shall not constitute and intersection.

(8-1980)

8.019

"LICENSE TO DRIVE A MOTOR VEHICLE" DEFINED. "License to drive a motor vehicle" means any license or permit to drive a motor vehicle issued under the laws of this state, including:

1. Any temporary license or instruction permit.

2. The privilege of any person to drive a motor vehicle whether or not such person holds a valid license.

3. Any nonresident's driving privileges.

(8-1980)

8.020

"MOTOR VEHICLE" DEFINED. "Motor vehicle" means every vehicle which is self-propelled but not operated upon rails.

(8-1980)

8.021

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

(8-1980)

8.022

"PARK," "PARKING" DEFINED. "Park" or "parking" means the standing of a vehicle, whether occupied or not, otherwise that temporarily for the purpose of and while actually engaged in loading or unloading of merchandise or passengers.

(8-1980)

8.023

"PASSENGER CAR" DEFINED. "Passenger car" means every motor vehicle, except motorcycles, power cycles and motor driven cycles, designed for carrying 10 passengers or less and used for the transportation of persons.

(8-1980)

- 8.024 "PEDESTRIAN" DEFINED. "Pedestrian" means any person afoot.
(8-1980)
- 8.025 "PERSON" DEFINED. "Person" means every natural person,
(8-1980) firm, co-partnership, association or corporation.
- 8.026 "POLICE OFFICER" DEFINED. "Police officer" means every
officer authorized to direct or regulate traffic or to make
(8-1980) arrests for violations of traffic laws, ordinances or
regulations.
- 8.027 "ROAD" DEFINED. "Road" means the entire width between the
boundary lines of every highway outside the territorial
(8-1980) limits of a town and open to the use of the public for
purposes of vehicular traffic.
- 8.028 "SAFETY ZONE" DEFINED. "Safety Zone" means the area
officially set aside within a highway for the exclusive use
(8-1980) of pedestrians and which is so plainly visible at all times
while set apart as a safety zone.
- 8.029 "SCHOOL BUS" DEFINED.
1. "School bus" means every motor vehicle owned by or under
the control of a public or governmental agency or a private
school and regularly operated for the transportation of
children to or from school or a school activity or privately
owned and regularly operated for compensation for the
transportation of children to or from school or a school
activity.
 2. "School bus" does not include a passenger car operated
under a contract to transport children to and from school, a
common carrier or commercial vehicle under the jurisdiction
of the Interstate Commerce Commission or the Public Service
Commission of Nevada when such vehicle is operated in the
regular conduct of its business in interstate or intrastate
commerce within the State of Nevada.
- (8-1980)
- 8.030 "SEMITRAILER" DEFINED. "Semitrailer" means every vehicle so
designed and used in conjunction with a motor vehicle that
(8-1980) some part of its own weight and that of its own load rests
upon or is carried by another vehicle, except a pole trailer.
- 8.031 "SIDEWALK" DEFINED. "Sidewalk" means that portion of a
highway between the curb lines or the lateral lines of a
(8-1980) highway and the adjacent property lines intended for the use
of pedestrians.

- 8.032 "STOP" DEFINED. "Stop," when required, means complete cessation from movement.
(8-1980)
- 8.033 "STREET" DEFINED. "Street" means the entire width between the boundary lines of every highway inside the territorial limits of a town when any part of such highway is open to the use of the public for purposes of vehicular traffic.
(8-1980)
- 8.034 "TRAVELED PORTION OF HIGHWAY" DEFINED. "Traveled portion of highway" means that portion of a highway improved, designed or ordinarily used for vehicular traffic, exclusive of the berm or shoulder.
(8-1980)
- 8.035 U-TURN" DEFINED. "U-Turn" means the turning of a vehicle upon a highway so as to proceed in the opposite direction, whether accomplished by one continuous movement or not.
(8-1980)
- 8.036 "VEHICLE" DEFINED. "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails.
(8-1980)

[SPEED RESTRICTIONS]

- 8.040 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; or
 2. Such rate of speed as to endanger the life, limb or property of any person; or
 3. A rate of speed greater than that posted by a public authority for the particular portion of highway being traversed.
- (8-1980)
- 8.050 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 hillcrest, when traveling upon any narrow or winding highway, or when special hazards exist or any 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 highway in compliance with legal requirements and the duty of all persons to use due care.

(8-1980)

8.060 SCHOOL BUSES; SPEED RESTRICTIONS. A school bus shall not exceed a speed of 50 miles per hour when transporting pupils from school or a school activity.

(8-1980)

8.070 MINIMUM SPEED REGULATION.

1. A person shall not drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law.

2. Whenever a public authority determines on the basis of an engineering and traffic investigation that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, such authority may establish a minimum speed limit below which no person shall drive a vehicle, except when necessary for safe operation or in compliance with law.

3. Such speed limit shall be in effect after the erection of appropriate signs.

(8-1980)

8.080 DRIVING TO EXTREME RIGHT WHEN IMPEDING TRAFFIC. If any driver drives a motor vehicle at a speed so slow as to impede the forward movement of traffic proceeding immediately behind such vehicle, on any highway whereon a higher speed is lawful, the driver shall, when the width of the highway permits, drive to the extreme right side of the highway until such impeded traffic has passed by.

(8-1980)

8.090 SPECIAL SPEED LIMITATIONS.

1. It is unlawful for any person to drive any vehicle equipped with solid rubber or cushion tires at a speed greater than 10 miles per hour.

2. It is unlawful for any person to drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety on such bridge or structure, when such structure is signposted as provided in this section.

(8-1980)

[RECKLESS DRIVING; PERSONS UNDER THE INFLUENCE
OF INTOXICATING LIQUOR, CONTROLLED SUBSTANCES]

8.100 RECKLESS DRIVING. It is unlawful for any person to drive any vehicle in wilful or wanton disregard of the safety of persons or property. A violation of this section constitutes reckless driving.

(8-1980)

8.110 DRINKING INTOXICATING LIQUOR WHILE DRIVING MOTOR VEHICLE UNLAWFUL. It is unlawful for any person to drink any intoxicating liquor in a motor vehicle while such person is driving such motor vehicle upon a highway.

8.111 PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR, OR CONTROLLED SUBSTANCES.

1. It is unlawful for any person who is under the influence of intoxicating liquor to drive or be in actual physical control of a vehicle within this state.

2. It is unlawful for any person who is an habitual user of or under the influence of any controlled substance as defined in Chapter 453 of Nevada Revised Statutes, or any person who inhales, ingests, applies or otherwise uses any chemical, poison or organic solvent, or any compound or combination of any chemical, poison or organic solvent, to a degree which renders him incapable of safely driving or steering a vehicle to drive or steer a vehicle within this state. The fact that any person charged with a violation of this subsection is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this subsection.

3. Any person who violates the provisions of this section is guilty of a misdemeanor and such person's license to operate a vehicle in this state may, by the decision of the court, be suspended by the Department of Motor Vehicles for a period of not less than 30 days nor more than 1 year.

4. Upon a subsequent conviction within 3 years of an offense under the provisions of this section, the person so convicted shall be punished by a fine of not less than \$100 nor more than \$500 or by imprisonment in the county jail for not less than 10 days nor more than 6 months or by both such fine and imprisonment. His license to operate a vehicle in this state shall be revoked for 2 years by the Department of Motor Vehicles.

5. No judge or justice of the peace in imposing sentences provided for in this section shall suspend the same or any part thereof.

(8-1980)

8.112

**PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR;
ADMISSIBILITY OF EVIDENCE IN CRIMINAL ACTION OF REFUSAL TO
SUBMIT TO REQUIRED CHEMICAL TEST; AVAILABILITY OF TEST
INFORMATION.**

1. If a person refuses to submit to a required chemical test provided for in NRS 484.383, evidence of such refusal shall be admissible in any criminal action arising out of acts alleged to have been committed while such person was driving a vehicle while under the influence of intoxicating liquor.

2. If a person submits to such a test, full information concerning such test shall be made available, upon his request, to him or his attorney.

(8-1980)

8.113

**PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR; OPPORTUNITY
OF ARRESTED PERSON TO CHOOSE QUALIFIED PERSON TO ADMINISTER
CHEMICAL TEST.**

1. A person arrested for driving a vehicle while under the influence of intoxicating liquor shall be permitted, upon his request and at his expense, reasonable opportunity to have a qualified person of his own choosing administer a chemical test or tests for the purpose of determining the alcoholic content of his blood.

2. The failure or inability to obtain such a test or tests by such person shall not preclude the admission of evidence relating to the refusal to submit to a test or relating to a test taken upon the request of a police officer.

3. A test obtained under the provisions of this section may not be substituted for or stand in lieu of the test required by NRS 484.383.

(8-1980)

8.114

**PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR;
ADMISSIBILITY OF RESULTS OF BLOOD TESTS; PERSONS AUTHORIZED TO
ADMINISTER TESTS.**

1. The results of any blood test administered under the provisions of NRS 484.383 or 484.391 shall not be admissible in any hearing or criminal action arising out of the acts alleged to have been committed while a person was under the influence of intoxicating liquor unless the blood tested was withdrawn by a physician, registered nurse or a technician employed in a medical laboratory.

2. The limitation contained in subsection 1 shall not apply to the taking of a chemical test of the urine, breath or other bodily substance.

3. No such physician, registered nurse or technician shall incur any civil or criminal liability as a result of the

administering of a blood test when requested by a police officer or the person to be tested to administer such test.

(8-1980)

[MISCELLANEOUS RULES]

8.120 FOLLOWING FIRE APPARATUS PROHIBITED. The driver of any motor vehicle other than an authorized emergency vehicle on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or driving to or park such vehicle within 500 feet of fire apparatus which stopped in answer to a fire alarm.

(8-1980)

8.130 CROSSING FIRE HOSE. A vehicle shall not be driven over any unprotected hose of a fire department when laid down on any highway or private way or place for use at any fire or alarm of fire or practice runs, without the consent of the fire department official in command.

(8-1980)

8.140 PUTTING GLASS, INJURIOUS SUBSTANCE ON HIGHWAY PROHIBITED.

1. No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon such highway.

2. Any person who drops, or permits to be dropped or thrown, upon any highway, any destructive or injurious material shall immediately remove the same or cause it to be removed.

3. Any person removing a wrecked or damaged vehicle from a highway shall remove any glass jar or other injurious substance dropped upon the highway from such vehicle.

(8-1980)

8.150 DRIVING THROUGH FUNERAL OR OTHER PROCESSION.

1. The operator of a motor vehicle shall not drive between the vehicles, persons animals comprising a funeral or other authorized procession when such funeral or procession vehicles are properly identified by pennants or other authorized insignia, and while such funeral or procession is in motion, except when otherwise directed by a police officer.

2. This section does not apply to authorized emergency vehicles.

(8-1980)

[OPERATION OF BICYCLES AND PLAY VEHICLES]

8.160 TRAFFIC LAWS APPLY TO PERSONS RIDING BICYCLES.

1. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle except as to special provisions in NRS 484.505 to 484.513, inclusive, and except as to those provisions of this ordinance which by their nature can have no application.

2. It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in NRS 484.505 to 484.513, inclusive.

3. The provisions applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

(8-1980)

8.170 EFFECT OF REGULATIONS ON PARENTS AND GUARDIAN. The parent of any child, and the guardian of any ward, shall not authorize or knowingly permit any such child, or ward, to violate any of the provisions of this ordinance.

(8-1980)

[STOPPING, STANDING AND PARKING]

8.180 STOPPING, STANDING OR PARKING OUTSIDE OF BUSINESS OR RESIDENCE DISTRICTS.

1. Upon any highway outside of a business or residence district, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the highway when it is practicable to stop, park or so leave such vehicle off such part of the highway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicles shall be available from a distance of 200 feet in each direction upon such highway.

8.190 POLICE OFFICERS AUTHORIZED TO REMOVE VEHICLES.

1. Whenever any police officer finds a vehicle standing upon a highway in violation of any of the provisions of this ordinance, such officer may move such vehicle, or require the driver or person in charge of the vehicle to move it, to a position off the paved or improved or main-traveled part of such highway.

2. Whenever any police officer finds a vehicle unattended upon any highway, bridge or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer may provide for the removal of such vehicle in any manner provided by law.

(8-1980)

8.200 STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES.

1. A person shall not stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic-control device, in any of the following places:

- (a) On a sidewalk;
- (b) In front of a public or private driveway;
- (c) Within an intersection;
- (d) Within 15 feet of a fire hydrant;
- (e) On a crosswalk; or
- (f) Within 20 feet of a crosswalk at an intersection.

(8-1980)

[OVERTAKING AND PASSING]

8.210 OVERTAKING A VEHICLE ON THE LEFT.

1. The driver of a vehicle overtaking another vehicle in the same direction shall pass on the left thereof at a safe distance and shall not again drive to the right side of the highway until safely clear of the overtaken vehicle.

2. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right favor of the overtaking vehicle upon observing the overtaking vehicle or hearing a signal. The driver of an overtaken vehicle shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

(8-1980)

8.220 LIMITATIONS ON OVERTAKING ON THE LEFT.

1. A vehicle shall not be driven to the left side of the center of a two-lane, two-directional highway and overtaking and passing another vehicle proceeding in the same direction, unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle

approaching from the opposite direction of any vehicle or any vehicle overtaken.

2. A vehicle shall not be driven to the left side of the highway at any time when approaching the crest of a grade or upon a curve in a highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.

(8-1980)

[PEDESTRIANS' RIGHTS AND DUTIES]

8.230 PEDESTRIANS ON HIGHWAYS; SOLICITING RIDES, BUSINESS;
PEDESTRIANS UNDER INFLUENCE OF INTOXICATING LIQUORS, DRUGS.

1. Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent highway.

2. Pedestrians walking along highways where sidewalks are not provided shall walk on the left side of such highways facing the approaching traffic.

3. A person shall not stand in a highway for the purpose of soliciting a ride or any business from the driver or any occupant of a vehicle.

4. It is unlawful for any pedestrian who is under the influence of intoxicating liquors or any narcotic or stupefying drugs to be within the traveled portion of any highway.

5. The provisions of this section apply also to riders of animals.

(8-1980)

[PUNISHMENT]

8.240 PENALTIES. Any person violating any of the provisions of this code section which do not already stipulate a penalty for their violation shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding FIVE HUNDRED DOLLARS (\$500.00) or by imprisonment in the Nye County Jail for a term not exceeding SIX (6) MONTHS, or by both such fine and imprisonment.

(8-1980)

[EFFECTIVE DATE]

8.250 EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, adoption and publication for a period of one week, or two successive issues, in the Tonopah Times-Bonanza, a newspaper printed and published

within the County of Nye, State of Nevada, to-wit, after
August 21, 1980.

(8-1980)

TRAFFIC LAWS

Proposed on the 2nd day of July, 1980.

Proposed by Commissioner DONALD J. BARNETT

Passed on the 21st day of July, 1980.

VOTE:

AYES:

Andrew M. Eisen
Robert J. Bennett
Donald J. Barnett

NAYS:

NONE

ABSENT:

NONE

ATTEST:

Donald J. Barnett
Clerk of the Board