

NRS 484.474 Child riding in motor vehicle: Device to restrain child under 5 years of age required; penalty; exceptions.

1. Except as otherwise provided in subsection 5, any person who is transporting a child who is under 5 years of age and who weighs less than 40 pounds in a motor vehicle operated in this state which is equipped to carry passengers shall secure him in a device for restraining a child which has been approved by the United States Department of Transportation.

2. A person who violates the provisions of subsection 1 shall be punished by a fine of not less than \$35 nor more than \$100 unless, within 14 days after the issuance of the citation for such a violation, the person presents to the court specified in the citation proof of his purchase of such a restraining device. Upon presentation of such proof, the court shall void the citation.

3. For the purposes of [NRS 483.473](#), a violation of this section is not a moving traffic violation.

4. A violation of this section may not be considered:

(a) Negligence in any civil action; or

(b) Negligence or reckless driving for the purposes of [NRS 484.377](#).

5. This section does not apply:

(a) To a person who is transporting a child in a means of public transportation, including a taxi, school bus or emergency vehicle.

(b) When a physician determines that the use of such a restraining device for the particular child would be impractical or dangerous because of such factors as the child's weight, physical unfitness or medical condition. In this case, the person transporting the child shall carry in the vehicle the signed statement of the physician to that effect.

(Added to NRS by 1983, 1888; A 1985, 1170, 2293; 1995, 1528)

NRS 484.474 Child less than 6 years of age and weighing 60 pounds or less to be secured in child restraint system while being transported in motor vehicle; requirements for system; penalties; programs of training; waiver or reduction of penalty under certain circumstances; application of section. [Replaced in revision by [NRS 484B.157](#).]

NRS 484B.157 Child less than 6 years of age and weighing 60 pounds or less to be secured in child restraint system while being transported in motor vehicle; requirements for system; penalties; programs of training; waiver or reduction of penalty under certain circumstances; application of section.

1. Except as otherwise provided in subsection 7, any person who is transporting a child who is less than 6 years of age and who weighs 60 pounds or less in a motor vehicle operated in this State which is equipped to carry passengers shall secure the child in a child restraint system which:

(a) Has been approved by the United States Department of Transportation in accordance with the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. Part 571;

(b) Is appropriate for the size and weight of the child; and

(c) Is installed within and attached safely and securely to the motor vehicle:

(1) In accordance with the instructions for installation and attachment provided by the manufacturer of the child restraint system; or

(2) In another manner that is approved by the National Highway Traffic Safety Administration.

2. If a defendant pleads or is found guilty of violating the provisions of subsection 1, the court shall:

(a) For a first offense, order the defendant to pay a fine of not less than \$100 or more than \$500 or order the defendant to perform not less than 10 hours or more than 50 hours of community service;

(b) For a second offense, order the defendant to pay a fine of not less than \$500 or more than \$1,000 or order the defendant to perform not less than 50 hours or more than 100 hours of community service; and

(c) For a third or subsequent offense, suspend the driver's license of the defendant for not less than 30 days or more than 180 days.

3. At the time of sentencing, the court shall provide the defendant with a list of persons and agencies approved by the Department of Public Safety to conduct programs of training and perform inspections of child restraint systems. The list must include, without limitation, an indication of the fee, if any, established by the person or agency pursuant to subsection 4. If, within 60 days after sentencing, a defendant provides the court with proof of satisfactory completion of a program of training provided for in this subsection, the court shall:

(a) If the defendant was sentenced pursuant to paragraph (a) of subsection 2, waive the fine or community service previously imposed; or

(b) If the defendant was sentenced pursuant to paragraph (b) of subsection 2, reduce by one-half the fine or community service previously imposed.

➔ A defendant is only eligible for a reduction of a fine or community service pursuant to paragraph (b) if the defendant has not had a fine or community service waived pursuant to paragraph (a).

4. A person or agency approved by the Department of Public Safety to conduct programs of training and perform inspections of child restraint systems may, in cooperation with the Department, establish a fee to be paid by defendants who are ordered to complete a program of training. The amount of the fee, if any:

(a) Must be reasonable; and

(b) May, if a defendant desires to acquire a child restraint system from such a person or agency, include the cost of a child restraint system provided by the person or agency to the defendant.

➔ A program of training may not be operated for profit.

5. For the purposes of [NRS 483.473](#), a violation of this section is not a moving traffic violation.

6. A violation of this section may not be considered:

(a) Negligence in any civil action; or

(b) Negligence or reckless driving for the purposes of [NRS 484B.653](#).

7. This section does not apply:

(a) To a person who is transporting a child in a means of public transportation, including a taxi, school bus or emergency vehicle.

(b) When a physician determines that the use of such a child restraint system for the particular child would be impractical or dangerous because of such factors as the child's weight, physical

unfitness or medical condition. In this case, the person transporting the child shall carry in the vehicle the signed statement of the physician to that effect.

8. As used in this section, “child restraint system” means any device that is designed for use in a motor vehicle to restrain, seat or position children. The term includes, without limitation:

(a) Booster seats and belt-positioning seats that are designed to elevate or otherwise position a child so as to allow the child to be secured with a safety belt;

(b) Integrated child seats; and

(c) Safety belts that are designed specifically to be adjusted to accommodate children.

(Added to NRS by [1983, 1888](#); A [1985, 1170, 2293](#); [1995, 1528](#); [2003, 2079](#); [2005, 119](#); [2007, 1026](#)) — (Substituted in revision for NRS 484.474)