

NORTH LAS VEGAS MUNICIPAL COURT
CLARK COUNTY, NEVADA

FILED
APR 18 2023
NORTH LAS VEGAS
MUNICIPAL COURT

IN THE ADMINISTRATIVE MATTER)
OF THE ESTABLISHMENT AND)
ADOPTION OF POLICIES)
GOVERNING TRAFFIC CITATIONS)

WHEREAS, Assembly Bill 116 of the 2021 (81st) Nevada Legislative Session established civil penalties for certain traffic related violations; and

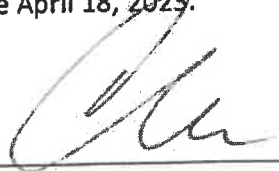
WHEREAS, Assembly Bill 116 maintained the designation of certain traffic and related offenses as misdemeanors; and

WHEREAS, Assembly Bill 116 requires municipal courts in the State of Nevada to adopt rules governing the practice and procedure for civil infractions accordingly;

THEREFORE, the North Las Vegas Municipal Court has established policies governing both misdemeanor and civil traffic citations.

IT IS HEREBY ORDERED that the attached local rules of practice for the North Las Vegas Municipal Court are adopted and shall become effective April 18, 2023.

Effective Date: April 18, 2023



Chief Judge Chris Lee
Department 1

North Las Vegas Municipal Court

Rules and Policies Governing Traffic Citations

Rule 1 Resolution of traffic citations and civil infractions for juvenile offenders

1. A juvenile offender is a person who was under the age of 18 at the time they are responding to a civil infraction and/or misdemeanor traffic citation.
2. All juvenile offenders may pay their civil infraction and/or misdemeanor traffic citation in full to close the case prior to the citation appearance date/response date, except for those traffic misdemeanor violations that require a court date (see Rule 4.1).
3. All juvenile offenders responding to a civil infraction that are not paying their case in full will have the option to secure a payment plan by signing a stipulated judgment with a legal guardian. The stipulated judgment will be imposed against both the juvenile and the guardian should the payment plan become more than 30 days past due.
4. All juvenile offenders responding to a civil infraction may have the option to secure a traffic hearing appointment without posting cash bail or bond. The parent or guardian does not need to be present to secure the hearing, but must attend the traffic hearing with the juvenile.
5. All juvenile offenders responding to a traffic misdemeanor citation must have a parent or guardian with them to sign for either a payment plan or a court hearing.
6. Attorneys representing a juvenile offender must contact the North Las Vegas Municipal Court for a court hearing and appear with the juvenile offender and their parent or legal guardian.
7. Failure to respond to a civil infraction by a juvenile will result in a traffic hearing being scheduled and a summons being sent to the defendant. A parent or guardian must attend the traffic hearing with the juvenile defendant.
8. Failure to respond to a traffic misdemeanor citation by a juvenile may result in a warrant being issued.

Rule 2 Resolution of traffic citations and civil infractions by attorneys

1. Except as otherwise provided in Rule 4.1, attorneys are able to resolve civil infractions and traffic misdemeanors on behalf of a client through the Attorney Traffic Case Resolution process.
2. The Attorney Traffic Case Resolution form must be submitted on or before the 90 day response date on civil infractions and/or the citation appearance date on traffic misdemeanor citations. No extensions will be granted.
3. Attorneys must have the requisite consent of their client to accept/deny responsibility for civil infractions or enter a plea for traffic misdemeanors on behalf of their client. For traffic misdemeanors attorneys must ensure that their client was fully aware of the applicable constitutional rights when the client gave consent (NRS 178.388(3)).
4. The offer for reduction on either traffic or civil misdemeanors will mirror the Reduction Schedule, as approved by the City Attorney's Office.
5. To accept a negotiation on a civil infraction the attorney must sign a Stipulated Judgment on behalf of their client for the reduced fine amount. Failure to sign and return the Stipulated Judgment on or before the 90 day response date will result in the case being treated as if the

defendant took no action to respond to the civil infraction in the manner specified by NRS 484A.704. In such cases, the Court will enter an order pursuant to NRS 484A.7043 finding the defendant to have committed the civil infraction and assessing the civil penalty, administrative assessments, and any fees prescribed for the civil infraction.

6. To secure a traffic hearing for a civil infraction a deposit of \$250 bond or cash bail must be posted prior to receiving a scheduled court hearing (NRS 484A.7041). Failure to post the appropriate bond/bail and secure a court hearing before the 90 day response date will result in the case being treated as if the defendant took no action to respond to the civil infraction in the manner specified by NRS 484A.704. In such cases, the Court will enter an order pursuant to NRS 484A.7043 finding the defendant to have committed the civil infraction and assessing the civil penalty, administrative assessments, and any fees prescribed for the civil infraction. Additionally, conviction for the original violation will be reported to the Nevada Department of Motor Vehicles if applicable and a Default Judgment will be filed.
7. Each defendant will be eligible to have one case adjudicated by an attorney receive amendments to non-moving violations (parking) per calendar year.

Rule 3 Resolution of civil infractions- The defendant must resolve the citation by exercising one of the options below within 90 days of the violation date.

1. **Accept Responsibility:** any defendant that does not contest the determination that the person has committed the civil infraction(s) may pay the civil penalty, administrative assessments, and any fees in full online, in person at the Customer Service Windows, by mail or by phone. Alternatively, the defendant may appear at the Customer Service Windows or use the Traffic Ticket Resolution link on the Court's website to receive an offer, as authorized by the City Attorney's Office via the Reduction Schedule, for civil penalty reduction and to sign a Stipulated Judgment for the updated amount owed for the civil penalty, administrative assessment, and any fees and receive a payment plan.
 - a. Failure to comply with the payment plan agreement may result in late fees being assessed to the case.
 - b. If a payment plan becomes more than 30 days past due the Stipulated Judgment will be filed and imposed for the balance due on the case. The case may then be assigned to a third party collection agency.
2. **Contest the Citation:** any defendant that wishes to contest the determination that they have committed the civil infraction(s) set forth on the citation must request a hearing by either appearing in person at the Customer Service Windows, or by using the Traffic Ticket Resolution link on the Court's website on or before the 90 day response date and must post a bond or cash bail in the amount of the civil penalty, administrative assessments, and any fees prescribed for the civil infraction (NRS 484A.7041).
 - a. Acceptable forms of bond/bail include cash, cashier's checks, money orders, surety bonds or credit/debit card payments. Personal checks will not be accepted.
 - b. An indigent person may apply for a fee waiver of the bond requirement by completing an application at the Customer Service Windows and providing supporting documentation.

- c. Notice of the hearing date will be provided to the defendant at the time the bond/bail is posted or when the approval of a bond waiver is issued. No further notice will be provided.
 - d. Failure to complete both the request for the hearing and posting of bond/bail (or receive approved bond waiver) hearing before the 90 day response date will result in the case being treated as if the defendant took no action to respond to the civil infraction in the manner specified by NRS 484A.704. In such cases, the Court will enter an order pursuant to NRS 484A.7043 finding the defendant to have committed the civil infraction and assessing the civil penalty, administrative assessments, and any fees prescribed for the civil infraction. Additionally, conviction for the original violation will be reported to the Nevada Department of Motor Vehicles if applicable and a Default Judgment will be ordered.
 - e. Failure to appear at the hearing to contest a civil infraction will result in the Court entering an order pursuant to NRS 484A.7043 finding that the person committed the civil infraction and assessing the civil penalty, administrative assessments and any fees prescribed for the civil infraction. Additionally, the original violation will be reported to the Nevada Department of Motor Vehicles if applicable and a Default Judgment will be ordered. A person who fails to appear at the traffic hearing may not appeal the order (NRS 484A.704(5)).
3. Failure to respond to a civil infraction will result in the Court entering an order pursuant to NRS 484A.7043 finding that the person committed the civil infraction and assessing the civil penalty, administrative assessments, and any fees prescribed for the civil infraction. Additionally, the original violation conviction will be reported to the Nevada Department of Motor Vehicles if applicable.

Rule 4 Resolution of Traffic Misdemeanor Citations- The defendant must resolve the citation by exercising one of the options below by the citation appearance date.

- 1. Schedule a court hearing.
 - a. Some violations require a mandatory court hearing, or individual case review by the Prosecutor's office. Those violations include but are not limited to:
 - i. Driving on a Suspended or Revoked Driver's License
 - ii. Hit and Run / Fail to Provide Information violations
 - iii. Failure to Obey Officer violations
 - iv. Drag Racing / Speed Contest violations
 - v. Reckless Driving Violations
 - vi. Open Container in Vehicle violations
 - vii. All federal MCR violations
 - viii. Commercial Vehicle violations
 - ix. Unlawful use of Driver's License violations
 - x. Aggressive Driving violations
 - b. To schedule a traffic hearing a plea of not-guilty will be entered for all violations.
 - c. Defendants can enter a plea of not guilty and have a traffic hearing scheduled either in person at the Customer Service windows or using the online ticket resolution form on the Court's website.

- d. Failure to appear for the scheduled traffic hearing will result in a warrant being issued.
2. Pay in full to close.
 - a. Defendants can pay in full on or before the citation appearance date by mail, over the phone or online.
 - b. This will result in a conviction and a disposition of a bail in lieu of fine.
3. Entering a plea of guilty or no contest
 - a. Defendants may, in proper person, enter a plea of either guilty or no contest on or before their citation appearance date using either the Court's website (with ID uploaded) or in person at the Court's Customer Service windows.
 - b. By entering a plea of guilty or no-contest defendants may be eligible for a reduced fine, as authorized by the City Attorney's Office via the Reduction Schedule.
 - i. Defendants can receive a payment plan for payments as low as \$50 a month. Cases will be subject to a late fee of \$25 for payments that are 3 days or more past due and may be eligible for a warrant if the plan becomes more than 30 days past due.
 - ii. Defendants unable to pay their fines or fees may ask a Court Clerk at the Customer Service Windows to be assigned to the Work Program in order to perform community service hours, in lieu of paying fines/fees.
4. Failure to respond to a traffic citation on or before the citation appearance date will result in a failure to appear violation being added to the case and a warrant being issued.

Rule 5 Amendment of Moving Violations

1. Moving violations for traffic misdemeanors or civil infractions adjudicated by an attorney can be amended to non-moving (parking) violations. Each defendant may have one case amended to park via attorney adjudication per calendar year.
2. Speeding violations paid in full the same day the case is adjudicated (up to 20 miles per hour over) can be amended to park. Each defendant may have one case amended to park for speeding violations paid in full per calendar year.
3. Traffic school attendance. Defendants may attend a Nevada DMV approved traffic school to have their violations amended to non-moving (parking) violations if they provide the completion certificate to the Court within five days of the conviction date. Each defendant may have one case amended to park with traffic school attendance per calendar year.

Rule 6 Motions on Traffic Misdemeanor and Civil Infraction Cases

1. Motions may be filed with the Court via email at MuniCourt@cityofnorthlasvegas.com or in person at the Customer Service Windows.
 - a. Defendant's filing motions in proper person will be required to submit their ID.
2. Motions to quash a warrant on a traffic misdemeanor case will be accepted at any time, and scheduled for court not sooner than seven days out.
3. Motions to set aside a judgment will be accepted for 90 days after a default judgment or judgment has been issued.

CUSTOMER SERVICE REDUCTION/DISMISSAL SCHEDULE - North Las Vegas Municipal Court October 2023

	VIOLATION		ACTION
Animal Violations	Fail to spay/neuter	\$1,500	If proof shown = \$200 (105+ assessments). If no proof = \$400 (\$295 + assessments)
	Fail to vaccinate/ rabies	\$1,500	If proof shown = \$200 (105+ assessments). If no proof = \$400 (\$295 + assessments)
	No dog license	\$1,500	If proof shown = \$200 (105+ assessments). If no proof = \$400 (\$295 + assessments)
	Animal running at large	\$1,500	\$250 (\$155 + assessments)
	Excessive animals w/o permit / Animal Cruelty / Unlawful Teathering	\$1,500	MANDATORY COURT
Bicycle	Bike lamp/reflector/ brake violation	\$250	Dismiss if fixed. If not, reduce to \$200 (105+ assessments)
	Bicycle moving violations i.e. riding bicycle on sidewalk	\$250	Follow General Fine Reduction Schedule. \$200 (105+ assessments)
	Cell phone violation - 1st offense	\$115	No reduction.
Cell Phone	Cell phone violation - 2nd offense		\$195 (\$100+assessments)
	Cell phone violation- 3rd offense		\$355 (\$250+assessments)
	Drive Without Valid DL	\$800	Dismiss if valid day of cite. If obtained after cite, reduce to \$400 (\$295+ assessments).
Driver's License	Driving on Suspended/Revoked DL	\$1,500	MANDATORY COURT / PROSECUTORIAL REVIEW
	Fail to possess/ surr DL	\$250	Dismiss if valid day of cite. If obtained after cite, reduce to \$200 (105+ assessments)
	Violation of Instruction Permit	\$250	\$200 (105+ assessments) No proof necessary.
	Permit Unauthorized Person to Drive	\$800	\$400 (\$295+ assessments). No proof necessary.
	Res with Non-Res DL	\$250	\$200 (105+ assessments) if obtained.
	Modified Exhaust	\$250	Reduce if signed off to \$200 (\$105+ assessments) or no reduction
	Window Tint	\$250	Dismiss if signed off or \$200 (\$105+ assessments)
	Stop/tail/brake/head lamp	\$250	Dismiss if signed off or \$200 (\$105+ assessments)
	Windshield	\$250	Dismiss if signed off or \$200 (\$105+ assessments)
	Owner- Proof of Insurance	\$1,140	Dismiss if valid on day of cite. Insurance must match vehicle. If obtained after the cite, reduce to \$195 (\$100+ assessments). MANDATORY COURT if the incident resulted in an accident.
Insurance	Operator- Proof of insurance	\$1,140	Dismiss if valid on day of cite. If obtained after the violation, reduce to \$195 (100+ assessments). Must match the vehicle or be an operator's policy. MANDATORY COURT if the incident resulted in an accident.
	Handicap Parking	\$400	No Reduction
	Sell In Vacant Lot	\$800	\$600 (\$475+ assessments)
Parking	All other parking citations normally \$250	\$250	\$200 (105+ assessments)
	All pedestrian violations i.e. fail to walk on sidewalk where provided	varies	Follow General Fine Reduction Schedule
Pedestrian	Drive w/ sus, revoke or cancel reg (NV or Non-NV resident)	\$800	\$400 (\$295+ assessments) if proof of reinstatement. Dismiss if proof of DMV Rescind letter. If neither, no reduction.

	Display invalid vehicle reg/plate/title	\$800	\$600 (\$475+ assessments). No proof necessary
	Fail to possess registration cert	\$250	Dismiss if valid on day of cite. If obtained after date of cite, reduce to \$200 (\$105+ assessments).
	Non Surrender sus/revoke/cancel Reg Card/Lic Plate	\$400	\$305 (200+ assessments)
	Oper unreg veh/trailer ("no reg")	\$250	Dismiss if valid on day of cite. If obtained after date of cite, reduce to \$200 (\$105+ assessments).
	Res operating veh w/o NV Reg	\$1,140	\$355 (\$250 + assessments) if proof of NV registration. If disputing NV residency set into court.
Seat Belts	Child restraint	\$195	No Reduction. 60 days to show proof of class attendance - then dismiss.
	Fail to wear seatbelt	\$75	No Reduction
Moving Violations	Aggressive Driving	\$1,500	MANDATORY COURT ARRAIGNMENT / PROSECUTORIAL REVIEW
	Reckless	\$1,500	MANDATORY COURT ARRAIGNMENT / PROSECUTORIAL REVIEW
	Evading Police Officer	\$1,500	MANDATORY COURT ARRAIGNMENT / PROSECUTORIAL REVIEW
	Drag Racing	\$1,500	MANDATORY COURT ARRAIGNMENT/ PROSECUTORIAL REVIEW
	Fail to Stop/ Report/ Provide Info/ Render Aid at Scene of Accident	\$1,500	MANDATORY COURT ARRAIGNMENT / PROSECUTORIAL REVIEW
	All Other Moving Violations	varies	Follow General Fine Reduction Schedule

NOTE: Defendant may pay in full at time of adjudication a SPEEDING violation, up to 20 miles over the limit and have the charge amended to park once per calendar year. Defendant may otherwise attend traffic school within one week of adjudication for an amendment to park ONCE per calendar year.

GENERAL FINE REDUCTION SCHEDULE		ADMINISTRATIVE ASSESSMENT	
Original Fine Amount	Reduction Amount	Fine Amount	Admin Assessment
\$250	\$105 + Assessments = \$200	\$5 - \$49	\$25
\$350	\$200 + Assessments = \$305	\$50 - \$59	\$40
\$400	\$200 + Assessments = \$305	\$60 - \$69	\$45
\$425	\$220 + Assessments = \$325	\$70 - \$79	\$50
\$450	\$245 + Assessments = \$350	\$80 - \$89	\$55
\$500	\$295 + Assessments = \$400	\$90 - \$99	\$60
\$640	\$325 + Assessments = \$440	\$100 - \$198	\$70
\$800	\$475 + Assessments = \$600	\$199 - \$299	\$80
		\$300 - \$399	\$90
		\$400 - \$499	\$100
		\$500 - \$1,000	\$115

OTHER ASSESSMENTS

All other assessments (see below) do not vary in dollar amount; are added to every violation; and together amount to a total assessment of \$25. The individual assessments are:

Facilities Assessment = \$10
Specialty Court Fee = \$7
General Fund Admin Assessment = \$5
Genetic Marker Fee = \$3