

FILED
DEC 17 2024
By Reno N. [Signature] Clerk

IN THE MUNICIPAL COURT OF THE CITY OF RENO
COUNTY OF WASHOE, STATE OF NEVADA

IN THE MATTER OF)
ENACTMENT OF RULES FOR)
RENO MUNICIPAL COURT)
REGARDING TRAFFIC CITATIONS)
AND CIVIL TRAFFIC)
INFRACTIONS)
_____ /

Administrative Order: 2024-01 REPLACING
Administrative Order 2023-01

WHEREAS, Assembly Bill 116 of the 2021 Legislative Session established civil penalties for certain traffic violations; and,

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

WHEREAS, section 80.5 of Assembly Bill 116 requires justice and municipal courts to adopt rules governing the practice and procedures governing civil infractions before January 1, 2023, accordingly, and

WHEREAS, The Reno Municipal Court previously adopted rules governing the treatment of civil infractions, and

WHEREAS, on September 6, 2024, the Nevada Supreme Court approved Rules for Civil infractions for Justice and Municipal Courts pursuant to ADKT 620, and

WHEREAS, Rule 1.6 of the Rules for Civil infractions for Justice and Municipal Court permits courts to supplement these rules with local rules, and

WHEREAS, according to ADKT 620, the Rules for Civil infractions for Justice and Municipal Court shall become effective November 5, 2024, and shall apply to all civil infractions alleged to have been committed on or after that date,

IT IS HEREBY ORDERED that the Rules for Civil Infractions for Justice and Municipal

1 Courts identified in ADKT 620 are hereby adopted and the Local Rules of Practice of the Reno
2 Municipal Court relating to the practice and procedure for civil infractions are hereby amended
3 and will supplement the Rules promulgated pursuant to ADKT 620.
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5 This Administrative Order will remain in effect until further notice.

6 DATED this 16th day of December, 2024.

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9 HON. CHRISTOPHER HAZLETT-STEVENSON
10 Chief Judge
11 Reno Municipal Court
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CERTIFICATE OF SERVICE

Pursuant to NRCp 5(b), I certify that I am an employee of the Reno Municipal Court, Reno, Nevada, and that on this date I served a true and correct copy of the foregoing document, **ADMINISTRATIVE ORDER 2020-03** on the party(ies) set forth below:

_____ Placing said document in a sealed envelope placed for collecting and mailing in the United States mail, at Reno, Nevada, postage prepaid, following ordinary business practices.

 X Electronic mail:
rmcmanagers@reno.gov
nancek@reno.gov
dbalaam@washoecounty.us
jtrevino@washoeschools.net
rflocchini@tmcc.edu
todd_renwick@police.unr.edu
lavansino@rsic.org
rramirez@dps.state.nv.us
kfield@renoairport.com
pretrialservices@washoecourts.us
pretrialservicesjail@washoecourts.us
CACriminalDivision@reno.gov
LegalDefenders@reno.gov
gina@webar.org
kimberlyf@nvbar.org
landond@reno.gov
rmcjudges@reno.gov

_____ Reno/Carson Messenger Service.

_____ Federal Express or other overnight delivery.

_____ Inner-office mail following ordinary business practices.

_____ Personal Delivery.

DATED this 17th day of December, 20 24 .


Cynthia McTier

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LOCAL RULES GOVERNING CIVIL INFRACTIONS

As amended November 16, 2024

RULE 14.1 Categories of citations relating to traffic offenses: There are two categories of traffic citations that may be issued by a peace officer: traffic misdemeanors and civil infractions.

1. Traffic misdemeanors include:

- a. All citations which are punishable as a misdemeanor under either the Nevada Revised Statutes (NRS) or the Reno Municipal Code; and
- b. All violations in which a person commits a violation that is punishable as a civil infraction while the person is under the influence of alcohol or a controlled substance.

2. Civil infractions include:

- a. All traffic violations punishable as a civil infraction under chapters 483 to 484E, inclusive, 486 and/or 490; and
- b. All cases in which the City Attorney has elected to treat a violation of chapters 483 to 484E, inclusive, 486 or 490 of NRS as a civil infraction pursuant to NRS 484A.7049.

Rule 14.2 Resolution of traffic misdemeanors. Each traffic misdemeanor citation contains an arraignment date scheduled approximately thirty days from the date the citation is issued. Traffic misdemeanor citations shall be resolved in the following manner:

1. All traffic misdemeanor citations are to be randomly assigned to a department for an arraignment.
2. Except as otherwise provided, a person issued a traffic misdemeanor citation shall personally appear for arraignment before a judge on the date and time contained on the citation, or as otherwise ordered by the court.

3. A person may request a continuance of their traffic misdemeanor arraignment.
4. For violations that do not require a mandatory appearance, the person may waive their right to appear before a judge and resolve the citation by paying the amount indicated on the citation to the court prior to the arraignment date listed on the citation. This payment may be made in person, by telephone or online, through the court's website payment portal.
5. Cases in which a person enters a plea of not guilty at their arraignment will be set for trial in a randomly assigned department.
6. Failure to appear for arraignment on the date and time indicated on the citation, or as otherwise ordered by the court, may result in the issuance of a bench warrant.

Rule 14.3 Resolution of civil infractions. Civil infraction citations contain a "response date" that is 90 calendar days from the date the citation is issued. A person issued such a citation must respond to the citation by exercising one of the options below prior to the expiration of the 90-day period.

1. **Accept responsibility:** A person who does not wish to contest the civil infraction(s) set forth in the citation must indicate their intent and pay the civil penalty, administrative assessments and any fees in full on or before the 90-day response date contained in the citation. A person may accept responsibility and pay by appearing in person at one of the clerks' windows, mail their response and payment to the court, or use the court's online resolution portal.
 - a. **Community Service:** A person who wishes to perform community service in lieu of paying the civil penalty may make such request by using the court's online

1 resolution portal or by appearing in person at the clerks' windows prior to the
2 expiration of the 90-day response date.

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4 1. **Failure to complete and/or show proof of compliance for the community**
5 **service hours ordered by the court will result in a default judgment.** The
6 outstanding community service hours will be reverted back to a civil penalty and will
7 be subject to enforcement if the financial obligation is not satisfied.

8 b. **Payment plans:** A person wishing to pay the civil penalty by way of making
9 payments over time may make such request by using the court's online resolution
10 portal or by appearing in person at the clerks' windows prior to the expiration of
11 the 90-day response date.

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13 2. **Contest the citation:** A person who wishes to contest the civil infraction(s) set
14 forth in the citation must request a hearing and post a bond in the amount of the civil
15 penalty, administrative assessments and any fees as set for in NRS 484A.7041 prior to
16 the expiration of the 90-day response date.

17 a. Contested cases will be randomly assigned to a judicial department to
18 conduct a hearing pursuant to NRS 484A.0741.

19 b. Contested cases will be randomly assigned to a judicial department to
20 conduct a hearing pursuant to NRS 484A.7041.

21 c. Acceptable forms of bond include cash, cashier's checks, money orders,
22 credit/debit cards and surety bonds.

23 d. An indigent person may apply for a waiver of the bond requirement by
24 completing an application *at the clerks' windows*. A person may establish
25 indigency by showing either that they are receiving government assistance
26 or that they earn not more than 200% above poverty guidelines.
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- 1 e. Notice of hearing will be provided to the person at the time the bond is
2 posted with the court or upon approval of a bond waiver. No further notice
3 will be provided to the person requesting the hearing.
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- 5 f. Failure to complete both the request for a hearing and post the bond (or
6 obtain a waiver) on or before the expiration of the 90-day response date will
7 be treated as if the person failed to respond to the civil infraction in the
8 manner specified by NRS 484A.704. In such case, the Court will enter an
9 order finding the person committed the civil infraction(s) and assess the
10 civil penalty, administrative assessments, and any fees prescribed for the
11 civil infraction(s) as provided in NRS 484A.7043. Additionally, the civil
12 infraction(s) will be reported to the Nevada Department of Motor Vehicles,
13 if applicable. A person who fails to respond to a civil traffic citation may
14 not appeal the order (NRS 484A.704).
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- 16 g. Pleadings presented for filing after the expiration of the 90-day response
17 date will not be accepted.
18
- 19 h. The peace officer who issued the citation will NOT automatically be present
20 at the hearing. The Court will notify the peace officer of the hearing date.
21 However, this notice will not serve to require the officer to appear at the
22 contested hearing. The citing officer may appear and provide testimony at
23 the hearing, may provide the Court with a written statement under the
24 penalty of perjury in lieu of personally appearing at the hearing, or the
25 officer may choose to do neither. The judge presiding over the hearing may
26 consider the contents of the citation along with any testimony and/or any
27 written statement submitted by the peace officer under the penalty of
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1 perjury in reaching its determination whether a civil infraction was
2 committed (NRS 484A.7041(4)).
3

4 i. The person contesting the civil infraction may subpoena witnesses,
5 including, but not limited to, the peace officer who issued the citation, and
6 has the right to present evidence and examine witnesses present at court
7 (NRS 484A.7041(4)).

8 j. If the court finds the person committed the civil infraction, the bond
9 posted will be forfeited to satisfy the civil penalty, administrative
10 assessments and any fees prescribed for the civil infraction(s).
11

12 3. **Failing to appear for contested hearing.** If the person contesting the civil
13 infraction fails to appear at the hearing scheduled to contest the infraction, the Court
14 will enter an order pursuant to NRS 484A.7043 finding the person committed the civil
15 infraction and will assess the monetary penalty and administrative assessments
16 prescribed for the civil infraction. Additionally, the civil infraction(s) will be reported
17 to the Nevada Department of Motor Vehicles, if applicable. A person who fails to
18 respond to a civil citation may not appeal the order (NRS 484A.704). **Any unpaid**
19 **civil penalty, administrative assessment or fees imposed will be treated as**
20 **delinquent and could result in the court ordering the suspension of the delinquent**
21 **person's driver's license.** A person who has been issued a civil infraction citation and
22 who fails to appear at a hearing requested to contest the civil infraction may not appeal
23 such order. NRS 484A.704(5).
24

25 4. **Appeal.** An appeal from the court's determination a person committed a civil
26 infraction may be taken.
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- 1 a. The appeal must be taken not later than seven (7) calendar days after the court
2 enters in its records the order finding the person committed the civil infraction and
3 imposing the civil penalty, administrative assessments and any fees prescribed for
4 the civil infraction.
5
6 b. Any bond required to be given by the appellant in order to secure a stay of
7 execution of the order during the pendency of the appeal must be equal to the
8 amount of the monetary penalty and administrative assessments ordered at the
9 conclusion of the hearing.
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11 **5. No response.** Failure to respond to a civil infraction will result in the Court
12 entering an order pursuant to NRS 484A.704 finding the person committed the civil
13 infraction(s) and assessing the civil penalty, administrative assessments, and any fees
14 prescribed for the civil infraction(s) as provided in NRS 484A.704. Additionally, the
15 civil infraction(s) will be reported to the Nevada Department of Motor Vehicles, if
16 applicable. A person who fails to respond to a civil citation may not appeal the order
17 (NRS 484A.704). **Any unpaid civil penalty, administrative assessment or fees**
18 **imposed will be treated as delinquent and could result in the court ordering the**
19 **suspension of the delinquent person's driver's license.**
20

21 **6. Delinquent penalties.** If a civil penalty, administrative assessment or fee is
22 imposed upon a person who is found to have committed a civil infraction remains
23 unpaid, the delinquent person is liable for a collection fee of:

- 24 a. Not more than \$100, if the amount of the delinquency is less than \$2,000.
25 b. Not more than \$500, if the amount of the delinquency is less than \$5,000.
26 c. Ten percent of the amount of the delinquency, if the amount of the
27 delinquency exceeds \$5,000.
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2 7. **Enforcement of delinquent penalties.** If the court imposes a civil penalty,
3 administrative assessment of fee upon a person who is found to have committed a civil
4 infraction, the court may:

5 a. Cause the delinquency to be sent to collections; and/or

6 b. **Order the suspension** of the driver's license of the delinquent person. If
7 the person does not have a driver's license, the court may prohibit the
8 delinquent person from applying for a driver's license for a specified
9 period.
10

11 **Rule 14.4 Demerit point reduction.** A person facing a civil infraction citation is eligible for a
12 demerit point(s) reduction through an amendment to a non-moving violation if the following
13 conditions are satisfied:

14 1. The person making the request for a demerit point reduction does NOT possess a
15 commercial driver's license. *49 CFR § 384.226.*

16 2. The person has not been found to have committed a moving traffic violation in the 36-
17 month period immediately preceding the commission of the civil infraction(s).

18 3. The civil infraction did not involve a motor vehicle accident.

19 4. The person accepts responsibility for the civil infraction and either pays the civil penalty,
20 administrative assessments and any applicable fees or enters into an agreement to pay the
21 civil penalty, administrative assessments and applicable fees in installments.
22

23 a. Alternatively, a person who cannot afford to pay a fine may, instead, perform an
24 equivalent number of community service hours to be eligible for the demerit point
25 reduction.
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27 5. The person completes a Traffic Safety School course approved by the Nevada Department
28 of Motor Vehicles and provides evidence of successful completion to the Court.

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6. The demerit point reduction will occur once the Court has received proof of completion of Traffic Safety School and the fine has been paid in full or all community service hours have been completed.