

Nevada's Current Misdemeanor Classification

- Gross Misdemeanor: 364 days in jail and \$2,000 fine ([NRS 193.140](#)).
- Misdemeanor: 6 months in jail, \$1,000 fine, and all or part of punishment maybe converted to community service per subsection 2 ([NRS 193.150](#)).
- Some misdemeanors have specific sentencing requirements that vary from the default penalties in NRS 193.150, e.g., violation of NRS [394.700](#) or [NRS 396.990](#) – Use of False or Misleading Degree requires a \$5,000 fine but is classified as a misdemeanor.
- If a criminal offense exists within NRS and no penalty is prescribed, it is a misdemeanor ([NRS 193.151](#) and [NRS 193.160](#)).
- Fine for “public offense” proportionate to value of property affected or lost per [NRS 193.155](#) which includes a sub-misdemeanor classification in subsection 4.
- Per [NRS 176.059](#), [176.0611](#), [176.0613](#), and [176.0623](#) misdemeanor convictions are subject to administrative assessments in addition to any other penalty. Gross misdemeanors are also subject to a different administrative assessment, see [NRS 176.062](#).
- Civil Infractions supplanted misdemeanors for many traffic offenses per AB116 of the 2021 Session, see [NRS 484A.703 to NRS 484A.705](#). Some traffic offenses remain criminal (see attached list).
- Several misdemeanors are subject to enhancement, meaning either that subsequent violations of the same statute result in increased penalties within a period of time or are subject to additional penalties for the circumstances surrounding the offense (see attached list).

AB116 Criminal Traffic Offenses

NRS	Offense
483.340	Misuse of temporary license for undercover officer
483.530	Unlawful use of license, false information, or fraud
483.550	Driving w/out valid license
483.560	Driving cancelled, revoked, or suspended
483.570	Non-resident driving cancelled, suspended, or revoked
483.575	Driving while epileptic
483.580	Permitting unlicensed minor to drive
483.590	Permitting unauthorized person to drive
483.600	Employing unlicensed driver
483.610	Rent only to licensed driver
New Sec. 484A	Any violation of 483 to 484E, 486, or 490 that is a civil infraction committed while under influence of alcohol or drugs <u>can</u> be charged as a misdemeanor
484B.100	Refusal/failure to comply with lawful order of peace officer enforcing 484A to 484E
484B.117	Driving upon sidewalk
484B.127	Following too closely
484B.130	Criminal offense in work zone is subject to double criminal penalty
484B.135	Criminal offense in pedestrian safety zone is subject to double criminal penalty
484B.150	Drinking alcohol while driving or open container
484B.157	Child restraint
484B.267	Failure to yield to emergency vehicle
484B.297	Walking along or upon highway, hitchhiking, soliciting business or a contribution along highway, or intoxicated pedestrian
484B.317	Attempt to/or alter traffic signs and signals
484B.320	Devices to interfere with traffic signals

484B.330	Refusal/failure to comply with signals of authorized flagger resulting in damage to property not less than \$1,000
484B.350	Failure to obey school crossing guard
484B.353	Overtaking or passing school bus
484B.467	Handicapped parking
484B.550	Failure to stop upon signal of a peace officer
484B.580	Failure to stop at a roadblock
484B.593	Biking or walking on restricted use highway
484B.600	Speeding 30 mph or more over limit (damage to person/property resulting from speeding carries a \$1,000 civil penalty)
484B.607	Failure to take certain actions when approaching an accident
484B.650	Aggressive driving, also driver may be prosecuted for aggressive driving whether or not a civil citation is issued or the person is found to have committed a civil infraction
484B.653	Reckless driving, speed contests, or trick driving
484B.657	Vehicular manslaughter
484B.920	Permit required for parade, sound trucks, or oversized vehicles
484C.110	Driving under the influence (DUI) (Penalties: 484C.400 to 484C.440)
484C.120	Commercial DUI (Penalties: 484C.400 to 484C.440)
484C.130	DUI vehicular homicide
484C.470	Failure to install interlock device
484C.475	Providing breath sample for another (interlock)
484D.305 to 484D.335	Odometer fraud
484D.485	Event recording devices (car “black boxes”)
484D.580	Failure/refusal to stop and submit to safety inspection

484D.675	Failure/refusal to stop and submit to a weighing
484E.020	Failure to stop at scene of crash and remove traffic obstruction (vehicle)
484E.030	Failure to provide information or render aid after crash
484E.040	Failure to leave contact information after crash with unoccupied vehicle
484E.050	Failure to notify law enforcement after crash with unoccupied vehicle
484E.080	Knowingly providing false information in an accident report
485.187 ¹	Unlawful acts related to motor vehicle liability insurance
485.330	Operating motor vehicle when license or registration is suspended
485.340	Failure to return license, registration or license plate
485.350	False or forged insurance documents or misrepresentation of documents
485.360	Any other violation of provisions of Ch. 485 for which no other penalty is specified is a misdemeanor
486.171	Permitting an unlicensed person to drive a motorcycle
490.200 to 490.450	Off-highway vehicle dealer offenses

¹ AB116 does not make any non-technical amendments to Ch. 485.

Enhance-able Misdemeanors and Traffic Offenses

Offenses that carry enhanced penalties and/or category of offense in certain circumstances or are enhanced to a more serious category of offense, when the first offense is a misdemeanor, upon commission of an additional subsequent offense (usually within a specific frame of time).

NRS	Description
Misdemeanor	
7.285	Practice of law by a person who is not a member of the NV Bar
193.167	Victim over 60 years old or vulnerable person
193.1675	Hate crimes
200.481	Battery
200.485	Battery constituting domestic violence (See NRS 33.018)
200.571	Harassment
200.575	Stalking
201.020	Failure to pay court ordered child support
201.430	Unlawful advertising of a house of prostitution
201.440	Permitting unlawful advertising of a house of prostitution
202.300	Aiding or permitting a child to use or possess a firearm
205.216	Unlawful operation of audiovisual recording function in motion picture theater
206.330	Graffiti
207.171	False, deceptive, or misleading advertising and other sales practices
207.310	Discrimination in housing/mortgage lending
370.405	Unlawful sale or possession of contraband tobacco products
383.180	Removal, mutilation, defacement, destruction, etc. of a native Indian burial site
383.435	Removal, mutilation, defacement, destruction, etc. of historic or prehistoric site
408.433	Sale of goods or posting of advertising at roadside parks/rest areas
444.630	Unlawful dumping of sewage, solid waste, etc.
453.3345	Illegal drug violations in or around schools, school bus stops, parks, etc.
453.336	Possession of 1 oz. or less of marijuana
453.3585	Methamphetamine precursors
454.326	Misrepresentation by use of telephone to obtain a dangerous drug
Ch. 457	Cancer treatment, diagnosis, or cure/false representation thereof
482.322	License required for vehicle dealers, manufactures, distributors, or rebuilders
483.2523	Minor driver transporting non-family member juvenile passenger
490.200	License/permits required for off-highway vehicle dealers
502.390	Failure to obtain a permit to develop or maintain an artificial body of water
503.430	Water pollution
519.130	Posting of required statement by assayer
Ch. 574	Cruelty to animals
574.070	Witnessing bird or animal fights
581.415	Weights and measures (ref. NRS 581.445)
583.495	Unlawful acts related to inspection of meat and poultry
590.330	Unlawful advertisement of petroleum products
597.260	Unlawful alcoholic beverage brand substitution
598.0999	Deceptive trade practices
599B.255	Unlawful solicitation by telephone
616D.200	Failure of employer to maintain and secure compensation

618.685	Workplace health and safety violations resulting in death of an employee
623.360	Unlicensed architect or designer and associated violations
624.750	Unlicensed contractor and associated violations
624.965	Unlawful acts related to residential pools and spas
648.210	Unlawful acts related to private investigators, security guards, etc.
652.260	Medical laboratory violations
706.756	Public conveyance violations

NRS	Description
Traffic	
483.560	Driving suspended/revoked for DUI
484B.130	Double penalty in work zone
484B.157	Child restraint system (seat)
484B.165	Cell phone use while driving
484B.353	Passing and/or overtaking a school bus
484B.467	Handicapped parking
484B.650	Aggressive driving
484B.653	Reckless driving
484C.110	DUI (see NRS Ch. 484C)