

ASSEMBLY BILL NO. 271—ASSEMBLYMEN HUMKE, GIBBONS, VON TOBEL,
BACHE, BEERS, DINI, GOLDWATER, MCCLAIN, MORTENSON,
NEIGHBORS, PRICE AND WILLIAMS

MARCH 5, 2001

Referred to Committee on Education

SUMMARY—Revises provisions concerning education and training of drivers.
(BDR 34-1011)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the training of drivers; requiring the state board of education to adopt regulations governing automobile driver education in public schools; prohibiting certain younger drivers from transporting certain persons as passengers for a certain period after obtaining a driver's license; requiring certain younger drivers to hold an instruction permit for a certain period before applying for a driver's license; extending the period for which a person is authorized to hold an instruction permit; authorizing licensed schools for training drivers to use certain interactive technologies in lieu of actual classroom instruction; requiring an instructor of a school for training drivers to complete certain training before his license as an instructor may be renewed by the department of motor vehicles and public safety; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 389.090 is hereby amended to read as follows:
2 389.090 1. The state board shall adopt regulations governing the
3 establishment, conduct and scope of automobile driver education in the
4 public schools of this state. ***The regulations must set forth, without***
5 ***limitation:***
6 ***(a) The number of hours of training that must be completed by a pupil***
7 ***who enrolls in a course in automobile driver education;***
8 ***(b) That a course in automobile driver education may be conducted in***
9 ***a classroom or motor vehicle, or both; and***
10 ***(c) That if a course in automobile driver education is conducted both***
11 ***in a classroom and in a motor vehicle, 1 hour of training in a motor***
12 ***vehicle is equivalent to 3 hours of training in a classroom.***



* A B 2 7 1 R 2 *

1 2. The aims and purposes of automobile driver education are to
2 develop the knowledge, attitudes, habits and skills necessary for the safe
3 operation of motor vehicles.

4 3. The board of trustees of a school district may establish and maintain
5 *courses in* automobile driver education ~~{elasses}~~ during regular semesters
6 and summer sessions and during the regular school day and at times other
7 than during the regular school day for:

8 (a) Pupils enrolled in the regular full-time day high schools in the
9 school district.

10 (b) Pupils enrolled in summer classes conducted in high schools in the
11 school district.

12 A board of trustees maintaining courses in automobile driver education
13 shall insure against any liability arising out of the use of motor vehicles in
14 connection with those courses. The cost of the insurance must be paid from
15 available *money of the* school district. ~~{funds}~~

16 4. A governing body of a charter school may establish and maintain
17 *courses in* automobile driver education ~~{elasses}~~ if the governing body
18 insures against any liability arising out of the use of motor vehicles in
19 connection with those courses.

20 5. Automobile driver education must be provided by boards of trustees
21 of school districts and governing bodies of charter schools in accordance
22 with the regulations of the state board and may not be duplicated by any
23 other agency, department, commission or officer of the State of Nevada.

24 6. Each course in automobile driver education provided by a board of
25 trustees of a school district or a governing body of a charter school must
26 include, without limitation, instruction in:

27 (a) Motor vehicle insurance.

28 (b) The effect of drugs and alcohol on an operator of a motor vehicle.

29 7. Each course in automobile driver education provided by a board of
30 trustees of a school district or a governing body of a charter school must be
31 restricted to pupils who are ~~{sophomores, juniors or seniors in high school}~~
32 *at least 15 years of age.*

33 **Sec. 2.** Chapter 483 of NRS is hereby amended by adding thereto a
34 new section to read as follows:

35 *A person to whom the department issues a license pursuant to NRS*
36 *483.250 shall not, during the 3 months immediately succeeding the date*
37 *on which the department issues a license to him pursuant to that section,*
38 *transport as a passenger in a motor vehicle that he is driving any person*
39 *under the age of 18 years unless that passenger is a member of his*
40 *immediate family.*

41 **Sec. 3.** NRS 483.250 is hereby amended to read as follows:

42 483.250 The department shall not issue any license ~~{under}~~ *pursuant*
43 *to* the provisions of NRS 483.010 to 483.630, inclusive:

44 1. To any person who is under the age of 18 years, except that the
45 department may issue:

46 (a) A restricted license to a person between the ages of 14 and 18 years
47 pursuant to the provisions of NRS 483.267 and 483.270.

48 (b) An instruction permit to a person who is at least 15 1/2 years of age
49 pursuant to the provisions of subsection 1 of NRS 483.280.



1 (c) A restricted instruction permit to a person under the age of 18 years
2 pursuant to the provisions of subsection 3 of NRS 483.280.

3 (d) Except as otherwise provided in paragraph (e), a license to a person
4 between the ages of ~~H~~ 15 3/4 and 18 years ~~who~~ if:

5 (1) ~~He~~ *He* has completed a course:

6 ~~(1)~~ (I) In automobile driver education pursuant to NRS 389.090; or

7 ~~(2)~~ (II) Provided by a school for training drivers licensed pursuant
8 to NRS 483.700 to 483.780, inclusive, if the course complies with the
9 applicable regulations governing the establishment, conduct and scope of
10 automobile driver education adopted by the state board of education
11 pursuant to NRS 389.090 ~~;~~

12 ~~and who~~ ;

13 (2) ~~He~~ *He* has at least 50 hours of experience in driving a motor vehicle
14 with a restricted license, instruction permit or restricted instruction permit
15 issued pursuant to NRS 483.267, 483.270 or 483.280 ~~;~~ ~~The~~ ;

16 (3) ~~His~~ *His* parent or legal guardian ~~of a person who desires to obtain a~~
17 ~~license pursuant to this paragraph must sign and submit~~ *signs and submits*
18 to the department a form provided by the department which attests that the
19 person who desires a license has completed the training and experience
20 required by ~~this paragraph~~ *subparagraph (2); and*

21 (4) ~~He has held an instruction permit for at least 3 months before~~
22 ~~he applies for the license.~~ *he applies for the license.*

23 (e) A license to a person who is between the ages of ~~H~~ 15 3/4 and 18
24 years if:

25 (1) The public school in which he is enrolled is located in a county
26 whose population is less than 35,000 or in a city or town whose population
27 is less than 25,000;

28 (2) The public school does not offer automobile driver education;

29 (3) He has at least 50 hours of experience in driving a motor vehicle
30 with a restricted license, instruction permit or restricted instruction permit
31 issued pursuant to NRS 483.267, 483.270 or 483.280; ~~and~~

32 (4) His parent or legal guardian signs and submits to the department a
33 form provided by the department which attests that the person who desires
34 a license has completed the experience required by subparagraph (3) ~~H~~ ;
35 ~~and~~

36 (5) ~~He has held an instruction permit for at least 3 months before~~
37 ~~he applies for the license.~~ *he applies for the license.*

38 2. To any person whose license has been revoked until the expiration
39 of the period during which he is not eligible for a license.

40 3. To any person whose license has been suspended, but ~~H~~ upon good
41 cause shown to the administrator, the department may issue a restricted
42 license to him or shorten any period of suspension.

43 4. To any person who has previously been adjudged to be afflicted
44 with or suffering from any mental disability or disease and who has not at
45 the time of application been restored to legal capacity.

46 5. To any person who is required by NRS 483.010 to 483.630,
47 inclusive, to take an examination, unless he has successfully passed the
48 examination.



1 6. To any person when the administrator has good cause to believe that
2 by reason of physical or mental disability that person would not be able to
3 operate a motor vehicle safely.

4 7. To any person who is not a resident of this state.

5 8. To any child who is the subject of a court order issued pursuant to
6 paragraph (h) of subsection 1 of NRS 62.211, NRS 62.2255, 62.226 or
7 62.228 which delays his privilege to drive.

8 9. To any person who is the subject of a court order issued pursuant to
9 NRS 206.330 which suspends or delays his privilege to drive until the
10 expiration of the period of suspension or delay.

11 **Sec. 4.** NRS 483.280 is hereby amended to read as follows:

12 483.280 1. Any person who is at least 15 1/2 years of age may apply
13 to the department for an instruction permit. The department may, in its
14 discretion, after the applicant has successfully passed all parts of the
15 examination other than the driving test, issue to the applicant an instruction
16 permit entitling the applicant, while having the permit in his immediate
17 possession, to drive a motor vehicle upon the highways for a period of ~~18~~
18 ~~months~~ **1 year** when accompanied by a licensed driver who is at least 21
19 years of age, who has had at least 1 year of licensed driving experience in
20 the type of vehicle for which the permit was issued and who is actually
21 occupying a seat beside the driver, except when the permittee is occupying
22 a motorcycle. The term "licensed driving experience" as used in this
23 subsection does not include driving experience gained under an instruction
24 permit issued pursuant to the provisions of this section.

25 2. The department may, in its discretion, issue a temporary driver's
26 permit to an applicant for a driver's license permitting him to drive a motor
27 vehicle while the department is completing its investigation and
28 determination of all facts relative to the applicant's right to receive a
29 driver's license. The permit must be in his immediate possession while
30 driving a motor vehicle, and is invalid when the applicant's license has
31 been issued or for good cause has been refused.

32 3. The department, upon receiving proper application, may, in its
33 discretion, issue a restricted instruction permit effective for a school year,
34 or **for a** more restricted period, to an applicant who is enrolled in a driver
35 education program which includes practice driving and which is approved
36 by the department even though the applicant has not reached the legal age
37 to be eligible for a driver's license. The instruction permit entitles the
38 permittee, when he has the permit in his immediate possession, to drive a
39 motor vehicle only on a designated highway or within a designated area,
40 but only when an approved instructor is occupying a seat beside the
41 permittee.

42 **Sec. 5.** NRS 483.725 is hereby amended to read as follows:

43 483.725 **1.** Each course of training provided by a school for training
44 drivers licensed pursuant to NRS 483.700 to 483.780, inclusive, must
45 include, without limitation, instruction in:

46 ~~1-1~~ **(a)** Motor vehicle insurance.

47 ~~1-2~~ **(b)** The effect of drugs and alcohol on an operator of a motor
48 vehicle.



* A B 2 7 1 R 2 *

2. If a course of training provided by a school for training drivers licensed pursuant to NRS 483.700 to 483.780, inclusive, consists in whole or in part of classroom instruction, that part of the course which consists of classroom instruction may be taught interactively through the use of communications technology so that persons taking the course need not be physically present in a classroom.

3. The department shall adopt regulations to carry out the provisions of subsection 2. The regulations must include, without limitation:

(a) Provisions for the licensing and operation of interactive courses that use communications technology;

(b) Provisions to ensure that interactive courses which use communications technology are secure, reliable and include measures for testing and security that are at least as secure as the measures for testing and security which would be available in an ordinary classroom; and

(c) Standards to ensure that interactive courses which use communications technology offer a curriculum that is at least as stringent as the curriculum which would be available in an ordinary classroom.

4. As used in this section, "communications technology" means any method or component, or both, that is used by a school for training drivers licensed pursuant to NRS 483.700 to 483.780, inclusive, to carry out or facilitate the transmission of information, including, without limitation, the transmission and reception of information by:

(a) Systems based on the following technologies:

(1) Video;

(2) Wire;

(3) Cable;

(4) Radio;

(5) Microwave;

(6) Light; or

(7) Optics; and

(b) Computer data networks, including, without limitation, the Internet or its successor, if any, and intranet services.

Sec. 6. NRS 483.730 is hereby amended to read as follows:

483.730 1. The department shall issue a license to operate a school for training drivers or to act as an instructor for such a school, if ~~the~~ **the department** is satisfied that the applicant has met the qualifications required by NRS 483.700 to 483.780, inclusive.

2. The license is valid for 5 years after the date of issuance, unless canceled, suspended or revoked by the department and, except as otherwise provided in subsection 3, may be renewed subject to the same conditions as the original license.

3. The department may renew the license of an instructor of a school for training drivers if, when he submits his application for the renewal of his license, he provides evidence satisfactory to the department that, during the period of the license, he completed ~~at least six credits of continuing education by attending:~~



* A B 2 7 1 R 2 *

- 1 ~~—(a) A course of instruction relating to the training of drivers approved~~
2 ~~by the department; or~~
3 ~~—(b) A state or national conference approved by the department of~~
4 ~~education for credit for continuing education.~~
5 ~~—4. In determining whether an instructor has complied with the~~
6 ~~provisions of subsection 3, the department shall award one credit of~~
7 ~~continuing education for the completion of each 15 hours of:~~
8 ~~—(a) Classroom instruction in a course specified in paragraph (a) of~~
9 ~~subsection 3; or~~
10 ~~—(b) Attendance at a conference specified in paragraph (b) of subsection~~
11 ~~3. *training of a type and in an amount prescribed by the department by*~~
12 ~~*regulation.*~~
13 **Sec. 7.** Section 5 of chapter 407, Statutes of Nevada 1999, at page
14 1926, is hereby repealed.
15 **Sec. 8.** 1. This section and sections 1 to 4, inclusive, of this act
16 become effective on July 1, 2001.
17 2. Sections 5, 6 and 7 of this act become effective on October 1, 2001.

TEXT OF REPEALED SECTION

Section 5 of chapter 407, Statutes of Nevada 1999:

Sec. 5. The requirements for continuing education set forth in NRS 483.730 do not apply to the renewal of a license of an instructor for a school for training drivers before October 1, 2001.

