

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.

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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.*



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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 *1. If a person is under the age of 16 years on the date on which the*
36 *department issues a license to him pursuant to NRS 483.250, he shall*
37 *not, during the 90 days immediately succeeding the date on which the*
38 *department issues that license, transport as a passenger in a motor*
39 *vehicle that he is driving any person under the age of 18 years unless*
40 *that passenger is a member of his immediate family.*

41 *2. If a person is 16 years of age or older but less than 17 years of*
42 *age, on the date on which the department issues a license to him*
43 *pursuant to NRS 483.250, he shall not, during the 60 days immediately*
44 *succeeding the date on which the department issues that license,*
45 *transport as a passenger in a motor vehicle that he is driving any person*
46 *under the age of 18 years unless that passenger is a member of his*
47 *immediate family.*



1 3. *If a person is 17 years of age or older but less than 18 years of*
2 *age, on the date on which the department issues a license to him*
3 *pursuant to NRS 483.250, he shall not, during the 30 days immediately*
4 *succeeding the date on which the department issues that license,*
5 *transport as a passenger in a motor vehicle that he is driving any person*
6 *under the age of 18 years unless that passenger is a member of his*
7 *immediate family.*

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

9 483.250 The department shall not issue any license ~~under~~ *pursuant*
10 *to* the provisions of NRS 483.010 to 483.630, inclusive:

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

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

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

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

19 (d) Except as otherwise provided in paragraph (e), a license to a person
20 between the ages of ~~16~~ *15 3/4* and 18 years ~~who~~ *if*:

21 (1) *He* has completed a course:

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

23 ~~(2)~~ *(II)* Provided by a school for training drivers licensed pursuant
24 to NRS 483.700 to 483.780, inclusive, if the course complies with the
25 applicable regulations governing the establishment, conduct and scope of
26 automobile driver education adopted by the state board of education
27 pursuant to NRS 389.090 ~~;~~

28 ~~and who~~ ;

29 (2) *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 ~~;~~ *;*

32 (3) *His* parent or legal guardian ~~{of a person who desires to obtain a~~
33 ~~license pursuant to this paragraph must sign and submit}~~ *signs and submits*
34 *to the department a form provided by the department which attests that the*
35 *person who desires a license has completed the training and experience*
36 *required by* ~~{this paragraph}~~ *subparagraph (2); and*

37 (4) *He has held an instruction permit for at least:*

38 (I) *Ninety days before he applies for the license, if he was under*
39 *the age of 16 years at the time he obtained the instruction permit;*

40 (II) *Sixty days before he applies for the license, if he was at least*
41 *16 years of age but less than 17 years of age at the time he obtained the*
42 *instruction permit; or*

43 (III) *Thirty days before he applies for the license, if he was at*
44 *least 17 years of age but less than 18 years of age at the time he obtained*
45 *the instruction permit.*

46 (e) A license to a person who is between the ages of ~~16~~ *15 3/4* and 18
47 years if:



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- 1 (1) The public school in which he is enrolled is located in a county
2 whose population is less than 35,000 or in a city or town whose population
3 is less than 25,000;
- 4 (2) The public school does not offer automobile driver education;
- 5 (3) He has at least 50 hours of experience in driving a motor vehicle
6 with a restricted license, instruction permit or restricted instruction permit
7 issued pursuant to NRS 483.267, 483.270 or 483.280; ~~and~~
- 8 (4) His parent or legal guardian signs and submits to the department a
9 form provided by the department which attests that the person who desires
10 a license has completed the experience required by subparagraph (3) ~~H~~ ;
11 *and*
- 12 (5) *He has held an instruction permit for at least:*
- 13 (I) *Ninety days before he applies for the license, if he was under*
14 *the age of 16 years at the time he obtained the instruction permit;*
- 15 (II) *Sixty days before he applies for the license, if he was at least*
16 *16 years of age but less than 17 years of age at the time he obtained the*
17 *instruction permit; or*
- 18 (III) *Thirty days before he applies for the license, if he was at*
19 *least 17 years of age but less than 18 years of age at the time he obtained*
20 *the instruction permit.*
- 21 2. To any person whose license has been revoked until the expiration
22 of the period during which he is not eligible for a license.
- 23 3. To any person whose license has been suspended, but ~~H~~ upon good
24 cause shown to the administrator, the department may issue a restricted
25 license to him or shorten any period of suspension.
- 26 4. To any person who has previously been adjudged to be afflicted
27 with or suffering from any mental disability or disease and who has not at
28 the time of application been restored to legal capacity.
- 29 5. To any person who is required by NRS 483.010 to 483.630,
30 inclusive, to take an examination, unless he has successfully passed the
31 examination.
- 32 6. To any person when the administrator has good cause to believe that
33 by reason of physical or mental disability that person would not be able to
34 operate a motor vehicle safely.
- 35 7. To any person who is not a resident of this state.
- 36 8. To any child who is the subject of a court order issued pursuant to
37 paragraph (h) of subsection 1 of NRS 62.211, NRS 62.2255, 62.226 or
38 62.228 which delays his privilege to drive.
- 39 9. To any person who is the subject of a court order issued pursuant to
40 NRS 206.330 which suspends or delays his privilege to drive until the
41 expiration of the period of suspension or delay.
- 42 **Sec. 4.** NRS 483.280 is hereby amended to read as follows:
- 43 483.280 1. Any person who is at least 15 1/2 years of age may apply
44 to the department for an instruction permit. The department may, in its
45 discretion, after the applicant has successfully passed all parts of the
46 examination other than the driving test, issue to the applicant an instruction
47 permit entitling the applicant, while having the permit in his immediate
48 possession, to drive a motor vehicle upon the highways for a period of ~~18~~
49 ~~months~~ *1 year* when accompanied by a licensed driver who is at least 21



1 years of age, who has had at least 1 year of licensed driving experience in
2 the type of vehicle for which the permit was issued and who is actually
3 occupying a seat beside the driver, except when the permittee is occupying
4 a motorcycle. The term “licensed driving experience” as used in this
5 subsection does not include driving experience gained under an instruction
6 permit issued pursuant to the provisions of this section.

7 2. The department may, in its discretion, issue a temporary driver’s
8 permit to an applicant for a driver’s license permitting him to drive a motor
9 vehicle while the department is completing its investigation and
10 determination of all facts relative to the applicant’s right to receive a
11 driver’s license. The permit must be in his immediate possession while
12 driving a motor vehicle, and is invalid when the applicant’s license has
13 been issued or for good cause has been refused.

14 3. The department, upon receiving proper application, may, in its
15 discretion, issue a restricted instruction permit effective for a school year,
16 or *for a* more restricted period, to an applicant who is enrolled in a driver
17 education program which includes practice driving and which is approved
18 by the department even though the applicant has not reached the legal age
19 to be eligible for a driver’s license. The instruction permit entitles the
20 permittee, when he has the permit in his immediate possession, to drive a
21 motor vehicle only on a designated highway or within a designated area,
22 but only when an approved instructor is occupying a seat beside the
23 permittee.

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

25 483.725 *1.* Each course of training provided by a school for training
26 drivers licensed pursuant to NRS 483.700 to 483.780, inclusive, must
27 include, without limitation, instruction in:

28 ~~1-1~~ (a) Motor vehicle insurance.

29 ~~1-2~~ (b) The effect of drugs and alcohol on an operator of a motor
30 vehicle.

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

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

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

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

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



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

6 (a) Systems based on the following technologies:

- 7 (1) Video;
8 (2) Wire;
9 (3) Cable;
10 (4) Radio;
11 (5) Microwave;
12 (6) Light; or
13 (7) Optics; and

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

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

17 483.730 1. The department shall issue a license to operate a school
18 for training drivers or to act as an instructor for such a school, if ~~the~~ *the*
19 *department* is satisfied that the applicant has met the qualifications
20 required by NRS 483.700 to 483.780, inclusive.

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

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

30 ~~—(a) A course of instruction relating to the training of drivers approved~~
31 ~~by the department; or~~

32 ~~—(b) A state or national conference approved by the department of~~
33 ~~education for credit for continuing education.~~

34 ~~4. In determining whether an instructor has complied with the~~
35 ~~provisions of subsection 3, the department shall award one credit of~~
36 ~~continuing education for the completion of each 15 hours of:~~

37 ~~—(a) Classroom instruction in a course specified in paragraph (a) of~~
38 ~~subsection 3; or~~

39 ~~—(b) Attendance at a conference specified in paragraph (b) of subsection~~
40 ~~3.} *training of a type and in an amount prescribed by the department by*~~
41 ~~*regulation.*~~

42 Sec. 7. Section 5 of chapter 407, Statutes of Nevada 1999, at page
43 1926, is hereby repealed.

44 Sec. 8. 1. This section and sections 1 to 4, inclusive, of this act
45 become effective on July 1, 2001.

46 2. Sections 5, 6 and 7 of this act become effective on October 1, 2001.



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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.

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