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FIRST REPRINT

A.B. 8

ASSEMBLY BILL NO. 8—ASSEMBLYWOMAN CEGAVSKE

PREFILED JANUARY 11, 2001

JOINT SPONSOR: SENATOR CARE

Referred to Committee on Transportation

SUMMARY—Makes various changes concerning drivers' licenses issued to persons under 18 years of age. (BDR 43-6)

FISCAL NOTE: Effect on Local Government: Yes.
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 motor vehicles; making various changes concerning the issuance of drivers' licenses to persons who are 16 or 17 years of age; making various changes concerning restricted licenses for pupils in schools, instruction permits and automobile driver education in public schools; clarifying certain provisions concerning the issuance of restricted licenses; providing penalties; 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.** Chapter 483 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 6, inclusive, of this act.
3 **Sec. 2. 1. *The department may issue a driver's license to a person***
4 ***who is 16 or 17 years of age if:***
5 ***(a) Except as otherwise provided in subsection 2, he has completed a***
6 ***course:***
7 ***(1) In automobile driver education pursuant to NRS 389.090; or***
8 ***(2) Provided by a school for training drivers which is licensed***
9 ***pursuant to NRS 483.700 to 483.780, inclusive, and which complies with***
10 ***the applicable regulations governing the establishment, conduct and***
11 ***scope of automobile driver education adopted by the state board of***
12 ***education pursuant to NRS 389.090;***
13 ***(b) He has at least 50 hours of supervised experience in driving a***
14 ***motor vehicle with a restricted license, instruction permit or restricted***



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- 1 *instruction permit issued pursuant to NRS 483.267, 483.270 or 483.280,*
2 *including, without limitation, at least 10 hours of experience in driving a*
3 *motor vehicle during darkness;*
4 *(c) He submits to the department a form provided by the department*
5 *that is signed:*
6 *(1) By his parent or legal guardian; or*
7 *(2) If the person applying for the driver's license is an emancipated*
8 *minor, by a licensed driver who is at least 21 years of age or by a licensed*
9 *driving instructor,*
10 *which attests that the person applying for the driver's license has*
11 *completed the training and experience required pursuant to paragraphs*
12 *(a) and (b);*
13 *(d) He has not been found to be responsible for a motor vehicle*
14 *accident during the 6 months before he applies for the driver's license;*
15 *(e) He has not been convicted of a moving traffic violation or a crime*
16 *involving alcohol or a controlled substance during the 6 months before*
17 *he applies for the driver's license; and*
18 *(f) He has held an instruction permit for not less than 6 months*
19 *before he applies for the driver's license.*
20 *2. A person who is 16 or 17 years of age and who:*
21 *(a) Resides in a county whose population is less than 50,000 or in a*
22 *city or town whose population is less than 25,000; and*
23 *(b) Is not enrolled in a school or is enrolled in a school that does not*
24 *offer automobile driver education,*
25 *is not required to complete a course as required pursuant to paragraph*
26 *(a) of subsection 1.*
27 **Sec. 3.** *1. Except as otherwise provided in subsection 2, a person to*
28 *whom a driver's license is issued pursuant to section 2 of this act shall*
29 *not, during the first 4 months after the date on which the driver's license*
30 *is issued, transport as a passenger a person who is under 18 years of age.*
31 *2. A person to whom a driver's license is issued pursuant to section 2*
32 *of this act may transport as a passenger a member of his immediate*
33 *family, regardless of the age of the family member.*
34 **Sec. 4.** *1. A peace officer shall not stop a motor vehicle for the sole*
35 *purpose of determining whether the driver is violating a provision of*
36 *section 3 of this act. A citation may be issued for a violation of section 3*
37 *of this act only if the violation is discovered when the vehicle is halted or*
38 *its driver arrested for another alleged violation or offense.*
39 *2. A violation of section 3 of this act:*
40 *(a) Is not a moving traffic violation pursuant to NRS 483.473; and*
41 *(b) Is not grounds for suspension or revocation of the driver's license*
42 *pursuant to NRS 483.360.*
43 **Sec. 5.** *The department:*
44 *1. Shall, with respect to a driver's license that is issued pursuant to*
45 *section 2 of this act:*
46 *(a) Include on the face of the license the original date on which the*
47 *license was issued; or*
48 *(b) Otherwise indicate that the license is for use by a person who:*
49 *(1) Is 16 or 17 years of age; and*



1 (2) Satisfied the requirements set forth in section 2 of this act before
2 receiving the license;

3 2. May issue drivers' licenses pursuant to section 2 of this act with
4 distinguishing characteristics which clearly indicate that the licensee is
5 16 or 17 years of age; and

6 3. May adopt regulations necessary to carry out the laws governing
7 the issuance of drivers' licenses pursuant to section 2 of this act.

8 Sec. 6. A restriction on or suspension of the driver's license of a
9 person who is under 18 years of age remains in effect until the end of the
10 term of the restriction or suspension even if the person becomes 18 years
11 of age before the end of the term of the restriction or suspension.

12 Sec. 7. NRS 483.250 is hereby amended to read as follows:

13 483.250 The department shall not issue any license under the
14 provisions of NRS 483.010 to 483.630, inclusive:

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

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

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

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

23 (d) ~~Except as otherwise provided in paragraph (e), a license to a person~~
24 ~~between the ages of 16 and 18 years who has completed a course:~~

25 ~~— (1) In automobile driver education pursuant to NRS 389.090; or~~

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

31 ~~and who has at least 50 hours of experience in driving a motor vehicle with~~
32 ~~a restricted license, instruction permit or restricted instruction permit issued~~
33 ~~pursuant to NRS 483.267, 483.270 or 483.280. The parent or legal~~
34 ~~guardian of a person who desires to obtain a license pursuant to this~~
35 ~~paragraph must sign and submit to the department a form provided by the~~
36 ~~department which attests that the person who desires a license has~~
37 ~~completed the training and experience required by this paragraph.~~

38 ~~— (e) A license to a person who is between the ages of 16 and 18 years if:~~

39 ~~— (1) The public school in which he is enrolled is located in a county~~
40 ~~whose population is less than 35,000 or in a city or town whose population~~
41 ~~is less than 25,000;~~

42 ~~— (2) The public school does not offer automobile driver education;~~

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

46 ~~— (4) His parent or legal guardian signs and submits to the department a~~
47 ~~form provided by the department which attests that the person who desires~~
48 ~~a license has completed the experience required by subparagraph (3).] A~~



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1 *driver's license to a person who is 16 or 17 years of age pursuant to the*
2 *provisions of section 2 of this act.*

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

5 3. To any person whose license has been suspended, but, upon good
6 cause shown to the administrator, the department may issue a restricted
7 license to him or shorten any period of suspension.

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

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

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

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

18 8. To any child who is the subject of a court order issued pursuant to
19 paragraph (h) of subsection 1 of NRS 62.211, NRS 62.2255, 62.226 or
20 62.228 which delays his privilege to drive.

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

24 **Sec. 8.** NRS 483.255 is hereby amended to read as follows:

25 483.255 The department shall adopt regulations that set forth the
26 number of hours of training which a person whose age is less than 18 years
27 must complete in a course provided by a school for training drivers to be
28 issued a *driver's* license pursuant to subparagraph (2) of paragraph ~~(d)~~ (a)
29 of subsection 1 of ~~NRS 483.250~~ *section 2 of this act*. The regulations
30 must require that the number of hours that must be completed by such a
31 person be comparable to the number of hours of instruction which would
32 be required of such a person if he completed his training in a course
33 provided pursuant to NRS 389.090.

34 **Sec. 9.** NRS 483.280 is hereby amended to read as follows:

35 483.280 1. Any person who is at least 15 1/2 years of age may apply
36 to the department for an instruction permit. The department may, in its
37 discretion, after the applicant has successfully passed all parts of the
38 examination other than the driving test, issue to the applicant an instruction
39 permit entitling the applicant, while having the permit in his immediate
40 possession, to drive a motor vehicle upon the highways for a period of ~~18~~
41 ~~months~~ *1 year* when accompanied by a licensed driver who is at least 21
42 years of age, who has had at least 1 year of licensed driving experience in
43 the type of vehicle for which the permit was issued and who is actually
44 occupying a seat beside the driver, except when the permittee is occupying
45 a motorcycle. The term "licensed driving experience" as used in this
46 subsection does not include driving experience gained under an instruction
47 permit issued pursuant to the provisions of this section.

48 2. The department may, in its discretion, issue a temporary driver's
49 permit to an applicant for a driver's license permitting him to drive a motor



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1 vehicle while the department is completing its investigation and
2 determination of all facts relative to the applicant's right to receive a
3 driver's license. The permit must be in his immediate possession while
4 driving a motor vehicle, and is invalid when the applicant's license has
5 been issued or for good cause has been refused.

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

16 **Sec. 10.** NRS 483.620 is hereby amended to read as follows:

17 483.620 It is a misdemeanor for any person to violate any of the
18 provisions of NRS 483.010 to 483.630, inclusive, *and sections 2 to 6,*
19 *inclusive, of this act,* unless such violation is, by NRS 483.010 to 483.630,
20 inclusive, *and sections 2 to 6, inclusive, of this act* or other law of this
21 state, declared to be a felony.

22 **Sec. 11.** NRS 389.090 is hereby amended to read as follows:

23 389.090 1. The state board shall adopt regulations governing the
24 establishment, conduct and scope of automobile driver education in the
25 public schools of this state.

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

29 3. The board of trustees of a school district may establish and maintain
30 automobile driver education classes during regular semesters and summer
31 sessions and during the regular school day and at times other than during
32 the regular school day for:

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

35 (b) Pupils enrolled in summer classes conducted in high schools in the
36 school district.

37 A board of trustees maintaining courses in automobile driver education
38 shall insure against any liability arising out of the use of motor vehicles in
39 connection with those courses. The cost of the insurance must be paid from
40 available school district funds.

41 4. A governing body of a charter school may establish and maintain
42 automobile driver education classes if the governing body insures against
43 any liability arising out of the use of motor vehicles in connection with
44 those courses.

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



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

- 4 (a) Motor vehicle insurance.
5 (b) The effect of drugs and alcohol on an operator of a motor vehicle.

6 7. Each course in automobile driver education provided by a board of
7 trustees of a school district or a governing body of a charter school must be
8 restricted to pupils who are ~~freshmen, sophomores, juniors or seniors in high school.~~
9 *at least 15 years of age.*

10 **Sec. 12.** 1. The provisions of section 3 of this act do not apply to
11 offenses that were committed before July 1, 2002.

12 2. The amendatory provisions of sections 2 to 5, inclusive, and 7 of
13 this act do not apply to a person who has been issued a driver's license
14 before July 1, 2002.

15 3. The amendatory provisions of section 9 of this act do not apply to a
16 person who has been issued an instruction permit before July 1, 2002.

17 **Sec. 13.** This act becomes effective on July 1, 2002.

