

ASSEMBLY BILL NO. 170—ASSEMBLYMEN MANENDO, CLABORN,
OHRENSCHALL, MCCLAIN, GIBBONS, ARBERRY,
ATKINSON, COLLINS, GOLDWATER, KOIVISTO, PARKS AND
WILLIAMS

FEBRUARY 20, 2003

Referred to Committee on Transportation

SUMMARY—Provides that certain applicants for drivers' licenses, instruction permits and identification cards may authorize Department of Motor Vehicles to forward to Selective Service System personal information necessary for registration with Selective Service System. (BDR 43-774)

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 Department of Motor Vehicles; providing that certain applicants for drivers' licenses, instruction permits, identification cards and commercial drivers' licenses may authorize the Department of Motor Vehicles to forward to the Selective Service System personal information necessary for registration with the Selective Service System; 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 481.063 is hereby amended to read as follows:
2 481.063 1. The Director may charge and collect reasonable
3 fees for official publications of the Department and from persons
4 making use of files and records of the Department or its various
5 divisions for a private purpose. All money so collected must be
6 deposited in the State Treasury for credit to the Motor Vehicle Fund.



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1 2. Except as otherwise provided in subsection 5, the Director
2 may release personal information, except a photograph, from a file
3 or record relating to the driver's license, identification card, or title
4 or registration of a vehicle of a person if the requester submits a
5 written release from the person who holds a lien on the vehicle, or
6 an agent of that person, or the person about whom the information is
7 requested which is dated not more than 90 days before the date of
8 the request. The written release must be in a form required by the
9 Director.

10 3. Except as otherwise provided in subsection 2, the Director
11 shall not release to any person who is not a representative of the
12 Welfare Division of the Department of Human Resources or an
13 officer, employee or agent of a law enforcement agency, an agent of
14 the public defender's office or an agency of a local government
15 which collects fines imposed for parking violations, who is not
16 conducting an investigation pursuant to NRS 253.0415, 253.044 or
17 253.220, who is not authorized to transact insurance pursuant to
18 chapter 680A of NRS or who is not licensed as a private investigator
19 pursuant to chapter 648 of NRS and conducting an investigation of
20 an insurance claim:

21 (a) A list which includes license plate numbers combined with
22 any other information in the records or files of the Department;

23 (b) The social security number of any person, if it is requested to
24 facilitate the solicitation of that person to purchase a product or
25 service; or

26 (c) The name, address, telephone number or any other
27 personally identifiable information if the information is requested by
28 the presentation of a license plate number.

29 When such personally identifiable information is requested of a law
30 enforcement agency by the presentation of a license plate number,
31 the law enforcement agency shall conduct an investigation regarding
32 the person about whom information is being requested or, as soon as
33 practicable, provide the requester with the requested information if
34 the requester officially reports that the motor vehicle bearing that
35 license plate was used in a violation of NRS 205.240, 205.345,
36 205.380 or 205.445.

37 4. Except as otherwise provided in subsections 2 and 5, *and*
38 *sections 3, 4 and 5 of this act*, the Director shall not release any
39 personal information from a file or record relating to a driver's
40 license, identification card, or title or registration of a vehicle.

41 5. Except as otherwise provided in subsection 6, if a person or
42 governmental entity provides a description of the information
43 requested and its proposed use and signs an affidavit to that effect,
44 the Director may release any personal information from a file or



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1 record relating to a driver's license, identification card, or title or
2 registration of a vehicle for use:

3 (a) By any governmental entity, including, but not limited to,
4 any court or law enforcement agency, in carrying out its functions,
5 or any person acting on behalf of a federal, state or local
6 governmental agency in carrying out its functions. The personal
7 information may include a photograph from a file or record relating
8 to a driver's license, identification card, or title or registration of a
9 vehicle.

10 (b) In connection with any civil, criminal, administrative or
11 arbitration proceeding before any federal or state court, regulatory
12 body, board, commission or agency, including, but not limited to,
13 use for service of process, investigation in anticipation of litigation,
14 and execution or enforcement of judgments and orders, or pursuant
15 to an order of a federal or state court.

16 (c) In connection with matters relating to:

- 17 (1) The safety of drivers of motor vehicles;
18 (2) Safety and thefts of motor vehicles;
19 (3) Emissions from motor vehicles;
20 (4) Alterations of products related to motor vehicles;
21 (5) An advisory notice relating to a motor vehicle or the
22 recall of a motor vehicle;
23 (6) Monitoring the performance of motor vehicles;
24 (7) Parts or accessories of motor vehicles;
25 (8) Dealers of motor vehicles; or
26 (9) Removal of nonowner records from the original records
27 of motor vehicle manufacturers.

28 (d) By any insurer, self-insurer or organization that provides
29 assistance or support to an insurer or self-insurer or its agents,
30 employees or contractors, in connection with activities relating to
31 the rating, underwriting or investigation of claims or the prevention
32 of fraud.

33 (e) In providing notice to the owners of vehicles that have been
34 towed, repossessed or impounded.

35 (f) By an employer or its agent or insurer to obtain or verify
36 information relating to a holder of a commercial driver's license
37 who is employed by or has applied for employment with the
38 employer.

39 (g) By a private investigator, private patrolman or security
40 consultant who is licensed pursuant to chapter 648 of NRS, for any
41 use permitted pursuant to this section.

42 (h) By a reporter or editorial employee who is employed by or
43 affiliated with any newspaper, press association or commercially
44 operated, federally licensed radio or television station for a
45 journalistic purpose. The Department may not make any inquiries



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1 regarding the use of or reason for the information requested other
2 than whether the information will be used for a journalistic purpose.

3 (i) In connection with an investigation conducted pursuant to
4 NRS 253.0415, 253.044 or 253.220.

5 (j) In activities relating to research and the production of
6 statistical reports, if the personal information will not be published
7 or otherwise redisclosed, or used to contact any person.

8 (k) In the bulk distribution of surveys, marketing material or
9 solicitations, if the Director has adopted policies and procedures to
10 ensure that:

11 (1) The information will be used or sold only for use in the
12 bulk distribution of surveys, marketing material or solicitations;

13 (2) Each person about whom the information is requested has
14 clearly been provided with an opportunity to authorize such a use;
15 and

16 (3) If the person about whom the information is requested
17 does not authorize such a use, the bulk distribution will not be
18 directed toward that person.

19 6. Except as otherwise provided in paragraph (j) of subsection
20 5, a person who requests and receives personal information may sell
21 or disclose that information only for a use permitted pursuant to
22 subsection 5. Such a person shall keep and maintain for 5 years a
23 record of:

24 (a) Each person to whom the information is provided; and

25 (b) The purpose for which that person will use the
26 information.

27 The record must be made available for examination by the
28 Department at all reasonable times upon request.

29 7. Except as otherwise provided in subsection 2, the Director
30 may deny any use of the files and records if he reasonably believes
31 that the information taken may be used for an unwarranted invasion
32 of a particular person's privacy.

33 8. Except as otherwise provided in NRS 485.316, the Director
34 shall not allow any person to make use of information retrieved
35 from the database created pursuant to NRS 485.313 for a private
36 purpose and shall not in any other way release any information
37 retrieved from that database.

38 9. The Director shall adopt such regulations as he deems
39 necessary to carry out the purposes of this section. In addition, the
40 Director shall, by regulation, establish a procedure whereby a person
41 who is requesting personal information may establish an account
42 with the Department to facilitate his ability to request information
43 electronically or by written request if he has submitted to the
44 Department proof of his employment or licensure, as applicable, and
45 a signed and notarized affidavit acknowledging:



1 (a) That he has read and fully understands the current laws and
2 regulations regarding the manner in which information from the
3 Department's files and records may be obtained and the limited uses
4 which are permitted;

5 (b) That he understands that any sale or disclosure of
6 information so obtained must be in accordance with the provisions
7 of this section;

8 (c) That he understands that a record will be maintained by the
9 Department of any information he requests; and

10 (d) That he understands that a violation of the provisions of this
11 section is a criminal offense.

12 10. It is unlawful for any person to:

13 (a) Make a false representation to obtain any information from
14 the files or records of the Department.

15 (b) Knowingly obtain or disclose any information from the files
16 or records of the Department for any use not permitted by the
17 provisions of this chapter.

18 11. As used in this section, "personal information" means
19 information that reveals the identity of a person, including, without
20 limitation, his photograph, social security number, driver's license
21 number, identification card number, name, address, telephone
22 number or information regarding a medical condition or disability.
23 The term does not include the zip code of a person when separate
24 from his full address, information regarding vehicular accidents or
25 driving violations in which he has been involved or other
26 information otherwise affecting his status as a driver.

27 **Sec. 2.** Chapter 483 of NRS is hereby amended by adding
28 thereto the provisions set forth as sections 3, 4 and 5 of this act.

29 **Sec. 3. 1. *When applying for a driver's license, an***
30 ***instruction permit, a restricted license, a special restricted license***
31 ***or a duplicate or substitute of such a license or permit, or for the***
32 ***renewal or reinstatement of such a license or permit, a male***
33 ***applicant who is:***

34 ***(a) A citizen of the United States or an immigrant; and***

35 ***(b) At least 18 years of age but less than 26 years of***
36 ***age,***

37 ***may authorize the Department to register him with the Selective***
38 ***Service System in compliance with section 3 of the Military***
39 ***Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended.***

40 ***2. An application for a driver's license, an instruction permit,***
41 ***a restricted license, a special restricted license or a duplicate or***
42 ***substitute of such a license or permit, or for the renewal or***
43 ***reinstatement of such a license or permit, must include a box***
44 ***which may be checked by an applicant described in subsection 1 to***
45 ***authorize the Department to submit the necessary personal***



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1 information to the Selective Service System to register the
2 applicant in compliance with federal law. The application must
3 also inform the applicant that by registering with the Selective
4 Service System in compliance with federal law, the applicant
5 remains eligible for federal student loans, grants, benefits relating
6 to job training, most federal jobs and, if applicable, citizenship in
7 the United States.

8 3. If an applicant indicates on his application that he wishes
9 the Department to forward the necessary personal information to
10 the Selective Service System, the Department shall forward that
11 information to the Selective Service System in an electronic
12 format.

13 **Sec. 4. 1.** When applying for an identification card or a
14 duplicate identification card, a male applicant who is:

15 (a) A citizen of the United States or an immigrant; and

16 (b) At least 18 years of age but less than 26 years of
17 age,

18 may authorize the Department to register him with the Selective
19 Service System in compliance with section 3 of the Military
20 Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended.

21 2. An application for an identification card or a duplicate
22 identification card must include a box which may be checked by
23 an applicant described in subsection 1 to authorize the
24 Department to submit the necessary personal information to the
25 Selective Service System to register the applicant in compliance
26 with federal law. The application must also inform the applicant
27 that by registering with the Selective Service System in compliance
28 with federal law, the applicant remains eligible for federal student
29 loans, grants, benefits relating to job training, most federal jobs
30 and, if applicable, citizenship in the United States.

31 3. If an applicant indicates on his application that he wishes
32 the Department to forward the necessary personal information to
33 the Selective Service System, the Department shall forward that
34 information to the Selective Service System in an electronic
35 format.

36 **Sec. 5. 1.** When applying for a commercial driver's license,
37 duplicate commercial driver's license or learner's permit, or for
38 the renewal or reinstatement of a commercial driver's license, a
39 male applicant who is:

40 (a) A citizen of the United States or an immigrant; and

41 (b) At least 18 years of age but less than 26 years of
42 age,

43 may authorize the Department to register him with the Selective
44 Service System in compliance with section 3 of the Military
45 Selective Service Act, 50 U.S.C. App. §§ 451 et seq., as amended.



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1 2. *An application for a commercial driver's license, duplicate*
2 *commercial driver's license or learner's permit, or for the renewal*
3 *or reinstatement of a commercial driver's license, must include a*
4 *box which may be checked by an applicant described in subsection*
5 *1 to authorize the Department to submit the necessary personal*
6 *information to the Selective Service System to register the*
7 *applicant in compliance with federal law. The application must*
8 *also inform the applicant that by registering with the Selective*
9 *Service System in compliance with federal law, the applicant*
10 *remains eligible for federal student loans, grants, benefits relating*
11 *to job training, most federal jobs and, if applicable, citizenship in*
12 *the United States.*

13 3. *If an applicant indicates on his application that he wishes*
14 *the Department to forward the necessary personal information to*
15 *the Selective Service System, the Department shall forward that*
16 *information to the Selective Service System in an electronic*
17 *format.*

18 **Sec. 6.** NRS 483.015 is hereby amended to read as follows:
19 483.015 Except as otherwise provided in NRS 483.330, the
20 provisions of NRS 483.010 to 483.630, inclusive, *and section 3 of*
21 *this act* apply only with respect to noncommercial drivers' licenses.

22 **Sec. 7.** NRS 483.020 is hereby amended to read as follows:
23 483.020 As used in NRS 483.010 to 483.630, inclusive, *and*
24 *section 3 of this act*, unless the context otherwise requires, the
25 words and terms defined in NRS 483.030 to 483.190, inclusive,
26 have the meanings ascribed to them in those sections.

27 **Sec. 8.** NRS 483.820 is hereby amended to read as follows:
28 483.820 1. A person who applies for an identification card in
29 accordance with the provisions of NRS 483.810 to 483.890,
30 inclusive, *and section 4 of this act* is entitled to receive an
31 identification card if he is:

32 (a) A resident of this state and is 10 years of age or older and
33 does not hold a valid driver's license or identification card from any
34 state or jurisdiction; or

35 (b) A seasonal resident who does not hold a valid Nevada
36 driver's license.

37 2. The Department shall charge and collect the following fees
38 for the issuance of an original, duplicate or changed identification
39 card:

40
41 An original or duplicate identification card issued to a
42 person 65 years of age or older \$4
43 An original or duplicate identification card issued to a
44 person under 18 years of age 3



1 An original or duplicate identification card issued to any
2 other person..... \$9
3 A new photograph or change of name, or both..... 4
4

5 3. The Department shall not charge a fee for an identification
6 card issued to a person who has voluntarily surrendered his driver's
7 license pursuant to NRS 483.420.

8 4. The increase in fees authorized in NRS 483.347 must be
9 paid in addition to the fees charged pursuant to this section.

10 5. As used in this section, "photograph" has the meaning
11 ascribed to it in NRS 483.125.

12 **Sec. 9.** NRS 483.902 is hereby amended to read as follows:

13 483.902 The provisions of NRS 483.900 to 483.940, inclusive,
14 *and section 5 of this act* apply only with respect to commercial
15 drivers' licenses.

16 **Sec. 10.** NRS 483.904 is hereby amended to read as follows:

17 483.904 As used in NRS 483.900 to 483.940, inclusive, *and*
18 *section 5 of this act*, unless the context otherwise requires:

19 1. "Commercial driver's license" means a license issued to a
20 person which authorizes him to drive a class or type of commercial
21 motor vehicle.

22 2. "Commercial Driver's License Information System" means
23 the information system established by the United States Federal
24 Highway Administration pursuant to section 12007 of the
25 Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. § ~~2706,~~
26 *31309*, to serve as a clearinghouse for locating information relating
27 to the licensing and identification of drivers of commercial motor
28 vehicles.

29 3. "Out-of-service order" means a temporary prohibition
30 against driving a commercial motor vehicle.

31 **Sec. 11.** The Department of Motor Vehicles shall take all
32 action necessary to ensure that the application form it uses for each
33 license, permit and identification card described in section 3, 4 or 5
34 of this act complies with the requirements of those sections on and
35 after October 1, 2003.

36 **Sec. 12.** 1. This section and section 11 of this act become
37 effective upon passage and approval.

38 2. Sections 1 to 10, inclusive, of this act become effective on
39 October 1, 2003.

