

ASSEMBLY BILL NO. 239—ASSEMBLYMAN HARDY

MARCH 21, 2005

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Referred to Committee on Transportation

SUMMARY—Revises certain provisions relating to motor vehicles.  
(BDR 43-566)

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.

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AN ACT relating to motor vehicles; providing under certain circumstances for the examination of a holder of a driver's license; authorizing the Department of Motor Vehicles to establish a program to imprint certain indicators of a medical condition on a driver's license or identification card; requiring the Department to send a notice of suspension of registration to certain owners of motor vehicles; revising certain provisions relating to the licensure of authorized inspection stations; and providing other matters properly relating thereto.

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

**Section 1.** Chapter 483 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

**Sec. 2. 1.** *A person who is 18 years of age or older may file with the Department a report requesting that the Department examine a licensee who:*

*(a) Is related to the person filing the report within the third degree of consanguinity or who is the spouse of the person filing the report; and*

*(b) The person filing the report reasonably and in good faith believes cannot safely operate a motor vehicle.*

**2.** *The report described in subsection 1 must:*



1 (a) Include the name, relationship, address, telephone number  
2 and signature of the person filing the report.

3 (b) State the person's basis for believing that the licensee  
4 cannot safely operate a motor vehicle, which basis must be:

5 (1) Personal observation or physical evidence of a physical  
6 or medical condition that has the potential to impair the ability of  
7 the licensee to operate a motor vehicle, corroborated by an  
8 affidavit from a physician in which the physician concurs that the  
9 licensee should be examined to determine the licensee's ability to  
10 safely operate a motor vehicle;

11 (2) Personal knowledge that the driving record of the  
12 licensee indicates the unsafe operation of a motor vehicle,  
13 corroborated by an affidavit from a physician in which the  
14 physician concurs that the licensee should be examined to  
15 determine the licensee's ability to safely operate a motor vehicle;  
16 or

17 (3) An investigation by a law enforcement officer.

18 (c) Be kept confidential, except that the report must be  
19 released upon request of the licensee or an order of a court of  
20 competent jurisdiction.

21 ➡ No person may file more than one report concerning the same  
22 licensee within a 12-month period.

23 3. A person who, in good faith and without malicious intent,  
24 files a report pursuant to this section is immune from civil and  
25 criminal liability for filing that report.

26 4. The Director shall prescribe:

27 (a) A standard form to be used for the filing of a report  
28 pursuant to this section; and

29 (b) The procedure to be used for the filing of a report pursuant  
30 to this section.

31 **Sec. 3. 1.** If the Department receives a report filed pursuant  
32 to section 2 of this act, the Department shall, upon written notice  
33 to the licensee of at least 5 days, require the licensee to submit to  
34 all or part of the regular examination set forth in NRS 483.330.  
35 Upon conclusion of the examination, the Department shall take  
36 action as it deems appropriate and may suspend or revoke the  
37 license of the person or allow him to retain the license, or may  
38 issue a license subject to restriction as described in NRS 483.360  
39 or restrictions as to the type or class of vehicle that may be driven.  
40 Refusal or neglect on the part of the licensee to submit to the  
41 examination is grounds for suspension or revocation of his  
42 license.

43 2. A person whose driver's license is restricted, suspended or  
44 revoked pursuant to this section may request a total or partial  
45 reinstatement of that license. An appropriate replacement license



1 *must be issued to the licensee upon his satisfactory completion of*  
2 *the requirements for reinstatement established by the Department*  
3 *pursuant to NRS 483.495.*

4 **Sec. 4.** 1. *The Department may adopt regulations*  
5 *establishing a program for the imprinting of a symbol or other*  
6 *indicator of a medical condition on a driver's license or*  
7 *identification card issued by the Department.*

8 2. *Regulations adopted pursuant to subsection 1 must require*  
9 *the symbol or other indicator of a medical condition which is*  
10 *imprinted on a driver's license or identification card to conform*  
11 *with the International Classification of Diseases, Ninth Revision,*  
12 *Clinical Modification, or the most current revision, adopted by the*  
13 *National Center for Health Statistics and the Centers for Medicare*  
14 *and Medicaid Services.*

15 3. *The Department and its employees or representatives are*  
16 *not liable in a civil action or subject to prosecution in a criminal*  
17 *proceeding as a result of a symbol or other indicator of a medical*  
18 *condition being imprinted on or for the failure to imprint a*  
19 *driver's license or identification card pursuant to regulations*  
20 *adopted pursuant to this section.*

21 4. *A hospital, physician, local health officer, technician or*  
22 *other person is not liable in a civil action or subject to prosecution*  
23 *in a criminal proceeding for any act taken in good faith with*  
24 *regard to a symbol or other indicator of a medical condition*  
25 *imprinted on a driver's license or identification card pursuant to*  
26 *regulations adopted pursuant to this section.*

27 5. *The Department may apply for and accept any gift, grant,*  
28 *appropriation or other donation to assist in carrying out a*  
29 *program established pursuant to the provisions of this section.*

30 **Sec. 5.** NRS 483.010 is hereby amended to read as follows:

31 483.010 The provisions of NRS 483.010 to 483.630, inclusive,  
32 *and sections 2, 3 and 4 of this act* may be cited as the Uniform  
33 Motor Vehicle Drivers' License Act.

34 **Sec. 6.** NRS 483.340 is hereby amended to read as follows:

35 483.340 1. The Department shall, upon payment of the  
36 required fee, issue to every qualified applicant a driver's license  
37 indicating the type or class of vehicles the licensee may drive. The  
38 license must bear a unique number assigned to the licensee pursuant  
39 to NRS 483.345, the licensee's social security number, if he has one,  
40 unless he requests that it not appear on the license, the name, date of  
41 birth, mailing address and a brief description of the licensee, and a  
42 space upon which the licensee shall write his usual signature in ink  
43 immediately upon receipt of the license. A license is not valid until  
44 it has been so signed by the licensee.



2. The Department may issue a driver's license for purposes of identification only for use by officers of local police and sheriffs' departments, agents of the Investigation Division of the Department of Public Safety while engaged in special undercover investigations relating to narcotics or prostitution or for other undercover investigations requiring the establishment of a fictitious identity, federal agents while engaged in undercover investigations, investigators employed by the Attorney General while engaged in undercover investigations and agents of the State Gaming Control Board while engaged in investigations pursuant to NRS 463.140. An application for such a license must be made through the head of the police or sheriff's department, the Chief of the Investigation Division of the Department of Public Safety, the director of the appropriate federal agency, the Attorney General or the Chairman of the State Gaming Control Board. Such a license is exempt from the fees required by NRS 483.410. The Department, by regulation, shall provide for the cancellation of any such driver's license upon the completion of the special investigation for which it was issued.

3. Information pertaining to the issuance of a driver's license pursuant to subsection 2 is confidential.

4. It is unlawful for any person to use a driver's license issued pursuant to subsection 2 for any purpose other than the special investigation for which it was issued.

5. At the time of the issuance or renewal of the driver's license, the Department shall:

(a) Give the holder the opportunity to have indicated on his driver's license that he wishes to be a donor of all or part of his body pursuant to NRS 451.500 to 451.590, inclusive, or to refuse to make an anatomical gift of his body or part of his body;

(b) Give the holder the opportunity to have indicated whether he wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150; ~~and~~

(c) Provide to each holder who is interested in becoming a donor information relating to anatomical gifts, including the procedure for registration as a donor with The Living Bank International or its successor organization ~~[-]; and~~

*(d) If the Department has established a program for imprinting a symbol or other indicator of a medical condition on a driver's license pursuant section 4 of this act, give the holder the opportunity to have a symbol or other indicator of a medical condition imprinted on his driver's license.*

6. If the holder wishes to make a donation to the Anatomical Gift Account, the Department shall collect the donation and deposit the money collected in the State Treasury for credit to the Anatomical Gift Account.



7. The Department shall submit to The Living Bank International, or its successor organization, information from the records of the Department relating to persons who have drivers' licenses that indicate the intention of those persons to make an anatomical gift. The Department shall adopt regulations to carry out the provisions of this subsection.

**Sec. 7.** NRS 483.410 is hereby amended to read as follows:

483.410 1. Except as otherwise provided in subsection 6, for every driver's license, including a motorcycle driver's license, issued and service performed, the following fees must be charged:

A license issued to a person 65 years of age or older .....	\$14
An original license issued to any other person.....	19
A renewal license issued to any other person .....	19
Reinstatement of a license after suspension, revocation or cancellation, except a revocation for a violation of NRS 484.379 or 484.3795 or pursuant to NRS 484.384 and 484.385.....	40
Reinstatement of a license after revocation for a violation of NRS 484.379 or 484.3795 or pursuant to NRS 484.384 and 484.385.....	65
A new photograph, change of name, change of other information, except address, or any combination .....	5
A duplicate license .....	14

2. For every motorcycle endorsement to a driver's license, a fee of \$5 must be charged.

3. If no other change is requested or required, the Department shall not charge a fee to convert the number of a license from the licensee's social security number, or a number that was formulated by using the licensee's social security number as a basis for the number, to a unique number that is not based on the licensee's social security number.

4. The increase in fees authorized by NRS 483.347 and the fees charged pursuant to NRS 483.383 and 483.415 must be paid in addition to the fees charged pursuant to subsections 1 and 2.

5. A penalty of \$10 must be paid by each person renewing his license after it has expired for a period of 30 days or more as provided in NRS 483.386 unless he is exempt pursuant to that section.

6. The Department may not charge a fee for the reinstatement of a driver's license that has been:

- (a) Voluntarily surrendered for medical reasons; or
- (b) Cancelled pursuant to NRS 483.310.



7. All fees and penalties are payable to the Administrator at the time a license or a renewal license is issued.

8. Except as otherwise provided in NRS 483.340, 483.415 and 483.840, *or subsection 5 of section 4 of this act*, all money collected by the Department pursuant to this chapter must be deposited in the State Treasury for credit to the Motor Vehicle Fund.

**Sec. 8.** NRS 483.840 is hereby amended to read as follows:

483.840 1. The form of the identification cards must be similar to that of drivers' licenses but distinguishable in color or otherwise.

2. Identification cards do not authorize the operation of any motor vehicles.

3. Identification cards must include the following information concerning the holder:

(a) The name and sample signature of the holder.

(b) A unique identification number assigned to the holder that is not based on the holder's social security number.

(c) A personal description of the holder.

(d) The date of birth of the holder.

(e) The current address of the holder in this State.

(f) A colored photograph of the holder.

4. The information required to be included on the identification card pursuant to subsection 3 must be placed on the card in the manner specified in subsection 1 of NRS 483.347.

5. At the time of the issuance or renewal of the identification card, the Department shall:

(a) Give the holder the opportunity to have indicated on his identification card that he wishes to be a donor of all or part of his body pursuant to NRS 451.500 to 451.590, inclusive, or to refuse to make an anatomical gift of his body or part of his body;

(b) Give the holder the opportunity to indicate whether he wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150; ~~and~~

(c) Provide to each holder who is interested in becoming a donor information relating to anatomical gifts, including the procedure for registration as a donor with The Living Bank International or its successor organization ~~and~~; *and*

*(d) If the Department has established a program for imprinting a symbol or other indicator of a medical condition on an identification card pursuant section 4 of this act, give the holder the opportunity to have a symbol or other indicator of a medical condition imprinted on his identification card.*

6. If the holder wishes to make a donation to the Anatomical Gift Account, the Department shall collect the donation and deposit



1 the money collected in the State Treasury for credit to the  
2 Anatomical Gift Account.

3 7. The Department shall submit to The Living Bank  
4 International, or its successor organization, information from the  
5 records of the Department relating to persons who have  
6 identification cards issued by the Department that indicate the  
7 intention of those persons to make an anatomical gift. The  
8 Department shall adopt regulations to carry out the provisions of  
9 this subsection.

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

12 **Sec. 9.** NRS 485.317 is hereby amended to read as follows:

13 485.317 1. Subject to the limitations set forth in this  
14 subsection and subsection 2, the Department shall, at least monthly,  
15 compare the current registrations of motor vehicles to the  
16 information in the database created pursuant to NRS 485.313 to  
17 verify that each motor vehicle:

18 (a) Which is newly registered in this State; or

19 (b) For which a policy of liability insurance has been issued,  
20 amended or terminated,

21 ➔ is covered by a policy of liability insurance as required by NRS  
22 485.185. In identifying a motor vehicle for verification pursuant to  
23 this subsection, the Department may, if the motor vehicle was  
24 manufactured during or after 1981, use only the last eight digits of  
25 the vehicle identification number. In comparing the vehicle  
26 identification number of a motor vehicle to the vehicle identification  
27 number in a policy of liability insurance, to determine if the two  
28 vehicle identification numbers match, the Department may find that  
29 the two vehicle identification numbers match if no fewer than seven  
30 of the last eight digits of the two vehicle identification numbers  
31 match.

32 2. Except as otherwise provided in this subsection, the  
33 Department may use any information to verify, pursuant to  
34 subsection 1, whether the motor vehicle is covered by a policy of  
35 liability insurance as required by NRS 485.185. The Department  
36 may not use the name of the owner of a motor vehicle as the  
37 primary means of verifying that a motor vehicle is covered by a  
38 policy of liability insurance.

39 3. If, pursuant to subsection 1, the Department determines that  
40 a motor vehicle is not covered by a policy of liability insurance as  
41 required by NRS 485.185, the Department shall send a form for  
42 verification by first-class mail to each registered owner that it  
43 determines has not maintained the insurance required by NRS  
44 485.185. The owner shall complete the form with all the information  
45 which is requested by the Department, including whether he carries



1 an owner's or operator's policy of liability insurance or a certificate  
2 of self-insurance, and return the completed form within 20 days  
3 after the date on which the form was mailed by the Department. If  
4 the Department does not receive the completed form within 20 days  
5 after it mailed the form to the owner, the Department shall send to  
6 the owner a ~~[second form for verification]~~ *notice of suspension of*  
7 *registration* by certified mail. The ~~[owner shall complete the form~~  
8 ~~and return it]~~ *notice must inform the owner that unless he submits*  
9 *a completed form* to the Department within 15 days after the date on  
10 which ~~[it]~~ *the notice* was sent by the Department ~~[.]~~ *his registration*  
11 *will be suspended pursuant to subsection 5.* This subsection does  
12 not prohibit an authorized agent of the owner from providing to the  
13 Department:

14 (a) The information requested by the Department pursuant to  
15 this subsection.

16 (b) Additional information to amend or correct information  
17 already submitted to the Department pursuant to this subsection.

18 4. When the Department receives a completed form for  
19 verification, it shall verify the information on the form.

20 5. The Department shall suspend the registration and require  
21 the return to the Department of the license plates of any vehicle for  
22 which ~~[-]~~:

23 ~~—(a) Neither of the forms]~~ *the form* for verification set forth in  
24 subsection 3 is :

25 (a) *Not* returned to the Department by the registered owner or  
26 his authorized agent within the period specified in that subsection;

27 (b) ~~[Either of the forms for verification set forth in subsection 3~~  
28 ~~is returned]~~ *Returned* to the Department by the registered owner or  
29 his authorized agent and the Department is not able to verify the  
30 information on the form; or

31 (c) ~~[Either of the forms for verification set forth in subsection 3~~  
32 ~~is returned]~~ *Returned* by the registered owner or his authorized  
33 agent with an admission of having no insurance or without  
34 indicating an insurer or the number of a motor vehicle liability  
35 policy or a certificate of self-insurance.

36 6. If the Department suspends a registration pursuant to  
37 subsection 5 because:

38 (a) Neither the owner nor his authorized agent returned a form  
39 for verification within the specified period or the owner or his  
40 authorized agent returned a form for verification that was not  
41 completed sufficiently, and the owner or his authorized agent,  
42 thereafter:

43 (1) Proves to the satisfaction of the Department that there  
44 was a justifiable cause for his failure to do so;





1 (2) Submits a completed form regarding his insurance on the  
2 date stated in the form mailed by the Department pursuant to  
3 subsection 3; and

4 (3) Presents evidence of current insurance; or

5 (b) The owner or his authorized agent submitted to the  
6 Department a form for verification containing information that the  
7 Department was unable to verify and, thereafter, the owner or his  
8 authorized agent presents to the Department:

9 (1) A corrected form or otherwise verifiable evidence setting  
10 forth that the owner possessed insurance on the date stated in the  
11 form; and

12 (2) Evidence of current insurance,

13 ➔ the Department shall rescind its suspension of the registration if it  
14 is able to verify the information on the form or the other evidence  
15 presented. The Department shall not charge a fee to reinstate a  
16 registration, the suspension of which was rescinded pursuant to this  
17 subsection. For the purposes of this subsection, "justifiable cause"  
18 may include, but is not limited to, the fact that the owner did not  
19 receive the form mailed by the Department pursuant to subsection 3.

20 7. Except as otherwise provided in subsections 8 and 9, if a  
21 registered owner whose registration is suspended pursuant to  
22 subsection 5, failed to have insurance on the date specified in the  
23 form for verification, the Department shall reinstate the registration  
24 of the vehicle and reissue the license plates only upon filing by the  
25 registered owner of evidence of current insurance and payment of  
26 the fee for reinstatement of registration prescribed in paragraph (a)  
27 of subsection 6 of NRS 482.480.

28 8. If a registered owner proves to the satisfaction of the  
29 Department that his vehicle was a dormant vehicle during the period  
30 in which the information provided pursuant to NRS 485.314  
31 indicated that there was no insurance for the vehicle, the Department  
32 shall reinstate his registration and, if applicable, reissue his license  
33 plates. If such an owner of a dormant vehicle failed to cancel the  
34 registration for the vehicle in accordance with subsection 3 of NRS  
35 485.320, the Department shall not reinstate his registration or  
36 reissue his license plates unless the owner pays the fee set forth in  
37 paragraph (b) of subsection 6 of NRS 482.480.

38 9. If the Department suspends the registration of a motor  
39 vehicle pursuant to subsection 5 because the registered owner of the  
40 motor vehicle failed to have insurance on the date specified in the  
41 form for verification, and if the registered owner, in accordance with  
42 regulations adopted by the Department, proves to the satisfaction of  
43 the Department that he was unable to comply with the provisions of  
44 NRS 485.185 on that date because of extenuating circumstances, the  
45 Department may:



(a) Reinstate the registration of the motor vehicle and reissue the license plates upon payment by the registered owner of a fee of \$50, which must be deposited in the Account for Verification of Insurance created by subsection 6 of NRS 482.480; or

(b) Rescind the suspension of the registration without the payment of a fee.

➤ The Department shall adopt regulations to carry out the provisions of this subsection.

10. For the purposes of verification of insurance by the Department pursuant to this section, a motor vehicle shall be deemed to be covered by liability insurance unless the motor vehicle is without coverage for a period of more than 7 days.

**Sec. 10.** NRS 445B.775 is hereby amended to read as follows:

445B.775 The regulations adopted pursuant to NRS 445B.770 must establish requirements by which the Department of Motor Vehicles may license:

1. Authorized inspection stations, including criteria by which any person may become qualified to inspect devices for the control of emissions for motor vehicles. *The regulations adopted pursuant to NRS 445B.770 must provide that a facility licensed as an authorized inspection station:*

*(a) Except as otherwise provided in paragraph (b), may not, unless specifically authorized by the Commission, install, repair, diagnose or adjust any component or system of a motor vehicle that affects exhaust emissions.*

*(b) May perform the following activities in connection with a motor vehicle:*

*(1) The changing of oil;*

*(2) The replacing of an oil filter, air filter, fuel filter, belt or hose; and*

*(3) The servicing of a fuel injection system using methods approved by the Division of Environmental Protection of the State Department of Conservation and Natural Resources.*

2. Authorized maintenance stations, including criteria by which any person may become qualified to install, repair and adjust devices for the control of emissions for motor vehicles.

3. Authorized stations, including criteria by which any person may become qualified to inspect, repair, adjust and install devices for the control of emissions for motor vehicles.

**Sec. 11.** NRS 445B.785 is hereby amended to read as follows:

445B.785 1. The Department of Motor Vehicles shall adopt regulations which:

(a) Prescribe requirements for licensing authorized inspection stations, authorized maintenance stations, authorized stations and fleet stations. *The regulations adopted by the Department of Motor*



*Vehicles pursuant to this paragraph must provide that a facility licensed as an authorized inspection station:*

*(1) Except as otherwise provided in subparagraph (2), may not, unless specifically authorized by the Commission, install, repair, diagnose or adjust any component or system of a motor vehicle that affects exhaust emissions.*

*(2) May perform the following activities in connection with a motor vehicle:*

*(I) The changing of oil;*

*(II) The replacing of an oil filter, air filter, fuel filter, belt or hose; and*

*(III) The servicing of a fuel injection system using methods approved by the Division of Environmental Protection of the State Department of Conservation and Natural Resources.*

(b) Prescribe the manner in which authorized inspection stations, authorized stations and fleet stations inspect motor vehicles and issue evidence of compliance.

(c) Prescribe the diagnostic equipment necessary to perform the required inspection. The regulations must ensure that the equipment complies with any applicable standards of the United States Environmental Protection Agency.

(d) Provide for any fee, bond or insurance which is necessary to carry out the provisions of NRS 445B.700 to 445B.815, inclusive.

(e) Provide for the issuance of a pamphlet for distribution to owners of motor vehicles. The pamphlet must contain information explaining the reasons for and the methods of the inspections.

2. The Department of Motor Vehicles shall issue a copy of the regulations to each authorized inspection station, authorized maintenance station, authorized station and fleet station.

**Sec. 12.** 1. This section and sections 1, 2, 3, 5, 9, 10 and 11 of this act become effective on October 1, 2005.

2. Sections 4, 6, 7 and 8 of this act become effective on July 1, 2006.



