

ASSEMBLY BILL NO. 35—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILDREN, YOUTH AND FAMILIES)

PREFILED FEBRUARY 4, 2005

Referred to Committee on Health and Human Services

SUMMARY—Makes various changes concerning instruction permits and driver's licenses of minors who are in legal custody of county. (BDR 43-667)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 children; providing that an officer or employee of a county may sign and verify an application for an instruction permit or driver's license for a person under the age of 18 years who is in the legal custody of the county; providing a county and an officer or employee of a county with immunity from an action for damages caused by a minor driver whose application for a driver's license was signed by the officer or employee while the minor was in the custody of the county; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides that the local office of the Division of Child and Family
2 Services of the Department of Human Resources is responsible for providing child
3 welfare services in a county whose population is less than 100,000 and the county
4 agency that provides or arranges for necessary child welfare services is responsible
5 for providing such services in a county whose population is 100,000 or more. (NRS
6 432B.030) Existing law also provides that an application for an instruction permit
7 to drive or for a driver's license of a person under the age of 18 years who is in the
8 legal custody of the State may be signed and verified by an officer or employee of
9 the State. (NRS 483.300) No action may be commenced against the State or an
10 officer or employee of the State for damages caused by the negligence or willful
11 misconduct of a minor driver whose application for a driver's license was signed by



an officer or employee of the State while the minor was in the custody of the State.
(NRS 41.0325)

This bill provides that an application for an instruction permit to drive or a driver's license of a person under the age of 18 years who is in the legal custody of a county may be signed and verified by an officer or employee of the county. This bill also provides that no action may be commenced against the county or an officer or employee of the county for damages caused by the negligence or willful misconduct of a minor driver whose application for a driver's license was signed by an officer or employee of the county while the minor was in the custody of the county.

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

Section 1. NRS 483.300 is hereby amended to read as follows:

483.300 1. The application of any person under the age of 18 years for an instruction permit or driver's license must be signed and verified, before a person authorized to administer oaths:

(a) By the applicant's parent who has custody of him or by either parent if both have custody of him;

(b) If neither parent has custody of him or if neither parent is living, by the person who has custody of him, including an officer or employee of the State **or a county** if the minor is in the legal custody of the State **H or county**;

(c) If neither parent has custody of him or if neither is living and he has no custodian, by his employer; or

(d) If neither parent has custody of him or if neither is living and he has no custodian or employer, by any responsible person who is willing to assume the obligation imposed under NRS 483.010 to 483.630, inclusive, upon a person signing the application of a minor.

2. Except as otherwise provided in NRS 41.0325, any negligence or willful misconduct of a minor under the age of 18 years when driving a motor vehicle upon a highway is imputed to the person who has signed the application of the minor for a permit or license and that person is jointly and severally liable with the minor for any damages caused by such negligence or willful misconduct.

Sec. 2. NRS 41.0325 is hereby amended to read as follows:

41.0325 No action may be commenced pursuant to subsection 2 of NRS 483.300 against the State , **a county** or an officer or employee of the State **or a county** for damages caused by the negligence or willful misconduct of a minor driver whose application for a driver's license was signed by the officer or employee while the minor was in the legal custody of the State **H or county**.



1 **Sec. 3.** This act becomes effective upon passage and approval.



