

CHAPTER.....

AN ACT relating to public welfare; exempting homeless persons from paying certain fees to obtain replacements of certain forms of identifying information; creating an exception to the duty to remit certain fees to the State Registrar of Vital Statistics for a person or governmental organization that issues a certified or official copy of a certificate of birth to a homeless person under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Registrar to charge a fee for the issuance of a certified copy of a birth certificate. (NRS 440.700) Existing law also requires a person or governmental organization that is authorized to issue such copies to remit a fee to the State Registrar for each copy issued. (NRS 440.175) Existing law requires the Department of Motor Vehicles to charge a fee for the issuance of a duplicate driver's license or duplicate identification card. (NRS 483.410, 483.820)

This bill prohibits the State Registrar and a person or governmental organization authorized to issue certified copies of birth certificates from charging those fees to a person who signs an affidavit stating that he is homeless. This bill also provides that a person or governmental organization that is authorized to issue a certified copy of a birth certificate is not required to remit a fee to the State Registrar for copies of birth certificates provided to such homeless persons.

This bill requires the Department of Motor Vehicles to waive the fees for a duplicate driver's license or identification card not more than one time to a homeless person who signs an affidavit stating that he is homeless. The homeless person is required to reimburse the Department for the cost of the photograph for the duplicate license under certain circumstances. This bill also authorizes the Department to accept gifts and grants of money to fund the provision of duplicate drivers' licenses and identification cards without a fee to homeless persons. The Department is required to encourage vendors that have entered into an agreement with the Department to produce photographs for drivers' licenses and identification cards to waive the cost it charges the Department to produce photographs for duplicate drivers' licenses and identification cards for homeless persons.

This bill further requires the Department to prepare a report concerning the provision of duplicate drivers' licenses and identification cards without a fee to homeless persons and submit the report to the 74th Session of the Nevada Legislature.

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

Section 1. NRS 440.175 is hereby amended to read as follows:
440.175 1. Upon request, the State Registrar may furnish statistical data to any federal, state, local or other public or private agency, upon such terms or conditions as may be prescribed by the Board.

2. No person may prepare or issue any document which purports to be an original, certified copy, certified abstract or official copy of:

(a) A certificate of birth, death or fetal death, except as authorized in this chapter or by the Board.

(b) A certificate of marriage, except a county recorder or a person so required pursuant to NRS 122.120.

(c) A decree of divorce or annulment of marriage, except a county clerk or the judge of a court of record.

3. A person or governmental organization which issues certified or official copies pursuant to paragraph (a) of subsection 2 shall ~~remitt~~ :

(a) *Not charge a fee for issuing a certified or official copy of a certificate of birth to a homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.*

(b) *Remit* to the State Registrar:

~~[(a)]~~ (1) For each registration of a birth or death in its district, \$2.

~~[(b)]~~ (2) For each copy issued of a certificate of birth in its district, *other than a copy issued pursuant to paragraph (a) of this subsection*, \$7.

~~[(c)]~~ (3) For each copy issued of a certificate of death in its district, \$1.

Sec. 2. NRS 440.700 is hereby amended to read as follows:

440.700 1. ~~[(The)]~~ *Except as otherwise provided in this section, the* State Registrar shall charge and collect the following fees:

For searching the files for one name, if no copy is made	\$8
For verifying a vital record	8
For establishing and filing a record of paternity (other than a hospital-based paternity), and providing a certified copy of the new record	20
For a certified copy of a record of birth	13
For a certified copy of a record of death	10
For correcting a record on file with the State Registrar and providing a certified copy of the corrected record	20
For replacing a record on file with the State Registrar and providing a certified copy of the new record	20
For filing a delayed certificate of birth and providing a certified copy of the certificate	20
For the services of a Notary Public, provided by the State Registrar	2

For an index of records of marriage provided on microfiche to a person other than a county recorder of a county of this State	\$200
For an index of records of divorce provided on microfiche to a person other than a county recorder of a county in this State.....	100
For compiling data files which require specific changes in computer programming.....	200

2. The fee collected for furnishing a copy of a certificate of birth or death includes the sum of \$3 for credit to the Children's Trust Account.

3. The fee collected for furnishing a copy of a certificate of death includes the sum of \$1 for credit to the Review of Death of Children Account.

4. *The State Registrar shall not charge a fee for furnishing a certified copy of a record of birth to a homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.*

5. Upon the request of any parent or guardian, the State Registrar shall supply, without the payment of a fee, a certificate limited to a statement as to the date of birth of any child as disclosed by the record of such birth when the certificate is necessary for admission to school or for securing employment.

~~[5-]~~ 6. The United States Bureau of the Census may obtain, without expense to the State, transcripts or certified copies of births and deaths without payment of a fee.

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

Sec. 4. *1. The Department shall waive the fee prescribed by NRS 483.410 and the increase in the fee required by NRS 483.347 not more than one time for furnishing a duplicate driver's license to a homeless person who submits a signed affidavit on a form prescribed by the Department stating that the person is homeless.*

2. A vendor that has entered into an agreement with the Department to produce photographs for drivers' licenses pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of a homeless person for a duplicate driver's license.

3. If the vendor does not waive pursuant to subsection 2 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate driver's license furnished to a homeless person pursuant to subsection 1, the homeless person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the homeless person:

(a) Applies to the Department for the renewal of his driver's license; and

(b) Is employed at the time of such application.

4. The Department may accept gifts, grants and donations of money to fund the provision of duplicate drivers' licenses without a fee to homeless persons.

Sec. 5. 1. *The Department shall waive the fee prescribed by NRS 483.820 and the increase in the fee required by NRS 483.347 not more than one time for furnishing a duplicate identification card to a homeless person who submits a signed affidavit on a form prescribed by the Department stating that the person is homeless.*

2. A vendor that has entered into an agreement with the Department to produce photographs for identification cards pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of a homeless person for a duplicate identification card.

3. If the vendor does not waive pursuant to subsection 2 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate identification card furnished to a homeless person pursuant to subsection 1, the homeless person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the homeless person:

(a) Applies to the Department for the renewal of his identification card; and

(b) Is employed at the time of such application.

4. The Department may accept gifts, grants and donations of money to fund the provision of duplicate identification cards without a fee to homeless persons.

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

Sec. 6. NRS 483.010 is hereby amended to read as follows:

483.010 The provisions of NRS 483.010 to 483.630, inclusive, *and section 4 of this act* may be cited as the Uniform Motor Vehicle Drivers' License Act.

Sec. 7. NRS 483.015 is hereby amended to read as follows:

483.015 Except as otherwise provided in NRS 483.330, the provisions of NRS 483.010 to 483.630, inclusive, *and section 4 of this act* apply only with respect to noncommercial drivers' licenses.

Sec. 8. NRS 483.020 is hereby amended to read as follows:

483.020 As used in NRS 483.010 to 483.630, inclusive, *and section 4 of this act*, unless the context otherwise requires, the words and terms defined in NRS 483.030 to 483.190, inclusive, have the meanings ascribed to them in those sections.

Sec. 9. NRS 483.347 is hereby amended to read as follows:

483.347 1. Except as otherwise provided in subsection 2, the Department shall issue a rectangular-shaped driver's license which bears a front view colored photograph of the licensee. The photograph and any information included on the license must be placed in a manner which ensures that:

(a) If the licensee is 21 years of age or older, the longer edges of the rectangle serve as the top and bottom of the license; or

(b) If the licensee is under 21 years of age, the shorter edges of the rectangle serve as the top and bottom of the license.

2. The Department may issue a temporary driver's license without a photograph of the licensee if the licensee is temporarily absent from this State and requests the renewal of, the issuance of a duplicate of, or a change in the information on, his driver's license. If the licensee returns to this State for 14 continuous days or more, the licensee shall, within 24 days after the date of his return, surrender the temporary license and obtain a license which bears his photograph in accordance with subsection 1. A licensee charged with violating the provisions of this subsection may not be convicted if he surrenders the temporary license, obtains a license which bears his photograph in accordance with subsection 1 and produces that license in court or in the office of the arresting officer.

3. The Department shall:

(a) Establish a uniform procedure for the production of drivers' licenses, applicable to renewal as well as to original licenses.

(b) ~~By~~ *Except as otherwise provided in sections 4 and 5 of this act, by* regulation, increase the fees provided in NRS 483.410, 483.820 and 483.910 as necessary to cover the actual cost of production of photographs for drivers' licenses and identification cards. The increase must be deposited in the State Treasury for credit to the Motor Vehicle Fund and must be allocated to the Department to defray the increased costs of producing the drivers' licenses required by this section.

Sec. 10. NRS 483.410 is hereby amended to read as follows:

483.410 1. Except as otherwise provided in subsection 6 ~~and~~ *and section 4 of this act*, 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]~~ *Except as otherwise provided in section 4 of this act, 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, 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. 11. NRS 483.530 is hereby amended to read as follows:

483.530 1. Except as otherwise provided in subsection 2, it is a misdemeanor for any person:

(a) To display or cause or permit to be displayed or have in his possession any cancelled, revoked, suspended, fictitious, fraudulently altered or fraudulently obtained driver's license;

(b) To alter, forge, substitute, counterfeit or use an unvalidated driver's license;

(c) To lend his driver's license to any other person or knowingly permit the use thereof by another;

(d) To display or represent as one's own any driver's license not issued to him;

(e) To fail or refuse to surrender to the Department, a peace officer or a court upon lawful demand any driver's license which has been suspended, revoked or cancelled;

(f) To permit any unlawful use of a driver's license issued to him;

(g) To do any act forbidden, or fail to perform any act required, by NRS 483.010 to 483.630, inclusive ~~§~~, *and section 4 of this act*; or

(h) To photograph, photostat, duplicate or in any way reproduce any driver's license or facsimile thereof in such a manner that it could be mistaken for a valid license, or to display or have in his possession any such photograph, photostat, duplicate, reproduction or facsimile unless authorized by this chapter.

2. Except as otherwise provided in this subsection, a person who uses a false or fictitious name in any application for a driver's license or identification card or who knowingly makes a false statement or knowingly conceals a material fact or otherwise commits a fraud in any such application is guilty of a category E felony and shall be punished as provided in NRS 193.130. If the false statement, knowing concealment of a material fact or other commission of fraud described in this subsection relates solely to the age of a person, including, without limitation, to establish false proof of age to game, purchase alcoholic beverages or purchase cigarettes or other tobacco products, the person is guilty of a misdemeanor.

Sec. 12. NRS 483.620 is hereby amended to read as follows:

483.620 It is a misdemeanor for any person to violate any of the provisions of NRS 483.010 to 483.630, inclusive, *and section 4 of this act*, unless such violation is, by NRS 483.010 to 483.630, inclusive, *and section 4 of this act*, or other law of this State, declared to be a felony.

Sec. 13. NRS 483.630 is hereby amended to read as follows:

483.630 NRS 483.010 to 483.630, inclusive, *and section 4 of this act* shall be so interpreted and construed as to effectuate their general purpose to make uniform the law of those states which enact them.

Sec. 14. NRS 483.820 is hereby amended to read as follows:

483.820 1. A person who applies for an identification card in accordance with the provisions of NRS 483.810 to 483.890, inclusive, *and section 5 of this act* is entitled to receive an identification card if he is:

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

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

2. ~~[The]~~ *Except as otherwise provided in section 5 of this act,* the Department shall charge and collect the following fees for the issuance of an original, duplicate or changed identification card:

An original or duplicate identification card issued to a person 65 years of age or older	\$4
An original or duplicate identification card issued to a person under 18 years of age	3
A renewal of an identification card for a person under 18 years of age	3
An original or duplicate identification card issued to any other person.....	9
A renewal of an identification card for any person at least 18 years of age, but less than 65 years of age.....	9
A new photograph or change of name, or both.....	4

3. The Department shall not charge a fee for:

- (a) An identification card issued to a person who has voluntarily surrendered his driver's license pursuant to NRS 483.420; or
- (b) A renewal of an identification card for a person 65 years of age or older.

4. ~~[The]~~ *Except as otherwise provided in section 5 of this act,* the increase in fees authorized in NRS 483.347 must be paid in addition to the fees charged pursuant to this section.

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

Sec. 15. The Department of Motor Vehicles shall:

1. Encourage each vendor that has entered into an agreement with the Department to produce photographs for drivers' licenses and identification cards pursuant to NRS 483.347 to waive the cost it charges the Department to produce photographs for duplicate drivers' licenses or identification cards furnished to homeless persons pursuant to subsection 2 of section 4 of this act and subsection 2 of section 5 of this act.

2. Prepare a report concerning the provision of duplicate drivers' licenses and identification cards without a fee to homeless persons and submit the report to the Director of the Legislative Counsel Bureau for transmittal to the 74th Session of the Nevada Legislature.

Sec. 16. This act becomes effective on July 1, 2005.