

Amendment No. 951

Senate Amendment to Assembly Bill No. 239 First Reprint	(BDR 43-566)
Proposed by: Committee on Transportation and Homeland Security	
Amendment Box:	
Resolves Conflicts with: N/A	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 2, line 2, by deleting:

“2 and 3” and inserting:

“2, 3 and 4”.

Amend the bill as a whole by renumbering sec. 4 as sec. 5 and adding a new section designated sec. 4, following sec. 3, to read as follows:

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

2. Regulations adopted pursuant to subsection 1 must require the symbol or other indicator of a medical condition which is imprinted on a driver’s license or identification card to conform with the International Classification of Diseases, Ninth Revision, Clinical Modification, or the most

SP/SGW

Date: 5/27/2005

A.B. No. 239—Revises certain provisions relating to drivers’ licenses and the control of emissions from engines.

current revision, adopted by the National Center for Health Statistics and the Centers for Medicare and Medicaid Services.

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

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

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

Amend sec. 4, page 3, line 25, by deleting:

“2 and 3” and inserting:

“2, 3 and 4”.

Amend the bill as a whole by renumbering sections 5 and 6 as sections 10 and 11 and adding new sections designated sections 6 through 9, following sec. 4, to read as follows:

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

483.340 1. The Department shall, upon payment of the required fee, issue to every qualified applicant a driver's license indicating the type or class of vehicles the licensee may drive. The license must bear a unique number assigned to the licensee pursuant to NRS 483.345, the licensee's social security number, if he has one, unless he requests that it not appear on the license, the name,

date of birth, mailing address and a brief description of the licensee, and a space upon which the licensee shall write his usual signature in ink immediately upon receipt of the license. A license is not valid until 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*

(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 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 identification cards issued by the Department 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.

8. As used in this section, “photograph” has the meaning ascribed to it in NRS 483.125.

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

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

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

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

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

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

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

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

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

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

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

5. The Department shall suspend the registration and require the return to the Department of the license plates of any vehicle for which ~~[~~

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

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

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

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

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

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

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

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

(3) Presents evidence of current insurance; or

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

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

(2) Evidence of current insurance,

➔ the Department shall rescind its suspension of the registration if it is able to verify the information on the form or the other evidence presented. The Department shall not charge a fee to reinstate a registration, the suspension of which was rescinded pursuant to this subsection. For the purposes of

this subsection, “justifiable cause” may include, but is not limited to, the fact that the owner did not receive the form mailed by the Department pursuant to subsection 3.

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

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

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

Amend sec. 5, page 4, line 1, by deleting “*system.*” and inserting:

“system using methods approved by the Division of Environmental Protection of the State Department of Conservation and Natural Resources.”.

Amend sec. 6, page 4, line 25, by deleting “*system.*” and inserting:

“system using methods approved by the Division of Environmental Protection of the State Department of Conservation and Natural Resources.”.

Amend the bill as a whole by adding a new section, designated sec. 12, following sec. 6, to read as follows:

“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.”.

Amend the title of the bill, third line, after “license;” by inserting:

“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;”.

Amend the summary of the bill to read as follows:

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

**If this amendment is adopted, the Legislative
Counsel's Digest will be deleted.**