

Amendment No. 1082

Senate Amendment to Assembly Bill No. 52 First Reprint

(BDR 43-972)

Proposed by: Senator Cegavske**Amendment Box:** Consistent with Amendment No. 1037 only if that amendment is adopted first.**Resolves Conflicts with:** N/A**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

| ASSEMBLY ACTION | Initial and Date | SENATE ACTION | Initial and Date |
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Amend the bill as a whole by deleting sections 2 through 4 and adding new sections designated sections 2 through 4, following section 1, to read as follows:

“Sec. 2. 1. The Department may issue a driver’s license to a person who is 16 or 17 years of age if:

(a) Except as otherwise provided in subsection 2, he has completed:

(1) A course in automobile driver education pursuant to NRS 389.090; or

(2) A course provided by a school for training drivers which is licensed pursuant to NRS 483.700 to 483.780, inclusive, and which complies with the applicable regulations governing the establishment, conduct and scope of automobile driver education adopted by the State Board of Education pursuant to NRS 389.090;

JCB/BJE

Date: 5/27/2005

A.B. No. 52—Makes various changes concerning drivers’ licenses issued to persons under 18 years of age.

(b) He has at least 50 hours of supervised experience in driving a motor vehicle with a restricted license, instruction permit or restricted instruction permit issued pursuant to NRS 483.267, 483.270 or 483.280, including, without limitation, at least 10 hours of experience in driving a motor vehicle during darkness;

(c) He submits to the Department, on a form provided by the Department, a log which contains the dates and times of the 50 hours of supervised experience required pursuant to paragraph (b) and which is signed:

(1) By his parent or legal guardian; or

(2) If the person applying for the driver's license is an emancipated minor, by a licensed driver who is at least 21 years of age or by a licensed driving instructor,

↳ who attests that the person applying for the driver's license has completed the training and experience required pursuant to paragraphs (a) and (b);

(d) He has not been found to be responsible for a motor vehicle accident during the 6 months before he applies for the driver's license;

(e) He has not been convicted of a moving traffic violation or a crime involving alcohol or a controlled substance during the 6 months before he applies for the driver's license; and

(f) He has held an instruction permit for not less than 6 months before he applies for the driver's license.

2. A person who is 16 or 17 years of age and who:

(a) Resides in a county whose population is less than 50,000 or in a city or town whose population is less than 25,000; and

(b) Is not enrolled in a school or is enrolled in a school that does not offer automobile driver education,

↪ is not required to complete a course as required pursuant to paragraph (a) of subsection 1.

Sec. 3. 1. Except as otherwise provided in subsection 2, a person to whom a driver's license is issued pursuant to section 2 of this act shall not, during the first 6 months after the date on which the driver's license is issued, transport as a passenger a person who is under 18 years of age.

2. A person to whom a driver's license is issued pursuant to section 2 of this act may transport as a passenger a member of his immediate family, regardless of the age of the family member.

Sec. 4. 1. A peace officer shall not stop a motor vehicle for the sole purpose of determining whether the driver is violating a provision of section 3 of this act. Except as otherwise provided in subsection 2, a citation may be issued for a violation of section 3 of this act only if the violation is discovered when the vehicle is halted or its driver is arrested for another alleged violation or offense.

2. A peace officer shall not issue a citation to a person for operating a motor vehicle in violation of section 3 of this act if the person provides satisfactory evidence to the peace officer that the person has held the driver's license for not less than 6 months.

3. A violation of section 3 of this act:

(a) Is not a moving traffic violation for the purposes of NRS 483.473; and

(b) Is not grounds for suspension or revocation of the driver's license for the purposes of NRS 483.360.”.

Amend the bill as a whole by deleting sec. 10 and renumbering sections 11 through 13 as sections 10 through 12.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law sets forth the circumstances under which a driver's license may be issued to a person who is between 15 3/4 and 18 years of age. (NRS 483.250)

This bill prohibits a person who is under 16 years of age from obtaining a driver's license. This bill requires a person who is 16 or 17 years of age to hold an instruction permit for at least 6 months before applying for a license. The person also must not have been responsible for a motor vehicle accident or convicted of driving under the influence during the 6 months before applying for the license.

Existing law restricts a driver who is under 18 years of age from transporting passengers who are under 18 years of age for the first 30 to 90 days after the license is issued depending upon the age of the driver at the time of issuance, unless the passenger is a member of the driver's immediate family. (NRS 483.253)

This bill prohibits a driver who is 16 or 17 years of age from transporting passengers who are under 18 years of age for the first 6 months after the license is issued unless the passengers who are under 18 years of age are members of the driver's immediate family. Violating this provision is not a moving traffic violation or grounds for the suspension or revocation of the driver's license. Peace officers are specifically prohibited from stopping a motor vehicle solely to determine whether the driver is unlawfully transporting passengers who are under 18 years of age. However, a peace officer

may issue a citation for such a violation if the vehicle is halted or the driver is arrested for another alleged violation or offense.

This bill further requires that a driver's education course offered in the public schools include a component of training conducted in the classroom.