

Amendment No. 694

Senate Amendment to Assembly Bill No. 84 First Reprint

(BDR 40-810)

Proposed by: Committee on Human Resources and Education**Amendment Box:****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
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"/>	_____
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Amend the bill as a whole by renumbering sec. 3 as sec. 10 and adding new sections designated sections 3 through 9, following sec. 2, to read as follows:

“**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.*

YMGL/LH

Date: 5/9/2005

A.B. No. 84—Makes various changes concerning homeless persons.

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.”.

Amend sec. 3, page 3, line 38, by deleting “6,” and inserting:

“6 ~~[]~~ ***and section 4 of this act,***”.

Amend sec. 3, page 4, line 20, by deleting “The” and inserting:

~~“The~~ ***Except as otherwise provided in section 4 of this act, the***”.

Amend sec. 3, page 4, by deleting lines 27 through 33 and inserting:

“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.”.

Amend the bill as a whole by renumbering sec. 4 as sec. 14 and adding new sections designated sections 11 through 13, following sec. 3, to read as follows:

“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.”.

Amend sec. 4, page 4, line 43, after “inclusive,” by inserting:

“and section 5 of this act”.

Amend sec. 4, page 5, line 6, by deleting “*subsection 3*,” and inserting:

“section 5 of this act,”.

Amend sec. 4, page 5, line 24, by deleting the brackets and strike-through.

Amend sec. 4, page 5, by deleting lines 26 through 29 and inserting:

“age or older.”.

Amend sec. 4, page 5, line 30, by deleting “The” and inserting:

“~~The~~ *Except as otherwise provided in section 5 of this act, the*”.

Amend the bill as a whole by renumbering sec. 5 as sec. 16 and adding a new section designated sec. 15, following sec. 4, to read as follows:

“**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.”.

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

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.