

ASSEMBLY BILL NO. 164—ASSEMBLYWOMAN WEBER

FEBRUARY 23, 2007

Referred to Committee on Transportation

SUMMARY—Makes various changes to certain provisions pertaining to persons who are released from incarceration. (BDR 43-285)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted-material] is material to be omitted.

AN ACT relating to persons released from incarceration; making various changes to provisions governing the acquisition of a driver's license or identification card by a person recently released from incarceration; waiving the fee imposed for a driver's license or identification card for a person recently released from incarceration; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, an applicant for a driver's license or identification card
- 2 must provide proof of his name, age and social security number by supplying
- 3 appropriate documentation. (NRS 483.290, 483.860 and 486.081) **Sections 3, 7**
- 4 **and 8** of this bill allow a person recently released from the custody of the
- 5 Department of Corrections or a county jail to use an inmate identification document
- 6 to satisfy the identification requirements necessary to obtain a driver's license or
- 7 identification card from the Department of Motor Vehicles.
- 8 **Section 4** of this bill waives the fee for the issuance of a driver's license or
- 9 identification card for a person who has been released from the custody of the
- 10 Department of Corrections within the preceding 60 days. **Section 6** of this bill
- 11 waives the fee for the issuance of a driver's license or identification card for a
- 12 person who has been released from the custody of any county jail within the
- 13 preceding 60 days, provided the person was in custody for at least 6 consecutive
- 14 months. (NRS 483.410, 483.820)
- 15 **Section 9** of this bill requires the Director of the Department of Corrections to
- 16 issue an inmate identification document to any person in the custody of the
- 17 Department. **Section 10** of this bill requires the sheriff of a county jail to issue an



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18 inmate identification document to any person in the custody of the county jail for at
19 least 6 consecutive months.

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

1 **Section 1.** Chapter 483 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***"Inmate identification document" means a document issued by***
4 ***the Department of Corrections or a county jail in this State***
5 ***pursuant to sections 9 and 10 of this act.***

6 **Sec. 2.** NRS 483.020 is hereby amended to read as follows:

7 483.020 As used in NRS 483.010 to 483.630, inclusive, ***and***
8 ***483.860,*** unless the context otherwise requires, the words and terms
9 defined in NRS 483.030 to 483.190, inclusive, ***and section 1 of this***
10 ***act*** have the meanings ascribed to them in those sections.

11 **Sec. 3.** NRS 483.290 is hereby amended to read as follows:

12 483.290 1. Every application for an instruction permit or for
13 a driver's license must:

14 (a) Be made upon a form furnished by the Department.

15 (b) Be verified by the applicant before a person authorized to
16 administer oaths. Officers and employees of the Department may
17 administer those oaths without charge.

18 (c) ~~Be~~ ***Except as otherwise provided in subsections 6 and 7 of***
19 ***NRS 483.410, be*** accompanied by the required fee.

20 (d) State the name, date of birth, sex and residence address of
21 the applicant and briefly describe the applicant.

22 (e) State whether the applicant has theretofore been licensed as a
23 driver, and, if so, when and by what state or country, and whether
24 any such license has ever been suspended or revoked, or whether an
25 application has ever been refused, and, if so, the date of and reason
26 for the suspension, revocation or refusal.

27 (f) Include such other information as the Department may
28 require to determine the competency and eligibility of the applicant.

29 2. Except as otherwise provided in subsections 5, 6 and 7,
30 every applicant must furnish proof of his name and age by
31 displaying an original or certified copy of at least one of the
32 following documents:

33 (a) If the applicant was born in the United States, including,
34 without limitation, the District of Columbia or any territory of the
35 United States:

36 (1) A birth certificate issued by a state, a political subdivision
37 of a state, the District of Columbia or any territory of the United
38 States;



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(2) A driver's license issued by another state, the District of Columbia or any territory of the United States;

(3) A passport issued by the United States Government;

(4) A military identification card or military dependent identification card issued by any branch of the Armed Forces of the United States;

(5) For persons who served in any branch of the Armed Forces of the United States, a report of separation;

(6) A Certificate of Degree of Indian Blood issued by the United States Government; ~~for~~

(7) *An inmate identification document; or*

(8) Such other documentation as specified by the Department by regulation; or

(b) If the applicant was born outside the United States:

(1) A Certificate of Citizenship, Certificate of Naturalization, Permanent Resident Card or Temporary Resident Card issued by the Bureau of Citizenship and Immigration Services;

(2) A Consular Report of Birth Abroad issued by the Department of State;

(3) A driver's license issued by another state, the District of Columbia or any territory of the United States;

(4) A passport issued by the United States Government; or

(5) Any other proof acceptable to the Department other than a passport issued by a foreign government.

3. At the time of applying for a driver's license, an applicant may, if eligible, register to vote pursuant to NRS 293.524.

4. Every applicant who has been assigned a social security number must furnish proof of his social security number by displaying:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department, including, without limitation, records of employment, ~~for~~ federal income tax returns ~~for~~ *or an inmate identification document.*

5. The Department may refuse to accept a driver's license issued by another state, the District of Columbia or any territory of the United States if the Department determines that the other state, the District of Columbia or the territory of the United States has less stringent standards than the State of Nevada for the issuance of a driver's license.

6. With respect to any document described in paragraph (b) of subsection 2, the Department may:



(a) If the document has expired, refuse to accept the document or refuse to issue a driver's license to the person presenting the document, or both; and

(b) If the document specifies a date by which the person presenting the document must depart from the United States, issue to the person presenting the document a driver's license that expires on the date on which the person is required to depart from the United States.

7. The Director shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license in accordance with this section to a person who is a citizen of a foreign country. The criteria must be based upon the purpose for which that person is present within the United States.

8. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an instruction permit or for a driver's license. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006.

Sec. 4. NRS 483.410 is hereby amended to read as follows:

483.410 1. Except as otherwise provided in ~~subsection~~ *subsections 6 and 7* and NRS 483.417, for every driver's license, including a motorcycle driver's license, issued and service performed, the following fees must be charged:

An original or renewal license issued to a person 65 years of age or older.....	\$13.50
An original or renewal license issued to any person less than 65 years of age	18.50
Reinstatement of a license after suspension, revocation or cancellation, except a revocation for a violation of NRS 484.379, 484.3795 or 484.37955, or pursuant to NRS 484.384 and 484.385.....	40.00
Reinstatement of a license after revocation for a violation of NRS 484.379, 484.3795 or 484.37955, or pursuant to NRS 484.384 and 484.385.....	65.00
A new photograph, change of name, change of other information, except address, or any combination.....	5.00
A duplicate license	14.00

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. Except as otherwise provided in NRS 483.417, the increase in fees authorized by NRS 483.347 and the fees charged pursuant to NRS 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~~ *shall* 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. *The Department shall not charge a fee for the issuance of a driver's license to a person who has been released from the custody of:*

(a) The Department of Corrections within the preceding 60 days; or

(b) A county jail in this State within the preceding 60 days, provided the person was in custody for at least 6 consecutive months,

↪ if the person presents an inmate identification document on which the date he was released from custody has been certified by his place of incarceration pursuant to sections 9 and 10 of this act.

8. All fees and penalties are payable to the Administrator at the time a license or a renewal license is issued.

~~[8:]~~ 9. Except as otherwise provided in NRS 483.340, subsection 3 of NRS 483.3485, NRS 483.415 and 483.840, and subsection 3 of NRS 483.863, 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. 5. NRS 483.415 is hereby amended to read as follows:

483.415 1. ~~[The]~~ *Except as otherwise provided in subsections 6 and 7 of NRS 483.410, the* Department shall charge and collect a fee of 50 cents, in addition to the fees set forth in NRS 483.410, for every driver's license, including a motorcycle driver's license, issued or renewed.

2. The Department shall deposit the money into the Highway and Safety Administrative Account which is hereby created in the



1 State Highway Fund. The money in the Account may be used only
2 as follows:

3 (a) Thirty-five percent of the money must be used for the
4 support of the position of Motor Vehicle Recovery and
5 Transportation Planner created within the Department of
6 Transportation pursuant to NRS 408.234; and

7 (b) Sixty-five percent of the money must be used for the support
8 of the position of Drivers' Education and Safety Officer created
9 pursuant to NRS 483.203, and to carry out the provisions of that
10 section.

11 **Sec. 6.** NRS 483.820 is hereby amended to read as follows:

12 483.820 1. A person who applies for an identification card in
13 accordance with the provisions of NRS 483.810 to 483.890,
14 inclusive, and who is not ineligible to receive an identification card
15 pursuant to NRS 483.861, is entitled to receive an identification card
16 if he is:

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

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

22 2. Except as otherwise provided in NRS 483.825, the
23 Department shall charge and collect the following fees for the
24 issuance of an original, duplicate or changed identification card:

25

26	An original or duplicate identification card issued to	
27	a person 65 years of age or older	\$4
28	An original or duplicate identification card issued to	
29	a person under 18 years of age.....	3
30	A renewal of an identification card for a person	
31	under 18 years of age	3
32	An original or duplicate identification card issued to	
33	any other person.....	9
34	A renewal of an identification card for any person at	
35	least 18 years of age, but less than 65 years of	
36	age	9
37	A new photograph or change of name, or both.....	4

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39 3. The Department shall not charge a fee for:

40 (a) An identification card issued to a person who has voluntarily
41 surrendered his driver's license pursuant to NRS 483.420; ~~or~~

42 (b) A renewal of an identification card for a person 65 years of
43 age or older ~~or~~; *or*

44 (c) *The issuance of an identification card to a person who has*
45 *been released from the custody of:*



1 (1) *The Department of Corrections within the preceding 60*
2 *days; or*

3 (2) *A county jail in this State within the preceding 60 days,*
4 *provided the person was in custody for at least 6 consecutive*
5 *months,*

6 ↳ *if the person presents an inmate identification document on*
7 *which the date he was released from custody has been certified by*
8 *his place of incarceration pursuant to sections 9 and 10 of this act.*

9 4. Except as otherwise provided in NRS 483.825, the increase
10 in fees authorized in NRS 483.347 must be paid in addition to the
11 fees charged pursuant to this section.

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

14 **Sec. 7.** NRS 483.860 is hereby amended to read as follows:

15 483.860 1. Except as otherwise provided in subsection 3,
16 every applicant for an identification card must furnish proof of his
17 name and age by presenting ~~{a}~~ :

18 (a) *A birth certificate issued by a state, a political subdivision of*
19 *a state, the District of Columbia or any territory of the United States*
20 ~~{, or other}~~ ;

21 (b) *An inmate identification document; or*

22 (c) *Other* proof of the applicant's date of birth, including, but
23 not limited to, a driver's license or identification card issued by
24 another state, the District of Columbia or any territory of the United
25 States, or such other corroboration of the matters stated in his
26 application as are required of applicants for a driver's license
27 pursuant to NRS 483.290.

28 2. Every applicant who has been assigned a social security
29 number must furnish proof of his social security number by
30 displaying:

31 (a) An original card issued to the applicant by the Social
32 Security Administration bearing the social security number of the
33 applicant; or

34 (b) Other proof acceptable to the Department, including, without
35 limitation, records of employment , ~~{or}~~ federal income tax returns
36 ~~{, or an inmate identification document.~~

37 3. The Department may refuse to accept a driver's license or
38 identification card issued by another state, the District of Columbia
39 or any territory of the United States if the Department determines
40 that the other state, the District of Columbia or the territory of the
41 United States has less stringent standards than the State of Nevada
42 for the issuance of a driver's license or identification card.

43 4. With respect to any document described in subsection 1, the
44 Department may, if the document has expired, refuse to accept the



document or refuse to issue an identification card to the person presenting the document, or both.

5. The Director shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue an identification card in accordance with this section to a person who is a citizen of a foreign country. The criteria must be based upon the purpose for which that person is present within the United States.

6. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an identification card. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006.

Sec. 8. NRS 486.081 is hereby amended to read as follows:

486.081 1. Every application for a motorcycle driver's license must be made upon a form furnished by the Department and must be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge.

2. Every application must:

(a) State the full name, date of birth, sex and residence address of the applicant;

(b) Briefly describe the applicant;

(c) State whether the applicant has previously been licensed as a driver, and, if so, when and by what state or country;

(d) State whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal; and

(e) Give such other information as the Department requires to determine the competency and eligibility of the applicant.

3. Except as otherwise provided in subsections 5, 6 and 7, every applicant shall furnish proof of his name and age by displaying an original or certified copy of at least one of the following documents:

(a) If ~~he~~ *the applicant* was born in the United States, including, without limitation, the District of Columbia or any territory of the United States:

(1) A birth certificate issued by a state, a political subdivision of a state, the District of Columbia or any territory of the United States;

(2) A driver's license issued by another state, the District of Columbia or any territory of the United States;

(3) A passport issued by the United States Government;



(4) A military identification card or military dependent identification card issued by any branch of the Armed Forces of the United States;

(5) For persons who served in any branch of the Armed Forces of the United States, a report of separation;

(6) A Certificate of Degree of Indian Blood issued by the United States Government; ~~or~~

(7) *An inmate identification document as defined in section 1 of this act; or*

(8) Such other documentation as specified by the Department by regulation; or

(b) If ~~he~~ *the applicant* was born outside the United States:

(1) A Certificate of Citizenship, Certificate of Naturalization, Permanent Resident Card or Temporary Resident Card issued by the Bureau of Citizenship and Immigration Services;

(2) A Consular Report of Birth Abroad issued by the Department of State;

(3) A driver's license issued by another state, the District of Columbia or any territory of the United States;

(4) A passport issued by the United States Government; or

(5) Any other proof acceptable to the Department other than a passport issued by a foreign government.

4. Every applicant who has been assigned a social security number must furnish proof of his social security number by displaying:

(a) An original card issued to the applicant by the Social Security Administration bearing the social security number of the applicant; or

(b) Other proof acceptable to the Department, including, without limitation, records of employment, ~~or~~ federal income tax returns ~~or~~ *or an inmate identification document as defined in section 1 of this act.*

5. The Department may refuse to accept a driver's license issued by another state, the District of Columbia or any territory of the United States if the Department determines that the other state, the District of Columbia or the territory of the United States has less stringent standards than the State of Nevada for the issuance of a driver's license.

6. With respect to any document described in paragraph (b) of subsection 3, the Department may:

(a) If the document has expired, refuse to accept the document or refuse to issue a driver's license to the person presenting the document, or both; and

(b) If the document specifies a date by which the person presenting the document must depart from the United States, issue



1 to the person presenting the document a driver's license that expires
2 on the date on which the person is required to depart from the
3 United States.

4 7. The Director shall adopt regulations setting forth criteria
5 pursuant to which the Department will issue or refuse to issue a
6 driver's license in accordance with this section to a person who is a
7 citizen of a foreign country. The criteria must be based upon the
8 purpose for which that person is present within the United States.

9 8. Notwithstanding any other provision of this section, the
10 Department shall not accept a consular identification card as proof
11 of the age or identity of an applicant for a motorcycle driver's
12 license. As used in this subsection, "consular identification card"
13 has the meaning ascribed to it in NRS 232.006.

14 **Sec. 9.** Chapter 209 of NRS is hereby amended by adding
15 thereto a new section to read as follows:

16 *1. The Director shall issue to every person who is in the*
17 *custody of the Department an inmate identification document, as*
18 *defined in section 1 of this act, on which the Department certifies*
19 *that it has:*

20 *(a) Verified the identity of the person by submitting*
21 *fingerprints to the Federal Bureau of Investigation; and*

22 *(b) Confirmed the social security number of the person with*
23 *the Social Security Administration.*

24 *2. Upon the release of any person from custody, the Director*
25 *shall certify the person's release date on his inmate identification*
26 *document.*

27 **Sec. 10.** Chapter 211 of NRS is hereby amended by adding
28 thereto a new section to read as follows:

29 *1. The sheriff shall issue to every person who is in the*
30 *custody of the county jail for a period of at least 6 consecutive*
31 *months an inmate identification document, as defined in section 1*
32 *of this act, on which the county jail certifies that it has:*

33 *(a) Verified the identity of the person by submitting*
34 *fingerprints to the Federal Bureau of Investigation; and*

35 *(b) Confirmed the social security number of the person with*
36 *the Social Security Administration.*

37 *2. Upon the release of any person from custody for whom an*
38 *inmate identification document was issued, the sheriff shall certify*
39 *the person's release date on his inmate identification document.*

40 **Sec. 11.** Sections 4 and 6 of this act apply to any person who
41 was released from the custody of the Department of Corrections or a
42 county jail in this State within 60 days preceding the effective date
43 of this act.



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1 **Sec. 12.** This act becomes effective upon passage and
2 approval.

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