

ASSEMBLY BILL NO. 497—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

MARCH 22, 2007

Referred to Committee on Transportation

SUMMARY—Makes various changes to provisions governing driver's licenses and public safety. (BDR 43-642)

FISCAL NOTE: Effect on Local Government: No.  
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.

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AN ACT relating to public safety; revising provisions relating to services provided for the control of vehicular traffic related to a special event; requiring proof of insurance to be contained in an application for the registration of a motor vehicle; transferring certain duties for training peace officers from the Department of Motor Vehicles to the Department of Public Safety; revising provisions governing the revocation of driver's licenses; prohibiting a person who has a temporary driver's license from obtaining another temporary license in certain circumstances; revising provisions governing the issuance of motor vehicle insurance; revising provisions relating to the security that must be deposited when a report of certain motor vehicle accidents involving injury, death or damage to property is received by the Department of Motor Vehicles; requiring the City of North Las Vegas to acquire and use an automated enforcement system to gather evidence that may be used for the issuance of a traffic citation; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

- 1 Existing law provides that the Nevada Highway Patrol may enter into a contract
- 2 with any person to provide services for the control of vehicular traffic related to a
- 3 special event. (NRS 480.340) **Section 1** of this bill provides that any qualified



personnel of the Department of Public Safety, as well as the Nevada Highway Patrol, may provide services for the control of vehicular traffic pursuant to the contract.

**Section 1.3** of this bill requires an application for the registration of a motor vehicle to contain proof satisfactory to the Department of Motor Vehicles that the applicant has provided the insurance required by law, in lieu of signing a declaration indicating that he has provided the insurance. (NRS 482.215, 485.185)

**Section 1.7** of this bill transfers the duty of training peace officers in identifying and handling drivers who suffer from a diabetic condition or epileptic seizures from the Department of Motor Vehicles to the Department of Public Safety. (NRS 483.348)

Existing law requires the Department of Motor Vehicles to revoke the driver's license of a person who is convicted of certain felonies involving the use of a vehicle. Existing law further requires the Department to set aside the revocation during any period of imprisonment until the period of imprisonment is completed or until the person has been placed on residential confinement. (NRS 483.460)

**Sections 2, 11 and 12** of this bill provide instead that the revocation will resume when the Department is notified by the Department of Corrections or the Department of Public Safety that the person has completed his period of imprisonment or has been placed on residential confinement or parole.

Existing law requires a law enforcement officer to revoke the driver's license, permit or privilege to drive of a person who has a concentration of alcohol of 0.08 or more in his blood or breath or who is found to have a detectable amount of a prohibited substance in his blood or urine. The officer is required to advise the person of his right to administrative and judicial review of the revocation and to have a temporary license, valid for 7 days, which the officer must issue upon request. (NRS 484.385) In addition, if the person requests administrative review of the revocation, the Department of Motor Vehicles is required to issue an additional temporary license which is valid for a period sufficient to complete the administrative review. (NRS 484.387) **Sections 3-6** of this bill provide that a person driving with a temporary permit is not entitled to receive an additional temporary permit if he is found again to have driven with a prohibited amount of alcohol in his blood or breath or a prohibited substance in his blood or urine.

Existing law requires each owner of a motor vehicle to maintain a certain amount of insurance against bodily injury or death. (NRS 485.185) **Section 7** of this bill requires that such insurance must be obtained from a company that is licensed and has been approved to do business in this State.

Existing law requires the Department of Motor Vehicles to suspend the driver's license or privilege to drive and the motor vehicle registrations of each owner of a motor vehicle involved in a motor vehicle accident involving injury or death when it is determined that the required security has not been deposited and the person has not been released from liability and has not executed an agreement to pay in installments. Existing law requires notice of the suspension to be sent to the person at least 10 days before the effective date of the suspension. (NRS 485.190) **Section 8** of this bill requires the suspension to be effective immediately after the determination is made unless the person immediately deposits the security at the hearing.

**Section 12.5** of this bill requires the City of North Las Vegas to acquire and use an automated enforcement system to gather evidence that may be used for the issuance of a traffic citation. The section expires by limitation on June 30, 2011.



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

**Section 1.** NRS 480.340 is hereby amended to read as follows:  
480.340 1. Except as otherwise provided in this section, the  
Chief of the Nevada Highway Patrol may enter into a contract with  
any person or governmental agency to provide services for the  
control of vehicular traffic related to or affected by any special event  
sponsored by the person or agency.

2. Any such contract:

(a) Must require the sponsor of the special event to reimburse  
the Nevada Highway Patrol for the cost of the services provided.

(b) May require the sponsor to furnish a bond to ensure that  
reimbursement is made.

(c) Is subject to the following limitations:

(1) The services provided pursuant to the contract must be  
provided by personnel of the Nevada Highway Patrol ~~or~~ *or other  
qualified personnel of the Department.*

(2) The services required must not impair the ability of the  
Nevada Highway Patrol to perform its customary duties.

3. Any money received by the Nevada Highway Patrol  
pursuant to such a contract must be deposited with the State  
Treasurer for credit to the State Highway Fund.

4. As used in this section, "special event" has the meaning  
ascribed to it in NRS 484.900.

**Sec. 1.3.** NRS 482.215 is hereby amended to read as follows:

482.215 1. All applications for registration, except  
applications for renewal of registration, must be made as provided in  
this section.

2. Except as otherwise provided in NRS 482.294, applications  
for all registrations, except renewals of registration, must be made in  
person, if practicable, to any office or agent of the Department or to  
a registered dealer.

3. Each application must be made upon the appropriate form  
furnished by the Department and contain:

(a) The signature of the owner, except as otherwise provided in  
subsection 2 of NRS 482.294, if applicable.

(b) His residential address.

(c) His declaration of the county where he intends the vehicle to  
be based, unless the vehicle is deemed to have no base. The  
Department shall use this declaration to determine the county to  
which the governmental services tax is to be paid.

(d) A brief description of the vehicle to be registered, including  
the name of the maker, the engine, identification or serial number,  
whether new or used, and the last license number, if known, and the



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1 state in which it was issued, and upon the registration of a new  
2 vehicle, the date of sale by the manufacturer or franchised and  
3 licensed dealer in this State for the make to be registered to the  
4 person first purchasing or operating the vehicle.

5 (e) Except as otherwise provided in this paragraph, if the  
6 applicant is not an owner of a fleet of vehicles or a person described  
7 in subsection 5, *proof satisfactory to the Department or registered*  
8 *dealer that the applicant has provided the insurance required by*  
9 *NRS 485.185 and* a declaration signed by the applicant that he ~~has~~  
10 ~~provided the insurance required by NRS 485.185 and~~ will maintain  
11 the insurance during the period of registration. If the application is  
12 submitted by electronic means pursuant to NRS 482.294, the  
13 applicant is not required to sign the declaration required by this  
14 paragraph.

15 (f) If the applicant is an owner of a fleet of vehicles or a person  
16 described in subsection 5, evidence of insurance:

17 (1) In the form of a certificate of insurance on a form  
18 approved by the Commissioner of Insurance;

19 (2) In the form of a card issued pursuant to NRS 690B.023  
20 which identifies the vehicle and indicates, at the time of application  
21 for registration, coverage which meets the requirements of NRS  
22 485.185; or

23 (3) In another form satisfactory to the Department.

24 ➔ The Department may file that evidence, return it to the applicant  
25 or otherwise dispose of it.

26 (g) If required, evidence of the applicant's compliance with  
27 controls over emission.

28 4. The application must contain such other information as is  
29 required by the Department or registered dealer and must be  
30 accompanied by proof of ownership satisfactory to the Department.

31 5. For purposes of the evidence required by paragraph (f) of  
32 subsection 3:

33 (a) Vehicles which are subject to the fee for a license and the  
34 requirements of registration of the Interstate Highway User Fee  
35 Apportionment Act, and which are based in this State, may be  
36 declared as a fleet by the registered owner thereof on his original  
37 application for or application for renewal of a proportional  
38 registration. The owner may file a single certificate of insurance  
39 covering that fleet.

40 (b) Other fleets composed of 10 or more vehicles based in this  
41 State or vehicles insured under a blanket policy which does not  
42 identify individual vehicles may each be declared annually as a fleet  
43 by the registered owner thereof for the purposes of an application  
44 for his original or any renewed registration. The owner may file a  
45 single certificate of insurance covering that fleet.



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(c) A person who qualifies as a self-insurer pursuant to the provisions of NRS 485.380 may file a copy of his certificate of self-insurance.

(d) A person who qualifies for an operator's policy of liability insurance pursuant to the provisions of NRS 485.186 and 485.3091 may file evidence of that insurance.

**Sec. 1.7.** NRS 483.348 is hereby amended to read as follows:

483.348 1. Except as otherwise provided in subsection 2, the Department shall issue a driver's license with a specially colored background to any person who qualifies for a driver's license pursuant to the provisions of this chapter and delivers to the Department a signed statement from a physician that the person is an insulin dependent diabetic or an epileptic. The Department shall designate one color to be used only for a driver's license held by a diabetic and another color to be used only for a driver's license held by an epileptic.

2. In lieu of issuing a driver's license pursuant to subsection 1, the Department may issue to a person specified in that subsection a driver's license with a specially colored border around the photograph on the license.

3. The Department *of Public Safety* shall provide for the education of peace officers on the:

(a) Effects and treatment of a person suffering from ~~[insulin shock]~~ *a diabetic condition* or an epileptic seizure and the similarity in appearance of a person suffering from ~~[insulin shock]~~ *a diabetic condition* or an epileptic seizure to a person under the influence of alcohol or a controlled substance; and

(b) Procedures for identifying and handling situations involving a person suffering from ~~[insulin shock]~~ *a diabetic condition* or an epileptic seizure.

**Sec. 2.** NRS 483.460 is hereby amended to read as follows:

483.460 1. Except as otherwise provided by specific statute, the Department shall revoke the license, permit or privilege of any driver upon receiving a record of his conviction of any of the following offenses, when that conviction has become final, and the driver is not eligible for a license, permit or privilege to drive for the period indicated:

(a) For a period of 3 years if the offense is:

(1) A violation of subsection 2 of NRS 484.377.

(2) A violation of NRS 484.379 that is punishable as a felony pursuant to NRS 484.3792.

(3) A violation of NRS 484.3795 or a homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance



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1 or resulting from any other conduct prohibited by NRS 484.379,  
2 484.3795 or 484.37955.

3 ➔ The period during which such a driver is not eligible for a  
4 license, permit or privilege to drive must be set aside during any  
5 period of imprisonment and the period of revocation must resume  
6 ~~[upon completion of]~~ *when the Department is notified pursuant to*  
7 *section 11 or 12 of this act that the person has completed* the  
8 period of imprisonment or ~~[when]~~ *that* the person ~~[is]~~ *has been*  
9 placed on residential confinement ~~[ ]~~ *or parole.*

10 (b) For a period of 1 year if the offense is:

11 (1) Any other manslaughter, including vehicular  
12 manslaughter as described in NRS 484.3775, resulting from the  
13 driving of a motor vehicle or felony in the commission of which a  
14 motor vehicle is used, including the unlawful taking of a motor  
15 vehicle.

16 (2) Failure to stop and render aid as required pursuant to the  
17 laws of this State in the event of a motor vehicle accident resulting  
18 in the death or bodily injury of another.

19 (3) Perjury or the making of a false affidavit or statement  
20 under oath to the Department pursuant to NRS 483.010 to 483.630,  
21 inclusive, or pursuant to any other law relating to the ownership or  
22 driving of motor vehicles.

23 (4) Conviction, or forfeiture of bail not vacated, upon three  
24 charges of reckless driving committed within a period of 12 months.

25 (5) A violation of NRS 484.379 that is punishable pursuant  
26 to paragraph (b) of subsection 1 of NRS 484.3792 and the driver is  
27 not eligible for a restricted license during any of that period.

28 (6) A violation of NRS 484.348.

29 (c) For a period of 90 days, if the offense is a violation of NRS  
30 484.379 that is punishable pursuant to paragraph (a) of subsection 1  
31 of NRS 484.3792.

32 2. The Department shall revoke the license, permit or privilege  
33 of a driver convicted of violating NRS 484.379 who fails to  
34 complete the educational course on the use of alcohol and controlled  
35 substances within the time ordered by the court and shall add a  
36 period of 90 days during which the driver is not eligible for a  
37 license, permit or privilege to drive.

38 3. When the Department is notified by a court that a person  
39 who has been convicted of a violation of NRS 484.379 that is  
40 punishable pursuant to paragraph (a) of subsection 1 of NRS  
41 484.3792 has been permitted to enter a program of treatment  
42 pursuant to NRS 484.37937, the Department shall reduce by one-  
43 half the period during which he is not eligible for a license, permit  
44 or privilege to drive, but shall restore that reduction in time if



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1 notified that he was not accepted for or failed to complete the  
2 treatment.

3 4. The Department shall revoke the license, permit or privilege  
4 to drive of a person who is required to install a device pursuant to  
5 NRS 484.3943 but who operates a motor vehicle without such a  
6 device:

7 (a) For 3 years, if it is his first such offense during the period of  
8 required use of the device.

9 (b) For 5 years, if it is his second such offense during the period  
10 of required use of the device.

11 5. A driver whose license, permit or privilege is revoked  
12 pursuant to subsection 4 is not eligible for a restricted license during  
13 the period set forth in paragraph (a) or (b) of that subsection,  
14 whichever applies.

15 6. In addition to any other requirements set forth by specific  
16 statute, if the Department is notified that a court has ordered the  
17 revocation, suspension or delay in the issuance of a license pursuant  
18 to title 5 of NRS, NRS 176.064 or 206.330, chapter 484 of NRS or  
19 any other provision of law, the Department shall take such actions  
20 as are necessary to carry out the court's order.

21 7. As used in this section, "device" has the meaning ascribed to  
22 it in NRS 484.3941.

23 **Sec. 3.** NRS 484.385 is hereby amended to read as follows:

24 484.385 1. As agent for the Department, the officer who  
25 obtained the result of a test given pursuant to NRS 484.382 or  
26 484.383 shall immediately serve an order of revocation of the  
27 license, permit or privilege to drive on a person who has a  
28 concentration of alcohol of 0.08 or more in his blood or breath or  
29 has a detectable amount of a prohibited substance in his blood or  
30 urine, if that person is present, and shall seize his license or permit  
31 to drive. The officer shall then advise him of his right to  
32 administrative and judicial review of the revocation ~~and to have a~~  
33 *pursuant to NRS 484.387 and, except as otherwise provided in this*  
34 *subsection, that he has a right to request a temporary license . [*  
35 *and]* *If the person currently is driving with a temporary license*  
36 *that was issued pursuant to this section or NRS 484.387, he is not*  
37 *entitled to request an additional temporary license pursuant to this*  
38 *section or NRS 484.387, and the order of revocation issued by the*  
39 *officer must revoke the temporary license that was previously*  
40 *issued. If the person is entitled to request a temporary license, the*  
41 *officer* shall issue him a temporary license on a form approved by  
42 the Department if he requests one, which is effective for only 7 days  
43 including the date of issuance. The officer shall immediately  
44 transmit the person's license or permit to the Department along with  
45 the written certificate required by subsection 2.



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2. When a police officer has served an order of revocation of a driver's license, permit or privilege on a person pursuant to subsection 1, or later receives the result of an evidentiary test which indicates that a person, not then present, had a concentration of alcohol of 0.08 or more in his blood or breath or had a detectable amount of a prohibited substance in his blood or urine, the officer shall immediately prepare and transmit to the Department, together with the seized license or permit and a copy of the result of the test, a written certificate that he had reasonable grounds to believe that the person had been driving or in actual physical control of a vehicle with a concentration of alcohol of 0.08 or more in his blood or breath or with a detectable amount of a prohibited substance in his blood or urine, as determined by a chemical test. The certificate must also indicate whether the officer served an order of revocation on the person and whether he issued the person a temporary license.

3. The Department, upon receipt of such a certificate for which an order of revocation has not been served, after examining the certificate and copy of the result of the chemical test, if any, and finding that revocation is proper, shall issue an order revoking the person's license, permit or privilege to drive by mailing the order to the person at his last known address. The order must indicate the grounds for the revocation and the period during which the person is not eligible for a license, permit or privilege to drive and state that the person has a right to administrative and judicial review of the revocation and to have a temporary license. The order of revocation becomes effective 5 days after mailing.

4. Notice of an order of revocation and notice of the affirmation of a prior order of revocation or the cancellation of a temporary license provided in NRS 484.387 is sufficient if it is mailed to the person's last known address as shown by any application for a license. The date of mailing may be proved by the certificate of any officer or employee of the Department, specifying the time of mailing the notice. The notice is presumed to have been received upon the expiration of 5 days after it is deposited, postage prepaid, in the United States mail.

**Sec. 4.** NRS 484.385 is hereby amended to read as follows:

484.385 1. As agent for the Department, the officer who obtained the result of a test given pursuant to NRS 484.382 or 484.383 shall immediately serve an order of revocation of the license, permit or privilege to drive on a person who has a concentration of alcohol of 0.10 or more in his blood or breath or has a detectable amount of a prohibited substance in his blood or urine, if that person is present, and shall seize his license or permit to drive. The officer shall then advise him of his right to administrative and judicial review of the revocation ~~and to have a~~



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1 *pursuant to NRS 484.387 and, except as otherwise provided in this*  
2 *subsection, that he has a right to request a temporary license .* ~~f~~  
3 ~~and~~ *If the person currently is driving with a temporary license*  
4 *that was issued pursuant to this section or NRS 484.387, he is not*  
5 *entitled to request an additional temporary license pursuant to this*  
6 *section or NRS 484.387, and the order of revocation issued by the*  
7 *officer must revoke the temporary license that was previously*  
8 *issued. If the person is entitled to request a temporary license, the*  
9 *officer* shall issue him a temporary license on a form approved by  
10 the Department if he requests one, which is effective for only 7 days  
11 including the date of issuance. The officer shall immediately  
12 transmit the person's license or permit to the Department along with  
13 the written certificate required by subsection 2.

14 2. When a police officer has served an order of revocation of a  
15 driver's license, permit or privilege on a person pursuant to  
16 subsection 1, or later receives the result of an evidentiary test which  
17 indicates that a person, not then present, had a concentration of  
18 alcohol of 0.10 or more in his blood or breath or had a detectable  
19 amount of a prohibited substance in his blood or urine, the officer  
20 shall immediately prepare and transmit to the Department, together  
21 with the seized license or permit and a copy of the result of the test,  
22 a written certificate that he had reasonable grounds to believe that  
23 the person had been driving or in actual physical control of a vehicle  
24 with a concentration of alcohol of 0.10 or more in his blood or  
25 breath or with a detectable amount of a prohibited substance in his  
26 blood or urine, as determined by a chemical test. The certificate  
27 must also indicate whether the officer served an order of revocation  
28 on the person and whether he issued the person a temporary license.

29 3. The Department, upon receipt of such a certificate for which  
30 an order of revocation has not been served, after examining the  
31 certificate and copy of the result of the chemical test, if any, and  
32 finding that revocation is proper, shall issue an order revoking the  
33 person's license, permit or privilege to drive by mailing the order to  
34 the person at his last known address. The order must indicate the  
35 grounds for the revocation and the period during which the person is  
36 not eligible for a license, permit or privilege to drive and state that  
37 the person has a right to administrative and judicial review of the  
38 revocation and to have a temporary license. The order of revocation  
39 becomes effective 5 days after mailing.

40 4. Notice of an order of revocation and notice of the  
41 affirmation of a prior order of revocation or the cancellation of a  
42 temporary license provided in NRS 484.387 is sufficient if it is  
43 mailed to the person's last known address as shown by any  
44 application for a license. The date of mailing may be proved by the  
45 certificate of any officer or employee of the Department, specifying



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1 the time of mailing the notice. The notice is presumed to have been  
2 received upon the expiration of 5 days after it is deposited, postage  
3 prepaid, in the United States mail.

4 **Sec. 5.** NRS 484.387 is hereby amended to read as follows:

5 484.387 1. At any time while a person is not eligible for a  
6 license, permit or privilege to drive following an order of revocation  
7 issued pursuant to NRS 484.385, he may request in writing a  
8 hearing by the Department to review the order of revocation, but he  
9 is only entitled to one hearing. The hearing must be conducted  
10 within 15 days after receipt of the request, or as soon thereafter as is  
11 practicable, in the county where the requester resides unless the  
12 parties agree otherwise. The Director or his agent may issue  
13 subpoenas for the attendance of witnesses and the production of  
14 relevant books and papers and may require a reexamination of the  
15 requester. ~~{The}~~ *Unless the person is ineligible for a temporary*  
16 *license pursuant to NRS 484.385, the* Department shall issue an  
17 additional temporary license for a period which is sufficient to  
18 complete the administrative review.

19 2. The scope of the hearing must be limited to the issue of  
20 whether the person, at the time of the test, had a concentration of  
21 alcohol of 0.08 or more in his blood or breath or a detectable  
22 amount of a prohibited substance in his blood or urine. Upon an  
23 affirmative finding on this issue, the Department shall affirm the  
24 order of revocation. Otherwise, the order of revocation must be  
25 rescinded.

26 3. If, after the hearing, the order of revocation is affirmed, the  
27 person whose license, privilege or permit has been revoked is  
28 entitled to a review of the same issues in district court in the same  
29 manner as provided by chapter 233B of NRS. The court shall notify  
30 the Department upon the issuance of a stay, and the Department  
31 shall issue an additional temporary license for a period which is  
32 sufficient to complete the review.

33 4. If a hearing officer grants a continuance of a hearing at the  
34 request of the person whose license was revoked, or a court does so  
35 after issuing a stay of the revocation, the officer or court shall notify  
36 the Department, and the Department shall cancel the temporary  
37 license and notify the holder by mailing the order of cancellation to  
38 his last known address.

39 **Sec. 6.** NRS 484.387 is hereby amended to read as follows:

40 484.387 1. At any time while a person is not eligible for a  
41 license, permit or privilege to drive following an order of revocation  
42 issued pursuant to NRS 484.385, he may request in writing a  
43 hearing by the Department to review the order of revocation, but he  
44 is only entitled to one hearing. The hearing must be conducted  
45 within 15 days after receipt of the request, or as soon thereafter as is



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1 practicable, in the county where the requester resides unless the  
2 parties agree otherwise. The Director or his agent may issue  
3 subpoenas for the attendance of witnesses and the production of  
4 relevant books and papers and may require a reexamination of the  
5 requester. ~~[The]~~ *Unless the person is ineligible for a temporary*  
6 *license pursuant to NRS 484.385, the* Department shall issue an  
7 additional temporary license for a period which is sufficient to  
8 complete the administrative review.

9 2. The scope of the hearing must be limited to the issue of  
10 whether the person, at the time of the test, had a concentration of  
11 alcohol of 0.10 or more in his blood or breath or a detectable  
12 amount of a prohibited substance in his blood or urine. Upon an  
13 affirmative finding on this issue, the Department shall affirm the  
14 order of revocation. Otherwise, the order of revocation must be  
15 rescinded.

16 3. If, after the hearing, the order of revocation is affirmed, the  
17 person whose license, privilege or permit has been revoked is  
18 entitled to a review of the same issues in district court in the same  
19 manner as provided by chapter 233B of NRS. The court shall notify  
20 the Department upon the issuance of a stay, and the Department  
21 shall issue an additional temporary license for a period which is  
22 sufficient to complete the review.

23 4. If a hearing officer grants a continuance of a hearing at the  
24 request of the person whose license was revoked, or a court does so  
25 after issuing a stay of the revocation, the officer or court shall notify  
26 the Department, and the Department shall cancel the temporary  
27 license and notify the holder by mailing the order of cancellation to  
28 his last known address.

29 **Sec. 7.** NRS 485.185 is hereby amended to read as follows:

30 485.185 Every owner of a motor vehicle which is registered or  
31 required to be registered in this State shall continuously provide,  
32 while the motor vehicle is present or registered in this State,  
33 insurance ~~[+]~~ *provided by an insurance company licensed by the*  
34 *Division of Insurance of the Department of Business and Industry*  
35 *and approved to do business in this State:*

36 1. In the amount of \$15,000 for bodily injury to or death of one  
37 person in any one accident;

38 2. Subject to the limit for one person, in the amount of \$30,000  
39 for bodily injury to or death of two or more persons in any one  
40 accident; and

41 3. In the amount of \$10,000 for injury to or destruction of  
42 property of others in any one accident,

43 ➡ for the payment of tort liabilities arising from the maintenance or  
44 use of the motor vehicle.



1     **Sec. 8.** NRS 485.190 is hereby amended to read as follows:

2     485.190 1. If 20 days after the receipt of a report of an  
3 accident involving a motor vehicle within this State which has  
4 resulted in bodily injury or death, or damage to the property of any  
5 one person in excess of \$750, the Department does not have on file  
6 evidence satisfactory to it that the person who would otherwise be  
7 required to file security under subsection 2 ~~[of this section]~~ has been  
8 released from liability, has been finally adjudicated not to be liable  
9 or has executed an acknowledged written agreement providing for  
10 the payment of an agreed amount in installments with respect to all  
11 claims for injuries or damages resulting from the accident, the  
12 Department shall upon request set the matter for a hearing as  
13 provided in NRS 485.191.

14     2. The Department shall ~~[- at any time]~~ , *immediately* after a  
15 determination adverse to an operator or owner *is made in a hearing*  
16 pursuant to NRS 485.191, suspend the license of each operator and  
17 all registrations of each owner of a motor vehicle involved in such  
18 an accident, and, if the operator is a nonresident, the privilege of  
19 operating a motor vehicle within this State, and, if the owner is a  
20 nonresident, the privilege of the use within this State of any motor  
21 vehicle owned by him, unless the operator or owner, or both,  
22 *immediately* deposit security in the sum so determined by the  
23 Department ~~[- Notice of such a suspension must be sent by the~~  
24 ~~Department to the operator and owner not less than 10 days before~~  
25 ~~the effective date of the suspension and must state the amount~~  
26 ~~required as security.]~~ *at the hearing.* If erroneous information is  
27 given to the Department with respect to the matters set forth in  
28 paragraph (a), (b) or (c) of subsection 1 of NRS 485.200, the  
29 Department shall take appropriate action as provided in this section  
30 after it receives correct information with respect to those matters.

31     **Sec. 9.** NRS 485.301 is hereby amended to read as follows:

32     485.301 1. Whenever any person fails within 60 days to  
33 satisfy any judgment ~~[ ]~~ *that was entered as a result of an accident*  
34 *involving a motor vehicle*, the judgment creditor or his attorney may  
35 forward to the Department immediately after the expiration of the  
36 60 days a certified copy of the judgment.

37     2. If the defendant named in any certified copy of a judgment  
38 *that was entered as a result of an accident involving a motor*  
39 *vehicle and* reported to the Department is a nonresident, the  
40 Department shall transmit a certified copy of the judgment to the  
41 officer in charge of the issuance of licenses and registration  
42 certificates of the state in which the defendant is a resident.

43     **Sec. 10.** NRS 485.3099 is hereby amended to read as follows:

44     485.3099 1. The Department shall, upon request, consent to  
45 the immediate cancellation of any certificate of financial



\* A B 4 9 7 R 1 \*

responsibility or waive the requirement of filing proof of financial responsibility, in ~~[any of]~~ the following events:

(a) ~~[At any time after 3 years after the date the proof of financial responsibility was required when, during the 3 year period preceding the request, the Department has not received a record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license, registration or nonresident's operating privilege of the person by or for whom the proof of financial responsibility was furnished;~~

~~—(b)}~~ The death of the person on whose behalf the proof of financial responsibility was filed or the permanent incapacity of the person to operate a motor vehicle; or

~~{(e)}~~ (b) If the person who is required to file proof of financial responsibility surrenders his license and registration to the Department.

2. If a person who surrenders his license and registration pursuant to paragraph ~~{(e)}~~ (b) of subsection 1 applies for a license or registration within a period of 3 years after the date proof of financial responsibility was originally required, the application must be refused unless the applicant reestablishes proof of financial responsibility for the remainder of the 3-year period.

**Sec. 11.** Chapter 209 of NRS is hereby amended by adding thereto a new section to read as follows:

*The Director shall notify the Department of Motor Vehicles when a driver who has had his license, permit or privilege to drive revoked pursuant to NRS 483.460 has completed a period of imprisonment or is placed on residential confinement. The notification process must conform to the guidelines provided in regulation by the Department of Motor Vehicles pursuant to NRS 483.460. The period during which such a driver is not eligible for a license, permit or privilege to drive must be set aside during any period of imprisonment or when the person is placed on residential confinement.*

**Sec. 12.** Chapter 213 of NRS is hereby amended by adding thereto a new section to read as follows:

*The Chief shall notify the Department of Motor Vehicles when a driver who has had his license, permit or privilege to drive revoked pursuant to NRS 483.460 is placed on parole. The notification process must conform to the guidelines provided in regulation by the Department of Motor Vehicles pursuant to NRS 483.460. The period during which such a driver is not eligible for a license, permit or privilege to drive must be set aside during any period of imprisonment or when the person is placed on residential confinement.*



\* A B 4 9 7 R 1 \*

1     **Sec. 12.5.** 1. Notwithstanding the provisions of NRS  
2 484.910, the Department of Transportation shall adopt regulations  
3 establishing a pilot program for the City of North Las Vegas to  
4 acquire and use an automated enforcement system to gather  
5 evidence that may be used for the issuance of a traffic citation:

6       (a) For a violation of chapter 484 of NRS; or

7       (b) For a violation of a municipal ordinance.

8     2. The regulations adopted pursuant to subsection 1 must set  
9 forth, without limitation:

10       (a) That the penalty for a violation evidenced through the use of  
11 an automated enforcement system will be the lowest penalty  
12 imposed for the violation of a law or ordinance governing parking  
13 which the Department of Transportation determines is sufficient to  
14 pay the costs of administering the pilot program.

15       (b) That a citation issued through the use of an automated  
16 enforcement system must:

17           (1) Insofar as practicable, comply with the applicable  
18 provisions of NRS 484.799;

19           (2) Be issued to the registered owner of the vehicle;

20           (3) Include or be accompanied by a photograph of the driver;

21           (4) Be mailed or otherwise delivered to the registered owner  
22 of the vehicle within 10 working days after the date of the incident;  
23 and

24           (5) Afford the person cited:

25               (I) The opportunity to appeal or otherwise challenge the  
26 citation by appearance before a magistrate, justice or judge, as  
27 appropriate; or

28               (II) The opportunity to respond by mail within 30 days  
29 after the mailing of the citation, by submitting to the court having  
30 jurisdiction over the alleged offense, a photocopy of the driver's  
31 license of the registered owner and a signed and notarized affidavit  
32 stating that the owner was not the driver of the vehicle. A court  
33 having jurisdiction over the alleged offense that receives an affidavit  
34 and photocopy pursuant to this sub-subparagraph shall dismiss the  
35 citation without requiring a court appearance by the registered  
36 owner if it finds there is reason to believe the registered owner was  
37 not the driver of the vehicle.

38       (c) The information which must be included in the report that  
39 the City of North Las Vegas is required to provide to the  
40 Department of Transportation pursuant to subsection 5.

41     3. The City of North Las Vegas, in implementing the pilot  
42 program, shall:

43       (a) Coordinate with private entities to provide for a public  
44 information campaign regarding the implementation of the pilot



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1 program at least 30 days before the commencement of the pilot  
2 program; and

3 (b) Identify the presence of an automated enforcement system  
4 by erecting signs which clearly indicate the presence of such a  
5 system and which are visible to traffic approaching from all  
6 directions, or erect signs at all major entrances to the City of North  
7 Las Vegas including, without limitation, freeways, bridges and state  
8 highways.

9 4. A contract between the City of North Las Vegas and a  
10 manufacturer or supplier of an automated enforcement system must:

11 (a) Require the manufacturer or supplier to provide sufficient  
12 evidence of a traffic violation in a timely manner to facilitate the  
13 issuance of a citation within the period provided for in paragraph (b)  
14 of subsection 2; and

15 (b) Provide that the manufacturer or supplier must not receive:

16 (1) Any payments or compensation based on the number of  
17 citations issued; or

18 (2) A percentage of the revenue generated as a result of the  
19 use of the automated enforcement system.

20 5. The Department of Transportation shall:

21 (a) Establish and maintain a clearinghouse of information on  
22 matters relating to the use of automated enforcement systems;

23 (b) Require the City of North Las Vegas to report to the  
24 Department of Transportation, on or before October 1, 2008, and  
25 October 1, 2010, the information required to be reported by the  
26 regulations adopted pursuant to subsection 1; and

27 (c) On or before January 1, 2009, and January 1, 2011, submit to  
28 the Director of the Legislative Counsel Bureau for distribution to  
29 each regular session of the Legislature a report on the use of  
30 automated enforcement systems.

31 6. As used in this section:

32 (a) "Automated enforcement system" means a contrivance,  
33 device or mechanism, or any combination thereof, which is used to  
34 obtain evidence of a moving traffic violation without operation by a  
35 person. The term includes a red-light camera.

36 (b) "Red-light camera" means a camera which:

37 (1) Is adapted for use or placed at an intersection or  
38 crosswalk in which movement of vehicles or pedestrians, or both, is  
39 controlled by an official traffic-control device that is operated  
40 electrically, electronically or mechanically; and

41 (2) Is capable of photographing or otherwise capturing  
42 images or representations of the following in a simultaneous or  
43 approximately simultaneous manner:

44 (I) The license plate number of a vehicle;



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(II) The signal displayed by or upon the official traffic-control device as the vehicle enters or exits, or both, the intersection or crosswalk;

(III) The position of the vehicle within the intersection or crosswalk relative to the signal displayed by or upon the official traffic-control device; and

(IV) The date and time.

**Sec. 13.** 1. This section and section 1 of this act become effective upon passage and approval.

2. Sections 1.3, 1.7, 3, 5 and 7 to 10, inclusive, and 12.5 of this act become effective on October 1, 2007.

3. Sections 2, 11 and 12 of this act become effective on March 1, 2008.

4. Sections 3 and 5 of this act expire by limitation on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.

5. Sections 4 and 6 of this act become effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.

6. Section 12.5 of this act expires by limitation on June 30, 2011.

