

Amendment No. 797

Senate Amendment to Assembly Bill No. 25 First Reprint (BDR 43-343)

Proposed by: Senate Committee on Energy, Infrastructure and Transportation**Amendment Box:** Replaces Amendment No. 638.**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 25 (§ 1.5).

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) green bold dashed underlining is newly added transitory language.

MSN/BJE



Date: 5/21/2009

A.B. No. 25—Revises provisions governing examinations of applicants for a Nevada driver's license. (BDR 43-343)



ASSEMBLY BILL NO. 25—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED DECEMBER 5, 2008

Referred to Committee on Transportation

SUMMARY—Revises provisions governing ~~examinations of~~ applicants for a Nevada driver's license. (BDR 43-343)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

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

AN ACT relating to motor vehicles; prohibiting the waiver of certain examinations of applicants for a Nevada driver's license who are licensed in another jurisdiction but have not attained 21 years of age; providing an exception; establishing fees for the administration of certain examinations for noncommercial drivers' licenses; ***establishing a fee for the surrender of a driver's license from another jurisdiction; requiring that certain money collected by the Department of Motor Vehicles be accounted for separately and used only for certain purposes;*** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Department of Motor Vehicles to waive certain examinations for a person applying for a Nevada driver's license who possesses a valid driver's license of the same type or class issued by another jurisdiction but does not allow such a waiver if the person has not attained 25 years of age. (NRS 483.330) **Section 1** of this bill prohibits such a waiver for a person who has not attained 21 years of age, subject to certain exceptions.

Existing law authorizes the Department to require every applicant for a driver's license to submit to an examination that may include components which test the applicant's knowledge, skills and abilities. (NRS 483.330) **Section 1.5** of this bill requires the Department to charge a fee of \$25 for the administration of the examination for a noncommercial driver's license and a fee of \$10 for each readministration of that examination to the same person. ***Section 1.5 further provides that the fee for readministration of the examination does not apply to certain physical and mental examinations.***

Existing law provides that, before a person can obtain a Nevada driver's license, he must surrender to the Department all valid licenses issued by other jurisdictions, and the Department must return those licenses to those jurisdictions. (NRS 483.230) Section 1.5 of this bill requires the Department to charge an administrative fee of \$31.50 for the surrender of such a license by a person who is 21 years of age or older.

Section 1.5 of this bill provides that the money collected by the Department for the administration or readministration of an examination required by NRS 483.330 and the administrative fee for the surrender of a driver's license from a different jurisdiction

~~pursuant to NRS 483.230 must be deposited in the State Highway Fund and maintained in a separate account. Section 1.5 also requires the Department to use the money in the account to establish and open an Express Office of the Department in North Las Vegas and further requires that any money remaining in the account upon the Office being opened and funded for the 2009-2011 biennium be transferred to the community development fund for the area in which the Office is located.~~

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

Section 1. NRS 483.330 is hereby amended to read as follows:

483.330 1. The Department may require every applicant for a driver's license, including a commercial driver's license issued pursuant to NRS 483.900 to 483.940, inclusive, to submit to an examination. The examination may include:

(a) A test of the applicant's ability to understand official devices used to control traffic;

(b) A test of his knowledge of practices for safe driving and the traffic laws of this State;

(c) Except as otherwise provided in subsection 2, a test of his eyesight; ~~and~~

(d) Except as otherwise provided in subsection 3, an actual demonstration of his ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the type or class of vehicle for which he is to be licensed. ~~;~~ and

~~;~~ The examination may also include such

(e) Such further physical and mental examination as the Department finds necessary to determine the applicant's fitness to drive a motor vehicle safely upon the highways.

2. The Department may provide by regulation for the acceptance of a report from an ophthalmologist, optician or optometrist in lieu of an eye test by a driver's license examiner.

3. If the Department establishes a type or classification of driver's license to operate a motor vehicle of a type which is not normally available to examine an applicant's ability to exercise ordinary and reasonable control of such a vehicle, the Department may, by regulation, provide for the acceptance of an affidavit from a:

(a) Past, present or prospective employer of the applicant; or

(b) Local joint apprenticeship committee which had jurisdiction over the training or testing, or both, of the applicant,
in lieu of an actual demonstration.

4. The Department may waive an examination pursuant to subsection 1 for a person applying for a Nevada driver's license who possesses a valid driver's license of the same type or class issued by another jurisdiction unless that person:

(a) Has not attained ~~(25)~~ 21 years of age ~~(1)~~, *except that the Department may, based on the driving record of the applicant, waive the examination to demonstrate his ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the same type or class of vehicle for which he is to be licensed;*

(b) Has had his license or privilege to drive a motor vehicle suspended, revoked or cancelled or has been otherwise disqualified from driving during the immediately preceding 4 years;

(c) Has been convicted of a violation of NRS 484.37955 or, during the immediately preceding 7 years, of a violation of NRS 484.379, 484.3795 or 484.379778 or a law of any other jurisdiction that prohibits the same or similar conduct;

(d) Has restrictions to his driver's license which the Department must reevaluate to ensure the safe driving of a motor vehicle by that person;

(e) Has had three or more convictions of moving traffic violations on his driving record during the immediately preceding 4 years; or

(f) Has been convicted of any of the offenses related to the use or operation of a motor vehicle which must be reported pursuant to the provisions of Parts 1327 et seq. of Title 23 of the Code of Federal Regulations relating to the National Driver Register Problem Driver Pointer System during the immediately preceding 4 years.

Sec. 1.5. NRS 483.410 is hereby amended to read as follows:

483.410 1. Except as otherwise provided in subsection 6 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

Administration of the examination required by NRS 483.330 for a noncommercial driver's license25.00

Each readministration to the same person of ~~the~~ an examination required by paragraph (a), (b) or (d) of NRS 483.330 for a noncommercial driver's license..... 10.00

An administrative fee for the return to a different jurisdiction of a driver's license surrendered pursuant to subsection 4 of NRS 483.230 by a person 21 years of age or older31.50

Reinstatement of a license after suspension, revocation or cancellation, except a revocation for a violation of NRS 484.379, 484.3795, 484.37955 or 484.379778, or pursuant to NRS 484.384 and 484.38540.00

Reinstatement of a license after revocation for a violation of NRS 484.379, 484.3795, 484.37955 or 484.379778, 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 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.

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

3 8. Except as otherwise provided in subsection 9 and NRS 483.340,
4 subsection 3 of NRS 483.3485, NRS 483.415 and 483.840, and subsection 3 of
5 NRS 483.863, all money collected by the Department pursuant to this chapter must
6 be deposited in the State Treasury for credit to the Motor Vehicle Fund.

7 9. All money collected by the Department for the administration of an
8 examination required by NRS 483.330, each readministration of the examination
9 required by NRS 483.330 and the administrative fee for the surrender of a
10 driver's license from a different jurisdiction pursuant to NRS 483.230 must be
11 deposited in the State Highway Fund, maintained in a separate account and
12 expended only for the purposes described in this subsection. The interest and
13 income on the money in the account, after deducting any applicable charges,
14 must be credited to the account. Any money remaining in the account at the end
15 of each fiscal year does not revert to the State Highway Fund but must be carried
16 over into the next fiscal year. The Department shall:

17 (a) Determine the amount of money needed to establish and maintain an
18 Express Office of the Department in North Las Vegas, including, without
19 limitation, the cost of leasing, furnishing and equipping a facility and the
20 operating costs for 4 months of operation.

21 (b) When the balance in the account is equal to the amount determined
22 pursuant to paragraph (a), establish and open the office, and the Department
23 shall use subsequent money deposited in the account upon the office being
24 opened and funded for the 2009-2011 biennium must be transferred to the
25 community development fund created in chapter 278 of NRS for the area in
26 which the office is located.

27 Sec. 2. This act becomes effective on July 1, 2009.