

SENATE BILL NO. 489—COMMITTEE ON TRANSPORTATION

MARCH 28, 2011

Referred to Committee on Finance

SUMMARY—Revises provisions relating to drivers' licenses and identification cards. (BDR 43-1086)

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.

AN ACT relating to documents used for identification; revising certain provisions governing the issuance and renewal of drivers' licenses and identification cards; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Sections 1 and 2 of this bill revise the term "resident" as used in existing law governing drivers' licenses and the licensing and registration of motor vehicles and trailers so that a person who is a nonresident of this State must do more than just declare himself or herself to be a resident of this State to obtain privileges not ordinarily extended to nonresidents.

Existing law requires that an applicant for a driver's license or identification card surrender to the Department of Motor Vehicles all valid driver's licenses and identification cards in his or her possession. The Department is required to return surrendered licenses and identification cards to the jurisdiction that issued them. (NRS 483.230, 483.850, 483.926) **Sections 3, 7 and 11** of this bill instead require that the Department notify the other jurisdiction that the applicant has surrendered his or her license or identification card.

Existing law specifies the manner in which a person may apply for an instruction permit, driver's license, identification card, commercial driver's license and motorcycle driver's license. (NRS 483.290, 483.850, 483.860, 483.928, 486.081) **Sections 4, 7, 8, 12 and 13** of this bill authorize the Department of Motor Vehicles to issue two types of such permits, licenses and identification cards. The first type is a standard permit, license or identification card which may be used as identification for any purpose within this State. The second type is a federally qualified permit, license or identification card which may be used as identification for any purpose within this State and is intended to qualify for use as identification for official federal purposes. An applicant for a permit, license or identification card is allowed to apply for whichever type of permit, license or identification card he or she wishes. The Department is required to adopt



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25 regulations to carry out the provisions relating to the two types of permits, licenses
26 and identification cards.

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

1 **Section 1.** NRS 482.103 is hereby amended to read as follows:

2 482.103 1. "Resident" includes, but is not limited to, a
3 person:

4 (a) Whose legal residence is in the State of Nevada.

5 (b) Who engages in intrastate business and operates in such a
6 business any motor vehicle, trailer or semitrailer, or any person
7 maintaining such vehicles in this State, as the home state of such
8 vehicles.

9 (c) Who physically resides in this State and engages in a trade,
10 profession, occupation or accepts gainful employment in this State.

11 ~~[(d) Who declares that he or she is a resident of Nevada for~~
12 ~~purposes of obtaining privileges not ordinarily extended to~~
13 ~~nonresidents of this State.]~~

14 2. The term does not include a person who is an actual tourist,
15 an out-of-state student, a border state employee or a seasonal
16 resident.

17 3. The provisions of this section do not apply to persons who
18 operate vehicles in this State under the provisions of NRS 482.385,
19 482.390, 482.395 or 706.801 to 706.861, inclusive.

20 **Sec. 2.** NRS 483.141 is hereby amended to read as follows:

21 483.141 1. "Resident" includes, but is not limited to, a
22 person:

23 (a) Whose legal residence is in the State of Nevada.

24 (b) Who engages in intrastate business and operates in such a
25 business any motor vehicle, trailer or semitrailer, or any person
26 maintaining such vehicles in this State, as the home state of such
27 vehicles.

28 (c) Who physically resides in this State and engages in a trade,
29 profession, occupation or accepts gainful employment in this State.

30 ~~[(d) Who declares that he or she is a resident of this State to~~
31 ~~obtain privileges not ordinarily extended to nonresidents of this~~
32 ~~State.]~~

33 2. The term does not include a person who is an actual tourist,
34 an out-of-state student, a foreign exchange student, a border state
35 employee or a seasonal resident.

36 3. The provisions of this section do not apply to drivers of
37 vehicles operated in this State under the provisions of NRS 482.385,
38 482.390, 482.395 or 706.801 to 706.861, inclusive.



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Sec. 3. NRS 483.230 is hereby amended to read as follows:

483.230 1. Except persons expressly exempted in NRS 483.010 to 483.630, inclusive, a person shall not drive any motor vehicle upon a highway in this State unless such person has a valid license as a driver under the provisions of NRS 483.010 to 483.630, inclusive, for the type or class of vehicle being driven.

2. Any person licensed as a driver under the provisions of NRS 483.010 to 483.630, inclusive, may exercise the privilege thereby granted upon all streets and highways of this State and shall not be required to obtain any other license to exercise such privilege by any county, municipal or local board or body having authority to adopt local police regulations.

3. Except persons expressly exempted in NRS 483.010 to 483.630, inclusive, a person shall not steer or exercise any degree of physical control of a vehicle being towed by a motor vehicle upon a highway unless such person has a license to drive the type or class of vehicle being towed.

4. A person shall not receive a driver's license until the person surrenders to the Department all valid licenses *and identification cards* in his or her possession issued to the person by this or any other ~~jurisdiction. Surrendered licenses issued by another jurisdiction shall be returned by the Department to such jurisdiction.~~ *state or territory of the United States. If a person surrenders to the Department a license or identification card issued to the person by a state or territory of the United States other than the State of Nevada, the Department shall notify that other state or territory of the surrender.*

5. A person shall not have more than one valid driver's license ~~or~~ *or identification card.*

Sec. 4. NRS 483.290 is hereby amended to read as follows:

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

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

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

(c) Be accompanied by the required fee.

(d) *State whether the application is for:*

(1) A standard instruction permit or driver's license which may be used as identification for any purpose within this State; or

(2) A federally qualified instruction permit or driver's license which may be used as identification for any purpose within this State and is intended to qualify for use as identification for official federal purposes.



(e) State the full legal name, date of birth, sex, address of principal residence and mailing address, if different from the address of principal residence, of the applicant and briefly describe the applicant.

~~(e)~~ (f) State whether the applicant has ~~theretofore~~ been licensed as a driver ~~and~~ and, if so, when and by what state or country, and 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 the suspension, revocation or refusal.

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

2. Every applicant must furnish ~~proof of his or her full legal~~ *to the Department proof of his or her:*

(a) *Legal* name and age by displaying an original or certified copy of the required documents as prescribed by regulation ~~and~~ ;

(b) *Address of principal residence; and*

(c) *Social security number or proof that the applicant is not eligible to receive a social security number.*

3. *In addition to the proof required pursuant to subsection 2, an applicant for a federally qualified instruction permit or driver's license must furnish to the Department proof that he or she is lawfully entitled to live in the United States, as prescribed by regulation.*

4. The Department shall adopt regulations prescribing the documents *and other forms of proof that* an applicant may use to ~~furnish proof of his or her full legal name and age~~ *prove* to the Department ~~and~~

~~—4.—~~ *the matters described in subsections 2 and 3, which may differ based upon whether the application is for a standard instruction permit or driver's license or a federally qualified instruction permit or driver's license.*

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

~~[5.—Every applicant who has been assigned a social security number must furnish proof of his or her 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.]~~

6. 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



1 stringent standards than the State of Nevada for the issuance of a
2 driver's license.

3 7. With respect to any document presented by a person who
4 was born outside of the United States to prove his or her full legal
5 name, ~~and~~ age ~~and~~ *and that he or she is lawfully entitled to live in*
6 *the United States*, the Department:

7 (a) May, if the document has expired, refuse to accept the
8 document or refuse to issue a driver's license to the person
9 presenting the document, or both; and

10 (b) Shall issue to the person presenting the document a driver's
11 license that is valid only during the time the applicant is authorized
12 to stay in the United States, or if there is no definite end to the time
13 the applicant is authorized to stay, the driver's license is valid for 1
14 year beginning on the date of issuance.

15 8. The Administrator shall adopt regulations setting forth
16 criteria pursuant to which the Department will issue or refuse to
17 issue a driver's license in accordance with this section to a person
18 who is a citizen of any state, the District of Columbia, any territory
19 of the United States or a foreign country. The criteria pursuant to
20 which the Department shall issue or refuse to issue a driver's license
21 to a citizen of a foreign country must be based upon the purpose for
22 which that person is present within the United States.

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

28 **Sec. 5.** NRS 483.380 is hereby amended to read as follows:

29 483.380 1. Except as otherwise provided in NRS 483.283 ~~and~~
30 *and subsection 7 of NRS 483.290*, every driver's license expires as
31 prescribed by regulation.

32 2. The Department shall adopt regulations prescribing when a
33 driver's license expires. The Department may, by regulation, defer
34 the expiration of the driver's license of a person who is on active
35 duty in the Armed Forces upon such terms and conditions as it may
36 prescribe. The Department may similarly defer the expiration of the
37 license of the spouse or dependent son or daughter of that person if
38 the spouse or child is residing with the person.

39 **Sec. 6.** NRS 483.390 is hereby amended to read as follows:

40 483.390 1. Whenever any person after applying for or
41 receiving a driver's license moves from the address named in the
42 application ~~for in the~~ *and* license issued to the person, or when the
43 name of a licensee is changed, that person shall within 30 days
44 thereafter ~~notify~~ *provide notice and present satisfactory evidence*
45 *to* the Department of his or her new and old addresses, or of such



former and new names . ~~[, and of the number of any license then held by the person.]~~

2. The Department shall adopt regulations setting forth the requirements and acceptable methods for providing to the Department notice and satisfactory evidence of the licensee's new address or name, as applicable.

Sec. 7. NRS 483.850 is hereby amended to read as follows:

483.850 1. Every application for an identification card must be made upon a form provided by the Department and include, without limitation:

(a) The applicant's:

(1) Full legal name.

(2) Date of birth.

(3) State of legal residence.

(4) Current address of principal residence and mailing address, if different from his or her address of principal residence, in this State, unless the applicant is on active duty in the military service of the United States.

(b) A statement from:

(1) A resident stating that he or she does not hold a valid driver's license or identification card from any state or ~~jurisdiction;~~ *territory of the United States;* or

(2) A seasonal resident stating that he or she does not hold a valid Nevada driver's license.

(c) A statement whether the application is for:

(1) A standard identification card which may be used as identification for any purpose within this State; or

(2) A federally qualified identification card which may be used as identification for any purpose within this State and is intended to qualify for use as identification for official federal purposes.

(d) Such other information as the Department may require to determine the eligibility of the applicant.

2. When the form is completed, the applicant must sign the form and verify the contents before a person authorized to administer oaths.

~~3. [An applicant who has been issued a social security number must provide to the Department, for inspection:~~

~~—(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 bearing the social security number of the applicant, including, without limitation, records of employment or federal income tax returns.~~



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1 ~~—4.]~~ At the time of applying for an identification card, an
2 applicant may, if eligible, register to vote pursuant to NRS 293.524.

3 ~~[5.]~~ 4. A person who possesses a driver's license or
4 identification card issued by another state or ~~[jurisdiction]~~ *territory*
5 *of the United States* who wishes to apply for an identification card
6 pursuant to this section shall surrender to the Department the
7 driver's license or identification card issued by the other state or
8 ~~[jurisdiction]~~ *territory* at the time the person applies for an
9 identification card pursuant to this section. *If a person surrenders*
10 *to the Department a license or identification card issued to the*
11 *person by a state or territory of the United States other than the*
12 *State of Nevada, the Department shall notify that other state or*
13 *territory of the surrender.*

14 **Sec. 8.** NRS 483.860 is hereby amended to read as follows:

15 483.860 1. ~~[Every]~~ *An* applicant for an identification card
16 must furnish ~~[proof of his or her full]~~ *to the Department proof of*
17 *his or her:*

18 (a) *Full* legal name and age by presenting an original or
19 certified copy of the required documents as prescribed by regulation
20 ~~[;]~~;

21 (b) *Address of principal residence; and*

22 (c) *Social security number or proof that the applicant is not*
23 *eligible to receive a social security number.*

24 2. *In addition to the proof required pursuant to subsection 1,*
25 *an applicant for a federally qualified identification card must*
26 *furnish to the Department proof that he or she is lawfully entitled*
27 *to live in the United States as prescribed by regulation.*

28 3. The Director shall adopt regulations:

29 (a) Prescribing the documents an applicant may use to ~~[furnish~~
30 ~~proof of his or her full legal name and age]~~ *prove* to the Department
31 ~~[;]~~ *the matters described in subsections 1 and 2, which may differ*
32 *based upon whether the application is for a standard identification*
33 *card or a federally qualified identification card;* and

34 (b) Setting forth criteria pursuant to which the Department will
35 issue or refuse to issue an identification card in accordance with this
36 section to a person who is a citizen of a state, the District of
37 Columbia, any territory of the United States or a foreign country.
38 The criteria pursuant to which the Department shall issue or refuse
39 to issue an identification card to a citizen of a foreign country must
40 be based upon the purpose for which that person is present within
41 the United States.

42 ~~[3.]~~ 4. *With respect to any document presented by a person*
43 *who was born outside of the United States to prove his or her full*
44 *legal name, age and that he or she is lawfully entitled to live in the*
45 *United States, the Department:*



1 (a) May, if the document has expired, refuse to accept the
2 document or refuse to issue a driver's license to the person
3 presenting the document, or both; and

4 (b) Shall issue to the person presenting the document an
5 identification card that is valid only during the time the applicant
6 is authorized to stay in the United States, or if there is no definite
7 end to the time the applicant is authorized to stay, the
8 identification card is valid for 1 year beginning on the date of
9 issuance.

10 5. The Administrator shall adopt regulations setting forth
11 criteria pursuant to which the Department will issue or refuse to
12 issue an identification card in accordance with this section to a
13 person who is a citizen of any state, the District of Columbia, any
14 territory of the United States or a foreign country. The criteria
15 pursuant to which the Department shall issue or refuse to issue an
16 identification card to a citizen of a foreign country must be based
17 upon the purpose for which that person is present within the
18 United States.

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

24 **Sec. 9.** NRS 483.870 is hereby amended to read as follows:

25 483.870 1. Except as otherwise provided in NRS 483.875, an
26 identification card that is issued to:

27 (a) A seasonal resident remains valid until its expiration date so
28 long as the person does not become licensed in Nevada to drive a
29 motor vehicle and the facts and circumstances declared in the
30 application and stated on the card do not change. An identification
31 card must be surrendered by a seasonal resident upon issuance of a
32 Nevada driver's license.

33 (b) A resident remains valid until its expiration date so long as
34 the person does not become licensed in any state or jurisdiction to
35 drive a motor vehicle and the facts and circumstances declared in
36 the application and stated on the card do not change. An
37 identification card must be surrendered by a resident upon issuance
38 of a driver's license from any state or jurisdiction.

39 2. The holder of an identification card shall promptly report
40 any change in the information declared in the application and stated
41 in the card to the Department ~~and~~ *and present satisfactory evidence*
42 *to the Department of the change in the information.*

43 3. Any change occurring in the holder's address or name as the
44 result of marriage or otherwise or any loss of an identification card
45 must be reported within 30 days after the occurrence to the



1 Department ~~H~~, and the holder must provide satisfactory evidence
2 to the Department of the change in the information.

3 4. The Department shall adopt regulations setting forth the
4 requirements and acceptable methods for providing to the
5 Department notice and satisfactory evidence of a change described
6 in subsections 2 and 3.

7 **Sec. 10.** NRS 483.875 is hereby amended to read as follows:

8 483.875 1. Except as otherwise provided in NRS ~~483.860~~,
9 483.861 and 483.870, an identification card and a renewal of an
10 identification card issued pursuant to NRS 483.810 to 483.890,
11 inclusive, expires as prescribed by regulation.

12 2. The Department shall adopt regulations prescribing when an
13 identification card expires.

14 3. An identification card is renewable at any time before its
15 expiration upon application and payment of the required fee.

16 4. The Department shall issue an identification card that is
17 valid only during the time the applicant is authorized to stay in the
18 United States, or if there is no definite end to the time the applicant
19 is authorized to stay, the identification card is valid for 1 year
20 beginning on the date of issuance.

21 **Sec. 11.** NRS 483.926 is hereby amended to read as follows:

22 483.926 1. Any person to whom a valid commercial driver's
23 license has been issued may exercise the privilege thereby granted
24 upon all streets and highways of this State and shall not be required
25 to obtain any other license to exercise the privilege by any county,
26 municipal or local board or body having authority to adopt local
27 police regulations.

28 2. Except persons expressly exempted in regulations adopted
29 by the Department pursuant to NRS 483.908, a person shall not
30 steer or exercise any degree of physical control of a vehicle being
31 towed by a motor vehicle upon a highway unless the person has a
32 license to drive the type or class of vehicle being towed.

33 3. The Department shall not issue a commercial driver's
34 license to a person until the person surrenders to the Department all
35 valid licenses *and identification cards* in his or her possession
36 issued to the person by this or any other ~~jurisdiction. Surrendered~~
37 ~~licenses issued by another jurisdiction must be returned by the~~
38 ~~Department to that jurisdiction.]~~ *state or territory of the United*
39 *States. If a person surrenders to the Department a license or*
40 *identification card issued to the person by a state or territory of the*
41 *United States other than the State of Nevada, the Department shall*
42 *notify that other state or territory of the surrender.*

43 4. A person shall not have more than one valid driver's license.



Sec. 12. NRS 483.928 is hereby amended to read as follows:

483.928 1. A person who wishes to be issued a commercial driver's license by this State must:

~~1-1~~ **(a)** Apply to the Department for a commercial driver's license;

~~1-2~~ **(b)** In accordance with standards contained in regulations adopted by the Department:

~~1-a~~ **(1)** Pass a knowledge test for the type of motor vehicle the person operates or expects to operate; and

~~1-b~~ **(2)** Pass a driving skills test for driving a commercial motor vehicle taken in a motor vehicle which is representative of the type of motor vehicle the person operates or expects to operate;

~~1-3~~ **(c)** Comply with all other requirements contained in the regulations adopted by the Department pursuant to NRS 483.908;

~~1-4~~ **(d)** Not be ineligible to be issued a commercial driver's license pursuant to NRS 483.929; and

~~1-5~~ **(e)** For the issuance of a commercial driver's license with an endorsement for hazardous materials, submit a complete set of fingerprints and written permission authorizing the Department to forward the fingerprints to the Central Repository for Nevada Records of Criminal History and all applicable federal agencies to process the fingerprints for a background check of the applicant in accordance with Section 1012 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001, 49 U.S.C. § 5103a.

2. An application for a commercial driver's license must state whether the application is for:

(a) A standard commercial driver's license which may be used as identification for any purpose within this State; or

(b) A federally qualified commercial driver's license which may be used as identification for any purpose within this State and is intended to qualify for use as identification for official federal purposes.

3. Every applicant for a commercial driver's license must furnish to the Department proof of his or her:

(a) Full legal name and age by displaying an original or certified copy of the required documents as prescribed by regulation;

(b) Address of principal residence; and

(c) Social security number or proof that the applicant is not eligible to receive a social security number.

4. In addition to the proof required pursuant to subsection 3, an applicant for a federally qualified commercial driver's license



1 *must furnish to the Department proof that he or she is lawfully*
2 *entitled to live in the United States as prescribed by regulation.*

3 *5. The Department shall adopt regulations prescribing the*
4 *documents and other forms of proof that an applicant may use to*
5 *prove to the Department the matters described in subsections 3*
6 *and 4, which may differ based upon whether the application is for*
7 *a standard commercial driver's license or a federally qualified*
8 *commercial driver's license.*

9 **Sec. 13.** NRS 486.081 is hereby amended to read as follows:

10 486.081 1. Every application for a motorcycle driver's
11 license must be made upon a form furnished by the Department and
12 must be verified by the applicant before a person authorized to
13 administer oaths. Officers and employees of the Department may
14 administer those oaths without charge.

15 2. Every application must:

16 (a) State the full legal name, date of birth, sex, address of
17 principal residence and mailing address, if different from the
18 address of principal residence. ~~§~~

19 (b) Briefly describe the applicant. ~~§~~

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

22 (d) State whether any such license has ever been suspended or
23 revoked, or whether an application has ever been refused, and, if so,
24 the date of and reason for such suspension, revocation or refusal. ~~§~~
25 ~~and~~

26 (e) *State whether the application is for:*

27 *(1) A standard motorcycle driver's license which may be*
28 *used as identification for any purpose within this State; or*

29 *(2) A federally qualified motorcycle driver's license which*
30 *may be used as identification for any purpose within this State and*
31 *is intended to qualify for use as identification for official federal*
32 *purposes.*

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

35 3. Every applicant shall furnish ~~proof of his or her full~~ *to the*
36 *Department proof of his or her:*

37 (a) *Full* legal name and age by displaying an original or
38 certified copy of the required documents as prescribed by
39 regulation ~~§~~

40 ~~—4.1 ;~~

41 (b) *Address of principal residence; and*

42 (c) *Social security number or proof that the applicant is not*
43 *eligible to receive a social security number.*

44 *4. In addition to the proof required pursuant to subsection 3,*
45 *an applicant for a federally qualified motorcycle driver's license*



1 *must furnish to the Department proof that he or she is lawfully*
2 *entitled to live in the United States as prescribed by regulation.*

3 5. The Department shall adopt regulations prescribing the
4 documents *and other forms of proof that* an applicant may use to
5 ~~[furnish proof of his or her full legal name and age to]~~ *prove to* the
6 Department ~~[-~~

7 ~~—5. Every applicant who has been assigned a social security~~
8 ~~number must furnish proof of the social security number by~~
9 ~~displaying:~~

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

13 ~~—(b) Other proof acceptable to the Department, including, without~~
14 ~~limitation, records of employment or federal income tax returns.]~~
15 *the matters described in subsections 3 and 4, which may differ*
16 *based upon whether the application is for a standard motorcycle*
17 *driver's license or a federally qualified motorcycle driver's license.*

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

24 7. With respect to any document that has expired:

25 (a) The Department may refuse to accept the document or refuse
26 to issue a driver's license to the person presenting the document, or
27 both; and

28 (b) If the document indicates that the person is authorized to
29 stay in the United States, the Department shall issue to the person
30 presenting the document a driver's license that is valid only during
31 the time the applicant is authorized to stay in the United States, or if
32 there is no definite end to the time the applicant is authorized to
33 stay, the driver's license is valid for 1 year beginning on the date of
34 issuance.

35 8. The Director shall adopt regulations setting forth criteria
36 pursuant to which the Department will issue or refuse to issue a
37 driver's license in accordance with this section to a person who is a
38 citizen of a state, the District of Columbia, any territory of the
39 United States or a foreign country. The criteria pursuant to which
40 the Department shall issue or refuse to issue a driver's license to a
41 citizen of a foreign country must be based upon the purpose for
42 which that person is present within the United States.

43 9. Notwithstanding any other provision of this section, the
44 Department shall not accept a consular identification card as proof
45 of the age or identity of an applicant for a motorcycle driver's



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1 license. As used in this subsection, "consular identification card"
2 has the meaning ascribed to it in NRS 232.006.

3 **Sec. 14.** NRS 486.161 is hereby amended to read as follows:

4 486.161 1. Except as otherwise provided in subsection 5 ~~(f)~~
5 *and subsection 7 of NRS 486.081*, every motorcycle driver's
6 license expires as prescribed by regulation.

7 2. The Department shall adopt regulations prescribing when a
8 motorcycle driver's license expires.

9 3. Every license is renewable at any time before its expiration
10 upon application, submission of the statement required pursuant to
11 NRS 486.084 and payment of the required fee. Every motorcycle
12 endorsement to a driver's license issued on or after January 1, 1972,
13 expires simultaneously with the expiration of the driver's license.

14 4. Except as otherwise provided in subsection 1 of NRS
15 483.384, each applicant for renewal must appear before an examiner
16 for a driver's license and successfully pass a test of the applicant's
17 eyesight.

18 5. Any person who has been issued a driver's license without
19 having the authority to drive a motorcycle endorsed thereon must,
20 before driving a motorcycle, successfully pass:

21 (a) A driving test conducted by the Department; or

22 (b) A course of motorcycle safety approved by the Department,
23 and have the authority endorsed upon the license.

24 **Sec. 15.** Section 48.5 of chapter 486, Statutes of Nevada 2007,
25 at page 2813, is hereby amended to read as follows:

26 Sec. 48.5. ~~(f)~~ The regulations adopted by the
27 Department of Motor Vehicles or the Director of the
28 Department pursuant to:

29 ~~(a)~~ 1. Subsections 1 and 3 of NRS 481.052, as
30 amended by section 1 of this act;

31 ~~(b)~~ 2. Subsection 3 of NRS 483.290, as amended by
32 section 2 of this act;

33 ~~(c)~~ 3. Subsection 2 of NRS 483.340, as amended by
34 section 4 of this act;

35 ~~(d)~~ 4. Subsection 2 of NRS 483.380, as amended by
36 section 5 of this act;

37 ~~(e)~~ 5. Subsection 3 of NRS 483.840, as amended by
38 section 13 of this act;

39 ~~(f)~~ 6. Subsection 2 of NRS 483.860, as amended by
40 section 15 of this act;

41 ~~(g)~~ 7. Subsection 2 of NRS 483.875, as amended by
42 section 16 of this act;

43 ~~(h)~~ 8. Subsections 4 and 8 of NRS 486.081, as
44 amended by section 40 of this act; and



~~[(i)]~~ 9. Subsection 2 of NRS 486.161, as amended by section 41 of this act,

↳ must be consistent with the regulations issued by the Secretary of Homeland Security to implement the provisions of the Real ID Act of 2005, Public Law 109-13, Division B, Title II, 119 Stat. 311, 49 U.S.C. § 30301.

~~[2.—The regulations of the Department of Motor Vehicles or the Director of the Department specified in subsection 1 must not become effective until the later of:~~

~~—(a) May 11, 2008;~~

~~—(b) The effective date of the regulations issued by the Secretary of Homeland Security to implement the provisions of the Real ID Act of 2005; or~~

~~—(c) The expiration of any extension of time granted to this State by the Secretary of Homeland Security to comply with the provisions of the Real ID Act of 2005.]~~

Sec. 16. Section 49 of chapter 486, Statutes of Nevada 2007, at page 2814, is hereby amended to read as follows:

Sec. 49. 1. This section and section 48.5 of this act become effective upon passage and approval.

2. Sections 1 to 7, inclusive, 9 to 41, inclusive, 43, 44, 45 and 48 of this act become effective upon passage and approval for the purposes of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act. For all other purposes:

(a) Sections 3, 6, 7, 9 to 12, inclusive, 17 to 39, inclusive, and 43, 44, 45 and 48 of this act become effective on October 1, 2007; and

(b) Sections 1, 2, 4, 5, 13 to 16, inclusive, 40 and 41 of this act become effective ~~[upon the later of:~~

~~—(1) May 11, 2008;~~

~~—(2) The effective date of the regulations issued by the Secretary of Homeland Security to implement the provisions of the Real ID Act of 2005; or~~

~~—(3) The expiration of any extension of time granted to this State by the Secretary of Homeland Security to comply with the provisions of the Real ID Act of 2005.]~~ **on January 1, 2012.**

3. Sections 7 and 41 of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:



(a) Have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment of the support of one or more children,

↪ are repealed by the Congress of the United States.

4. Sections 8 and 42 of this act become effective on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

(a) Have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment of the support of one or more children,

↪ are repealed by the Congress of the United States.

5. Sections 21 and 22 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.

6. Sections 46 and 47 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.

Sec. 17. The Department of Motor Vehicles shall adopt the regulations necessary to implement the provisions of this act on or before October 1, 2011.

Sec. 18. This act becomes effective upon passage and approval for the purpose of adopting regulations and on January 1, 2012, for all other purposes.

