

Amendment No. 77

Senate Amendment to Senate Bill No. 204	(BDR 43-712)
Proposed by: Senate Committee on Transportation	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>	Adopted	<input type="checkbox"/>	Lost <input type="checkbox"/>
Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>	Concurred In	<input type="checkbox"/>	Not <input type="checkbox"/>
Receded	<input type="checkbox"/>	Not <input type="checkbox"/>	Receded	<input type="checkbox"/>	Not <input type="checkbox"/>

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 underlining* is newly added transitory language.

DLJ/MSM



Date: 4/1/2013

S.B. No. 204—Requires the Department of Motor Vehicles to establish a next-of-kin registry. (BDR 43-712)



SENATE BILL NO. 204—SENATORS GUSTAVSON, HARDY; CEGAVSKE, FORD,
GOICOECHEA, KIECKHEFER, KIHUEN, SEGERBLOM, SETTELMAYER,
SPEARMAN AND WOODHOUSE

MARCH 1, 2013

JOINT SPONSORS: ASSEMBLYMEN PAUL ANDERSON, DIAZ, ELLISON, GRADY,
HAMBRICK, HICKEY, KIRKPATRICK, MUNFORD AND STEWART

Referred to Committee on Transportation

SUMMARY—Requires the Department of Motor Vehicles to establish a next-of-
kin registry. (BDR 43-712)

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 public safety; requiring the Department of Motor Vehicles to establish a registry on the Internet website of the Department for the storage of and access to emergency contact information for certain persons with drivers' licenses and identification cards; requiring certain law enforcement personnel to use the registry to notify emergency contact persons designated previously by certain victims of a motor vehicle accident; providing immunity from liability for the Department and law enforcement personnel for certain acts and omissions related to the registry; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 11 of this bill requires the Department of Motor Vehicles to establish a registry on its Internet website to be known as the Next-of-Kin Registry. The Registry must include, in a secure portion of the Department's Internet website, an account unique to each registrant in which the registrant may provide the names ~~and~~ telephone numbers **and addresses** of one or two emergency contact persons. Any person may register if he or she possesses a Nevada driver's license or identification card ~~and, except that holders of a commercial driver's license are not included, to avoid any potential conflict with federal law.~~ The emergency contact persons listed in the Registry must be at least 18 years of age, but do not have to be related to the registrant, except that if the registrant is under 18 years of age and not emancipated, at least one of the emergency contact persons must be a parent or legal guardian of the registrant. Information in the Registry must be accessible to: (1) law enforcement personnel, for the purpose of making contact on behalf of a registrant who is the victim of a motor vehicle accident **or other situation** and who is dead, seriously injured or incapacitated and unable to communicate; **(2) a coroner or a medical examiner or their respective personnel, for the purpose of locating a next-of-kin for a decedent;** and ~~(2)~~ **(3)** the registrant, for the purpose

of amending or deleting contact information. **Section 13** of this bill requires law enforcement personnel to use the Registry when possible and as soon as is practicable to make such contact. **Section 14** of this bill limits access to the information in the Registry to the registrant, law enforcement personnel, a coroner or a medical examiner or their respective personnel and the Department, with certain exceptions, including others authorized by a court order. **Section 15** of this bill provides that the names, ~~and~~ telephone numbers and addresses of emergency contact persons in the Registry are confidential, not public records for the purposes of Nevada's Open Meeting Law, and not discoverable except upon a subpoena issued in a criminal matter. **Sections ~~18-23~~ 18-24** of this bill require the Department, at the time of the issuance or renewal of a driver's license or identification card, to give the holder of the driver's license or identification card the opportunity to register the names, ~~and~~ telephone numbers and addresses of emergency contact persons in accordance with the provisions of this bill.

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

Section 1. NRS 481.063 is hereby amended to read as follows:

481.063 1. The Director may charge and collect reasonable fees for official publications of the Department and from persons making use of files and records of the Department or its various divisions for a private purpose. All money so collected must be deposited in the State Treasury for credit to the Motor Vehicle Fund.

2. Except as otherwise provided in subsection 6, the Director may release personal information, except a photograph, from a file or record relating to the driver's license, identification card, or title or registration of a vehicle of a person if the requester submits a written release from the person who holds a lien on the vehicle, or an agent of that person, or the person about whom the information is requested which is dated not more than 90 days before the date of the request. The written release must be in a form required by the Director.

3. Except as otherwise provided in subsections 2 and 4, the Director shall not release to any person who is not a representative of the Division of Welfare and Supportive Services of the Department of Health and Human Services or an officer, employee or agent of a law enforcement agency, an agent of the public defender's office or an agency of a local government which collects fines imposed for parking violations, who is not conducting an investigation pursuant to NRS 253.0415 or 253.220, who is not authorized to transact insurance pursuant to chapter 680A of NRS or who is not licensed as a private investigator pursuant to chapter 648 of NRS and conducting an investigation of an insurance claim:

(a) A list which includes license plate numbers combined with any other information in the records or files of the Department;

(b) The social security number of any person, if it is requested to facilitate the solicitation of that person to purchase a product or service; or

(c) The name, address, telephone number or any other personally identifiable information if the information is requested by the presentation of a license plate number.

➤ When such personally identifiable information is requested of a law enforcement agency by the presentation of a license plate number, the law enforcement agency shall conduct an investigation regarding the person about whom information is being requested or, as soon as practicable, provide the requester with the requested information if the requester officially reports that the motor vehicle bearing that license plate was used in a violation of NRS 205.240, 205.345, 205.380 or 205.445.

1 4. If a person is authorized to obtain such information pursuant to a contract
2 entered into with the Department and if such information is requested for the
3 purpose of an advisory notice relating to a motor vehicle or the recall of a motor
4 vehicle or for the purpose of providing information concerning the history of a
5 vehicle, the Director may release:

6 (a) A list which includes license plate numbers combined with any other
7 information in the records or files of the Department; or

8 (b) The name, address, telephone number or any other personally identifiable
9 information if the information is requested by the presentation of a license plate
10 number.

11 5. Except as otherwise provided in subsections 2, 4 and 6 and NRS 483.294,
12 483.855 and 483.937, the Director shall not release any personal information from a
13 file or record relating to a driver's license, identification card, or title or registration
14 of a vehicle.

15 6. Except as otherwise provided in paragraph (a) and subsection 7, if a person
16 or governmental entity provides a description of the information requested and its
17 proposed use and signs an affidavit to that effect, the Director may release any
18 personal information, except a photograph, from a file or record relating to a
19 driver's license, identification card, or title or registration of a vehicle for use:

20 (a) By any governmental entity, including, but not limited to, any court or law
21 enforcement agency, in carrying out its functions, or any person acting on behalf of
22 a federal, state or local governmental agency in carrying out its functions. The
23 personal information may include a photograph from a file or record relating to a
24 driver's license, identification card, or title or registration of a vehicle.

25 (b) In connection with any civil, criminal, administrative or arbitration
26 proceeding before any federal or state court, regulatory body, board, commission or
27 agency, including, but not limited to, use for service of process, investigation in
28 anticipation of litigation, and execution or enforcement of judgments and orders, or
29 pursuant to an order of a federal or state court.

30 (c) In connection with matters relating to:

31 (1) The safety of drivers of motor vehicles;

32 (2) Safety and thefts of motor vehicles;

33 (3) Emissions from motor vehicles;

34 (4) Alterations of products related to motor vehicles;

35 (5) An advisory notice relating to a motor vehicle or the recall of a motor
36 vehicle;

37 (6) Monitoring the performance of motor vehicles;

38 (7) Parts or accessories of motor vehicles;

39 (8) Dealers of motor vehicles; or

40 (9) Removal of nonowner records from the original records of motor
41 vehicle manufacturers.

42 (d) By any insurer, self-insurer or organization that provides assistance or
43 support to an insurer or self-insurer or its agents, employees or contractors, in
44 connection with activities relating to the rating, underwriting or investigation of
45 claims or the prevention of fraud.

46 (e) In providing notice to the owners of vehicles that have been towed,
47 repossessed or impounded.

48 (f) By an employer or its agent or insurer to obtain or verify information
49 relating to a holder of a commercial driver's license who is employed by or has
50 applied for employment with the employer.

51 (g) By a private investigator, private patrol officer or security consultant who is
52 licensed pursuant to chapter 648 of NRS, for any use permitted pursuant to this
53 section.

(h) By a reporter or editorial employee who is employed by or affiliated with any newspaper, press association or commercially operated, federally licensed radio or television station for a journalistic purpose. The Department may not make any inquiries regarding the use of or reason for the information requested other than whether the information will be used for a journalistic purpose.

(i) In connection with an investigation conducted pursuant to NRS 253.0415 or 253.220.

(j) In activities relating to research and the production of statistical reports, if the personal information will not be published or otherwise redisclosed, or used to contact any person.

(k) In the bulk distribution of surveys, marketing material or solicitations, if the Director has adopted policies and procedures to ensure that:

(1) The information will be used or sold only for use in the bulk distribution of surveys, marketing material or solicitations;

(2) Each person about whom the information is requested has clearly been provided with an opportunity to authorize such a use; and

(3) If the person about whom the information is requested does not authorize such a use, the bulk distribution will not be directed toward that person.

7. Except as otherwise provided in paragraph (j) of subsection 6, a person who requests and receives personal information may sell or disclose that information only for a use permitted pursuant to subsection 6. Such a person shall keep and maintain for 5 years a record of:

(a) Each person to whom the information is provided; and

(b) The purpose for which that person will use the information.

➤ The record must be made available for examination by the Department at all reasonable times upon request.

8. Except as otherwise provided in subsection 2, the Director may deny any use of the files and records if the Director reasonably believes that the information taken may be used for an unwarranted invasion of a particular person's privacy.

9. Except as otherwise provided in NRS 485.316, the Director shall not allow any person to make use of information retrieved from the system created pursuant to NRS 485.313 for a private purpose and shall not in any other way release any information retrieved from that system.

10. *Except as otherwise provided in sections 14 and 15 of this act, or as otherwise required by law, the Director shall not:*

(a) Allow any person to make use of any information retrieved from the Next-of-Kin Registry established pursuant to section 11 of this act for a private purpose; and

(b) In any other way release any information retrieved from the Registry.

11. The Director shall adopt such regulations as the Director deems necessary to carry out the purposes of this section. In addition, the Director shall, by regulation, establish a procedure whereby a person who is requesting personal information may establish an account with the Department to facilitate the person's ability to request information electronically or by written request if the person has submitted to the Department proof of employment or licensure, as applicable, and a signed and notarized affidavit acknowledging that the person:

(a) Has read and fully understands the current laws and regulations regarding the manner in which information from the Department's files and records may be obtained and the limited uses which are permitted;

(b) Understands that any sale or disclosure of information so obtained must be in accordance with the provisions of this section;

(c) Understands that a record will be maintained by the Department of any information he or she requests; and

(d) Understands that a violation of the provisions of this section is a criminal offense.

~~1111~~ **12.** It is unlawful for any person to:

(a) Make a false representation to obtain any information from the files or records of the Department.

(b) Knowingly obtain or disclose any information from the files or records of the Department for any use not permitted by the provisions of this chapter.

~~1121~~ **13.** As used in this section:

(a) "Personal information" means information that reveals the identity of a person, including, without limitation, his or her photograph, social security number, driver's license number, identification card number, name, address, telephone number or information regarding a medical condition or disability. The term does not include the zip code of a person when separate from his or her full address, information regarding vehicular accidents or driving violations in which he or she has been involved or other information otherwise affecting his or her status as a driver.

(b) "Vehicle" includes, without limitation, an off-highway vehicle as defined in NRS 490.060.

Sec. 2. NRS 482.170 is hereby amended to read as follows:

482.170 Except as otherwise provided in NRS 239.0115, 481.063 and 485.316, *and sections 14 and 15 of this act*, all personal information in the records of registration and licensing in the offices of the Department is confidential and must not knowingly be disclosed by the Department.

Sec. 3. Chapter 483 of NRS is hereby amended by adding thereto the provisions set forth as sections 4 to 17, inclusive, of this act.

Sec. 4. *As used in sections 4 to 17, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections ~~4.5~~ 4.5 to 10, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 4.5. *"Coroner or medical examiner" includes, without limitation, an employee of a coroner or medical examiner who has been authorized by the coroner or medical examiner to access the Next-of-Kin Registry.*

Sec. 5. *"Emergency contact person" means any person who is:*

1. At least 18 years of age; and

2. Identified by a registrant in the Next-of-Kin Registry as a person who is to be contacted pursuant to section 13 of this act.

Sec. 6. *"Identification card" means an identification card issued by the Department pursuant to NRS 483.810 to 483.890, inclusive.*

Sec. 7. *"Law enforcement personnel" means a peace officer, as that term is defined in NRS 289.010, or an employee of a law enforcement agency, as that term is defined in NRS 277.035, who has been directed by a peace officer to access the Next-of-Kin Registry.*

Sec. 8. *"Nevada driver's license" means any driver's license or permit to operate a vehicle issued under or granted by the laws of this State and includes, without limitation, any temporary or restricted license or instruction permit. ~~The term does not include a commercial driver's license issued pursuant to the provisions of NRS 483.900 to 483.940, inclusive.~~*

Sec. 9. *"Next-of-Kin Registry" means the registry established pursuant to section 11 of this act.*

Sec. 10. *"Registrant" means a person who:*

1. Possesses a Nevada driver's license or identification card; and

2. Has provided the name ~~and~~ telephone number and address of an emergency contact person to the Department for inclusion in the Next-of-Kin Registry.

Sec. 11. The Department shall establish and maintain on its Internet website a registry to be known as the Next-of-Kin Registry. The Next-of-Kin Registry must include, without limitation, in a secure portion of the Internet website, an account unique to each registrant that contains an electronic reproduction of the name ~~and~~ telephone number and address of each emergency contact person provided by a registrant. A registrant may not provide the names ~~and~~ telephone numbers and addresses of more than two emergency contact persons to the Next-of-Kin Registry. The account must be capable of being accessed by:

1. Law enforcement personnel, a coroner or a medical examiner pursuant to section 13 of this act; and

2. The registrant for the purpose of adding, amending or deleting the name ~~and~~ telephone number or address of an emergency contact person.

Sec. 12. 1. A person who wishes to register the name ~~and~~ telephone number and address of an emergency contact person in an account within the Next-of-Kin Registry must:

(a) Possess a Nevada driver's license or identification card;

(b) Indicate his or her wish to be a registrant in the manner provided by the Department pursuant to NRS 483.267, 483.270, 483.280, 483.340, 483.490 or 483.840; and

(c) Submit the name ~~and~~ telephone number and address of the emergency contact person to the Department on a form prescribed by the Department. If the person is under 18 years of age and is not emancipated, a parent or legal guardian of the person must be listed as the emergency contact person.

2. If the person satisfies the requirements of subsection 1, the Department shall:

(a) Make an electronic reproduction of the names ~~and~~ telephone numbers and addresses of the emergency contact persons submitted by the registrant and post it within the Next-of-Kin Registry in an account designated by the unique number assigned to the registrant's Nevada driver's license or identification card;

(b) Assign to the registrant an access code for accessing his or her account; and

(c) Provide the access code to the registrant and, if the registrant is under 18 years of age and is not emancipated, to the parent or legal guardian of the registrant who is listed as his or her emergency contact person.

Sec. 13. 1. When a motor vehicle accident or other situation results in a ~~driver or any passenger~~ person who has a Nevada driver's license or identification card being unable to communicate due to death, serious bodily injury or other incapacitation, law enforcement personnel shall attempt to locate an emergency contact person for the ~~driver or passenger~~ person by accessing the Next-of-Kin Registry. Law enforcement personnel shall, as soon as is practicable, notify the emergency contact person of each registrant who is unable to communicate and inform the emergency contact person of the hospital or other location at which the registrant may be receiving medical treatment.

2. When a person who has a Nevada driver's license or identification card dies, a coroner or a medical examiner may access the Next-of-Kin Registry to assist in locating a next-of-kin of the decedent.

Sec. 14. 1. Except as otherwise provided in this section, the Department shall provide access to the account of a registrant in the Next-of-Kin Registry only to:

(a) Law enforcement personnel, a coroner or a medical examiner requesting access pursuant to section 13 of this act;

(b) The registrant for the purposes of adding, amending or deleting the name ~~and~~ telephone number and address of an emergency contact person;

(c) The parent or legal guardian of a registrant who is under 18 years of age and is not emancipated; and

(d) Employees of the Department only as required to carry out the provisions of sections 4 to 17, inclusive, of this act.

2. The Department ~~may~~ shall provide access to the account of a registrant:

(a) Pursuant to the lawful order of a court of competent jurisdiction;

(b) At the request of a deceased registrant's personal representative; and

(c) If the Department determines that providing access to the account is in the best interest of the registrant.

Sec. 15. Except as otherwise provided in section 14 of this act, the name ~~and~~ telephone number and address of an emergency contact person submitted by a registrant to the Next-of-Kin Registry are:

1. Confidential;

2. To be used exclusively as provided in sections 4 to 17, inclusive, of this act;

3. Not a public record for the purposes of chapter 239 of NRS; and

4. Not discoverable by any person, entity or governmental agency except upon the issuance of a subpoena by a grand jury or a court order in a criminal matter.

Sec. 16. The Department, any employees of the Department ~~and~~ any law enforcement personnel and any coroner or medical examiner carrying out the provisions of sections 4 to 17, inclusive, of this act ~~in good faith and~~ in the scope of their public duties or employment are not liable to any person for civil damages or subject to criminal prosecution resulting from or caused by, without limitation:

1. Any disruption or failure in Internet service caused by any accident, malfunction, act of sabotage or God, or any other condition or circumstance which the Department has not directly or indirectly caused and which results in, or prevents:

(a) The Department from establishing, maintaining or accessing the Next-of-Kin Registry;

(b) Law enforcement personnel , a coroner or a medical examiner from accessing the Next-of-Kin Registry pursuant to section 13 of this act; or

(c) A registrant from accessing his or her account in the Next-of-Kin Registry or adding, amending or deleting the name ~~and~~ telephone number or address of an emergency contact person contained therein.

2. Any misuse of, omission of or failure to input accurate information into, or input of inaccurate or outdated information into the Next-of-Kin Registry by a registrant.

3. The inability of law enforcement personnel , a coroner or a medical examiner to make contact with any emergency contact person.

Sec. 17. The Department may adopt such regulations as are necessary to carry out the provisions of sections 4 to 17, inclusive, of this act.

Sec. 18. NRS 483.267 is hereby amended to read as follows:

483.267 1. The Department may issue a restricted license to any applicant between the ages of 14 and 18 years which entitles the applicant to drive a motor vehicle upon a highway if a member of his or her household has a medical condition which renders that member unable to operate a motor vehicle, and a hardship exists which requires the applicant to drive.

2. An application for a restricted license under this section must:

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

(b) Contain a statement that a person living in the same household with the applicant suffers from a medical condition which renders that person unable to operate a motor vehicle and explaining the need for the applicant to drive.

(c) Be signed and verified as provided in NRS 483.300.

(d) Contain such other information as may be required by the Department.

(e) Give the applicant the opportunity to register with the Next-of-Kin Registry in accordance with the provisions of sections 4 to 17, inclusive, of this act.

3. A restricted license issued pursuant to this section:

(a) Is effective for the period specified by the Department;

(b) Authorizes the licensee to operate a motor vehicle on a street or highway only under conditions specified by the Department; and

(c) May contain other restrictions which the Department deems necessary.

4. No license may be issued under this section until the Department is satisfied fully as to the applicant's competency and fitness to drive a motor vehicle.

Sec. 19. NRS 483.270 is hereby amended to read as follows:

483.270 1. The Department may issue a restricted license to any pupil between the ages of 14 and 18 years who is attending:

(a) A public school in a school district in this State in a county whose population is less than 55,000 or in a city or town whose population is less than 25,000 when transportation to and from school is not provided by the board of trustees of the school district, if the pupil meets the requirements for eligibility adopted by the Department pursuant to subsection 5; or

(b) A private school meeting the requirements for approval under NRS 392.070 when transportation to and from school is not provided by the private school, and it is impossible or impracticable to furnish such pupil with private transportation to and from school.

2. An application for the issuance of a restricted license under this section must:

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

(b) Be signed and verified as provided in NRS 483.300.

(c) Give the applicant the opportunity to register with the Next-of-Kin Registry in accordance with the provisions of sections 4 to 17, inclusive, of this act.

(d) Contain such other information as may be required by the Department.

3. Any restricted license issued pursuant to this section:

(a) Is effective only for the school year during which it is issued or for a more restricted period.

(b) Authorizes the licensee to drive a motor vehicle on a street or highway only while going to and from school, and at a speed not in excess of the speed limit set by law for school buses.

(c) May contain such other restrictions as the Department may deem necessary and proper.

(d) May authorize the licensee to transport as passengers in a motor vehicle driven by the licensee, only while the licensee is going to and from school, members of his or her immediate family, or other minor persons upon written consent of the parents or guardians of such minors, but in no event may the number of passengers so transported at any time exceed the number of passengers for which the vehicle was designed.

4. No restricted license may be issued under the provisions of this section until the Department is satisfied fully as to the applicant's competency and fitness to drive a motor vehicle.

5. The Department shall adopt regulations that set forth the requirements for eligibility of a pupil to receive a restricted license pursuant to paragraph (a) of subsection 1.

Sec. 20. NRS 483.280 is hereby amended to read as follows:

483.280 1. Any person who is at least 15 1/2 years of age may apply to the Department for an instruction permit. The Department may, in its discretion, after the applicant has successfully passed all parts of the examination other than the driving test, issue to the applicant an instruction permit entitling the applicant, while having the permit in his or her immediate possession, to drive a motor vehicle upon the highways for a period of 1 year when accompanied by a licensed driver who is at least 21 years of age, who has had at least 1 year of licensed driving experience in the type of vehicle for which the permit was issued and who is actually occupying a seat beside the driver, except when the permittee is occupying a motorcycle. The term "licensed driving experience" as used in this subsection does not include driving experience gained under an instruction permit issued pursuant to the provisions of this section.

2. The Department may, in its discretion, issue a temporary driver's permit to an applicant for a driver's license permitting the applicant to drive a motor vehicle while the Department is completing its investigation and determination of all facts relative to the applicant's right to receive a driver's license. The permit must be in the applicant's immediate possession while driving a motor vehicle, and is invalid when the applicant's license has been issued or for good cause has been refused.

3. The Department, upon receiving proper application, may, in its discretion, issue a restricted instruction permit effective for a school year, or for a more restricted period, to an applicant who is enrolled in a drivers' education program which includes practice driving and which is approved by the Department even though the applicant has not reached the legal age to be eligible for a driver's license. The instruction permit entitles the permittee, when the permittee has the permit in his or her immediate possession, to drive a motor vehicle only on a designated highway or within a designated area, but only when an approved instructor is occupying a seat beside the permittee.

4. At the time of issuance of a permit pursuant to this section, the Department shall give the holder of the permit the opportunity to register with the Next-of-Kin Registry in accordance with the provisions of sections 4 to 17, inclusive, of this act.

Sec. 21. NRS 483.340 is hereby amended to read as follows:

483.340 1. The Department shall, upon payment of the required fee, issue to every qualified applicant a driver's license indicating the type or class of vehicles the licensee may drive.

2. The Department shall adopt regulations prescribing the information that must be contained on a driver's license.

3. The Department may issue a driver's license for purposes of identification only for use by officers of local police and sheriffs' departments, agents of the Investigation Division of the Department of Public Safety while engaged in special undercover investigations relating to narcotics or prostitution or for other undercover investigations requiring the establishment of a fictitious identity, federal agents while engaged in undercover investigations, investigators employed by the Attorney General while engaged in undercover investigations, criminal investigators employed by the Secretary of State while engaged in undercover investigations and agents of the State Gaming Control Board while engaged in investigations pursuant to NRS 463.140. An application for such a license must be made through the head of the police or sheriff's department, the Chief of the Investigation Division of the Department of Public Safety, the director of the

appropriate federal agency, the Attorney General, the Secretary of State or his or her designee or the Chair of the State Gaming Control Board. Such a license is exempt from the fees required by NRS 483.410. The Department, by regulation, shall provide for the cancellation of any such driver's license upon the completion of the special investigation for which it was issued.

4. Except as otherwise provided in NRS 239.0115, information pertaining to the issuance of a driver's license pursuant to subsection 3 is confidential.

5. It is unlawful for any person to use a driver's license issued pursuant to subsection 3 for any purpose other than the special investigation for which it was issued.

6. At the time of the issuance or renewal of the driver's license, the Department shall:

(a) Give the holder the opportunity to have indicated on his or her driver's license that the holder wishes to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive, or to refuse to make an anatomical gift of his or her body or part thereof.

(b) Give the holder the opportunity to have indicated whether he or she wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150.

(c) Provide to each holder who is interested in becoming a donor information relating to anatomical gifts, including the procedure for registering as a donor with the donor registry with which the Department has entered into a contract pursuant to this paragraph. To carry out this paragraph, the Department shall, on such terms as it deems appropriate, enter into a contract with a donor registry that is in compliance with the provisions of NRS 451.500 to 451.598, inclusive.

(d) If the Department has established a program for imprinting a symbol or other indicator of a medical condition on a driver's license pursuant to NRS 483.3485, give the holder the opportunity to have a symbol or other indicator of a medical condition imprinted on his or her driver's license.

(e) Give the holder the opportunity to register with the Next-of-Kin Registry in accordance with the provisions of sections 4 to 17, inclusive, of this act.

7. If the holder wishes to make a donation to the Anatomical Gift Account, the Department shall collect the donation and deposit the money collected in the State Treasury for credit to the Anatomical Gift Account.

8. The Department shall submit to the donor registry with which the Department has entered into a contract pursuant to paragraph (c) of subsection 6 information from the records of the Department relating to persons who have drivers' licenses that indicate the intention of those persons to make an anatomical gift. The Department shall adopt regulations to carry out the provisions of this subsection.

Sec. 22. NRS 483.490 is hereby amended to read as follows:

483.490 1. Except as otherwise provided in this section, after a driver's license has been suspended or revoked for an offense other than a second violation within 7 years of NRS 484C.110, and one-half of the period during which the driver is not eligible for a license has expired, the Department may, unless the statute authorizing the suspension prohibits the issuance of a restricted license, issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle:

(a) To and from work or in the course of his or her work, or both; or

(b) To acquire supplies of medicine or food or receive regularly scheduled medical care for himself, herself or a member of his or her immediate family.

➤ Before a restricted license may be issued, the applicant must submit sufficient documentary evidence to satisfy the Department that a severe hardship exists because the applicant has no alternative means of transportation and that the severe

1 hardship outweighs the risk to the public if the applicant is issued a restricted
2 license.

3 2. A person who has been ordered to install a device in a motor vehicle
4 pursuant to NRS 484C.460:

5 (a) Shall install the device not later than 21 days after the date on which the
6 order was issued; and

7 (b) May not receive a restricted license pursuant to this section until:

8 (1) After at least 1 year of the period during which the person is not
9 eligible for a license, if the person was convicted of:

10 (I) A violation of NRS 484C.430 or a homicide resulting from driving
11 or being in actual physical control of a vehicle while under the influence of
12 intoxicating liquor or a controlled substance or resulting from any other conduct
13 prohibited by NRS 484C.110, 484C.130 or 484C.430; or

14 (II) A violation of NRS 484C.110 that is punishable as a felony
15 pursuant to NRS 484C.410 or 484C.420;

16 (2) After at least 180 days of the period during which the person is not
17 eligible for a license, if the person was convicted of a violation of subsection 6 of
18 NRS 484B.653; or

19 (3) After at least 45 days of the period during which the person is not
20 eligible for a license, if the person was convicted of a first violation within 7 years
21 of NRS 484C.110.

22 3. If the Department has received a copy of an order requiring a person to
23 install a device in a motor vehicle pursuant to NRS 484C.460, the Department shall
24 not issue a restricted driver's license to such a person pursuant to this section unless
25 the applicant has submitted proof of compliance with the order and subsection 2.

26 4. After a driver's license has been revoked or suspended pursuant to title 5 of
27 NRS, the Department may issue a restricted driver's license to an applicant
28 permitting the applicant to drive a motor vehicle:

29 (a) If applicable, to and from work or in the course of his or her work, or both;
30 or

31 (b) If applicable, to and from school.

32 5. After a driver's license has been suspended pursuant to NRS 483.443, the
33 Department may issue a restricted driver's license to an applicant permitting the
34 applicant to drive a motor vehicle:

35 (a) If applicable, to and from work or in the course of his or her work, or both;

36 (b) To receive regularly scheduled medical care for himself, herself or a
37 member of his or her immediate family; or

38 (c) If applicable, as necessary to exercise a court-ordered right to visit a child.

39 6. A driver who violates a condition of a restricted license issued pursuant to
40 subsection 1 or by another jurisdiction is guilty of a misdemeanor and, if the license
41 of the driver was suspended or revoked for:

42 (a) A violation of NRS 484C.110, 484C.210 or 484C.430;

43 (b) A homicide resulting from driving or being in actual physical control of a
44 vehicle while under the influence of intoxicating liquor or a controlled substance or
45 resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or
46 484C.430; or

47 (c) A violation of a law of any other jurisdiction that prohibits the same or
48 similar conduct as set forth in paragraph (a) or (b),

49 the driver shall be punished in the manner provided pursuant to subsection 2 of
50 NRS 483.560.

51 7. The periods of suspensions and revocations required pursuant to this
52 chapter and NRS 484C.210 must run consecutively, except as otherwise provided
53 in NRS 483.465 and 483.475, when the suspensions must run concurrently.

8. Whenever the Department suspends or revokes a license, the period of suspension, or of ineligibility for a license after the revocation, begins upon the effective date of the revocation or suspension as contained in the notice thereof.

9. At the time of issuance of a restricted license pursuant to this section, the Department shall give the holder of the restricted license the opportunity to register with the Next-of-Kin Registry in accordance with the provisions of sections 4 to 17, inclusive, of this act.

Sec. 23. NRS 483.840 is hereby amended to read as follows:

483.840 1. The form of the identification cards must be similar to that of drivers' licenses but distinguishable in color or otherwise.

2. Identification cards do not authorize the operation of any motor vehicles.

3. The Department shall adopt regulations prescribing the information that must be contained on an identification card.

4. At the time of the issuance or renewal of the identification card, the Department shall:

(a) Give the holder the opportunity to have indicated on his or her identification card that the holder wishes to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive, or to refuse to make an anatomical gift of his or her body or part thereof.

(b) Give the holder the opportunity to indicate whether he or she wishes to donate \$1 or more to the Anatomical Gift Account created by NRS 460.150.

(c) Provide to each holder who is interested in becoming a donor information relating to anatomical gifts, including the procedure for registering as a donor with the donor registry with which the Department has entered into a contract pursuant to this paragraph. To carry out this paragraph, the Department shall, on such terms as it deems appropriate, enter into a contract with a donor registry that is in compliance with the provisions of NRS 451.500 to 451.598, inclusive.

(d) If the Department has established a program for imprinting a symbol or other indicator of a medical condition on an identification card pursuant to NRS 483.863, give the holder the opportunity to have a symbol or other indicator of a medical condition imprinted on his or her identification card.

(e) Give the holder the opportunity to register with the Next-of-Kin Registry in accordance with the provisions of sections 4 to 17, inclusive, of this act.

5. If the holder wishes to make a donation to the Anatomical Gift Account, the Department shall collect the donation and deposit the money collected in the State Treasury for credit to the Anatomical Gift Account.

6. The Department shall submit to the donor registry with which the Department has entered into a contract pursuant to paragraph (c) of subsection 4 information from the records of the Department relating to persons who have identification cards issued by the Department that indicate the intention of those persons to make an anatomical gift. The Department shall adopt regulations to carry out the provisions of this subsection.

Sec. 24. 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:

~~1-3~~ (1) Pass a knowledge test for the type of motor vehicle the person operates or expects to operate; and

~~1-4~~ (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;

~~2+~~ (c) Comply with all other requirements contained in the regulations adopted by the Department pursuant to NRS 483.908;

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

~~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. At the time of issuance or renewal of a commercial driver's license, the Department shall give the holder the opportunity to register with the Next-of-Kin Registry in accordance with the provisions of sections 4 to 17, inclusive, of this act.

~~Sec. 24.~~ **Sec. 25.** This act becomes effective:

1. Upon passage and approval for the purposes of adopting regulations and performing any preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On ~~January 1, 2014,~~ July 1, 2015, for all other purposes.