

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:

1 **Section 11** of this bill requires the Department of Motor Vehicles to establish a
2 registry on its Internet website to be known as the Next-of-Kin Registry. The
3 Registry must include, in a secure portion of the Department's Internet website, an
4 account unique to each registrant in which the registrant may provide the names
5 and telephone numbers of one or two emergency contact persons. Any person may
6 register if he or she possesses a Nevada driver's license or identification card,
7 except that holders of a commercial driver's license are not included, to avoid any



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8 potential conflict with federal law. The emergency contact persons listed in the
9 Registry must be at least 18 years of age, but do not have to be related to the
10 registrant, except that if the registrant is under 18 years of age and not emancipated,
11 at least one of the emergency contact persons must be a parent or legal guardian of
12 the registrant. Information in the Registry must be accessible to: (1) law
13 enforcement personnel, for the purpose of making contact on behalf of a registrant
14 who is the victim of a motor vehicle accident and who is dead, seriously injured or
15 incapacitated and unable to communicate; and (2) the registrant, for the purpose of
16 amending or deleting contact information. **Section 13** of this bill requires law
17 enforcement personnel to use the Registry when possible and as soon as is
18 practicable to make such contact. **Section 14** of this bill limits access to the
19 information in the Registry to the registrant, law enforcement personnel and the
20 Department, with certain exceptions, including others authorized by a court order.
21 **Section 15** of this bill provides that the names and telephone numbers of
22 emergency contact persons in the Registry are confidential, not public records for
23 the purposes of Nevada's Open Meeting Law, and not discoverable except upon a
24 subpoena issued in a criminal matter. **Sections 18-23** of this bill require the
25 Department, at the time of the issuance or renewal of a driver's license or
26 identification card, to give the holder of the driver's license or identification card
27 the opportunity to register the names and telephone numbers of emergency contact
28 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:

1 **Section 1.** NRS 481.063 is hereby amended to read as follows:
2 481.063 1. The Director may charge and collect reasonable
3 fees for official publications of the Department and from persons
4 making use of files and records of the Department or its various
5 divisions for a private purpose. All money so collected must be
6 deposited in the State Treasury for credit to the Motor Vehicle Fund.
7 2. Except as otherwise provided in subsection 6, the Director
8 may release personal information, except a photograph, from a file
9 or record relating to the driver's license, identification card, or title
10 or registration of a vehicle of a person if the requester submits a
11 written release from the person who holds a lien on the vehicle, or
12 an agent of that person, or the person about whom the information is
13 requested which is dated not more than 90 days before the date of
14 the request. The written release must be in a form required by the
15 Director.
16 3. Except as otherwise provided in subsections 2 and 4, the
17 Director shall not release to any person who is not a representative
18 of the Division of Welfare and Supportive Services of the
19 Department of Health and Human Services or an officer, employee
20 or agent of a law enforcement agency, an agent of the public
21 defender's office or an agency of a local government which collects
22 fines imposed for parking violations, who is not conducting an
23 investigation pursuant to NRS 253.0415 or 253.220, who is not



1 authorized to transact insurance pursuant to chapter 680A of NRS or
2 who is not licensed as a private investigator pursuant to chapter 648
3 of NRS and conducting an investigation of an insurance claim:

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

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

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

12 ➤ When such personally identifiable information is requested of a
13 law enforcement agency by the presentation of a license plate
14 number, the law enforcement agency shall conduct an investigation
15 regarding the person about whom information is being requested or,
16 as soon as practicable, provide the requester with the requested
17 information if the requester officially reports that the motor vehicle
18 bearing that license plate was used in a violation of NRS 205.240,
19 205.345, 205.380 or 205.445.

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

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

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

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

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

42 (a) By any governmental entity, including, but not limited to,
43 any court or law enforcement agency, in carrying out its functions,
44 or any person acting on behalf of a federal, state or local
45 governmental agency in carrying out its functions. The personal



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1 information may include a photograph from a file or record relating
2 to a driver's license, identification card, or title or registration of a
3 vehicle.

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

10 (c) In connection with matters relating to:

- 11 (1) The safety of drivers of motor vehicles;
- 12 (2) Safety and thefts of motor vehicles;
- 13 (3) Emissions from motor vehicles;
- 14 (4) Alterations of products related to motor vehicles;
- 15 (5) An advisory notice relating to a motor vehicle or the
16 recall of a motor vehicle;
- 17 (6) Monitoring the performance of motor vehicles;
- 18 (7) Parts or accessories of motor vehicles;
- 19 (8) Dealers of motor vehicles; or
- 20 (9) Removal of nonowner records from the original records
21 of motor vehicle manufacturers.

22 (d) By any insurer, self-insurer or organization that provides
23 assistance or support to an insurer or self-insurer or its agents,
24 employees or contractors, in connection with activities relating to
25 the rating, underwriting or investigation of claims or the prevention
26 of fraud.

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

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

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

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

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



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(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



1 the person has submitted to the Department proof of employment or
2 licensure, as applicable, and a signed and notarized affidavit
3 acknowledging that the person:

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

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

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

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

14 ~~1111~~ **12.** It is unlawful for any person to:

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

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

20 ~~1121~~ **13.** As used in this section:

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

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

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

33 482.170 Except as otherwise provided in NRS 239.0115,
34 481.063 and 485.316, *and sections 14 and 15 of this act*, all
35 personal information in the records of registration and licensing in
36 the offices of the Department is confidential and must not
37 knowingly be disclosed by the Department.

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

41 **Sec. 4.** *As used in sections 4 to 17, inclusive, of this act,*
42 *unless the context otherwise requires, the words and terms defined*
43 *in sections 5 to 10, inclusive, of this act have the meanings*
44 *ascribed to them in those sections.*



1 **Sec. 5. “Emergency contact person” means any person who**
2 **is:**

3 1. *At least 18 years of age; and*

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

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

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

14 **Sec. 8. “Nevada driver’s license” means any driver’s license**
15 **or permit to operate a vehicle issued under or granted by the laws**
16 **of this State and includes, without limitation, any temporary or**
17 **restricted license or instruction permit. The term does not include**
18 **a commercial driver’s license issued pursuant to the provisions of**
19 **NRS 483.900 to 483.940, inclusive.**

20 **Sec. 9. “Next-of-Kin Registry” means the registry established**
21 **pursuant to section 11 of this act.**

22 **Sec. 10. “Registrant” means a person who:**

23 1. *Possesses a Nevada driver’s license or identification card;*
24 *and*

25 2. *Has provided the name and telephone number of an*
26 *emergency contact person to the Department for inclusion in the*
27 *Next-of-Kin Registry.*

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

38 1. *Law enforcement personnel pursuant to section 13 of this*
39 *act; and*

40 2. *The registrant for the purpose of adding, amending or*
41 *deleting the name or telephone number of an emergency contact*
42 *person.*

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



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- 1 (a) Possess a Nevada driver's license or identification card;
- 2 (b) Indicate his or her wish to be a registrant in the manner
- 3 provided by the Department pursuant to NRS 483.267, 483.270,
- 4 483.280, 483.340, 483.490 or 483.840; and
- 5 (c) Submit the name and telephone number of the emergency
- 6 contact person to the Department on a form prescribed by the
- 7 Department. If the person is under 18 years of age and is not
- 8 emancipated, a parent or legal guardian of the person must be
- 9 listed as the emergency contact person.

10 2. If the person satisfies the requirements of subsection 1, the

11 Department shall:

- 12 (a) Make an electronic reproduction of the names and
- 13 telephone numbers of the emergency contact persons submitted by
- 14 the registrant and post it within the Next-of-Kin Registry in an
- 15 account designated by the unique number assigned to the
- 16 registrant's Nevada driver's license or identification card;
- 17 (b) Assign to the registrant an access code for accessing his or
- 18 her account; and
- 19 (c) Provide the access code to the registrant and, if the
- 20 registrant is under 18 years of age and is not emancipated, to the
- 21 parent or legal guardian of the registrant who is listed as his or
- 22 her emergency contact person.

23 **Sec. 13.** When a motor vehicle accident results in a driver or

24 any passenger who has a Nevada driver's license or identification

25 card being unable to communicate due to death, serious bodily

26 injury or other incapacitation, law enforcement personnel shall

27 attempt to locate an emergency contact person for the driver or

28 passenger by accessing the Next-of-Kin Registry. Law

29 enforcement personnel shall, as soon as is practicable, notify the

30 emergency contact person of each registrant who is unable to

31 communicate and inform the emergency contact person of the

32 hospital or other location at which the registrant may be receiving

33 medical treatment.

34 **Sec. 14.** 1. Except as otherwise provided in this section, the

35 Department shall provide access to the account of a registrant in

36 the Next-of-Kin Registry only to:

- 37 (a) Law enforcement personnel requesting access pursuant to
- 38 section 13 of this act;
- 39 (b) The registrant for the purposes of adding, amending or
- 40 deleting the name and telephone number of an emergency contact
- 41 person;
- 42 (c) The parent or legal guardian of a registrant who is under
- 43 18 years of age and is not emancipated; and
- 44 (d) Employees of the Department only as required to carry out
- 45 the provisions of sections 4 to 17, inclusive, of this act.



2. The Department may 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 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 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 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 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 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:



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- 1 (a) Be made upon a form provided by the Department.
- 2 (b) Be signed and verified as provided in NRS 483.300.
- 3 (c) *Give the applicant the opportunity to register with the Next-*
- 4 *of-Kin Registry in accordance with the provisions of sections 4 to*
- 5 *17, inclusive, of this act.*
- 6 (d) Contain such other information as may be required by the
- 7 Department.
- 8 3. Any restricted license issued pursuant to this section:
- 9 (a) Is effective only for the school year during which it is issued
- 10 or for a more restricted period.
- 11 (b) Authorizes the licensee to drive a motor vehicle on a street
- 12 or highway only while going to and from school, and at a speed not
- 13 in excess of the speed limit set by law for school buses.
- 14 (c) May contain such other restrictions as the Department may
- 15 deem necessary and proper.
- 16 (d) May authorize the licensee to transport as passengers in a
- 17 motor vehicle driven by the licensee, only while the licensee is
- 18 going to and from school, members of his or her immediate family,
- 19 or other minor persons upon written consent of the parents or
- 20 guardians of such minors, but in no event may the number of
- 21 passengers so transported at any time exceed the number of
- 22 passengers for which the vehicle was designed.
- 23 4. No restricted license may be issued under the provisions of
- 24 this section until the Department is satisfied fully as to the
- 25 applicant's competency and fitness to drive a motor vehicle.
- 26 5. The Department shall adopt regulations that set forth the
- 27 requirements for eligibility of a pupil to receive a restricted license
- 28 pursuant to paragraph (a) of subsection 1.
- 29 **Sec. 20.** NRS 483.280 is hereby amended to read as follows:
- 30 483.280 1. Any person who is at least 15 1/2 years of age
- 31 may apply to the Department for an instruction permit. The
- 32 Department may, in its discretion, after the applicant has
- 33 successfully passed all parts of the examination other than the
- 34 driving test, issue to the applicant an instruction permit entitling the
- 35 applicant, while having the permit in his or her immediate
- 36 possession, to drive a motor vehicle upon the highways for a period
- 37 of 1 year when accompanied by a licensed driver who is at least 21
- 38 years of age, who has had at least 1 year of licensed driving
- 39 experience in the type of vehicle for which the permit was issued
- 40 and who is actually occupying a seat beside the driver, except when
- 41 the permittee is occupying a motorcycle. The term "licensed driving
- 42 experience" as used in this subsection does not include driving
- 43 experience gained under an instruction permit issued pursuant to the
- 44 provisions of this section.



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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



1 designee or the Chair of the State Gaming Control Board. Such a
2 license is exempt from the fees required by NRS 483.410. The
3 Department, by regulation, shall provide for the cancellation of any
4 such driver's license upon the completion of the special
5 investigation for which it was issued.

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

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

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

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

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

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

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

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

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

42 8. The Department shall submit to the donor registry with
43 which the Department has entered into a contract pursuant to
44 paragraph (c) of subsection 6 information from the records of the
45 Department relating to persons who have drivers' licenses that



1 indicate the intention of those persons to make an anatomical gift.
2 The Department shall adopt regulations to carry out the provisions
3 of this subsection.

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

5 483.490 1. Except as otherwise provided in this section, after
6 a driver's license has been suspended or revoked for an offense
7 other than a second violation within 7 years of NRS 484C.110, and
8 one-half of the period during which the driver is not eligible for a
9 license has expired, the Department may, unless the statute
10 authorizing the suspension prohibits the issuance of a restricted
11 license, issue a restricted driver's license to an applicant permitting
12 the applicant to drive a motor vehicle:

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

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

18 ➤ Before a restricted license may be issued, the applicant must
19 submit sufficient documentary evidence to satisfy the Department
20 that a severe hardship exists because the applicant has no alternative
21 means of transportation and that the severe hardship outweighs the
22 risk to the public if the applicant is issued a restricted license.

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

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

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

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

31 (I) A violation of NRS 484C.430 or a homicide resulting
32 from driving or being in actual physical control of a vehicle while
33 under the influence of intoxicating liquor or a controlled substance
34 or resulting from any other conduct prohibited by NRS 484C.110,
35 484C.130 or 484C.430; or

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

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

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

44 3. If the Department has received a copy of an order requiring a
45 person to install a device in a motor vehicle pursuant to



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1 NRS 484C.460, the Department shall not issue a restricted driver's
2 license to such a person pursuant to this section unless the applicant
3 has submitted proof of compliance with the order and subsection 2.

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

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

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

11 5. After a driver's license has been suspended pursuant to NRS
12 483.443, the Department may issue a restricted driver's license to an
13 applicant permitting the applicant to drive a motor vehicle:

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

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

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

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

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

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

30 (c) A violation of a law of any other jurisdiction that prohibits
31 the same or similar conduct as set forth in paragraph (a) or (b),
32 ➔ the driver shall be punished in the manner provided pursuant to
33 subsection 2 of NRS 483.560.

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

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

42 ***9. At the time of issuance of a restricted license pursuant to***
43 ***this section, the Department shall give the holder of the restricted***
44 ***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



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1 make an anatomical gift. The Department shall adopt regulations to
2 carry out the provisions of this subsection.

3 **Sec. 24.** This act becomes effective:

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

7 2. On January 1, 2014, for all other purposes.

