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FIRST REPRINT

S.B. 204

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 telephone numbers and addresses of one or two emergency contact persons. Any
- 6 person may register if he or she possesses a Nevada driver's license or
- 7 identification card. The emergency contact persons listed in the Registry must be at



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8 least 18 years of age, but do not have to be related to the registrant, except that if
9 the registrant is under 18 years of age and not emancipated, at least one of the
10 emergency contact persons must be a parent or legal guardian of the registrant.
11 Information in the Registry must be accessible to: (1) law enforcement personnel,
12 for the purpose of making contact on behalf of a registrant who is the victim of a
13 motor vehicle accident or other situation and who is dead, seriously injured or
14 incapacitated and unable to communicate; (2) a coroner or a medical examiner or
15 their respective personnel, for the purpose of locating a next-of-kin for a decedent;
16 and (3) the registrant, for the purpose of amending or deleting contact information.
17 **Section 13** of this bill requires law enforcement personnel to use the Registry when
18 possible and as soon as is practicable to make such contact. **Section 14** of this bill
19 limits access to the information in the Registry to the registrant, law enforcement
20 personnel, a coroner or a medical examiner or their respective personnel and the
21 Department, with certain exceptions, including others authorized by a court order.
22 **Section 15** of this bill provides that the names, telephone numbers and addresses of
23 emergency contact persons in the Registry are confidential, not public records for
24 the purposes of Nevada's Open Meeting Law, and not discoverable except upon a
25 subpoena issued in a criminal matter. **Sections 18-24** of this bill require the
26 Department, at the time of the issuance or renewal of a driver's license or
27 identification card, to give the holder of the driver's license or identification card
28 the opportunity to register the names, telephone numbers and addresses of
29 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:

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



1 investigation pursuant to NRS 253.0415 or 253.220, who is not
2 authorized to transact insurance pursuant to chapter 680A of NRS or
3 who is not licensed as a private investigator pursuant to chapter 648
4 of NRS and conducting an investigation of an insurance claim:

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

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

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

13 ➤ When such personally identifiable information is requested of a
14 law enforcement agency by the presentation of a license plate
15 number, the law enforcement agency shall conduct an investigation
16 regarding the person about whom information is being requested or,
17 as soon as practicable, provide the requester with the requested
18 information if the requester officially reports that the motor vehicle
19 bearing that license plate was used in a violation of NRS 205.240,
20 205.345, 205.380 or 205.445.

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

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

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

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

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

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



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1 governmental agency in carrying out its functions. The personal
2 information may include a photograph from a file or record relating
3 to a driver's license, identification card, or title or registration of a
4 vehicle.

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

11 (c) In connection with matters relating to:

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

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

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

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

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

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

43 (i) In connection with an investigation conducted pursuant to
44 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 ~~111~~ **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 ~~112~~ **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 4.5 to 10, inclusive, of this act have the meanings*
44 *ascribed to them in those sections.*



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

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

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

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

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

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

18 **Sec. 8.** *“Nevada driver’s license” means any driver’s license*
19 *or permit to operate a vehicle issued under or granted by the laws*
20 *of this State and includes, without limitation, any temporary or*
21 *restricted license or instruction permit.*

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

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

25 1. *Possesses a Nevada driver’s license or identification card;*
26 *and*

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

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

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

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



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

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

5 *(b) Indicate his or her wish to be a registrant in the manner*
6 *provided by the Department pursuant to NRS 483.267, 483.270,*
7 *483.280, 483.340, 483.490 or 483.840; and*

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

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

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

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

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

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

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

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

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



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

4 (c) The parent or legal guardian of a registrant who is under
5 18 years of age and is not emancipated; and

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

8 2. The Department shall provide access to the account of a
9 registrant:

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

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

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

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

20 1. Confidential;

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

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

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

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

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

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

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

43 (c) A registrant from accessing his or her account in the Next-
44 of-Kin Registry or adding, amending or deleting the name,



1 *telephone number or address of an emergency contact person*
2 *contained therein.*

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

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

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

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

13 483.267 1. The Department may issue a restricted license to
14 any applicant between the ages of 14 and 18 years which entitles the
15 applicant to drive a motor vehicle upon a highway if a member of
16 his or her household has a medical condition which renders that
17 member unable to operate a motor vehicle, and a hardship exists
18 which requires the applicant to drive.

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

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

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

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

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

29 *(e) Give the applicant the opportunity to register with the Next-*
30 *of-Kin Registry in accordance with the provisions of sections 4 to*
31 *17, inclusive, of this act.*

32 3. A restricted license issued pursuant to this section:

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

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

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

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

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

42 483.270 1. The Department may issue a restricted license to
43 any pupil between the ages of 14 and 18 years who is attending:

44 (a) A public school in a school district in this State in a county
45 whose population is less than 55,000 or in a city or town whose



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1 population is less than 25,000 when transportation to and from
2 school is not provided by the board of trustees of the school district,
3 if the pupil meets the requirements for eligibility adopted by the
4 Department pursuant to subsection 5; or

5 (b) A private school meeting the requirements for approval
6 under NRS 392.070 when transportation to and from school is not
7 provided by the private school,

8 ➔ and it is impossible or impracticable to furnish such pupil with
9 private transportation to and from school.

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

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

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

14 (c) *Give the applicant the opportunity to register with the Next-*
15 *of-Kin Registry in accordance with the provisions of sections 4 to*
16 *17, inclusive, of this act.*

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

19 3. Any restricted license issued pursuant to this section:

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

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

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

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

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

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

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

41 483.280 1. Any person who is at least 15 1/2 years of age
42 may apply to the Department for an instruction permit. The
43 Department may, in its discretion, after the applicant has
44 successfully passed all parts of the examination other than the
45 driving test, issue to the applicant an instruction permit entitling the



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1 applicant, while having the permit in his or her immediate
2 possession, to drive a motor vehicle upon the highways for a period
3 of 1 year when accompanied by a licensed driver who is at least 21
4 years of age, who has had at least 1 year of licensed driving
5 experience in the type of vehicle for which the permit was issued
6 and who is actually occupying a seat beside the driver, except when
7 the permittee is occupying a motorcycle. The term "licensed driving
8 experience" as used in this subsection does not include driving
9 experience gained under an instruction permit issued pursuant to the
10 provisions of this section.

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

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

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

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

35 483.340 1. The Department shall, upon payment of the
36 required fee, issue to every qualified applicant a driver's license
37 indicating the type or class of vehicles the licensee may drive.

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

40 3. The Department may issue a driver's license for purposes of
41 identification only for use by officers of local police and sheriffs'
42 departments, agents of the Investigation Division of the Department
43 of Public Safety while engaged in special undercover investigations
44 relating to narcotics or prostitution or for other undercover
45 investigations requiring the establishment of a fictitious identity,



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1 federal agents while engaged in undercover investigations,
2 investigators employed by the Attorney General while engaged in
3 undercover investigations, criminal investigators employed by the
4 Secretary of State while engaged in undercover investigations and
5 agents of the State Gaming Control Board while engaged in
6 investigations pursuant to NRS 463.140. An application for such a
7 license must be made through the head of the police or sheriff's
8 department, the Chief of the Investigation Division of the
9 Department of Public Safety, the director of the appropriate federal
10 agency, the Attorney General, the Secretary of State or his or her
11 designee or the Chair of the State Gaming Control Board. Such a
12 license is exempt from the fees required by NRS 483.410. The
13 Department, by regulation, shall provide for the cancellation of any
14 such driver's license upon the completion of the special
15 investigation for which it was issued.

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

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

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

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

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

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

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



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

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

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

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

16 483.490 1. Except as otherwise provided in this section, after
17 a driver's license has been suspended or revoked for an offense
18 other than a second violation within 7 years of NRS 484C.110, and
19 one-half of the period during which the driver is not eligible for a
20 license has expired, the Department may, unless the statute
21 authorizing the suspension prohibits the issuance of a restricted
22 license, issue a restricted driver's license to an applicant permitting
23 the applicant to drive a motor vehicle:

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

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

29 ➤ Before a restricted license may be issued, the applicant must
30 submit sufficient documentary evidence to satisfy the Department
31 that a severe hardship exists because the applicant has no alternative
32 means of transportation and that the severe hardship outweighs the
33 risk to the public if the applicant is issued a restricted license.

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

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

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

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

42 (1) A violation of NRS 484C.430 or a homicide resulting
43 from driving or being in actual physical control of a vehicle while
44 under the influence of intoxicating liquor or a controlled substance



1 or resulting from any other conduct prohibited by NRS 484C.110,
2 484C.130 or 484C.430; or

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

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

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

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

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

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

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

23 5. After a driver's license has been suspended pursuant to NRS
24 483.443, the Department may issue a restricted driver's license to an
25 applicant permitting the applicant to drive a motor vehicle:

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

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

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

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

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

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

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

44 ➔ the driver shall be punished in the manner provided pursuant to
45 subsection 2 of NRS 483.560.



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7. The periods of suspensions and revocations required pursuant to this chapter and NRS 484C.210 must run consecutively, except as otherwise provided 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.



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(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-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. *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.*



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- 1 **Sec. 25.** This act becomes effective:
2 1. Upon passage and approval for the purposes of adopting
3 regulations and performing any preparatory administrative tasks that
4 are necessary to carry out the provisions of this act; and
5 2. On July 1, 2015, for all other purposes.

