

SENATE BILL NO. 3—SENATOR GUSTAVSON

PREFILED DECEMBER 19, 2014

Referred to Committee on Transportation

SUMMARY—Requires the Department of Motor Vehicles to establish a registry of emergency contact information for certain persons. (BDR 43-14)

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 of emergency contact information for certain persons who possess a driver's license or identification card; requiring certain law enforcement personnel to use the registry to notify an emergency contact person regarding any persons involved in a motor vehicle accident; providing immunity from liability to the Department and others with access to the registry for certain acts and omissions related to the registry; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 8** 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 website, an account unique to each
4 registrant. Information in the Registry will be accessible to law enforcement, a
5 coroner or medical examiner and the registrant, and parent or guardian of the
6 registrant if the registrant is a minor. **Section 9** of this bill provides the
7 requirements for a registrant to establish an account with the Next-of-Kin Registry
8 and allows a registrant to submit emergency contact information for not more than
9 two emergency contact persons. **Section 10** of this bill requires law enforcement
10 personnel to search the Registry to identify and make contact with the emergency
11 contact person of a registrant if the registrant is unable to communicate after a
12 serious motor vehicle accident. **Section 10** also allows a coroner or medical
13 examiner to access the Registry to identify the next-of-kin of a decedent. **Sections**
14 **1, 2, 8 and 11** of this bill limit access to the information in the Registry to the
15 registrant, law enforcement personnel, a coroner or medical examiner or his or her
16 respective personnel and the Department, with certain exceptions, including other



persons authorized by a court order. **Sections 11 and 21** of this bill further provide that the names, telephone numbers and addresses of emergency contact persons in the Registry are confidential, not public records for the purposes of the Open Meeting Law and not discoverable except upon a subpoena issued in a criminal matter. (See chapter 239 of NRS) **Section 12** of this bill limits the civil and criminal liability of those authorized to establish, maintain and access the Registry. **Section 13** of this bill authorizes the Department to adopt regulations necessary to implement and maintain the Next-of-Kin Registry. **Sections 14-20** of this bill require the Department, at the time of the application for or the renewal of a driver's license or identification card, to provide the applicant a form to register with the Next-of-Kin Registry.

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.

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

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

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

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

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

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

(b) In connection with any civil, criminal, administrative or arbitration proceeding before any federal or state court, regulatory body, board, commission or agency, including, but not limited to, use for service of process, investigation in anticipation of litigation,



1 and execution or enforcement of judgments and orders, or pursuant
2 to an order of a federal or state court.

3 (c) In connection with matters relating to:

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

15 (d) By any insurer, self-insurer or organization that provides
16 assistance or support to an insurer or self-insurer or its agents,
17 employees or contractors, in connection with activities relating to
18 the rating, underwriting or investigation of claims or the prevention
19 of fraud.

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

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

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

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

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

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

40 7. Except as otherwise provided in paragraph (j) of subsection
41 6, the Director shall not provide personal information to individuals
42 or companies for the purpose of marketing extended vehicle
43 warranties, and a person who requests and receives personal
44 information may sell or disclose that information only for a use



1 permitted pursuant to subsection 6. Such a person shall keep and
2 maintain for 5 years a record of:

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

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

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

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

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

16 10. *Except as otherwise provided in sections 8 and 10 of this*
17 *act, or as otherwise required by law, the Director shall not:*

18 (a) *Allow any person to make use of information retrieved*
19 *from the Next-of-Kin Registry established pursuant to section 8 of*
20 *this act for a private purpose; or*

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

23 11. The Director shall not release any information relating to
24 legal presence or any other information relating to or describing
25 immigration status, nationality or citizenship from a file or record
26 relating to a request for or the issuance of a license, identification
27 card or title or registration of a vehicle to any person or to any
28 federal, state or local governmental entity for any purpose relating to
29 the enforcement of immigration laws.

30 ~~11.1~~ 12. The Director shall adopt such regulations as the
31 Director deems necessary to carry out the purposes of this section.
32 In addition, the Director shall, by regulation, establish a procedure
33 whereby a person who is requesting personal information may
34 establish an account with the Department to facilitate the person's
35 ability to request information electronically or by written request if
36 the person has submitted to the Department proof of employment or
37 licensure, as applicable, and a signed and notarized affidavit
38 acknowledging that the person:

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

43 (b) Understands that any sale or disclosure of information so
44 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.

~~H2-1~~ **13.** 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.

~~H3-1~~ **14.** As used in this section:

(a) "Information relating to legal presence" means information that may reveal whether a person is legally present in the United States, including, without limitation, whether the driver's license that a person possesses is a driver authorization card, whether the person applied for a driver's license pursuant to NRS 483.290 or 483.291 and the documentation used to prove name, age and residence that was provided by the person with his or her application for a driver's license.

(b) "Personal information" means information that reveals the identity of a person, including, without limitation, his or her photograph, social security number, individual taxpayer identification 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.

(c) "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 8 and 10 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 of sections 4 to 13, inclusive, of this act.

Sec. 4. *As used in sections 4 to 13, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 5, 6 and 7 of this act have the meanings ascribed to them in those sections.*



1 **Sec. 5.** *"Identification card" means an identification card*
2 *issued by the Department pursuant to NRS 483.810 to 483.890,*
3 *inclusive.*

4 **Sec. 6.** *"Next-of-Kin Registry" means the registry of*
5 *emergency contact persons established pursuant to section 8 of*
6 *this act.*

7 **Sec. 7.** *"Registrant" means a person who registers with the*
8 *Next-of-Kin Registry pursuant to section 9 of this act.*

9 **Sec. 8. 1.** *The Department shall establish and maintain on*
10 *its Internet website a registry to be known as the Next-of-Kin*
11 *Registry. The Next-of-Kin Registry must include, without*
12 *limitation, in a secure portion of the Internet website, an account*
13 *unique to each registrant.*

14 **2.** *Except as otherwise provided in this section, the*
15 *Department shall provide access to, or information from, the*
16 *account of a registrant in the Next-of-Kin Registry to:*

17 **(a)** *A law enforcement officer or other duly authorized*
18 *employee of a law enforcement agency who conducts a search*
19 *pursuant to section 10 of this act;*

20 **(b)** *A coroner or medical examiner or a duly authorized*
21 *employee of a coroner or medical examiner who conducts a search*
22 *pursuant to section 10 of this act;*

23 **(c)** *The registrant for the purpose of adding, amending or*
24 *deleting the name, telephone number or address of an emergency*
25 *contact person;*

26 **(d)** *The parent or legal guardian of a registrant who is less*
27 *than 18 years of age and is not emancipated; and*

28 **(e)** *Employees of the Department to the extent necessary to*
29 *carry out the provisions of sections 4 to 13, inclusive, of this act.*

30 **3.** *The Department may provide access to, or information*
31 *from, the account of a registrant:*

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

34 **(b)** *At the request of the personal representative of a deceased*
35 *registrant; or*

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

38 **Sec. 9. 1.** *A person may register with the Next-of-Kin*
39 *Registry if the person possesses a Nevada driver's license or*
40 *identification card.*

41 **2.** *The Department shall prescribe a form to be used to*
42 *register with the Next-of-Kin Registry, which must include,*
43 *without limitation:*

44 **(a)** *A statement indicating the desire of the person to become a*
45 *registrant;*



(b) The name, telephone number and address of not more than two emergency contact persons who are at least 18 years of age, one of whom is the parent or legal guardian of the person if he or she is less than 18 years of age and is not emancipated; and

(c) Any other information required by the Department.

3. If a person completes and submits the form to become a registrant, the Department shall:

(a) Create an account within the Next-of-Kin Registry for the registrant which includes the information regarding the emergency contact persons provided by the registrant on the form;

(b) Assign an account number to the registrant that is the same as the number assigned to his or her Nevada driver's license or identification card, as applicable;

(c) Assign and provide to the registrant an access code to access the account; and

(d) If the registrant is less than 18 years of age, provide the access code to the parent or legal guardian of the registrant who is listed as one of his or her emergency contact persons.

Sec. 10. 1. A law enforcement officer or a duly authorized employee of a law enforcement agency must search the Next-of-Kin Registry for an emergency contact person of a driver or passenger in a motor vehicle if the driver or passenger:

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

(b) Has been involved in a motor vehicle accident or other situation which results in the death, serious bodily injury or other incapacitation of the driver or passenger; and

(c) Is incapable of communicating.

2. If the law enforcement officer or the duly authorized employee of a law enforcement agency identifies an emergency contact person of a driver or passenger through the Next-of-Kin Registry, the officer or employee must notify the emergency contact person, as soon as practicable, of the hospital or other location at which the driver or passenger may be located.

3. A coroner or medical examiner or a duly authorized employee of a coroner or medical examiner may access the Next-of-Kin Registry to search for the next-of-kin of a decedent if the decedent possessed a Nevada driver's license or identification card at the time of his or her death.

Sec. 11. Except as otherwise provided in sections 8 and 10 of this act, the information regarding an emergency contact person submitted by a registrant for inclusion in the Next-of-Kin Registry is:

1. Confidential;

2. To be used only as authorized pursuant to sections 4 to 13, inclusive, of this act;



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

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

6 **Sec. 12.** *The Department, any employee of the Department,*
7 *any law enforcement officer, any coroner or medical examiner, or*
8 *any duly authorized employee of a law enforcement agency or*
9 *coroner or medical examiner, when carrying out the provisions of*
10 *sections 4 to 13, inclusive, of this act in the scope of their public*
11 *duties or employment, are not liable to any person for civil*
12 *damages or subject to criminal prosecution resulting from or*
13 *caused by, without limitation:*

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

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

20 (b) *A law enforcement officer, a coroner or a medical*
21 *examiner, or a duly authorized employee of a law enforcement*
22 *agency or coroner or medical examiner, from accessing the Next-*
23 *of-Kin Registry as required pursuant to section 10 of this act;*

24 (c) *A registrant from accessing his or her account in the Next-*
25 *of-Kin Registry or adding, amending or deleting the name,*
26 *telephone number or address of an emergency contact person; or*

27 (d) *The parent or legal guardian of a registrant who is less*
28 *than 18 years of age and not emancipated from accessing the*
29 *account of the registrant.*

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

33 3. *The failure of a law enforcement officer, a coroner or a*
34 *medical examiner, or a duly authorized employee of a law*
35 *enforcement agency or coroner or medical examiner, to make*
36 *contact with any emergency contact person.*

37 **Sec. 13.** *The Department may adopt such regulations as are*
38 *necessary to carry out the provisions of sections 4 to 13, inclusive,*
39 *of this act.*

40 **Sec. 14.** *NRS 483.267 is hereby amended to read as follows:*

41 483.267 1. *The Department may issue a restricted license to*
42 *any applicant between the ages of 14 and 18 years which entitles the*
43 *applicant to drive a motor vehicle upon a highway if a member of*
44 *his or her household has a medical condition which renders that*



1 member unable to operate a motor vehicle, and a hardship exists
2 which requires the applicant to drive.

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

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

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

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

11 (d) Include:

12 (1) A written statement signed by the principal of the public
13 school in which the applicant is enrolled or by a designee of the
14 principal and which is provided to the applicant pursuant to
15 NRS 392.123;

16 (2) A written statement signed by the parent or legal
17 guardian of the applicant which states that the applicant is excused
18 from compulsory school attendance pursuant to NRS 392.070;

19 (3) A copy of the applicant's high school diploma or
20 certificate of attendance; or

21 (4) A copy of the applicant's certificate of general
22 educational development or an equivalent document.

23 (e) *Include a form prescribed by the Department to allow the*
24 *applicant to register with the Next-of-Kin Registry pursuant to*
25 *section 9 of this act if he or she so chooses.*

26 (f) Contain such other information as may be required by the
27 Department.

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

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

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

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

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

37 **Sec. 15.** NRS 483.270 is hereby amended to read as follows:

38 483.270 1. The Department may issue a restricted license to
39 any pupil between the ages of 14 and 18 years who is attending:

40 (a) A public school in a school district in this State in a county
41 whose population is less than 55,000 or in a city or town whose
42 population is less than 25,000 when transportation to and from
43 school is not provided by the board of trustees of the school district,
44 if the pupil meets the requirements for eligibility adopted by the
45 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) Include a written statement signed by the:

(1) Principal of the public school in which the pupil is enrolled or by a designee of the principal and which is provided to the applicant pursuant to NRS 392.123; or

(2) Parent or legal guardian of the pupil which states that the pupil is excused from compulsory school attendance pursuant to NRS 392.070.

(d) *Include a form prescribed by the Department to allow the applicant to register with the Next-of-Kin Registry pursuant to section 9 of this act if he or she so chooses.*

(e) 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. 16. 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



1 Department may, in its discretion, after the applicant has
2 successfully passed all parts of the examination administered
3 pursuant to NRS 483.330, other than the driving test, issue to the
4 applicant an instruction permit entitling the applicant, while having
5 the permit in his or her immediate possession, to drive a motor
6 vehicle upon the highways for a period of 1 year when accompanied
7 by a licensed driver who is at least 21 years of age, who has had at
8 least 1 year of licensed driving experience in the type of vehicle for
9 which the permit was issued and who is actually occupying a seat
10 beside the driver, except when the permittee is occupying a
11 motorcycle. The term "licensed driving experience" as used in this
12 subsection does not include driving experience gained under an
13 instruction permit issued pursuant to the provisions of this section.

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

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

33 4. *At the time of the issuance of a permit pursuant to this*
34 *section, the Department shall provide to the permittee a form*
35 *prescribed by the Department to allow the permittee to register*
36 *with the Next-of-Kin Registry pursuant to section 9 of this act if he*
37 *or she so chooses.*

38 **Sec. 17.** NRS 483.340 is hereby amended to read as follows:

39 483.340 1. The Department shall, upon payment of the
40 required fee, issue to every qualified applicant a driver's license
41 indicating the type or class of vehicles the licensee may drive.

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

44 3. The Department may issue a driver's license for purposes of
45 identification only for use by officers of local police and sheriffs'



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

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

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

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

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

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

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

44 (d) If the Department has established a program for imprinting a
45 symbol or other indicator of a medical condition on a driver's



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1 license pursuant to NRS 483.3485, give the holder the opportunity
2 to have a symbol or other indicator of a medical condition imprinted
3 on his or her driver's license.

4 *(e) Provide to the holder a form prescribed by the Department*
5 *to allow the holder to register with the Next-of-Kin Registry*
6 *pursuant to section 9 of this act if he or she so chooses.*

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

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

18 **Sec. 18.** NRS 483.490 is hereby amended to read as follows:

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

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

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

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

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

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

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

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



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

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

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

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

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

4. Except as otherwise provided in NRS 62E.630, after a driver's license has been revoked or suspended pursuant to title 5 of NRS or NRS 392.148, the Department may issue a restricted driver's license to an applicant permitting the applicant to drive a motor vehicle:

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

(b) If applicable, to and from school.

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

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

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

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

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

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

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



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

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 the issuance of a restricted license pursuant to this section, the Department shall provide to the applicant a form prescribed by the Department to allow the applicant to register with the Next-of-Kin Registry pursuant to section 9 of this act if he or she so chooses.

Sec. 19. 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) Provide to the holder a form prescribed by the Department to allow the holder to register with the Next-of-Kin Registry pursuant to section 9 of this act if he or she so chooses.

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

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

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

~~(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;

~~(3)~~ **(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 the issuance or renewal of a commercial driver's license pursuant to this section, the Department shall*



provide to the holder of the license a form prescribed by the Department to allow the holder to register with the Next-of-Kin Registry pursuant to section 9 of this act if he or she so chooses.

Sec. 21. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1A.110, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 130.312, 159.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 293.5002, 293.503, 293.558, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008, 386.655, 387.626, 387.631, 388.5275, 388.528, 388.5315, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.652, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885, 408.3886, 412.153, 416.070, 422.290, 422.305, 422A.320, 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534, 433A.360, 439.270, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 453.1545, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 467.137, 481.063, 482.170, 482.5536, 483.340, 483.363, 483.800, 484E.070, 485.316, 503.452, 522.040,



1 534A.031, 561.285, 571.160, 584.583, 584.655, 598.0964,
2 598.0979, 598.098, 598A.110, 599B.090, 603.070, 603A.210,
3 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
4 618.341, 618.425, 622.310, 623.131, 623A.353, 624.110, 624.265,
5 624.327, 625.425, 625A.185, 628.418, 629.069, 630.133,
6 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125,
7 632.405, 633.283, 633.301, 633.524, 634.212, 634.214, 634A.185,
8 635.158, 636.107, 637.085, 637A.315, 637B.288, 638.087, 638.089,
9 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400,
10 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641A.191,
11 641B.170, 641C.760, 642.524, 643.189, 644.446, 645.180, 645.625,
12 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225,
13 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320,
14 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065,
15 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133,
16 669.275, 669.285, 669A.310, 671.170, 673.430, 675.380, 676A.340,
17 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190,
18 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.280,
19 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110,
20 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 692A.117,
21 692C.190, 692C.420, 693A.480, 693A.615, 696B.550, 703.196,
22 704B.320, 704B.325, 706.1725, 710.159, *and* 711.600, *and section*
23 *11 of this act*, sections 35, 38 and 41 of chapter 478, Statutes of
24 Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013
25 and unless otherwise declared by law to be confidential, all public
26 books and public records of a governmental entity must be open at
27 all times during office hours to inspection by any person, and may
28 be fully copied or an abstract or memorandum may be prepared
29 from those public books and public records. Any such copies,
30 abstracts or memoranda may be used to supply the general public
31 with copies, abstracts or memoranda of the records or may be used
32 in any other way to the advantage of the governmental entity or of
33 the general public. This section does not supersede or in any manner
34 affect the federal laws governing copyrights or enlarge, diminish or
35 affect in any other manner the rights of a person in any written book
36 or record which is copyrighted pursuant to federal law.

37 2. A governmental entity may not reject a book or record
38 which is copyrighted solely because it is copyrighted.

39 3. A governmental entity that has legal custody or control of a
40 public book or record shall not deny a request made pursuant to
41 subsection 1 to inspect or copy or receive a copy of a public book or
42 record on the basis that the requested public book or record contains
43 information that is confidential if the governmental entity can
44 redact, delete, conceal or separate the confidential information from



1 the information included in the public book or record that is not
2 otherwise confidential.

3 4. A person may request a copy of a public record in any
4 medium in which the public record is readily available. An officer,
5 employee or agent of a governmental entity who has legal custody
6 or control of a public record:

7 (a) Shall not refuse to provide a copy of that public record in a
8 readily available medium because the officer, employee or agent has
9 already prepared or would prefer to provide the copy in a different
10 medium.

11 (b) Except as otherwise provided in NRS 239.030, shall, upon
12 request, prepare the copy of the public record and shall not require
13 the person who has requested the copy to prepare the copy himself
14 or herself.

15 **Sec. 22.** This act becomes effective:

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

19 2. On January 1, 2016, for all other purposes.

