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FIRST REPRINT

A.B. 363

ASSEMBLY BILL NO. 363—ASSEMBLYMAN THOMPSON

MARCH 20, 2019

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises certain provisions relating to homeless youth. (BDR 43-1033)

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 motor vehicles; requiring the Department of Motor Vehicles to waive the fee for the administration of the examination required for the issuance of a driver's license for certain homeless youth; revising provisions requiring the Department of Motor Vehicles to provide a duplicate driver's license or duplicate identification card to a homeless person free of charge in certain circumstances; revising provisions requiring the State Registrar to provide certain certificates to a homeless person free of charge in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Department of Motor Vehicles to require applicants for a driver's license to submit to an examination. (NRS 483.330) The fee for administration of the examination is \$25. (NRS 483.410) **Section 1** of this bill requires the Department to waive the fee for the examination not more than one time for a homeless child or youth under the age of 25 years. **Section 2** of this bill makes a conforming change.

Existing law requires the Department to waive the fees for furnishing a duplicate driver's license or a duplicate identification card to a homeless person. The homeless person must reimburse the Department for a certain portion of the fee if the vendor who produces the license or card does not waive the cost it charges the Department to produce the photograph of the homeless person. (NRS 483.417, 483.825) **Sections 3 and 4** of this bill require the Department to waive all of the fees, including any reimbursement, for furnishing an original or duplicate driver's license or an original or duplicate identification card to a homeless child or youth under the age of 25 years.

Existing law prohibits the State Registrar from charging a fee for furnishing a certified copy of a record of birth to: (1) a homeless person; or (2) a person who



was released from prison within the 90 days immediately preceding the person's request for such a copy. (NRS 440.700) **Section 5** of this bill clarifies that a homeless child or youth is entitled to such a free certified copy of a record of birth, and authorizes certain social workers and persons designated by a local educational agency to obtain a certified copy of a record of birth on behalf of a homeless child or youth in certain circumstances. **Section 5** also requires the State Registrar to provide an unaccompanied youth, without the payment of a fee, a certificate limited to a statement as to the date of birth of the unaccompanied youth, as disclosed by the record of such birth, when the certificate is necessary for admission to school or for securing employment.

Section 6 of this bill provides that these changes become effective on January 1, 2020.

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

Section 1. NRS 483.330 is hereby amended to read as follows:
483.330 1. The Department may require every applicant for a driver's license, including a commercial driver's license issued pursuant to NRS 483.900 to 483.940, inclusive, to submit to an examination. The examination may include:

(a) A test of the applicant's ability to understand official devices used to control traffic;

(b) A test of the applicant's knowledge of practices for safe driving and the traffic laws of this State;

(c) Except as otherwise provided in subsection 2, a test of the applicant's eyesight; and

(d) Except as otherwise provided in subsection 3, an actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the type or class of vehicle for which he or she is to be licensed.

➤ The examination may also include such further physical and mental examination as the Department finds necessary to determine the applicant's fitness to drive a motor vehicle safely upon the highways. If the Department requires an applicant to submit to a test specified in paragraph (b), the Department shall ensure that the test includes at least one question testing the applicant's knowledge of the provisions of NRS 484B.165.

2. The Department may provide by regulation for the acceptance of a report from an ophthalmologist, optician or optometrist in lieu of an eye test by a driver's license examiner.

3. If the Department establishes a type or classification of driver's license to operate a motor vehicle of a type which is not normally available to examine an applicant's ability to exercise ordinary and reasonable control of such a vehicle, the Department



1 may, by regulation, provide for the acceptance of an affidavit from
2 a:

- 3 (a) Past, present or prospective employer of the applicant; or
- 4 (b) Local joint apprenticeship committee which had jurisdiction
- 5 over the training or testing, or both, of the applicant,
- 6 ➔ in lieu of an actual demonstration.

7 4. The Department may waive an examination pursuant to
8 subsection 1 for a person applying for a Nevada driver's license who
9 possesses a valid driver's license of the same type or class issued by
10 another jurisdiction unless that person:

11 (a) Has not attained 21 years of age, except that the Department
12 may, based on the driving record of the applicant, waive the
13 examination to demonstrate the applicant's ability to exercise
14 ordinary and reasonable control in the operation of a motor vehicle
15 of the same type or class of vehicle for which he or she is to be
16 licensed;

17 (b) Has had his or her license or privilege to drive a motor
18 vehicle suspended, revoked or cancelled or has been otherwise
19 disqualified from driving during the immediately preceding 4 years;

20 (c) Has been convicted of a violation of NRS 484C.130 or,
21 during the immediately preceding 7 years, of a violation of NRS
22 484C.110, 484C.120 or 484C.430 or a law of any other jurisdiction
23 that prohibits the same or similar conduct;

24 (d) Has restrictions to his or her driver's license which the
25 Department must reevaluate to ensure the safe driving of a motor
26 vehicle by that person;

27 (e) Has had three or more convictions of moving traffic
28 violations on his or her driving record during the immediately
29 preceding 4 years; or

30 (f) Has been convicted of any of the offenses related to the use
31 or operation of a motor vehicle which must be reported pursuant to
32 the provisions of Parts 1327 et seq. of Title 23 of the Code of
33 Federal Regulations relating to the National Driver Register
34 Problem Driver Pointer System during the immediately preceding 4
35 years.

36 *5. The Department shall waive the fee prescribed by NRS*
37 *483.410 not more than one time for administration of the*
38 *examination required pursuant to this section for a homeless child*
39 *or youth under the age of 25 years who submits a signed affidavit*
40 *on a form prescribed by the Department stating that the child or*
41 *youth is homeless and under the age of 25 years.*

42 *6. As used in this section, "homeless child or youth" has the*
43 *meaning ascribed to it in 42 U.S.C. § 11434a.*



Sec. 2. NRS 483.410 is hereby amended to read as follows:
483.410 1. Except as otherwise provided in subsection 6 and
NRS **483.330 and** 483.417, for every driver's license, including a
motorcycle driver's license, issued and service performed, the
following fees must be charged:

An original or renewal license issued to a person 65 years of age or older.....	\$13.50
An original or renewal license issued to any person less than 65 years of age which expires on the eighth anniversary of the licensee's birthday	37.00
An original or renewal license issued to any person less than 65 years of age which expires on or before the fourth anniversary of the licensee's birthday	18.50
Administration of the examination required by NRS 483.330 for a noncommercial driver's license	25.00
Each readministration to the same person of the examination required by NRS 483.330 for a noncommercial driver's license	10.00
Reinstatement of a license after suspension, revocation or cancellation, except a revocation for a violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430, or pursuant to NRS 484C.210 and 484C.220	75.00
Reinstatement of a license after revocation for a violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430, or pursuant to NRS 484C.210 and 484C.220	120.00
A new photograph, change of name, change of other information, except address, or any combination.....	5.00
A duplicate license	14.00

2. For every motorcycle endorsement to a driver's license, a
fee of \$5 must be charged.

3. If no other change is requested or required, the Department
shall not charge a fee to convert the number of a license from the
licensee's social security number, or a number that was formulated
by using the licensee's social security number as a basis for the
number, to a unique number that is not based on the licensee's social
security number.

4. Except as otherwise provided in NRS 483.417, the increase
in fees authorized by NRS 483.347 and the fees charged pursuant to
NRS 483.415 must be paid in addition to the fees charged pursuant
to subsections 1 and 2.



5. A penalty of \$10 must be paid by each person renewing a license after it has expired for a period of 30 days or more as provided in NRS 483.386 unless the person is exempt pursuant to that section.

6. The Department may not charge a fee for the reinstatement of a driver's license that has been:

- (a) Voluntarily surrendered for medical reasons; or
- (b) Cancelled pursuant to NRS 483.310.

7. All fees and penalties are payable to the Administrator at the time a license or a renewal license is issued.

8. Except as otherwise provided in NRS 483.340, subsection 3 of NRS 483.3485, NRS 483.415 and 483.840, and subsection 3 of NRS 483.863, all money collected by the Department pursuant to this chapter must be deposited in the State Treasury for credit to the Motor Vehicle Fund.

Sec. 3. NRS 483.417 is hereby amended to read as follows:

483.417 1. ~~[The]~~ *Except as otherwise provided in subsection 4, the* Department shall waive the fee prescribed by NRS 483.410 and the increase in the fee required by NRS 483.347 not more than one time for furnishing a duplicate driver's license to:

(a) A homeless person who submits a signed affidavit on a form prescribed by the Department stating that the person is homeless.

(b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.

(c) A person who submits documentation from a county, city or town jail or detention facility verifying that the person was released from the county, city or town jail or detention facility, as applicable, within the immediately preceding 90 days.

2. A vendor that has entered into an agreement with the Department to produce photographs for drivers' licenses pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of a homeless person or person released from prison or a county, city or town jail or detention facility for a duplicate driver's license.

3. ~~[If]~~ *Except as otherwise provided in subsection 4, if* the vendor does not waive pursuant to subsection 2 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate driver's license furnished to a person pursuant to subsection 1, the person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the person:

(a) Applies to the Department for the renewal of his or her driver's license; and

(b) Is employed at the time of such application.



4. *The Department shall waive the fee prescribed by NRS 483.410, the increase in the fee required by NRS 483.347 and the reimbursement required by subsection 3 not more than one time for furnishing an original driver's license or a duplicate driver's license to a homeless child or youth under the age of 25 years who submits a signed affidavit on a form prescribed by the Department stating that the child or youth is homeless and under the age of 25 years.*

5. The Department may accept gifts, grants and donations of money to fund the provision of *original and* duplicate drivers' licenses without a fee to persons pursuant to ~~subsection~~ *subsections 1 ~~1~~ and 4.*

6. *As used in this section, "homeless child or youth" has the meaning ascribed to it in 42 U.S.C. § 11434a.*

Sec. 4. NRS 483.825 is hereby amended to read as follows:

483.825 1. ~~The~~ *Except as otherwise provided in subsection 4, the* Department shall waive the fee prescribed by NRS 483.820 and the increase in the fee required by NRS 483.347 not more than one time for furnishing a duplicate identification card to:

(a) A homeless person who submits a signed affidavit on a form prescribed by the Department stating that the person is homeless.

(b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.

(c) A person who submits documentation from a county, city or town jail or detention facility verifying that the person was released from the county, city or town jail, as applicable, within the immediately preceding 90 days.

2. A vendor that has entered into an agreement with the Department to produce photographs for identification cards pursuant to NRS 483.347 may waive the cost it charges the Department to produce the photograph of a homeless person or person released from prison, a county, city or town jail or detention facility for a duplicate identification card.

3. ~~If~~ *Except as otherwise provided in subsection 4, if* the vendor does not waive pursuant to subsection 2 the cost it charges the Department and the Department has waived the increase in the fee required by NRS 483.347 for a duplicate identification card furnished to a person pursuant to subsection 1, the person shall reimburse the Department in an amount equal to the increase in the fee required by NRS 483.347 if the person:

(a) Applies to the Department for the renewal of his or her identification card; and

(b) Is employed at the time of such application.



4. *The Department shall waive the fee prescribed by NRS 483.820, the increase in the fee required by NRS 483.347 and the reimbursement required by subsection 3 not more than one time for furnishing an original identification card or a duplicate identification card to a homeless child or youth under the age of 25 years who submits a signed affidavit on a form prescribed by the Department stating that the child or youth is homeless and under the age of 25 years.*

5. The Department may accept gifts, grants and donations of money to fund the provision of *original and* duplicate identification cards without a fee to persons pursuant to ~~subsection~~ *subsections 1* ~~and 4.~~

~~5.~~ 6. As used in this section ~~["photograph"]~~:

(a) *"Homeless child or youth" has the meaning ascribed to it in 42 U.S.C. § 11434a.*

(b) *"Photograph"* has the meaning ascribed to it in NRS 483.125.

Sec. 5. NRS 440.700 is hereby amended to read as follows:
440.700 1. Except as otherwise provided in this section, the State Registrar shall charge and collect a fee in an amount established by the State Registrar by regulation:

- (a) For searching the files for one name, if no copy is made.
- (b) For verifying a vital record.
- (c) For establishing and filing a record of paternity, other than a hospital-based paternity, and providing a certified copy of the new record.
- (d) For a certified copy of a record of birth.
- (e) For a certified copy of a record of death originating in a county in which the board of county commissioners has not created an account for the support of the office of the county coroner pursuant to NRS 259.025.
- (f) For a certified copy of a record of death originating in a county in which the board of county commissioners has created an account for the support of the office of the county coroner pursuant to NRS 259.025.
- (g) For correcting a record on file with the State Registrar and providing a certified copy of the corrected record.
- (h) For replacing a record on file with the State Registrar and providing a certified copy of the new record.
- (i) For filing a delayed certificate of birth and providing a certified copy of the certificate.
- (j) For the services of a notary public, provided by the State Registrar.



(k) For an index of records of marriage provided on microfiche to a person other than a county clerk or a county recorder of a county of this State.

(l) For an index of records of divorce provided on microfiche to a person other than a county clerk or a county recorder of a county in this State.

(m) For compiling data files which require specific changes in computer programming.

2. The fee collected for furnishing a copy of a certificate of birth or death must include the sum of \$3 for credit to the Children's Trust Account created by NRS 432.131.

3. The fee collected for furnishing a copy of a certificate of death must include the sum of \$1 for credit to the Review of Death of Children Account created by NRS 432B.409.

4. The fee collected for furnishing a copy of a certificate of death must include the sum of 50 cents for credit to the Grief Support Trust Account created by NRS 439.5132.

5. The State Registrar shall not charge a fee for furnishing a certified copy of a record of birth to:

(a) A homeless person , *including, without limitation, a homeless child or youth*, who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.

(b) A person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding 90 days.

(c) *A staff person of a local educational agency who has been designated pursuant to 42 U.S.C. § 11432(g)(1)(J)(ii) for a certified copy of a record of birth of a homeless child or youth who is enrolled in the local educational agency.*

(d) *A social worker licensed to practice in this State, for a certified copy of a record of birth of a homeless child or youth who is a client of the social worker.*

6. The fee collected for furnishing a copy of a certificate of death originating in a county in which the board of county commissioners has created an account for the support of the office of the county coroner pursuant to NRS 259.025 must include the sum of \$1 for credit to the account for the support of the office of the county coroner of the county in which the certificate originates.

7. Upon the request of any parent or guardian ~~H~~ *or an unaccompanied youth*, the State Registrar shall supply, without the payment of a fee, a certificate limited to a statement as to the date of birth of any child *or of the unaccompanied youth* as disclosed by the record of such birth when the certificate is necessary for admission to school or for securing employment.



1 8. The United States Bureau of the Census may obtain, without
2 expense to the State, transcripts or certified copies of births and
3 deaths without payment of a fee.

4 ***9. As used in this section:***

5 (a) *“Homeless child or youth” has the meaning ascribed to it*
6 *in 42 U.S.C. § 11434a.*

7 (b) *“Local educational agency” has the meaning ascribed to it*
8 *in 42 U.S.C. § 11434a.*

9 (c) *“Unaccompanied youth” has the meaning ascribed to it in*
10 *42 U.S.C. § 11434a.*

11 **Sec. 6.** This act becomes effective on January 1, 2020.

