

Amendment No. 172

Senate Amendment to Senate Bill No. 396	(BDR 43-1041)
Proposed by: Senate Committee on Growth and Infrastructure	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

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

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

DLJ/BJE



Date: 4/16/2019

S.B. No. 396—Revises provisions relating to certain licenses and cards issued by the Department of Motor Vehicles. (BDR 43-1041)



SENATE BILL NO. 396—SENATOR DENIS

MARCH 20, 2019

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to certain licenses and cards issued by the Department of Motor Vehicles. (BDR 43-1041)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to drivers' licenses; revising provisions governing the use of a driver's license from another jurisdiction for certain purposes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Department of Motor Vehicles to issue to certain persons a driver's license, a driver authorization card, an identification card or a motorcycle driver's license. (NRS 483.340, 483.820, 486.071) When applying for such a license or card, the applicant may use his or her driver's license that was issued by another state, the District of Columbia or any territory of the United States to prove his or her full legal name and age, and for certain other purposes. The Department is not obligated to accept such a license, however, under certain circumstances. **Section 1** of this bill defines, for the purposes of chapter 483 of NRS which governs the issuance of such licenses and cards, the term "state" to mean a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, ***American Samoa, Guam, the Northern Mariana Islands and the United States Virgin Islands*** ~~for any territory or insular possession subject to the jurisdiction of the United States~~ so that the provisions apply equally to each of those jurisdictions. **Sections 2-5** of this bill make conforming changes, and **section 6** of this bill makes a conforming change to the provisions governing the issuance of a motorcycle driver's license.

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

Section 1. Chapter 483 of NRS is hereby amended by adding thereto a new section to read as follows:

"State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Northern Mariana Islands and the United States Virgin Islands _ ~~*for any territory or insular possession subject to the jurisdiction of the United States.*~~

Sec. 2. NRS 483.020 is hereby amended to read as follows:

483.020 As used in NRS 483.010 to 483.630, inclusive, unless the context otherwise requires, the words and terms defined in NRS 483.030 to 483.190,

1 inclusive, *and section 1 of this act* have the meanings ascribed to them in those
2 sections.

3 **Sec. 3.** NRS 483.290 is hereby amended to read as follows:

4 483.290 1. An application for an instruction permit or for a driver's license
5 must:

6 (a) Be made upon a form furnished by the Department.

7 (b) Be verified by the applicant before a person authorized to administer oaths.
8 Officers and employees of the Department may administer those oaths without
9 charge.

10 (c) Be accompanied by the required fee.

11 (d) State the full legal name, date of birth, sex, address of principal residence
12 and mailing address, if different from the address of principal residence, of the
13 applicant and briefly describe the applicant.

14 (e) State whether the applicant has theretofore been licensed as a driver, and, if
15 so, when and by what state or country, and whether any such license has ever been
16 suspended or revoked, or whether an application has ever been refused, and, if so,
17 the date of and reason for the suspension, revocation or refusal.

18 (f) Include such other information as the Department may require to determine
19 the competency and eligibility of the applicant.

20 2. Every applicant must furnish proof of his or her full legal name and age by
21 displaying:

22 (a) An original or certified copy of the required documents as prescribed by
23 regulation; or

24 (b) A photo identification card issued by the Department of Corrections
25 pursuant to NRS 209.511.

26 3. The Department shall adopt regulations prescribing the documents an
27 applicant may use to furnish proof of his or her full legal name and age to the
28 Department pursuant to paragraph (a) of subsection 2, including, without limitation,
29 a document issued by the Department pursuant to NRS 483.375 or 483.8605.

30 4. At the time of applying for a driver's license, an applicant may, if eligible,
31 preregister or register to vote pursuant to NRS 293.524.

32 5. Every applicant who has been assigned a social security number must
33 furnish proof of his or her social security number by displaying:

34 (a) An original card issued to the applicant by the Social Security
35 Administration bearing the social security number of the applicant; or

36 (b) Other proof acceptable to the Department, including, without limitation,
37 records of employment or federal income tax returns.

38 6. The Department may refuse to accept a driver's license issued by another
39 state ~~[, the District of Columbia or any territory of the United States]~~ if the
40 Department determines that the other state ~~[, the District of Columbia or the~~
41 ~~territory of the United States]~~ has less stringent standards than the State of Nevada
42 for the issuance of a driver's license.

43 7. With respect to any document presented by a person who was born outside
44 of the United States, the Commonwealth of Puerto Rico, American Samoa,
45 Guam, the Northern Mariana Islands or the United States Virgin Islands ~~for any~~
46 ~~territory or insular possession of the United States]~~ to prove his or her full legal
47 name and age, the Department:

48 (a) May, if the document has expired, refuse to accept the document or refuse
49 to issue a driver's license to the person presenting the document, or both; and

50 (b) Shall issue to the person presenting the document a driver's license that is
51 valid only during the time the applicant is authorized to stay in the United States, or
52 if there is no definite end to the time the applicant is authorized to stay, the driver's
53 license is valid for 1 year beginning on the date of issuance.

8. The Administrator shall adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license in accordance with this section to a person who is a citizen of any state ~~[-, the District of Columbia, any territory of the United States]~~ or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue a driver's license to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States.

9. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an instruction permit or for a driver's license. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006.

Sec. 4. NRS 483.291 is hereby amended to read as follows:

483.291 1. An application for an instruction permit or for a driver authorization card must:

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

(b) Be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge.

(c) Be accompanied by the required fee.

(d) State the name, date of birth, sex and residence address of the applicant and briefly describe the applicant.

(e) State whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for the suspension, revocation or refusal.

(f) Include such other information as the Department may require to determine the competency and eligibility of the applicant.

2. Every applicant must furnish proof of his or her name and age by displaying an original or certified copy of:

(a) Any one of the following documents:

(1) A birth certificate issued by a state ~~[-]~~ or a political subdivision of a state; ~~[-, the District of Columbia or any territory of the United States;]~~

(2) A driver's license issued by another state ~~[-, the District of Columbia or any territory of the United States]~~ which is issued pursuant to the standards established by 6 C.F.R. Part 37, Subparts A to E, inclusive, and which contains a security mark approved by the United States Department of Homeland Security in accordance with 6 C.F.R. § 37.17;

(3) A passport issued by the United States Government;

(4) A military identification card or military dependent identification card issued by any branch of the Armed Forces of the United States;

(5) For persons who served in any branch of the Armed Forces of the United States, a report of separation;

(6) A Certificate of Degree of Indian or Alaska Native Blood issued by the United States Government;

(7) A Certificate of Citizenship, Certificate of Naturalization, Permanent Resident Card or Temporary Resident Card issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;

(8) A Consular Report of Birth Abroad issued by the Department of State;

(9) A document issued by the Department pursuant to NRS 483.375 or 483.8605; or

(10) Such other documentation as specified by the Department by regulation; or

(b) Any two of the following documents:

(1) A driver's license issued by another state ~~[, the District of Columbia or any territory of the United States]~~ other than such a driver's license described in subparagraph (2) of paragraph (a);

(2) A passport issued by a foreign government;

(3) A birth certificate issued by a foreign government;

(4) A consular identification card issued by the Government of Mexico or a document issued by another government that the Department determines is substantially similar; or

(5) Any other proof acceptable to the Department.

➤ No document which is written in a language other than English may be accepted by the Department pursuant to this subsection unless it is accompanied by a verified translation of the document in the English language.

3. Every applicant must prove his or her residence in this State by displaying an original or certified copy of any two of the following documents:

(a) A receipt from the rent or lease of a residence located in this State;

(b) A record from a public utility for a service address located in this State which is dated within the previous 60 days;

(c) A bank or credit card statement indicating a residential address located in this State which is dated within the previous 60 days;

(d) A stub from an employment check indicating a residential address located in this State;

(e) A document issued by an insurance company or its agent, including, without limitation, an insurance card, binder or bill, indicating a residential address located in this State;

(f) A record, receipt or bill from a medical provider indicating a residential address located in this State; or

(g) Any other document as prescribed by the Department by regulation.

4. Except as otherwise provided in subsection 5, a driver authorization card or instruction permit obtained in accordance with this section must:

(a) Contain the same information as prescribed for a driver's license pursuant to NRS 483.340 and any regulations adopted pursuant thereto;

(b) Be of the same design as a driver's license and contain only the minimum number of changes from that design that are necessary to comply with subsection 5; and

(c) Be numbered from the same sequence of numbers as a driver's license.

5. A driver authorization card or instruction permit obtained in accordance with this section must comply with the requirements of section 202(d)(11) of the Real ID Act of 2005, Public Law 109-13, Division B, Title II, 119 Stat. 302, 312-15, 49 U.S.C. § 30301 note.

6. Notwithstanding the provisions of NRS 483.380, every driver authorization card:

(a) Expires on the fourth anniversary of the holder's birthday, measured in the case of initial issuance or renewal from the birthday nearest the date of issuance or renewal.

(b) Is renewable at any time before its expiration upon application and payment of the required fee. The Department may, by regulation, defer the expiration of the driver authorization card of a person who is on active duty in the Armed Forces of the United States upon such terms and conditions as it may prescribe. The Department may similarly defer the expiration of the driver authorization card of the spouse or dependent son or daughter of that person if the spouse or child is residing with the person.

7. A driver authorization card shall not be used to determine eligibility for any benefits, licenses or services issued or provided by this State or its political subdivisions.

8. Except as otherwise provided in this section or by specific statute, any provision of this title that applies to drivers' licenses shall be deemed to apply to a driver authorization card and an instruction permit obtained in accordance with this section.

Sec. 5. NRS 483.860 is hereby amended to read as follows:

483.860 1. Every applicant for an identification card must furnish proof of his or her full legal name and age by presenting:

(a) An original or certified copy of the required documents as prescribed by regulation; or

(b) A photo identification card issued by the Department of Corrections pursuant to NRS 209.511.

2. The Director shall adopt regulations:

(a) Prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department pursuant to paragraph (a) of subsection 1, including, without limitation, a document issued by the Department pursuant to NRS 483.375 or 483.8605; and

(b) Setting forth criteria pursuant to which the Department will issue or refuse to issue an identification card in accordance with this section to a person who is a citizen of a state ~~[the District of Columbia, any territory of the United States]~~ or a foreign country. The criteria pursuant to which the Department shall issue or refuse to issue an identification card to a citizen of a foreign country must be based upon the purpose for which that person is present within the United States.

3. Notwithstanding any other provision of this section, the Department shall not accept a consular identification card as proof of the age or identity of an applicant for an identification card. As used in this subsection, "consular identification card" has the meaning ascribed to it in NRS 232.006.

Sec. 6. NRS 486.081 is hereby amended to read as follows:

486.081 1. Every application for a motorcycle driver's license must be made upon a form furnished by the Department and must be verified by the applicant before a person authorized to administer oaths. Officers and employees of the Department may administer those oaths without charge.

2. Every application must:

(a) State the full legal name, date of birth, sex, address of principal residence and mailing address, if different from the address of principal residence;

(b) Briefly describe the applicant;

(c) State whether the applicant has previously been licensed as a driver, and, if so, when and by what state or country;

(d) State whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal; and

(e) Give such other information as the Department requires to determine the competency and eligibility of the applicant.

3. Every applicant shall furnish proof of his or her full legal name and age by displaying an original or certified copy of the required documents as prescribed by regulation.

4. The Department shall adopt regulations prescribing the documents an applicant may use to furnish proof of his or her full legal name and age to the Department, including, without limitation, a document issued by the Department pursuant to NRS 483.375 or 483.8605.

1 5. Every applicant who has been assigned a social security number must
2 furnish proof of the social security number by displaying:

3 (a) An original card issued to the applicant by the Social Security
4 Administration bearing the social security number of the applicant; or

5 (b) Other proof acceptable to the Department, including, without limitation,
6 records of employment or federal income tax returns.

7 6. The Department may refuse to accept a driver's license issued by another
8 state, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa,
9 Guam, the Northern Mariana Islands and the United States Virgin
10 Islands ~~for any a territory or insular possession of the United States~~ if the
11 Department determines that the other state, the District of Columbia, the
12 Commonwealth of Puerto Rico, American Samoa, Guam, the Northern Mariana
13 Islands or the United States Virgin Islands ~~for the territory or insular possession~~
14 ~~of the United States~~ has less stringent standards than the State of Nevada for the
15 issuance of a driver's license.

16 7. With respect to any document that has expired:

17 (a) The Department may refuse to accept the document or refuse to issue a
18 driver's license to the person presenting the document, or both; and

19 (b) If the document indicates that the person is authorized to stay in the United
20 States, the Department shall issue to the person presenting the document a driver's
21 license that is valid only during the time the applicant is authorized to stay in the
22 United States, or if there is no definite end to the time the applicant is authorized to
23 stay, the driver's license is valid for 1 year beginning on the date of issuance.

24 8. The Director shall adopt regulations setting forth criteria pursuant to which
25 the Department will issue or refuse to issue a driver's license in accordance with
26 this section to a person who is a citizen of a state, the District of Columbia, ~~any~~
27 the Commonwealth of Puerto Rico, American Samoa, Guam, the Northern
28 Mariana Islands and the United States Virgin Islands ~~for a territory or insular~~
29 ~~possession of the United States~~ or a foreign country. The criteria pursuant to which
30 the Department shall issue or refuse to issue a driver's license to a citizen of a
31 foreign country must be based upon the purpose for which that person is present
32 within the United States.

33 9. Notwithstanding any other provision of this section, the Department shall
34 not accept a consular identification card as proof of the age or identity of an
35 applicant for a motorcycle driver's license. As used in this subsection, "consular
36 identification card" has the meaning ascribed to it in NRS 232.006.

37 **Sec. 7.** This act becomes effective on July 1, 2019.