

Amendment No. 328

Senate Amendment to Senate Bill No. 474	(BDR 43-1139)
Proposed by: Senate Committee on Growth and Infrastructure	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will REMOVE the 2/3s majority vote requirement from S.B. 474.

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: 4/19/2019

S.B. No. 474—Revises provisions relating to drivers’ licenses. (BDR 43-1139)



SENATE BILL NO. 474—COMMITTEE ON
GROWTH AND INFRASTRUCTURE

MARCH 25, 2019

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to drivers' licenses. (BDR 43-1139)

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 drivers' licenses; revising the requirements for obtaining a driver's license by a person who is ~~[between 18 and 20]~~ **16 or 17** years of age; ~~[authorizing such a person to obtain a restricted license in certain circumstances, providing a penalty,]~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a person under the age of 18 years may not obtain a driver's license unless the person has: (1) completed certain driving courses; (2) completed at least 50 hours of supervised experience, at least 10 of which are during darkness, such experience supervised by certain licensed drivers and evidenced by a log; (3) enrolled in school or is otherwise excused or graduated from compulsory education; (4) held an instruction permit for not less than 6 months before applying for a driver's license; and (5) not been convicted of certain offenses or moving traffic violations during the 6 months before applying. (NRS 483.2521)

Section 6 of this bill provides that the supervised experience must be at least 75 hours, with at least 15 of those hours during darkness. ~~[Section 2 of this bill newly provides that a person who is 18 or 19 years of age may not obtain a driver's license unless the person has: (1) completed at least 75 hours of supervised experience, at least 15 of which are during darkness, and evidenced by a log; (2) held an instruction permit for not less than 6 months before applying for a driver's license; and (3) not been convicted of certain offenses or moving traffic violations during the 6 months before applying.]~~

—Existing law authorizes the Department of Motor Vehicles to issue a restricted license to an applicant between the ages of 14 and 18 years of age which entitles the applicant to drive a motor vehicle in this State if a member of his or her household has a medical condition which renders that member unable to operate a motor vehicle and a hardship exists which requires the applicant to drive. (NRS 483.267) Section 7 of this bill revises the age limit of such a permit to include a person who is between the ages of 14 and 20 years. Section 3 of this bill newly authorizes the Department to issue a restricted license to an applicant between 18 and 20 years of age which entitles the applicant to drive a motor vehicle in this State if a hardship exists which requires the applicant to drive to and from a place of employment or to drive his or her children or the children of another member of his or her household to and from school, a child care facility or some other provider of child care. Existing law imposes a fee for the issuance of such a restricted license. (NRS 483.410, 483.415)

—Existing law makes a violation of any of these provisions a misdemeanor. (NRS 483.620) ~~Sections 4, 5 and 8 of this bill make conforming changes.]~~ **Section 9 of this bill provides that the amendatory provisions of section 6 do not apply to a person who, pursuant to**

existing law, applies at age 16 or 17 for a driver's license or a restricted license, instruction permit or restricted instruction permit before the effective date of this bill.

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 the provisions set forth as sections 2 and 3 of this act.}~~ **(Deleted by amendment.)**

Sec. 2. ~~{The Department may issue a driver's license to a person who is 18 or 19 years of age if the person:~~

~~— 1. Has at least 75 hours of supervised experience in driving a motor vehicle with a restricted license, instruction permit or restricted instruction permit issued pursuant to NRS 483.267, 483.270, 483.280 or section 3 of this act, including, without limitation, at least 15 hours of experience in driving a motor vehicle during darkness;~~

~~— 2. Submits to the Department, on a form provided by the Department, a log which contains the dates and times of the hours of supervised experience required pursuant to this section which is signed by:~~

~~— (a) His or her parent or legal guardian;~~

~~— (b) A licensed driver who is at least 21 years of age; or~~

~~— (c) A licensed driving instructor;~~

~~→ who attests that the person applying for the driver's license has completed the experience required pursuant to subsection 1;~~

~~— 3. Has not been found to be responsible for a motor vehicle crash during the 6 months before applying for the driver's license;~~

~~— 4. Has not been convicted of a moving traffic violation or a crime involving alcohol or a controlled substance during the 6 months before applying for the driver's license; and~~

~~— 5. Has held an instruction permit for not less than 6 months before applying for the driver's license.}~~ **(Deleted by amendment.)**

Sec. 3. ~~{1. The Department may issue a restricted license to any applicant between the ages of 18 and 20 years which entitles the applicant to drive a motor vehicle upon a highway if a hardship exists which requires the applicant to drive to and from a place of employment or to drive his or her children or the children of another member of his or her household to and from a school, a child care facility or some other provider of child care.~~

~~— 2. An application for a restricted license under this section must:~~

~~— (a) Be made on a form provided by the Department.~~

~~— (b) Contain a statement explaining the hardship that exists which requires the applicant to drive.~~

~~— (c) Be signed and verified by the applicant before a person authorized to administer oaths.~~

~~— (d) Include such other information as may be required by the Department.~~

~~— 3. A restricted driver's license issued pursuant to this section:~~

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

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

~~— (c) May contain other restrictions which the Department deems necessary.~~

~~— 4. No license may be issued under this section until the Department is satisfied fully as to the applicant's competency and fitness to drive a motor vehicle.}~~ **(Deleted by amendment.)**

1 **Sec. 4.** ~~[NRS 483.020 is hereby amended to read as follows:~~
2 ~~483.020 As used in NRS 483.010 to 483.630, inclusive, and sections 2 and 3~~
3 ~~of this act, unless the context otherwise requires, the words and terms defined in~~
4 ~~NRS 483.030 to 483.190, inclusive, have the meanings ascribed to them in those~~
5 ~~sections.] (Deleted by amendment.)~~

6 **Sec. 5.** ~~[NRS 483.250 is hereby amended to read as follows:~~
7 ~~483.250 The Department shall not issue any license pursuant to the provisions~~
8 ~~of NRS 483.010 to 483.630, inclusive [;], and sections 2 and 3 of this act:~~

9 ~~1. To any person who is under the age of [18] 20 years, except that the~~
10 ~~Department may issue:~~

11 ~~(a) A restricted license to a person between the ages of 14 and [18] 20 years~~
12 ~~pursuant to the provisions of NRS 483.267 and 483.270 [;] or section 3 of this act.~~

13 ~~(b) An instruction permit to a person who is at least 15 1/2 years of age~~
14 ~~pursuant to the provisions of subsection 1 or 4 of NRS 483.280.~~

15 ~~(c) A restricted instruction permit to a person under the age of 18 years~~
16 ~~pursuant to the provisions of subsection 3 of NRS 483.280.~~

17 ~~(d) A driver's license to a person who is 16 or 17 years of age pursuant to NRS~~
18 ~~483.2521.~~

19 ~~(e) A driver's license to a person who is 18 or 19 years of age pursuant to~~
20 ~~section 2 of this act.~~

21 ~~2. To any person whose license has been revoked until the expiration of the~~
22 ~~period during which the person is not eligible for a license.~~

23 ~~3. To any person whose license has been suspended, but upon good cause~~
24 ~~shown to the Administrator, the Department may issue a restricted license to the~~
25 ~~person or shorten any period of suspension.~~

26 ~~4. To any person who has previously been adjudged to be afflicted with or~~
27 ~~suffering from any mental disability or disease and who has not at the time of~~
28 ~~application been restored to legal capacity.~~

29 ~~5. To any person who is required by NRS 483.010 to 483.630, inclusive, and~~
30 ~~sections 2 and 3 of this act to take an examination, unless the person has~~
31 ~~successfully passed the examination.~~

32 ~~6. To any person when the Administrator has good cause to believe that by~~
33 ~~reason of physical or mental disability that person would not be able to operate a~~
34 ~~motor vehicle safely.~~

35 ~~7. To any person who is not a resident of this State.~~

36 ~~8. To any child who is the subject of a court order issued pursuant to title 5 of~~
37 ~~NRS or administrative sanctions imposed pursuant to NRS 392.148 which delay the~~
38 ~~child's privilege to drive.~~

39 ~~9. To any person who is the subject of a court order issued pursuant to NRS~~
40 ~~206.330 which delays the person's privilege to drive until the expiration of the~~
41 ~~period of delay.~~

42 ~~10. To any person who is not eligible for the issuance of a license pursuant to~~
43 ~~NRS 483.283.] (Deleted by amendment.)~~

44 **Sec. 6.** NRS 483.2521 is hereby amended to read as follows:

45 483.2521 1. Except as otherwise provided in subsection 3, the Department
46 may issue a driver's license to a person who is 16 or 17 years of age if the person:

47 (a) Except as otherwise provided in subsection 2, has completed:

48 (1) A course in automobile driver education pursuant to NRS 389.090; or

49 (2) A course provided by a school for training drivers which is licensed
50 pursuant to NRS 483.700 to 483.780, inclusive, and which complies with the
51 applicable regulations governing the establishment, conduct and scope of
52 automobile driver education adopted by the State Board of Education pursuant to
53 NRS 389.090;

(b) Has at least ~~50~~ 75 hours of supervised experience in driving a motor vehicle with a restricted license, instruction permit or restricted instruction permit issued pursuant to NRS 483.267, 483.270 or 483.280, including, without limitation, at least ~~10~~ 15 hours of experience in driving a motor vehicle during darkness;

(c) Submits to the Department, on a form provided by the Department, a log which contains the dates and times of the hours of supervised experience required pursuant to this section and which is signed:

(1) By his or her parent or legal guardian; or

(2) If the person applying for the driver's license is an emancipated minor, by a licensed driver who is at least 21 years of age or by a licensed driving instructor,

➤ who attests that the person applying for the driver's license has completed the training and experience required pursuant to paragraphs (a) and (b);

(d) Submits to the Department:

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

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

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

(4) A copy of the person's certificate of general educational development or an equivalent document;

(e) Has not been found to be responsible for a motor vehicle crash during the 6 months before applying for the driver's license;

(f) Has not been convicted of a moving traffic violation or a crime involving alcohol or a controlled substance during the 6 months before applying for the driver's license; and

(g) Has held an instruction permit for not less than 6 months before applying for the driver's license.

2. If a course described in paragraph (a) of subsection 1 is not offered within a 30-mile radius of a person's residence, the person may, in lieu of completing such a course as required by that paragraph, complete an additional 50 hours of supervised experience in driving a motor vehicle in accordance with paragraph (b) of subsection 1.

3. A person who is 16 or 17 years of age, who has held an instruction permit issued pursuant to subsection 4 of NRS 483.280 authorizing the holder of the permit to operate a motorcycle and who applies for a driver's license pursuant to this section that authorizes him or her to operate a motorcycle must comply with the provisions of paragraphs (d) to (g), inclusive, of subsection 1 and must:

(a) Except as otherwise provided in subsection 4, complete a course of motorcycle safety approved by the Department;

(b) Have at least 50 hours of experience in driving a motorcycle with an instruction permit issued pursuant to subsection 4 of NRS 483.280; and

(c) Submit to the Department, on a form provided by the Department, a log which contains the dates and times of the hours of experience required pursuant to paragraph (b) and which is signed by his or her parent or legal guardian who attests that the person applying for the motorcycle driver's license has completed the training and experience required pursuant to paragraphs (a) and (b).

4. If a course described in paragraph (a) of subsection 3 is not offered within a 30-mile radius of a person's residence, the person may, in lieu of completing the

course, complete an additional 50 hours of experience in driving a motorcycle in accordance with paragraph (b) of subsection 3.

Sec. 7. ~~[NRS 483.267 is hereby amended to read as follows:~~

~~483.267 1. The Department may issue a restricted license to any applicant between the ages of 14 and [18] 20 years which entitles the applicant to drive a motor vehicle upon a highway if a member of his or her household has a medical condition which renders that member unable to operate a motor vehicle, and a hardship exists which requires the applicant to drive.~~

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

~~(a) Be made upon a form provided by the Department;~~

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

~~(c) Be signed and verified [as];~~

~~(1) If the applicant is under 18 years of age, as provided in NRS 483.200;~~

~~(2) If the applicant is 18 years of age or older, before a person authorized to administer oaths;~~

~~(d) [Include:] If the applicant is under 18 years of age, include:~~

~~(1) A written statement signed by the principal of the public school in which the applicant is enrolled or by a designee of the principal and which is provided to the applicant pursuant to NRS 392.122;~~

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

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

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

~~(e) Contain such other information as may be required by the Department.~~

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

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

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

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

~~4. No license may be issued under this section until the Department is satisfied fully as to the applicant's competency and fitness to drive a motor vehicle.] (Deleted by amendment.)~~

Sec. 8. ~~[NRS 483.620 is hereby amended to read as follows:~~

~~483.620 It is a misdemeanor for any person to violate any of the provisions of NRS 483.010 to 483.630, inclusive, and sections 2 and 3 of this act unless such violation is, by NRS 483.010 to 483.630, inclusive, and sections 2 and 3 of this act, or other law of this State, declared to be a felony.] (Deleted by amendment.)~~

Sec. 9. The amendatory provisions of this act do not apply to a person who:

1. Applies for a driver's license [issued before July 1, 2019.] pursuant to NRS 483.2521 before October 1, 2019; or

2. Is 16 or 17 years old at the time of application and applies for a restricted license, instruction permit or restricted instruction permit issued pursuant to NRS 483.267, 483.270 or 483.280 before October 1, 2019, and subsequently applies for a driver's license pursuant to NRS 483.2521, as amended by section 6 of this act.

Sec. 10. ~~[This act becomes effective on July 1, 2019.] (Deleted by amendment.)~~