

ASSEMBLY BILL NO. 267—ASSEMBLYMEN ELLISON; AND BLACK

MARCH 15, 2021

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing the Department of Motor Vehicles. (BDR 43-698)

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 the Department of Motor Vehicles; revising provisions governing the design of certain driver's licenses; requiring the Department to monitor and report to the Legislature certain information and recommendations relating to customer wait times at certain branch offices; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prescribes the requirements for the shape of a driver's license and the information which must be included on the license. (NRS 483.347) The federal Real ID Act of 2005 requires any driver's license issued by a state to meet certain standards to be used for federal identification or other official purposes and allows for a state to issue a driver's license that does not meet such standards if the license is of a unique design and clearly states that it must not be used for federal identification or other official purposes. (Real ID Act of 2005, § 202, Pub. L. No. 109-13, 119 Stat. 302, 312-15) **Section 1** of this bill requires a driver's license issued in accordance with the Real ID Act of 2005: (1) to be clearly distinguishable by design and color from a driver's license that is not issued in accordance with the Real ID Act of 2005; and (2) to state on the front that it is a driver's license and Real ID.

Section 2 of this bill requires the Department of Motor Vehicles, during the 2021-2022 interim, to monitor the wait times at the branch offices of the Department in counties whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties) and to provide a written report of the results of the monitoring for transmittal to the 82nd Session of the Legislature, including any recommendation on methods to reduce the wait times in those counties, if necessary, and an analysis of the feasibility of the use of kiosks and self-service terminals in those counties.



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

Section 1. NRS 483.347 is hereby amended to read as follows:

483.347 1. Except as otherwise provided in subsection 2, the Department shall issue a rectangular-shaped driver's license which bears a front view photograph of the licensee. The photograph and any information included on the license must be placed in a manner which ensures that:

(a) If the licensee is 21 years of age or older, the longer edges of the rectangle serve as the top and bottom of the license; or

(b) If the licensee is under 21 years of age, the shorter edges of the rectangle serve as the top and bottom of the license.

2. The Department may issue a temporary driver's license without a photograph of the licensee if the licensee is temporarily absent from this State and requests the renewal of, the issuance of a duplicate of, or a change in the information on, his or her driver's license. If the licensee returns to this State for 14 continuous days or more, the licensee shall, within 24 days after the date of return, surrender the temporary license and obtain a license which bears his or her photograph in accordance with subsection 1. A licensee charged with violating the provisions of this subsection may not be convicted if the licensee surrenders the temporary license, obtains a license which bears his or her photograph in accordance with subsection 1 and produces that license in court or in the office of the arresting officer.

3. *A driver's license issued in accordance with 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, must be clearly distinguishable by design and color from a driver's license that is not issued in accordance with the Real ID Act of 2005 and state on the front that it is a driver's license and Real ID.*

4. The Department shall:

(a) Establish a uniform procedure for the production of drivers' licenses, applicable to renewal as well as to original licenses.

(b) Except as otherwise provided in NRS 483.417 and 483.825, by regulation, increase the fees provided in NRS 483.410, 483.820 and 483.910 as necessary to cover the actual cost of production of photographs for drivers' licenses and identification cards. The increase must be deposited in the State Treasury for credit to the Motor Vehicle Fund and must be allocated to the Department to defray the increased costs of producing the drivers' licenses required by this section.

Sec. 2. 1. During the 2021-2022 interim, the Department of Motor Vehicles shall monitor the wait times at the branch offices of



1 the Department in counties whose population is less than 100,000,
2 including, without limitation, the average wait time in each such
3 county.

4 2. On or before February 1, 2023, the Department of Motor
5 Vehicles shall submit a written report to the Director of the
6 Legislative Counsel Bureau for transmittal to the 82nd Session of
7 the Legislature which includes, without limitation:

8 (a) The results of the monitoring conducted by the Department
9 pursuant to subsection 1, including the average wait time at the
10 branch offices of the Department by county.

11 (b) Recommendations on methods to reduce the wait times, if
12 necessary, and an analysis of the feasibility of the use of kiosks and
13 self-service terminals in the counties that were monitored pursuant
14 to subsection 1.

