

ASSEMBLY BILL NO. 195—ASSEMBLYWOMAN HARDY

FEBRUARY 20, 2023

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing certain fees for drivers' licenses. (BDR 43-636)

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 noncommercial driver's license for certain persons released from prison; requiring the Department to waive any fee that would otherwise be imposed against a person for the late renewal of a driver's license if the late renewal resulted from the person being incarcerated; requiring the Department to reinstate free of charge a driver's license or to provide an original or renewal driver's license to certain persons released from prison in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides for the waiver of: (1) certain fees for furnishing a
2 duplicate driver's license to a person who was released from prison, a county, city
3 or town jail or a detention facility within the 90 days immediately preceding the
4 person's application for the driver's license; and (2) the cost of producing a
5 photograph for a driver's license. The person must reimburse the Department of
6 Motor Vehicles for certain portions of the fee if the vendor who produces the
7 photograph of the person for the license does not waive the cost it charges the
8 Department to produce the photograph. (NRS 483.417) **Section 3** of this bill
9 requires the Department to waive the fees for: (1) furnishing an original or renewal
10 driver's license; (2) reinstating a driver's license; and (3) producing a photograph
11 for a driver's license, including any reimbursement, if a person submits
12 documentation verifying the person was released from prison within the year
13 immediately preceding the person's application for a driver's license.



Existing law authorizes the Department to require applicants for a driver's license to submit to an examination. (NRS 483.330) The fee for administration of the examination for a noncommercial driver's license 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 person who submits documentation verifying the person was released from prison within the immediately preceding year.

Under existing law, if the holder of a Nevada driver's license allows the license to expire for a period of 30 days or more, the person is required to pay a penalty of \$10 when renewing the license. (NRS 483.386, 483.410) Existing law provides an exception to this penalty to a person whose license expires during a period of suspension, but only if the person completes a renewal application within 30 days after the date of eligibility for renewal. (NRS 483.386) **Section 2** of this bill provides an additional exception to the penalty for any person whose license expires during a period of incarceration, if the person submits documentation verifying the person was released from prison within the immediately preceding year and the person completes a renewal application within 1 year after his or her release.

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, optometrist, physician or advanced practice registered nurse 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 may, by regulation, provide for the acceptance of an affidavit from a:

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

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

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

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

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

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

- (e) Has had three or more convictions of, or findings by a court of having committed, moving traffic violations on his or her driving record during the immediately preceding 4 years; or

- (f) Has been convicted of any of the offenses related to the use or operation of a motor vehicle which must be reported pursuant to the provisions of Part 1327 of Title 23 of the Code of Federal Regulations relating to the National Driver Register Problem Driver Pointer System during the immediately preceding 4 years.

5. The Department shall waive the fee prescribed by NRS 483.410 not more than one time for administration of the examination required pursuant to this section for ~~14~~:

- (a) 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.



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

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

Sec. 2. NRS 483.386 is hereby amended to read as follows:

483.386 All persons whose licenses have expired may be required by the Department, whenever good cause appears, to take all or part of the regular examinations as set forth in NRS 483.330. All persons whose licenses have expired for a period of 30 days or more shall pay to the Department the penalty provided in NRS 483.410 in addition to the cost of renewing the license except that the following persons are exempt from this penalty:

1. A person who has not driven a motor vehicle after the expiration of his or her Nevada driver's license and who submits an affidavit stating that fact;

2. A person renewing an expired Nevada driver's license who possesses a valid driver's license from another jurisdiction;

3. A person whose Nevada driver's license expires during a period of suspension if the person completes a renewal application within 30 days after the date of eligibility for renewal;

4. A person whose Nevada driver's license expires while the person is on active duty with any branch of the Armed Forces, if the person completes a renewal application within 30 days after his or her discharge; ~~and~~

5. A person whose Nevada driver's license expires while the person was a member of the military deployed to a combat or combat supporting position. As used in this subsection, "military" means the Armed Forces of the United States, a reserve component thereof or the National Guard ~~and~~; ~~and~~

6. A person whose Nevada driver's license expires while the person is serving a period of incarceration, if the person submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year and the person completes a renewal application within 1 year after his or her release.

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

483.417 1. Except as otherwise provided in subsection ~~4~~; ~~5~~, 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.~~ **year.**

(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. ***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:***

(a) Furnishing an original or renewal driver's license to;

(b) The reinstating after suspension, revocation or cancellation of the driver's license of,

↳ a person who submits documentation from the Department of Corrections verifying that the person was released from prison within the immediately preceding year.

3. 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 ~~it~~ :

(a) A homeless person or person released from prison or a county, city or town jail or detention facility for a duplicate driver's license ~~it~~ ***; or***

(b) A person released from prison for an original or renewal driver's license or for the reinstatement of a driver's license.

~~3.~~ 4. Except as otherwise provided in subsection ~~4.~~ 5, if the vendor does not waive pursuant to subsection ~~2.~~ 3 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.~~ 5. 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.~~ 4 not more than one time for furnishing ~~an~~ :

(a) 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.

(b) An original or renewal driver's license to or reinstating the driver's license of a person who submits documentation from the



1 *Department of Corrections verifying that the person was released*
2 *from prison within the immediately preceding year.*

3 ~~{5-}~~ 6. The Department may accept gifts, grants and donations
4 of money to fund the provision of original , *renewal* and duplicate
5 drivers' licenses *or the reinstatement of drivers' licenses* without a
6 fee to persons pursuant to subsections 1 , 2 and ~~{4-}~~ 5.

7 ~~{6-}~~ 7. As used in this section, “homeless child or youth” has
8 the meaning ascribed to it in 42 U.S.C. § 11434a.

9 **Sec. 4.** This act becomes effective on July 1, 2023.

