

SENATE BILL NO. 206—SENATOR KIECKHEFER

MARCH 3, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to organ donation. (BDR 43-215)

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 anatomical gifts; revising provisions governing the election by the holder of a driver’s license, a driver authorization card or an identification card as to whether the holder wishes to be a donor of all or part of his or her body; revising provisions governing tissue and eye procurement organizations; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, upon the issuance and renewal of a driver’s license or an  
2 identification card issued by the Department of Motor Vehicles, the Department is  
3 required to give the holder of the driver’s license or identification card the  
4 opportunity to have indicated on the license or card that the holder wishes to be a  
5 donor of all or part of his or her body, or to refuse to make an anatomical gift of his  
6 or her body or part thereof. (NRS 483.340, 483.840) **Sections 1 and 2** of this bill  
7 provide that, upon the issuance of a driver’s license or identification card, the  
8 Department is required to give the holder the opportunity to have indicated on his  
9 or her driver’s license or identification card that the holder wishes to be a donor, or  
10 does not at this time wish to be a donor. **Sections 1 and 2** also provide that upon  
11 the renewal of a driver’s license or identification card the Department is required to  
12 give a holder who indicated at the issuance of the license or card that he or she  
13 wished to be a donor notice that, unless the holder affirmatively indicates upon  
14 renewal that he or she wishes to change that indication, the indication will remain  
15 on his or her driver’s license or identification card. For a holder who indicated at  
16 the issuance of his or her driver’s license or identification card that the holder did  
17 not at that time wish to be a donor, the Department is required to give the holder an  
18 opportunity to change that indication to indicate that the holder wishes to be a  
19 donor. Existing law deems certain provisions relating to drivers’ licenses, including  
20 the provisions amended by this bill, applicable also to driver authorization cards  
21 and certain instruction permits. (NRS 483.291) Thus, the provisions of **section 2**  
22 are applicable to such cards and permits.



23 Existing law requires an eye bank or tissue bank seeking to be authorized to  
24 receive anatomical gifts from a donor to be licensed, accredited or regulated under  
25 federal or state law to engage in the recovery, screening, testing, processing, storing  
26 or distribution of human eyes or tissue, respectively. (NRS 451.5285, 451.554,  
27 451.571) **Section 3** of this bill requires any eye bank seeking such authorization to  
28 be accredited by the Eye Bank Association of America or its successor  
29 organization, and **section 4** of this bill requires any tissue bank seeking such  
30 authorization to be accredited by the American Association of Tissue Banks or its  
31 successor organization.

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

1 **Section 1.** NRS 483.340 is hereby amended to read as follows:  
2 483.340 1. The Department shall, upon payment of the  
3 required fee, issue to every qualified applicant a driver's license  
4 indicating the type or class of vehicles the licensee may drive.  
5 2. The Department shall adopt regulations prescribing the  
6 information that must be contained on a driver's license.  
7 3. The Department may issue a driver's license for purposes of  
8 identification only for use by officers of local police and sheriffs'  
9 departments, agents of the Investigation Division of the Department  
10 of Public Safety while engaged in special undercover investigations  
11 relating to narcotics or prostitution or for other undercover  
12 investigations requiring the establishment of a fictitious identity,  
13 federal agents while engaged in undercover investigations,  
14 investigators employed by the Attorney General while engaged in  
15 undercover investigations, criminal investigators employed by the  
16 Secretary of State while engaged in undercover investigations and  
17 agents of the State Gaming Control Board while engaged in  
18 investigations pursuant to NRS 463.140. An application for such a  
19 license must be made through the head of the police or sheriff's  
20 department, the Chief of the Investigation Division of the  
21 Department of Public Safety, the director of the appropriate federal  
22 agency, the Attorney General, the Secretary of State or his or her  
23 designee or the Chair of the State Gaming Control Board. Such a  
24 license is exempt from the fees required by NRS 483.410. The  
25 Department, by regulation, shall provide for the cancellation of any  
26 such driver's license upon the completion of the special  
27 investigation for which it was issued.  
28 4. Except as otherwise provided in NRS 239.0115, information  
29 pertaining to the issuance of a driver's license pursuant to  
30 subsection 3 is confidential.  
31 5. It is unlawful for any person to use a driver's license issued  
32 pursuant to subsection 3 for any purpose other than the special  
33 investigation for which it was issued.



1 6. At the time of the issuance ~~{for-renewal}~~ of the driver's  
2 license, the Department shall:

3 (a) Give the holder the opportunity to have indicated on his or  
4 her driver's license that the holder ~~{wishes}~~ :

5 (1) *Wishes* to be a donor of all or part of his or her body  
6 pursuant to NRS 451.500 to 451.598, inclusive ; ~~{,}~~ or ~~{to-refuse}~~

7 (2) *Does not at that time wish* to make an anatomical gift of  
8 his or her body or part thereof.

9 (b) Give the holder the opportunity to have indicated whether he  
10 or she wishes to donate \$1 or more to the Anatomical Gift Account  
11 created by NRS 460.150.

12 (c) Provide to each holder who is interested in becoming a donor  
13 information relating to anatomical gifts, including the procedure for  
14 registering as a donor with the donor registry with which the  
15 Department has entered into a contract pursuant to this paragraph.  
16 To carry out this paragraph, the Department shall, on such terms as  
17 it deems appropriate, enter into a contract with a donor registry that  
18 is in compliance with the provisions of NRS 451.500 to 451.598,  
19 inclusive.

20 (d) If the Department has established a program for imprinting a  
21 symbol or other indicator of a medical condition on a driver's  
22 license pursuant to NRS 483.3485, give the holder the opportunity  
23 to have a symbol or other indicator of a medical condition imprinted  
24 on his or her driver's license.

25 7. *At the time of the renewal of the driver's license, the*  
26 *Department shall:*

27 (a) *If the holder indicated at the time of the issuance of the*  
28 *driver's license pursuant to subsection 6 that the holder wishes to*  
29 *be a donor of all or part of his or her body pursuant to NRS*  
30 *451.500 to 451.598, inclusive, provide the holder:*

31 (1) *Notice that, unless the holder affirmatively indicates*  
32 *upon the renewal of the driver's license that he or she wishes to*  
33 *change that indication, the indication will remain on his or her*  
34 *driver's license;*

35 (2) *The opportunity to have indicated whether he or she*  
36 *wishes to donate \$1 or more to the Anatomical Gift Account*  
37 *created by NRS 460.150; and*

38 (3) *If the Department has established a program for*  
39 *imprinting a symbol or other indicator of a medical condition on a*  
40 *driver's license pursuant to NRS 483.3485, the opportunity to have*  
41 *a symbol or other indicator of a medical condition imprinted on*  
42 *his or her driver's license.*

43 (b) *If the holder indicated at the time of the issuance of the*  
44 *driver's license pursuant to subsection 6 that the holder did not at*



1 *that time wish to be a donor of all or part of his or her body*  
2 *pursuant to NRS 451.500 to 451.598, inclusive, provide the holder:*

3 *(1) The opportunity to change that indication to indicate*  
4 *that the holder wishes to be a donor of all or part of his or her*  
5 *body pursuant to NRS 451.500 to 451.598, inclusive;*

6 *(2) The opportunity to have indicated whether he or she*  
7 *wishes to donate \$1 or more to the Anatomical Gift Account*  
8 *created by NRS 460.150;*

9 *(3) If the holder is interested in becoming a donor,*  
10 *information relating to anatomical gifts, including the procedure*  
11 *for registering as a donor with the donor registry with which the*  
12 *Department has entered into a contract pursuant to this section;*  
13 *and*

14 *(4) If the Department has established a program for*  
15 *imprinting a symbol or other indicator of a medical condition on a*  
16 *driver's license pursuant to NRS 483.3485, the opportunity to have*  
17 *a symbol or other indicator of a medical condition imprinted on*  
18 *his or her driver's license.*

19 **8.** If the holder wishes to make a donation to the Anatomical  
20 Gift Account, the Department shall collect the donation and deposit  
21 the money collected in the State Treasury for credit to the  
22 Anatomical Gift Account.

23 ~~[8.]~~ **9.** The Department shall submit to the donor registry with  
24 which the Department has entered into a contract pursuant to  
25 paragraph (c) of subsection 6 information from the records of the  
26 Department relating to persons who have drivers' licenses that  
27 indicate the intention of those persons to make an anatomical gift.  
28 The Department shall adopt regulations to carry out the provisions  
29 of this subsection.

30 **Sec. 2.** NRS 483.840 is hereby amended to read as follows:  
31 483.840 1. The form of the identification cards must be  
32 similar to that of drivers' licenses but distinguishable in color or  
33 otherwise.

34 2. Identification cards do not authorize the operation of any  
35 motor vehicles.

36 3. The Department shall adopt regulations prescribing the  
37 information that must be contained on an identification card.

38 4. At the time of the issuance ~~[or renewal]~~ of the identification  
39 card, the Department shall:

40 (a) Give the holder the opportunity to have indicated on his or  
41 her identification card that the holder ~~[wishes]~~ :

42 *(1) Wishes* to be a donor of all or part of his or her body  
43 pursuant to NRS 451.500 to 451.598, inclusive ; ~~[,]~~ or ~~[to refuse]~~

44 *(2) Does not at that time wish* to make an anatomical gift of  
45 his or her body or part thereof.



1 (b) Give the holder the opportunity to indicate whether he or she  
2 wishes to donate \$1 or more to the Anatomical Gift Account created  
3 by NRS 460.150.

4 (c) Provide to each holder who is interested in becoming a donor  
5 information relating to anatomical gifts, including the procedure for  
6 registering as a donor with the donor registry with which the  
7 Department has entered into a contract pursuant to this paragraph.  
8 To carry out this paragraph, the Department shall, on such terms as  
9 it deems appropriate, enter into a contract with a donor registry that  
10 is in compliance with the provisions of NRS 451.500 to 451.598,  
11 inclusive.

12 (d) If the Department has established a program for imprinting a  
13 symbol or other indicator of a medical condition on an identification  
14 card pursuant to NRS 483.863, give the holder the opportunity to  
15 have a symbol or other indicator of a medical condition imprinted  
16 on his or her identification card.

17 5. *At the time of the renewal of the identification card, the*  
18 *Department shall:*

19 *(a) If the holder indicated at the time of the issuance of the*  
20 *identification card pursuant to subsection 4 that the holder wishes*  
21 *to be a donor of all or part of his or her body pursuant to NRS*  
22 *451.500 to 451.598, inclusive, provide the holder:*

23 *(1) Notice that, unless the holder affirmatively indicates*  
24 *upon the renewal of the identification card that he or she wishes to*  
25 *change that indication, the indication will remain on his or her*  
26 *identification card;*

27 *(2) The opportunity to have indicated whether he or she*  
28 *wishes to donate \$1 or more to the Anatomical Gift Account*  
29 *created by NRS 460.150; and*

30 *(3) If the Department has established a program for*  
31 *imprinting a symbol or other indicator of a medical condition on*  
32 *an identification card pursuant to NRS 483.3485, the opportunity*  
33 *to have a symbol or other indicator of a medical condition*  
34 *imprinted on his or her identification card.*

35 *(b) If the holder indicated at the time of the issuance of the*  
36 *identification card pursuant to subsection 4 that the holder did not*  
37 *at that time wish to be a donor of all or part of his or her body*  
38 *pursuant to NRS 451.500 to 451.598, inclusive, provide the holder:*

39 *(1) The opportunity to change that indication to indicate*  
40 *that the holder wishes to be a donor of all or part of his or her*  
41 *body pursuant to NRS 451.500 to 451.598, inclusive;*

42 *(2) The opportunity to have indicated whether he or she*  
43 *wishes to donate \$1 or more to the Anatomical Gift Account*  
44 *created by NRS 460.150;*



1 (3) *If the holder is interested in becoming a donor,*  
2 *information relating to anatomical gifts, including the procedure*  
3 *for registering as a donor with the donor registry with which the*  
4 *Department has entered into a contract pursuant to this section;*  
5 *and*

6 (4) *If the Department has established a program for*  
7 *imprinting a symbol or other indicator of a medical condition on*  
8 *an identification card pursuant to NRS 483.3485, the opportunity*  
9 *to have a symbol or other indicator of a medical condition*  
10 *imprinted on his or her identification card.*

11 6. If the holder wishes to make a donation to the Anatomical  
12 Gift Account, the Department shall collect the donation and deposit  
13 the money collected in the State Treasury for credit to the  
14 Anatomical Gift Account.

15 ~~6.~~ 7. The Department shall submit to the donor registry with  
16 which the Department has entered into a contract pursuant to  
17 paragraph (c) of subsection 4 information from the records of the  
18 Department relating to persons who have identification cards issued  
19 by the Department that indicate the intention of those persons to  
20 make an anatomical gift. The Department shall adopt regulations to  
21 carry out the provisions of this subsection.

22 **Sec. 3.** NRS 451.5285 is hereby amended to read as follows:

23 451.5285 “Eye bank” means a person that is ~~licensed,~~  
24 accredited ~~for regulated under federal or state law~~ *by the Eye Bank*  
25 *Association of America or its successor organization* to engage in  
26 the recovery, screening, testing, processing, storage or distribution  
27 of human eyes or portions of human eyes.

28 **Sec. 4.** NRS 451.554 is hereby amended to read as follows:

29 451.554 “Tissue bank” means a person that is ~~licensed,~~  
30 accredited ~~for regulated under federal or state law~~ *by the American*  
31 *Association of Tissue Banks or its successor organization* to  
32 engage in the recovery, screening, testing, processing, storage or  
33 distribution of tissue.

34 **Sec. 5.** This act becomes effective:

35 1. Upon passage and approval for the purposes of adopting any  
36 regulations and performing any other preparatory administrative  
37 tasks necessary to carry out the provisions of this act; and

38 2. On January 1, 2016, for all other purposes.

