

SENATE BILL NO. 383—SENATOR GUSTAVSON

MARCH 17, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to certain persons’ ability to safely operate a motor vehicle. (BDR 43-225)

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; providing under certain circumstances for the examination of a holder of a driver’s license; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law allows the Department of Motor Vehicles to impose such
2 restrictions on the driver’s license of a person as the Department determines to be
3 appropriate to assure the safe driving of a motor vehicle by the person. (NRS
4 483.360) A person who believes that another person cannot safely operate a motor
5 vehicle may submit a report to the Department, and the Department must require
6 the licensee to submit to certain examinations, including physical and mental
7 examinations, and may then take such action as the Department determines is
8 appropriate. (NRS 483.330, 483.363, 483.367) **Section 1** of this bill requires an
9 attending physician who submits documentation in support of an application by a
10 licensee for a registry identification card to engage in the medical use of marijuana
11 to also submit a report to the Department to inform the Department about the
12 condition of the licensee. **Section 5** of this bill requires the Department to examine
13 such a licensee and take such action as it determines is appropriate.

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

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

3 *1. The attending physician of a licensee who has applied for a*
4 *registry identification card pursuant to NRS 453A.210 shall,*
5 *within 30 days after submitting documentation in support of the*



1 *registry identification card, file with the Department a confidential*
2 *report to inform the Department of the condition of the licensee.*

3 2. *A report filed pursuant to subsection 1 must:*

4 (a) *Include the name, address, telephone number and*
5 *signature of the attending physician who files the report.*

6 (b) *State that the licensee has a medical condition for which*
7 *the attending physician of the licensee believes medical marijuana*
8 *may mitigate the symptoms or effects of that condition.*

9 (c) *Be kept confidential, except as otherwise provided in NRS*
10 *239.0115 and except that the report must be released upon request*
11 *of the licensee or an order of a court of competent jurisdiction.*

12 3. *The Administrator shall prescribe by regulation:*

13 (a) *A standard form to be used for the filing of a report*
14 *pursuant to this section; and*

15 (b) *The procedure to be used for the filing of a report pursuant*
16 *to this section.*

17 **Sec. 2.** NRS 483.015 is hereby amended to read as follows:

18 483.015 Except as otherwise provided in NRS 483.330, the
19 provisions of NRS 483.010 to 483.630, inclusive, *and section 1 of*
20 *this act* apply only with respect to noncommercial drivers' licenses.

21 **Sec. 3.** NRS 483.020 is hereby amended to read as follows:

22 483.020 As used in NRS 483.010 to 483.630, inclusive, *and*
23 *section 1 of this act*, unless the context otherwise requires, the
24 words and terms defined in NRS 483.030 to 483.190, inclusive,
25 have the meanings ascribed to them in those sections.

26 **Sec. 4.** NRS 483.360 is hereby amended to read as follows:

27 483.360 1. The Department upon issuing a driver's license
28 shall have authority, whenever good cause appears, to impose
29 restrictions suitable to the licensee's driving ability with respect to
30 special mechanical control devices required on a motor vehicle
31 which the licensee may drive, or such other restrictions applicable to
32 the licensee as the Department may determine to be appropriate to
33 assure the safe driving of a motor vehicle by the licensee.

34 2. The Department may either issue a special restricted license
35 or may set forth such restrictions upon the usual license form.

36 3. The Department may, upon receiving satisfactory evidence
37 of any violation of the restrictions of such license, suspend or
38 revoke the same, but the licensee shall be entitled to a hearing as
39 upon a suspension or revocation under NRS 483.010 to 483.630,
40 inclusive ~~§~~, *and section 1 of this act.*

41 4. It is a misdemeanor for any person to drive a motor vehicle
42 in any manner in violation of the restrictions imposed in a restricted
43 license issued to the person.



1 **Sec. 5.** NRS 483.367 is hereby amended to read as follows:
2 483.367 1. If the Department receives a report filed pursuant
3 to NRS 483.363 ~~§~~ *or section 1 of this act*, the Department shall,
4 upon written notice to the licensee of at least 5 days, require the
5 licensee to submit to all or part of the regular examination set forth
6 in NRS 483.330. Upon conclusion of the examination, the
7 Department shall take action as it deems appropriate and may
8 suspend or revoke the license of the person or allow the person to
9 retain the license, or may issue a license subject to restriction as
10 described in NRS 483.360 or restrictions as to the type or class of
11 vehicle that may be driven. Refusal or neglect on the part of the
12 licensee to submit to the examination is grounds for suspension or
13 revocation of the license.

14 2. A person whose driver's license is restricted, suspended or
15 revoked pursuant to this section may request a total or partial
16 reinstatement of that license. An appropriate replacement license
17 must be issued to the licensee upon satisfactory completion of the
18 requirements for reinstatement established by the Department
19 pursuant to NRS 483.495.

20 **Sec. 6.** NRS 483.620 is hereby amended to read as follows:

21 483.620 It is a misdemeanor for any person to violate any of
22 the provisions of NRS 483.010 to 483.630, inclusive, *and section 1*
23 *of this act*, unless such violation is, by NRS 483.010 to 483.630,
24 inclusive, *and section 1 of this act*, or other law of this State,
25 declared to be a felony.

26 **Sec. 7.** This act becomes effective:

27 1. Upon passage and approval for the purpose of adopting any
28 regulations and performing any other preparatory administrative
29 tasks necessary to carry out the provisions of this act; and

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

