

LCB File No. R136-01

**PROPOSED REGULATION OF THE
DEPARTMENT OF MOTOR VEHICLES**

October 1, 2001

Proposed NAC related to Senate Bill 35, of the 1999 Legislative Session, that adds a section to Chapter 426 of the Nevada Revised Statutes.

Provisions regarding issuance of an Expedited Service Permit.

EXPLANATION - Matter in italics is new; matter in brackets [] is material to be omitted.

AUTHORITY: NRS 426.401 - 426.451

Sec. 1. Chapter 426 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 through 4, inclusive of this regulation.

Sec. 2. 1. *For the purpose of enforcing the provisions of Section 2 through 4, inclusive of this regulation, “department” means the department of motor vehicles.*

2. Person with a permanent disability has the same meaning as defined in NRS 482.3835 and 426.431.

a. NRS 482.3835 “Person with a disability which limits or impairs the ability to walk” defined. As used in NRS 482.384, unless the context otherwise requires, “person with a disability which limits or impairs the ability to walk” means a person who:

- 1. Cannot walk 200 feet without stopping to rest;*
- 2. Cannot walk without the use of a brace, cane, crutch, wheelchair or prosthetic or other assistive device, or another person;*
- 3. Is restricted by a lung disease to such an extent that the person’s forced expiratory volume for 1 second, when measured by a spirometer, is less than 1 liter, or the*

arterial oxygen tension is less than 60 millimeters of mercury on room air while the person is at rest;

- 4. Uses portable oxygen;*
- 5. Has a cardiac condition to the extent that the person's functional limitations are classified in severity as a Class III or Class IV according to standards adopted by the American Heart Association;*
- 6. Is visually handicapped; or*
- 7. Is severely limited in his ability to walk because of an arthritic, neurological or orthopedic condition.*

b. NRS 426.431 "Person with a permanent disability" means a person:

- 1. With a disability which limits or impairs the ability to walk, as defined in NRS 482.3835, and*
- 2. Whose disability has been certified by a licensed physician as irreversible.*

Sec. 3. 1. *The department shall, not less than 60 days before the date on which the Expedited Service Permit expires mail a renewal notice to the permit holder.*

a. The notice shall include an application which must be completed by the applicant and a licensed physician.

2. A permit holder may renew the Expedited Service Permit by mail every other renewal cycle.

a. The department will notify the permit holder if they are eligible to renew by mail.

Sec. 4 1. *If an Expedited Service Permit is lost, stolen or destroyed, the permit holder must apply for a duplicate, in person, to the department.*

Sec. 5 1. *Fees;*

- a. Original, duplicate or renewal issued to a person 65 years of age or older,\$4.00.*
- b. Original, duplicate or renewal issued to a person under 18 years of age,\$3.00.*
- c. Original, duplicate or renewal issued to any other person,\$9.00.*
- d. A new photograph or change of name, or both, \$4.00.*

2. All money collected by the department pursuant to this chapter must be deposited in the state treasury for credit to the motor vehicle fund.