

LCB File No. R154-01

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

October 19, 2001

Amends Chapter 483 of Nevada Administrative Code to properly direct applicants for a restricted license.

Chapter 483 of NAC is hereby amended to read as follows:

NAC 483.200 Application; additional documentation required under certain circumstances.

1. An application for a restricted license issued pursuant to subsection 1 or 2 of NRS 483.490 must be completed on a form provided by the department and submitted to the ~~coordinator of the program for restricted license for the regional office of the motor vehicles branch of the department for the region in which the applicant resides. The address for the coordinator of the program for restricted licenses is:~~ *field services division of the motor vehicle branch of the department for the area in which the applicant resides.*

~~[(a) For the northern regional office, the Department of Motor Vehicles and Public Safety, Motor Vehicles Branch, 305 Galletti Way, Reno, Nevada 89512, Attention: Restricted License Coordinator.~~

~~[(b) For the southern regional office, the Department of Motor Vehicles and Public Safety, Motor Vehicles Branch, 8250 West Flamingo, Las Vegas, Nevada 89117, Attention: Restricted License Coordinator.]~~

2. If the applicant is employed, the application must be completed by the applicant and his employer.

3. If the applicant is self-employed, he must provide the department with a copy of his business license or other documents which are satisfactory to the administrator, verifying that he is self-employed.

4. If the applicant is unemployed, he must provide the department with:

(a) Documentation which may include, but is not limited to, a notarized letter from any person familiar with the applicant's need for such a restricted license. The letter must include:

(1) If applicable, a description of the applicant's medical problems; and

(2) Verification of the inability of the applicant to obtain another method of transportation;

(b) A list of the specific days the applicant needs to drive to obtain medical care, medicine or food; and

(c) Any additional information requested by the department concerning his fitness and eligibility to drive safely on the highways.

[Dep't of Motor Veh., Restricted License Reg. § 11, eff. 42982]—(NAC A 11984; 91385; 3394; 8-29-96)

NAC483.210 Factors for determining whether to issue license. Upon receipt of a completed application, the ~~administrator~~ *department* will consider the following factors in determining whether or not to issue a restricted license:

1. The applicant's complete driving history.
 2. The applicant's need for the license and the hardship to him if his application is denied.
 3. The applicant's need to drive on the job or to and from work.
 4. The distance from the applicant's residence to his place of employment.
 5. The availability of public transportation or an alternate means of transportation to the applicant.
 6. If the department is notified by a court that the applicant is authorized to undergo a program of treatment for alcoholism or drug abuse pursuant to NRS 484.3794, the applicant's need to drive to and from the treatment facility.
 7. Any other information which is pertinent to evaluating the application.
- [Dep't of Motor Veh., Restricted License Reg. § III, eff. 42982]—(NAC A 11984; 82996)

NAC 483.225 Cancellation of license.

1. The ~~administrator~~ *department* will cancel a restricted license issued pursuant to subsection 1 or 2 or NRS 483.490 if:
 - (a) The holder's driver's license has been suspended for the accumulation of demerit points in violation of NRS 483.475, and the department becomes aware that the holder of the restricted license:
 - (1) Did not complete an approved course in traffic safety within 6 months immediately preceding the suspension of his driver's license or has not completed an approved course in traffic safety since the suspension of his driver's license; and
 - (2) Will not complete an approved course in traffic safety within the period required pursuant to subsection 2 of NAC 483.240;
 - (b) The holder is convicted of a moving violation which has been assigned four or more demerit points during the period of the license or has had his privilege to drive suspended, revoked or canceled for another reason;
 - (c) The holder does not comply with the conditions of the license;
 - (d) The holder becomes ineligible for a license pursuant to NAC 483.220; or
 - (e) The holder terminates his current employment.
 2. If the restricted license of a person is canceled pursuant to this section, the department will not issue another restricted license to that person during the period of the suspension or revocation for which the original restricted license was issued.
- (Added to NAC by Dep't of Motor Veh., eff. 4-16-85; A 9-13-85; 3-3-94; 8-29-96)

NAC 483.240 Prerequisites to issuance of license; contents; transfer prohibited.

1. Before the department will issue a restricted license to an applicant, the applicant must:
 - (a) Comply with the requirements for reinstatement of his driver's license set forth in NAC 483.478, except that a person who is exempt from the requirements for a commercial driver's license pursuant to federal regulations and who is applying for a restricted class A or class B driver's license may submit an affidavit of driving ability in lieu of passing a driving skills test.
 - (b) Sign an affidavit acknowledging that the restricted license will be canceled by the department if:

(1) He is convicted of a traffic violation which has been assigned four or more demerit points;

(2) His privilege to drive is suspended, revoked or canceled for any reason other than the reason for which his license was suspended, revoked or canceled when he applied for the restricted license;

(3) He fails to maintain proof of financial responsibility as required by chapter 485 of NRS; or

(4) He fails to notify the department in writing of any change of his address or his employment, or any other information included in his application for the restricted license within 10 days after the change occurs. The notification required by this subparagraph must be submitted to the ~~regional~~ field office of the motor vehicles branch of the department to which the applicant submitted his application.

(c) Provide any additional information which may be required for the assessment of eligibility.

2. Before the department will issue a restricted license to an applicant whose license has been suspended pursuant to NRS 483.475, the applicant must, in addition to complying with the requirements set forth in subsection 1, submit to the department:

(a) Proof that he has completed an approved course in traffic safety within the 6 months immediately preceding the submission of his application; or

(b) A notice of his enrollment in an approved course in traffic safety which includes the dates on which the course will begin and end. The date on which the approved course will end must be not later than the date on which the suspension of the applicant's driver's license will end.

3. Before the department will issue a restricted license to an applicant whose driver's license has been revoked, the applicant must, in addition to complying with the requirements set forth in subsection 1, furnish to the department proof of financial responsibility in the manner prescribed in subsection 1 of NRS 485.307.

4. All restricted licenses will contain the following information:

(a) The full name of the licensee.

(b) The current mailing address of the licensee.

(c) The licensee's Nevada driver's license number.

(d) The licensee's social security number, unless he requests that it not appear on the license.

(e) The class of driver's license.

(f) The expiration date of the restricted license.

(g) The date of birth of the licensee.

(h) A physical description of the licensee.

(i) Detailed driving restrictions on the license, which will include:

(1) The conditions under which the licensee may drive.

(2) The type of driving privilege authorized.

(3) The days and hours the licensee is permitted to drive.

(j) Other applicable instructions.

5. A restricted license is not transferrable and may be used only for the purpose stated on the license.

[Dep't of Motor Veh., Restricted License Reg. §§ VI, eff. 4 -29 -82]—(NAC A 1 -19 -84; 4 -16 -85; 9 -13 -91; 3 -3 -94; 8 -29 -96)

NAC 483.265 Application: Form; contents.

1. An application for a restricted license issued pursuant to NRS 483.267 or 483.270 must be completed on a form provided by the department and submitted to the ~~coordinator of the program for restricted licenses for the regional office of the motor vehicles branch of the department for the region in which the applicant resides. The address for the coordinator of the program for restricted licenses is:~~ *field services division of the motor vehicle branch of the department for the area in which the applicant resides.*

~~[(a) For the northern regional office, the Department of Motor Vehicles and Public Safety, Motor Vehicles Branch, 305 Galletti Way, Reno, Nevada 89512, Attention: Restricted License Coordinator.~~

~~—(b) For the southern regional office, the Department of Motor Vehicles and Public Safety, Motor Vehicles Branch, 8250 West Flamingo, Las Vegas, Nevada 89117, Attention: Restricted License Coordinator.]~~

2. An application must include:

- (a) The name, date of birth and social security number of the applicant;
- (b) The applicant's mailing address and the address of his residence, if that address is different from his mailing address;
- (c) The names, driver's license numbers and signatures of the applicant's parents or legal guardians;
- (d) The names, addresses and telephone numbers of the employers of the parents or legal guardians of the applicant;
- (e) A description of the reasons for which the applicant needs to operate a motor vehicle;
- (f) A list of the days on which and the hours during which the applicant needs to operate a motor vehicle;
- (g) A description of the route along which the applicant will drive if he is issued a restricted license; and
- (h) Any other information requested by the department.

(Added to NAC by Dep't of Motor Veh. & Pub. Safety, eff. 82996)