
ASSEMBLY BILL NO. 53—COMMITTEE
ON GROWTH AND INFRASTRUCTURE

(ON BEHALF OF THE DEPARTMENT OF MOTOR VEHICLES)

PREFILED NOVEMBER 18, 2018

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing the issuance and revocation of drivers' licenses, instruction permits and privileges to drive by the Department of Motor Vehicles. (BDR 43-225)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to motor vehicles; revising provisions relating to the requirement to surrender a driver's license from another jurisdiction before obtaining a driver's license or identification card in this State; revising provisions requiring that certain persons operating motorcycles on instruction permits obtain experience operating a motorcycle before obtaining a driver's license that authorizes the person to operate a motorcycle; revising provisions governing the documents a person must provide to obtain a driver authorization card or instruction permit; revising provisions relating to the required installation of an ignition interlock device and the issuance of an ignition interlock privilege to drive by the Department; repealing the requirement that a law enforcement officer seize the driver's license of a person who refuses a preliminary breath test; authorizing the Department to grant a person an exemption from the requirement to install an ignition interlock device under certain circumstances; revising provisions relating to certain regulations adopted by the Department relating to commercial drivers' licenses; revising certain provisions relating to a waiver of certain requirements for obtaining a commercial driver's license authorized for persons with certain military experience; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Under existing law, a person may not receive a driver's license until he or she
2 surrenders to the Department of Motor Vehicles all valid licenses in his or her
3 possession issued by this or any other jurisdiction, and prohibits a person from
4 having more than one driver's license. (NRS 483.230) **Section 1** of this bill requires
5 the surrender of an identification card before a person may receive a driver's
6 license, and prohibits a person from having both an identification card and a
7 driver's license. **Section 9** of this bill makes a corresponding change, and requires
8 that a person seeking to receive from the Department an identification card must
9 surrender to the Department any driver's license or identification card issued by
10 this or any other jurisdiction that the person possesses.

11 Existing law authorizes a person who is at least 15 1/2 years of age and less
12 than 18 years of age to apply to the Department for an instruction permit
13 authorizing the holder to operate a motorcycle for a period of 1 year. (NRS
14 483.280) **Section 3** of this bill requires a holder of such an instruction permit, while
15 driving a motorcycle upon the highways, to be under the direct visual supervision
16 of a person who is licensed to drive a motorcycle and who is at least 21 years of
17 age. Existing law also authorizes the Department to issue a driver's license that
18 authorizes the holder to operate a motor vehicle or motorcycle to a person who is
19 16 or 17 years of age and who has held an instruction permit authorizing him or her
20 to operate a motor vehicle or motorcycle, provided that, among other requirements,
21 the holder provides proof to the Department of at least 50 hours of experience in
22 driving a motor vehicle or motorcycle with his or her instruction permit. (NRS
23 483.2521) **Section 2** of this bill requires that such experience be supervised, which
24 is defined as driving under the direct visual supervision of a person who is licensed
25 to drive a motorcycle and who is at least 21 years of age.

26 Existing law requires an applicant for a driver's authorization card or
27 instruction permit to furnish proof of his or her name, age and residence in this
28 State by displaying to the Department an original or certified copy of certain
29 documents. (NRS 483.291) **Section 4** of this bill replaces the list of acceptable
30 documents with a requirement that the Department adopt regulations prescribing
31 the documents which are acceptable to prove an applicant's name, age and
32 residence. **Section 4** also revises the term "name" to "full legal name."

33 Existing law requires the Department to maintain files of applications for
34 licenses, which must include, among other requirements, all applications denied,
35 together with a notation of the reasons for such denial. (NRS 483.400) **Section 5** of
36 this bill repeals the requirement that the Department retain all files of applications
37 denied and the reasons for the denial.

38 Under existing law, certain persons who have been convicted of certain
39 offenses regarding driving under the influence of intoxicating liquor or a controlled
40 substance may be required to install an ignition interlock device as a condition of
41 receiving a restricted driver's license. (NRS 62E.640, 484C.210, 484C.460)
42 **Sections 6-8, 16, 19, 20 and 24** of this bill rename such a restricted driver's license
43 an ignition interlock privilege. **Sections 17-24** of this bill also revise the term for
44 such a device from "device" to "ignition interlock device."

45 Existing law requires a law enforcement officer to seize the driver's license or
46 permit of a person who refuses to submit to a preliminary test of his or her breath to
47 determine the concentration of alcohol in his or her breath. (NRS 484C.150)
48 **Section 15** of this bill repeals that requirement, and **sections 17 and 18** of this bill
49 make conforming changes.

50 Existing law authorizes a court that is required to order a person to install an
51 ignition interlock device to grant an exemption to such a person under certain
52 conditions to avoid undue hardship to the person. (NRS 484C.460) **Section 16** of
53 this bill authorizes the Department to grant a similar exemption under certain
54 circumstances to a person who was not ordered by a court to install an ignition



55 interlock device, and requires the Department to adopt regulations setting forth the
56 criteria for making certain determinations about such an exemption. **Sections 16**
57 **and 20** also clarify that a person who is granted such an exemption is eligible to
58 receive a restricted license from the Department in certain circumstances.

59 Existing law requires the Department to adopt regulations providing for the
60 issuance, expiration, renewal, suspension, revocation and reinstatement of
61 commercial drivers' licenses. Such regulations may not be more restrictive than
62 certain corresponding and relevant federal regulations. (NRS 483.908) **Section 10**
63 of this bill authorizes the Department to adopt regulations that are more restrictive
64 than the federal regulations. Existing law also requires the Department to waive
65 certain requirements for the issuance of a commercial driver's license to certain
66 persons who certify and provide evidence that they have been regularly employed
67 in a military position that requires the operation of a commercial motor vehicle
68 within the 90 days immediately preceding application for a commercial driver's
69 license. (NRS 483.933) **Section 11** of this bill allows such a waiver for a person
70 who has been employed in such a position within the one year immediately
71 preceding his or her application.

72 **Section 25** of this bill repeals two definitions for terms that are no longer used
73 in chapter 483 of NRS.

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

1 **Section 1.** NRS 483.230 is hereby amended to read as follows:

2 483.230 1. Except persons expressly exempted in NRS
3 483.010 to 483.630, inclusive, a person shall not drive any motor
4 vehicle upon a highway in this State unless such person has a valid
5 license as a driver under the provisions of NRS 483.010 to 483.630,
6 inclusive, for the type or class of vehicle being driven.

7 2. Any person licensed as a driver under the provisions of NRS
8 483.010 to 483.630, inclusive, may exercise the privilege thereby
9 granted upon all streets and highways of this State and shall not be
10 required to obtain any other license to exercise such privilege by any
11 county, municipal or local board or body having authority to adopt
12 local police regulations.

13 3. Except persons expressly exempted in NRS 483.010 to
14 483.630, inclusive, a person shall not steer or exercise any degree of
15 physical control of a vehicle being towed by a motor vehicle upon a
16 highway unless such person has a license to drive the type or class
17 of vehicle being towed.

18 4. A person shall not receive a driver's license until the person
19 surrenders to the Department all valid licenses *or identification*
20 *cards* in his or her possession issued to the person by this or any
21 other jurisdiction. Surrendered licenses *and identification cards*
22 issued by another jurisdiction shall be returned by the Department to
23 such jurisdiction. A person shall not have more than one valid
24 driver's license *or identification card and shall not have both a*
25 *valid driver's license and an identification card.*



1 **5. As used in this section, "identification card" means:**

2 **(a) An identification card issued pursuant to NRS 483.810 to**
3 **483.890, inclusive; or**

4 **(b) An identification card issued by another jurisdiction that is**
5 **substantially similar to an identification card issued pursuant to**
6 **NRS 483.810 to 483.890, inclusive.**

7 **Sec. 2.** NRS 483.2521 is hereby amended to read as follows:

8 483.2521 1. Except as otherwise provided in subsection 3,
9 the Department may issue a driver's license to a person who is 16 or
10 17 years of age if the person:

11 (a) Except as otherwise provided in subsection 2, has completed:

12 (1) A course in automobile driver education pursuant to NRS
13 389.090; or

14 (2) A course provided by a school for training drivers which
15 is licensed pursuant to NRS 483.700 to 483.780, inclusive, and
16 which complies with the applicable regulations governing the
17 establishment, conduct and scope of automobile driver education
18 adopted by the State Board of Education pursuant to NRS 389.090;

19 (b) Has at least 50 hours of supervised experience in driving a
20 motor vehicle with a restricted license, instruction permit or
21 restricted instruction permit issued pursuant to NRS 483.267,
22 483.270 or 483.280, including, without limitation, at least 10 hours
23 of *supervised* experience in driving a motor vehicle during darkness;

24 (c) Submits to the Department, on a form provided by the
25 Department, a log which contains the dates and times of the hours of
26 supervised experience required pursuant to this section and which is
27 signed:

28 (1) By his or her parent or legal guardian; or

29 (2) If the person applying for the driver's license is an
30 emancipated minor, by a licensed driver who is at least 21 years of
31 age or by a licensed driving instructor,

32 ↳ who attests that the person applying for the driver's license has
33 completed the training and *supervised* experience required pursuant
34 to paragraphs (a) and (b);

35 (d) Submits to the Department:

36 (1) A written statement signed by the principal of the public
37 school in which the person is enrolled or by a designee
38 of the principal and which is provided to the person pursuant to
39 NRS 392.123;

40 (2) A written statement signed by the parent or legal
41 guardian of the person which states that the person is excused from
42 compulsory attendance pursuant to NRS 392.070;

43 (3) A copy of the person's high school diploma or certificate
44 of attendance; or



1 (4) A copy of the person's certificate of general educational
2 development or an equivalent document;

3 (e) Has not been found to be responsible for a motor vehicle
4 crash during the 6 months before applying for the driver's license;

5 (f) Has not been convicted of a moving traffic violation or a
6 crime involving alcohol or a controlled substance during the 6
7 months before applying for the driver's license; and

8 (g) Has held an instruction permit for not less than 6 months
9 before applying for the driver's license.

10 2. If a course described in paragraph (a) of subsection 1 is not
11 offered within a 30-mile radius of a person's residence, the person
12 may, in lieu of completing such a course as required by that
13 paragraph, complete an additional 50 hours of supervised experience
14 in driving a motor vehicle in accordance with paragraph (b) of
15 subsection 1.

16 3. A person who is 16 or 17 years of age, who has held an
17 instruction permit issued pursuant to subsection 4 of NRS 483.280
18 authorizing the holder of the permit to operate a motorcycle and
19 who applies for a driver's license pursuant to this section that
20 authorizes him or her to operate a motorcycle must comply with the
21 provisions of paragraphs (d) to (g), inclusive, of subsection 1 and
22 must:

23 (a) Except as otherwise provided in subsection 4, complete a
24 course of motorcycle safety approved by the Department;

25 (b) Have at least 50 hours of *supervised* experience in driving a
26 motorcycle with an instruction permit issued pursuant to subsection
27 4 of NRS 483.280; and

28 (c) Submit to the Department, on a form provided by the
29 Department, a log which contains the dates and times of the hours of
30 *supervised* experience required pursuant to paragraph (b) and which
31 is signed by his or her parent or legal guardian who attests that
32 the person applying for the motorcycle driver's license has completed
33 the training and *supervised* experience required pursuant to
34 paragraphs (a) and (b).

35 4. If a course described in paragraph (a) of subsection 3 is not
36 offered within a 30-mile radius of a person's residence, the person
37 may, in lieu of completing the course, complete an additional 50
38 hours of *supervised* experience in driving a motorcycle in
39 accordance with paragraph (b) of subsection 3.

40 5. *As used in this section, "supervised experience" means:*

41 (a) *In a motor vehicle which is not a motorcycle, driving while*
42 *accompanied by a licensed driver who is at least 21 years of age,*
43 *who has had at least 1 year of licensed driving experience in the*
44 *type of vehicle for which the permit was issued and who is*
45 *physically occupying a seat beside the driver.*



1 ***(b) On a motorcycle, driving under the direct visual***
2 ***supervision of a person who is licensed to drive a motorcycle and***
3 ***who is at least 21 years of age.***

4 **Sec. 3.** NRS 483.280 is hereby amended to read as follows:

5 483.280 1. Any person who is at least 15 1/2 years of age
6 may apply to the Department for an instruction permit. Except as
7 otherwise provided in subsections 4 and 5, the Department may, in
8 its discretion, after the applicant has successfully passed all parts of
9 the examination administered pursuant to NRS 483.330, other than
10 the driving test, issue to the applicant an instruction permit entitling
11 the applicant, while having the permit in his or her immediate
12 possession, to drive a motor vehicle, other than a motorcycle, upon
13 the highways for a period of 1 year when accompanied by a licensed
14 driver who is at least 21 years of age, who has had at least 1 year of
15 licensed driving experience in the type of vehicle for which the
16 permit was issued and who is actually occupying a seat beside the
17 driver. The term "licensed driving experience" as used in this
18 subsection does not include driving experience gained under an
19 instruction permit issued pursuant to the provisions of this section.

20 2. The Department may, in its discretion, issue a temporary
21 driver's permit to an applicant for a driver's license permitting the
22 applicant to drive a motor vehicle while the Department is
23 completing its investigation and determination of all facts relative to
24 the applicant's right to receive a driver's license. The permit must
25 be in the applicant's immediate possession while driving a motor
26 vehicle, and is invalid when the applicant's license has been issued
27 or for good cause has been refused.

28 3. The Department, upon receiving proper application, may, in
29 its discretion, issue a restricted instruction permit for the operation
30 of a motor vehicle, other than a motorcycle, effective for a school
31 year, or for a more restricted period, to an applicant who is enrolled
32 in a drivers' education program which includes practice driving and
33 which is approved by the Department even though the applicant has
34 not reached the legal age to be eligible for a driver's license. The
35 instruction permit entitles the permittee, when the permittee has the
36 permit in his or her immediate possession, to drive a motor vehicle
37 only on a designated highway or within a designated area, but only
38 when an approved instructor is occupying a seat beside the
39 permittee.

40 4. Any person who is at least 15 1/2 years of age and less than
41 18 years of age may apply to the Department for an instruction
42 permit authorizing the holder to operate a motorcycle. Except as
43 otherwise provided in subsection 8, the Department may, in its
44 discretion, after the applicant has successfully passed all parts of the
45 examination administered pursuant to NRS 483.330, other than the



1 driving test, issue to the applicant an instruction permit entitling the
2 applicant, while having the permit in his or her immediate
3 possession, to drive a motorcycle upon the highways for a period of
4 1 year **H** *when under the direct visual supervision of a person who*
5 *is licensed to drive a motorcycle and who is at least 21 years of*
6 *age.* Except as otherwise provided in subsection 8, a permit issued
7 pursuant to this subsection may be renewed, but expires when the
8 holder of the permit attains the age of 18 years.

9 5. A person who is 18 years of age or more may, not more than
10 once every 5 years, apply to the Department for an instruction
11 permit authorizing the holder to operate a motorcycle. Except as
12 otherwise provided in subsection 8, the Department may, in its
13 discretion, after the applicant has successfully passed all parts of the
14 examination administered pursuant to NRS 483.330, other than
15 the driving test, issue to the applicant an instruction permit entitling
16 the applicant, while having the permit in his or her immediate
17 possession, to drive a motorcycle upon the highways for a period of
18 6 months.

19 6. A holder of an instruction permit issued pursuant to
20 subsection 4 or 5, is entitled, while having the permit in his or her
21 immediate possession, to drive a motorcycle only during the hours
22 between sunrise and sunset, and may not:

23 (a) Carry any passengers; or

24 (b) Operate the motorcycle on a controlled-access highway.

25 7. Except as otherwise provided in subsection 8, an instruction
26 permit issued pursuant to subsection 5 may be renewed not more
27 than once. The holder of such a permit who allows the permit to
28 expire before applying to the Department for renewal of the permit,
29 if he or she does not hold a driver's license from this State, must
30 successfully pass all parts of the examination administered pursuant
31 to NRS 483.330, other than the driving test, to renew the instruction
32 permit.

33 8. A person who has failed the motorcycle driving test required
34 by the Department pursuant to NRS 483.330 two or more times may
35 not be issued an instruction permit pursuant to subsection 4 or 5.

36 **Sec. 4.** NRS 483.291 is hereby amended to read as follows:

37 483.291 1. An application for an instruction permit or for a
38 driver authorization card must:

39 (a) Be made upon a form furnished by the Department.

40 (b) Be verified by the applicant before a person authorized to
41 administer oaths. Officers and employees of the Department may
42 administer those oaths without charge.

43 (c) Be accompanied by the required fee.

44 (d) State the name, date of birth, sex and residence address of
45 the applicant and briefly describe the applicant.



1 (e) State whether the applicant has theretofore been licensed as a
2 driver, and, if so, when and by what state or country, and whether
3 any such license has ever been suspended or revoked, or whether an
4 application has ever been refused, and, if so, the date of and reason
5 for the suspension, revocation or refusal.

6 (f) Include such other information as the Department may
7 require to determine the competency and eligibility of the applicant.

8 2. Every applicant must furnish proof of his or her *full legal*
9 name and age by displaying an original or certified copy of ~~[-~~

10 ~~— (a) Any one of the following documents:~~

11 ~~— (1) A birth certificate issued by a state, a political subdivision~~
12 ~~of a state, the District of Columbia or any territory of the United~~
13 ~~States;~~

14 ~~— (2) A driver's license issued by another state, the District of~~
15 ~~Columbia or any territory of the United States which is issued~~
16 ~~pursuant to the standards established by 6 C.F.R. Part 37, Subparts~~
17 ~~A to E, inclusive, and which contains a security mark approved by~~
18 ~~the United States Department of Homeland Security in accordance~~
19 ~~with 6 C.F.R. § 37.17;~~

20 ~~— (3) A passport issued by the United States Government;~~

21 ~~— (4) A military identification card or military dependent~~
22 ~~identification card issued by any branch of the Armed Forces of the~~
23 ~~United States;~~

24 ~~— (5) For persons who served in any branch of the Armed~~
25 ~~Forces of the United States, a report of separation;~~

26 ~~— (6) A Certificate of Degree of Indian or Alaska Native Blood~~
27 ~~issued by the United States Government;~~

28 ~~— (7) A Certificate of Citizenship, Certificate of Naturalization,~~
29 ~~Permanent Resident Card or Temporary Resident Card issued by the~~
30 ~~United States Citizenship and Immigration Services of the~~
31 ~~Department of Homeland Security;~~

32 ~~— (8) A Consular Report of Birth Abroad issued by the~~
33 ~~Department of State;~~

34 ~~— (9) A document issued by the Department pursuant to NRS~~
35 ~~483.375 or 483.8605; or~~

36 ~~— (10) Such other documentation] *such documents* as *are*~~
37 ~~specified by the Department by regulation . ~~[-~~ or~~

38 ~~— (b) Any two of the following documents:~~

39 ~~— (1) A driver's license issued by another state, the District of~~
40 ~~Columbia or any territory of the United States other than such a~~
41 ~~driver's license described in subparagraph (2) of paragraph (a);~~

42 ~~— (2) A passport issued by a foreign government;~~

43 ~~— (3) A birth certificate issued by a foreign government;~~



1 ~~— (4) A consular identification card issued by the Government~~
2 ~~of Mexico or a document issued by another government that the~~
3 ~~Department determines is substantially similar; or~~

4 ~~— (5) Any other proof acceptable to the Department.]~~

5 ➔ No document which is written in a language other than English
6 may be accepted by the Department pursuant to this subsection
7 unless it is accompanied by a verified translation of the document in
8 the English language.

9 3. Every applicant must prove his or her residence in this State
10 by displaying an original or certified copy of ~~[any two of the~~
11 ~~following]~~ *such* documents [:

12 ~~— (a) A receipt from the rent or lease of a residence located in this~~
13 ~~State;~~

14 ~~— (b) A record from a public utility for a service address located in~~
15 ~~this State which is dated within the previous 60 days;~~

16 ~~— (c) A bank or credit card statement indicating a residential~~
17 ~~address located in this State which is dated within the previous 60~~
18 ~~days;~~

19 ~~— (d) A stub from an employment check indicating a residential~~
20 ~~address located in this State;~~

21 ~~— (e) A document issued by an insurance company or its agent,~~
22 ~~including, without limitation, an insurance card, binder or bill,~~
23 ~~indicating a residential address located in this State;~~

24 ~~— (f) A record, receipt or bill from a medical provider indicating a~~
25 ~~residential address located in this State; or~~

26 ~~— (g) Any other document]~~ as *are* prescribed by the Department
27 by regulation.

28 4. *The Department shall adopt regulations prescribing the*
29 *documents an applicant must use to furnish proof of his or her*
30 *full legal name, age and residence in this State pursuant to*
31 *subsections 2 and 3.*

32 5. Except as otherwise provided in subsection ~~[5:]~~ 6, a driver
33 authorization card or instruction permit obtained in accordance with
34 this section must:

35 (a) Contain the same information as prescribed for a driver's
36 license pursuant to NRS 483.340 and any regulations adopted
37 pursuant thereto;

38 (b) Be of the same design as a driver's license and contain only
39 the minimum number of changes from that design that are necessary
40 to comply with subsection ~~[5:]~~ 6; and

41 (c) Be numbered from the same sequence of numbers as a
42 driver's license.

43 ~~[5:]~~ 6. A driver authorization card or instruction permit
44 obtained in accordance with this section must comply with the
45 requirements of section 202(d)(11) of the Real ID Act of 2005,



1 Public Law 109-13, Division B, Title II, 119 Stat. 302, 312-15, 49
2 U.S.C. § 30301 note.

3 ~~{6.}~~ 7. Notwithstanding the provisions of NRS 483.380, every
4 driver authorization card:

5 (a) Expires on the fourth anniversary of the holder's birthday,
6 measured in the case of initial issuance or renewal from the birthday
7 nearest the date of issuance or renewal.

8 (b) Is renewable at any time before its expiration upon
9 application and payment of the required fee. The Department may,
10 by regulation, defer the expiration of the driver authorization card of
11 a person who is on active duty in the Armed Forces of the United
12 States upon such terms and conditions as it may prescribe. The
13 Department may similarly defer the expiration of the driver
14 authorization card of the spouse or dependent son or daughter of that
15 person if the spouse or child is residing with the person.

16 ~~{7.}~~ 8. A driver authorization card shall not be used to
17 determine eligibility for any benefits, licenses or services issued or
18 provided by this State or its political subdivisions.

19 ~~{8.}~~ 9. Except as otherwise provided in this section or by
20 specific statute, any provision of this title that applies to drivers'
21 licenses shall be deemed to apply to a driver authorization card and
22 an instruction permit obtained in accordance with this section.

23 **Sec. 5.** NRS 483.400 is hereby amended to read as follows:

24 483.400 1. The Department shall maintain files of
25 applications for licenses. Such files shall contain:

26 (a) ~~{All applications denied and on each thereof note the reasons
27 for such denial.~~

28 ~~{(b)}~~ All applications granted.

29 ~~{(e)}~~ (b) The name of every licensee whose license has been
30 suspended or revoked by the Department and after each such name
31 note the reasons for such action.

32 2. The Department shall also file all crash reports and abstracts
33 of court records of convictions received by it under the laws of this
34 State, and in connection therewith maintain convenient records or
35 make suitable notations in order that an individual record of each
36 licensee showing the convictions of such licensee and the traffic
37 crashes in which the licensee was involved shall be readily
38 ascertainable and available for the consideration of the Department
39 upon any application for renewal of license and at other suitable
40 times.

41 **Sec. 6.** NRS 483.460 is hereby amended to read as follows:

42 483.460 1. Except as otherwise provided by specific statute,
43 the Department shall revoke the license, permit or privilege of any
44 driver upon receiving a record of his or her conviction of any of the
45 following offenses, when that conviction has become final, and the



1 driver is not eligible for a license, permit or privilege to drive for the
2 period indicated:

3 (a) *For a period of 5 years if the offense is a second or*
4 *subsequent violation of subsection 2 of NRS 484C.470 and the*
5 *driver is not eligible for a restricted license or an ignition interlock*
6 *privilege during any of that period.*

7 (b) For a period of 3 years if the offense is:

8 (1) A violation of subsection 6 of NRS 484B.653.

9 (2) A third or subsequent violation within 7 years of NRS
10 484C.110 or 484C.120.

11 (3) A violation of NRS 484C.110 or 484C.120 resulting in a
12 felony conviction pursuant to NRS 484C.400 or 484C.410.

13 (4) A violation of NRS 484C.430 or a homicide resulting
14 from driving or being in actual physical control of a vehicle while
15 under the influence of intoxicating liquor or a controlled substance
16 or resulting from any other conduct prohibited by NRS 484C.110,
17 484C.130 or 484C.430.

18 (5) *A first violation of subsection 2 of NRS 484C.470 and*
19 *the driver is not eligible for a restricted license or an ignition*
20 *interlock privilege during any of that period.*

21 ↪ The period during which such a driver is not eligible for a
22 license, permit or privilege to drive must be set aside during any
23 period of imprisonment and the period of revocation must resume
24 when the Department is notified pursuant to NRS 209.517 or
25 213.12185 that the person has completed the period of
26 imprisonment or that the person has been placed on residential
27 confinement or parole.

28 ~~(b)~~ (c) For a period of 1 year if the offense is:

29 (1) Any other manslaughter, including vehicular
30 manslaughter as described in NRS 484B.657, resulting from the
31 driving of a motor vehicle or felony in the commission of which a
32 motor vehicle is used, including the unlawful taking of a motor
33 vehicle.

34 (2) Failure to stop and render aid as required pursuant to the
35 laws of this State in the event of a motor vehicle crash resulting in
36 the death or bodily injury of another.

37 (3) Perjury or the making of a false affidavit or statement
38 under oath to the Department pursuant to NRS 483.010 to 483.630,
39 inclusive, or pursuant to any other law relating to the ownership or
40 driving of motor vehicles.

41 (4) Conviction, or forfeiture of bail not vacated, upon three
42 charges of reckless driving committed within a period of 12 months.

43 (5) A second violation within 7 years of NRS 484C.110 or
44 484C.120 and the driver is not eligible for a restricted license *or an*
45 *ignition interlock privilege* during any of that period.



1 (6) A violation of NRS 484B.550.
2 ~~[(e)]~~ (d) For a period of ~~[not less than]~~ 185 days, if the offense
3 is a first violation within 7 years of NRS 484C.110 or 484C.120.

4 2. The Department shall revoke the license, permit or privilege
5 of a driver convicted of violating NRS 484C.110 or 484C.120 who
6 fails to complete the educational course on the use of alcohol and
7 controlled substances within the time ordered by the court and shall
8 add a period of ~~[90]~~ 185 days during which the driver is not eligible
9 for a license, permit or privilege to drive.

10 3. When the Department is notified by a court that a person
11 who has been convicted of a first violation within 7 years of NRS
12 484C.110 has been permitted to enter a program of treatment
13 pursuant to NRS 484C.320, the Department shall reduce by one-half
14 the period during which the person is not eligible for a license,
15 permit or privilege to drive, but shall restore that reduction in time if
16 notified that the person was not accepted for or failed to complete
17 the treatment.

18 4. ~~[The Department shall revoke the license, permit or privilege~~
19 ~~to drive of a person who is required to install a device pursuant to~~
20 ~~NRS 484C.210 or 484C.460 but who operates a motor vehicle~~
21 ~~without such a device:~~

22 ~~—(a) For 3 years, if it is his or her first such offense during the~~
23 ~~period of required use of the device.~~

24 ~~—(b) For 5 years, if it is his or her second such offense during the~~
25 ~~period of required use of the device.~~

26 ~~—5. A driver whose license, permit or privilege is revoked~~
27 ~~pursuant to subsection 4 is not eligible for a restricted license during~~
28 ~~the period set forth in paragraph (a) or (b) of that subsection,~~
29 ~~whichever applies.~~

30 ~~—6.]~~ In addition to any other requirements set forth by specific
31 statute, if the Department is notified that a court has ordered the
32 revocation, suspension or delay in the issuance of a license pursuant
33 to title 5 of NRS, NRS 176.064, 206.330 or 392.148, chapters 484A
34 to 484E, inclusive, of NRS or any other provision of law, the
35 Department shall take such actions as are necessary to carry out the
36 court's order.

37 ~~[7.]~~ 5. As used in this section, ~~["device"]~~ "ignition interlock
38 privilege" has the meaning ascribed to it in ~~[NRS 484C.450.]~~
39 ~~section 14 of this act.~~

40 **Sec. 7.** NRS 483.470 is hereby amended to read as follows:

41 483.470 1. The Department may suspend the license of a
42 driver without preliminary hearing upon a showing by its records or
43 other sufficient evidence that the licensee:

44 (a) Has committed an offense for which mandatory revocation
45 of license is required upon conviction;



1 (b) Has been involved as a driver in any crash resulting in the
2 death or personal injury of another or serious property damage;

3 (c) Is physically or mentally incompetent to drive a motor
4 vehicle;

5 (d) Has permitted an unlawful or fraudulent use of his or her
6 license;

7 (e) Has committed an offense in another state which if
8 committed in this State would be grounds for suspension or
9 revocation; or

10 (f) Has failed to comply with the conditions of issuance of a
11 restricted license ~~or~~ *or an ignition interlock privilege.*

12 2. Upon suspending the license of any person as authorized in
13 this section, the Department shall immediately notify the person in
14 writing, and upon his or her request shall afford the person an
15 opportunity for a hearing as early as practical within 20 days after
16 receipt of the request in the county wherein the person resides unless
17 the person and the Department agree that the hearing may be held in
18 some other county. The Administrator, or an authorized agent
19 thereof, may issue subpoenas for the attendance of witnesses and the
20 production of relevant books and papers, and may require a
21 reexamination of the licensee in connection with the hearing. Upon
22 the hearing, the Department shall either rescind its order of
23 suspension or, for good cause, extend the suspension of the license
24 or revoke it.

25 *3. As used in this section, "ignition interlock privilege" has*
26 *the meaning ascribed to it in section 14 of this act.*

27 **Sec. 8.** NRS 483.490 is hereby amended to read as follows:

28 483.490 1. Except as otherwise provided in this section, after
29 a driver's license has been suspended or revoked ~~[for an offense~~
30 ~~other than a violation of NRS 484C.110,]~~ and one-half of the period
31 during which the driver is not eligible for a license has expired, the
32 Department may, unless the statute authorizing the suspension *or*
33 *revocation* prohibits the issuance of a restricted license, issue a
34 restricted driver's license to an applicant permitting the applicant to
35 drive a motor vehicle:

36 (a) To and from work or in the course of his or her work, or
37 both; or

38 (b) To acquire supplies of medicine or food or receive regularly
39 scheduled medical care for himself, herself or a member of his or
40 her immediate family.

41 ➔ Before a restricted license may be issued, the applicant must
42 submit sufficient documentary evidence to satisfy the Department
43 that a severe hardship exists because the applicant has no alternative
44 means of transportation and that the severe hardship outweighs the
45 risk to the public if the applicant is issued a restricted license.



1 2. A person who is required to install ~~fa~~ *an ignition interlock*
2 device in a motor vehicle pursuant to NRS 484C.210 or 484C.460:

3 (a) Shall install the device not later than 14 days after the date
4 on which the order was issued; ~~and~~

5 (b) *Shall receive, in lieu of a restricted license as provided in*
6 *subsection 1, an ignition interlock privilege; and*

7 (c) May not receive ~~fa-restricted license~~ *an ignition interlock*
8 *privilege* pursuant to this ~~section~~ *subsection* until:

9 (1) After at least 1 year of the period during which the person
10 is not eligible for a license, if the person was convicted of:

11 (I) A violation of NRS 484C.430 or a homicide resulting
12 from driving or being in actual physical control of a vehicle while
13 under the influence of intoxicating liquor or a controlled substance
14 or resulting from any other conduct prohibited by NRS 484C.110,
15 484C.130 or 484C.430; or

16 (II) A violation of NRS 484C.110 that is punishable as a
17 felony pursuant to NRS 484C.410 or 484C.420; or

18 (2) After at least 180 days of the period during which the
19 person is not eligible for a license, if the person was convicted of a
20 violation of subsection 6 of NRS 484B.653.

21 3. If the Department has received a copy of an order requiring a
22 person to install ~~fa~~ *an ignition interlock* device in a motor vehicle
23 pursuant to NRS 484C.460 or following an order of revocation
24 issued pursuant to NRS 484C.220, the Department shall not issue ~~fa~~
25 ~~restricted-driver's license~~ *an ignition interlock privilege* to such a
26 person pursuant to this section unless the applicant has submitted
27 proof of compliance with the order and subsection 2.

28 4. Except as otherwise provided in NRS 62E.630, after a
29 driver's license has been revoked or suspended pursuant to title 5 of
30 NRS or NRS 392.148, the Department may issue a restricted
31 driver's license to an applicant permitting the applicant to drive a
32 motor vehicle:

33 (a) If applicable, to and from work or in the course of his or her
34 work, or both; or

35 (b) If applicable, to and from school.

36 5. After a driver's license has been suspended pursuant to NRS
37 483.443, the Department may issue a restricted driver's license to an
38 applicant permitting the applicant to drive a motor vehicle:

39 (a) If applicable, to and from work or in the course of his or her
40 work, or both;

41 (b) To receive regularly scheduled medical care for himself,
42 herself or a member of his or her immediate family; or

43 (c) If applicable, as necessary to exercise a court-ordered right to
44 visit a child.



1 6. A driver who violates a condition of a restricted license
2 issued pursuant to subsection 1 or by another jurisdiction *or an*
3 *ignition interlock privilege issued pursuant to subsection 2* is
4 guilty of a misdemeanor and, if the license of the driver was
5 suspended or revoked for:

6 (a) A violation of NRS 484C.110, 484C.210 or 484C.430;

7 (b) A homicide resulting from driving or being in actual
8 physical control of a vehicle while under the influence of
9 intoxicating liquor or a controlled substance or resulting from any
10 other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430;
11 or

12 (c) A violation of a law of any other jurisdiction that prohibits
13 the same or similar conduct as set forth in paragraph (a) or (b),

14 ➤ the driver shall be punished in the manner provided pursuant to
15 subsection 2 of NRS 483.560.

16 7. The periods of suspensions and revocations required
17 pursuant to this chapter and NRS 484C.210 must run consecutively,
18 except as otherwise provided in NRS 483.465 and 483.475, when
19 the suspensions must run concurrently.

20 8. Whenever the Department suspends or revokes a license, the
21 period of suspension, or of ineligibility for a license after the
22 revocation, begins upon the effective date of the revocation or
23 suspension as contained in the notice thereof.

24 **9. As used in this section:**

25 (a) *“Ignition interlock device” has the meaning ascribed to it*
26 *in section 13 of this act; and*

27 (b) *“Ignition interlock privilege” has the meaning ascribed to*
28 *it in section 14 of this act.*

29 **Sec. 9.** NRS 483.850 is hereby amended to read as follows:

30 483.850 1. Every application for an identification card must
31 be made upon a form provided by the Department and include,
32 without limitation:

33 (a) The applicant’s:

34 (1) Full legal name.

35 (2) Date of birth.

36 (3) State of legal residence.

37 (4) Current address of principal residence and mailing
38 address, if different from his or her address of principal residence, in
39 this State, unless the applicant is on active duty in the military
40 service of the United States.

41 (b) A statement from:

42 (1) A resident stating that he or she does not hold a valid
43 driver’s license or identification card from *this State or any other*
44 state or jurisdiction; or



1 (2) A seasonal resident stating that he or she does not hold a
2 valid Nevada driver's license.

3 2. When the form is completed, the applicant must sign the
4 form and verify the contents before a person authorized to
5 administer oaths.

6 3. An applicant who has been issued a social security number
7 must provide to the Department for inspection:

8 (a) An original card issued to the applicant by the Social
9 Security Administration bearing the social security number of the
10 applicant; or

11 (b) Other proof acceptable to the Department bearing the social
12 security number of the applicant, including, without limitation,
13 records of employment or federal income tax returns.

14 4. At the time of applying for an identification card, an
15 applicant may, if eligible, preregister or register to vote pursuant to
16 NRS 293.524.

17 5. A person who possesses a driver's license or identification
18 card issued by ~~[another]~~ *this State or any other* state or jurisdiction
19 who wishes to apply for an identification card pursuant to this
20 section shall surrender to the Department the driver's license or
21 identification card issued by ~~[the]~~ *this State or any* other state or
22 jurisdiction at the time the person applies for an identification card
23 pursuant to this section.

24 **Sec. 10.** NRS 483.908 is hereby amended to read as follows:

25 483.908 The Department shall adopt regulations:

26 1. Providing for the issuance, expiration, renewal, suspension,
27 revocation and reinstatement of commercial drivers' licenses;

28 2. Providing the same exemptions allowed pursuant to federal
29 regulations for farmers, firefighters, military personnel or any other
30 class of operators or vehicles for which exemptions are authorized
31 by federal law or regulations;

32 3. Specifying the violations which constitute grounds for
33 disqualification from driving a commercial motor vehicle and the
34 penalties associated with each violation;

35 4. Setting forth a schedule of various alcohol concentrations
36 and the penalties which must be imposed if those concentrations are
37 detected in the breath, blood, urine or other bodily substances of a
38 person who is driving, operating or is in actual physical control of a
39 commercial motor vehicle; and

40 5. Necessary to enable it to carry out the provisions of NRS
41 483.900 to 483.940, inclusive.

42 ➔ The Department ~~[shall-not]~~ *may* adopt regulations which are
43 more restrictive than the federal regulations adopted pursuant to the
44 Commercial Motor Vehicle Safety Act of 1986, as amended, 49
45 U.S.C. chapter 313 (§§ 31301 et seq.).



1 **Sec. 11.** NRS 483.933 is hereby amended to read as follows:
2 483.933 1. In accordance with 49 C.F.R. § 383.77, the
3 requirement set forth in paragraph (b) of subsection 2 of NRS
4 483.928 for the issuance of a commercial driver's license by this
5 State must be waived for an applicant who:

6 (a) Has experience driving a commercial motor vehicle because
7 of his or her service in the Armed Forces of the United States;

8 (b) Is licensed at the time of his or her application for a
9 commercial driver's license; and

10 (c) Meets the requirements set forth in subsection 2.

11 2. An applicant for a commercial driver's license who seeks a
12 waiver pursuant to subsection 1 of the requirement set forth in
13 paragraph (b) of subsection 2 of NRS 483.928 shall:

14 (a) Certify that, during the 2 years immediately preceding his or
15 her application for a commercial driver's license, the applicant has
16 not had:

17 (1) More than one license in more than one jurisdiction at the
18 same time, except for a military license;

19 (2) A license suspended, revoked, cancelled or denied;

20 (3) A conviction for an offense listed in 49 C.F.R. §
21 383.51(b);

22 (4) More than one conviction for a serious traffic violation
23 listed in 49 C.F.R. § 383.51(c); and

24 (5) A conviction for a violation of any military, state or local
25 law relating to motor vehicle traffic control, other than a parking
26 violation, arising in connection with any traffic crash, and has no
27 record of a crash in which he or she was at fault.

28 (b) Certify and provide evidence that he or she:

29 (1) Has been regularly employed in a military position that
30 requires the operation of a commercial motor vehicle within the ~~90~~
31 ~~days]~~ *year* immediately preceding his or her application;

32 (2) Is exempt from the requirements for a commercial
33 driver's license pursuant to 49 C.F.R. § 383.3(c); and

34 (3) Has operated a vehicle which is representative of the
35 commercial motor vehicle that he or she intends to operate for at
36 least 2 years immediately preceding the date of his or her
37 application.

38 **Sec. 12.** Chapter 484C of NRS is hereby amended by adding
39 thereto the provisions set forth as sections 13 and 14 of this act.

40 **Sec. 13.** *"Ignition interlock device" means a mechanism*
41 *that:*

42 1. *Tests a person's breath to determine the concentration of*
43 *alcohol in his or her breath; and*



1 2. *If the results of the test indicate that the person has a*
2 *concentration of alcohol of 0.02 or more in his or her breath,*
3 *prevents the motor vehicle in which it is installed from starting.*

4 **Sec. 14.** *“Ignition interlock privilege” means a document*
5 *from the Department which authorizes the holder to operate a*
6 *motor vehicle that has an ignition interlock device installed.*

7 **Sec. 15.** NRS 484C.150 is hereby amended to read as follows:
8 484C.150 1. Any person who drives or is in actual physical
9 control of a vehicle on a highway or on premises to which the public
10 has access shall be deemed to have given his or her consent to a
11 preliminary test of his or her breath to determine the concentration
12 of alcohol in his or her breath when the test is administered at the
13 request of a police officer at the scene of a vehicle crash or where
14 the police officer stops a vehicle, if the officer has reasonable
15 grounds to believe that the person to be tested was:

16 (a) Driving or in actual physical control of a vehicle while under
17 the influence of intoxicating liquor or a controlled substance; or

18 (b) Engaging in any other conduct prohibited by NRS 484C.110,
19 484C.120, 484C.130 or 484C.430.

20 2. If the person fails to submit to the test, the officer shall ~~§~~
21 ~~— (a) Seize the license or permit of the person to drive as provided~~
22 ~~in NRS 484C.220; and~~

23 ~~— (b) If~~, if reasonable grounds otherwise exist, arrest the person
24 and take him or her to a convenient place for the administration of a
25 reasonably available evidentiary test under NRS 484C.160.

26 3. The result of the preliminary test must not be used in any
27 criminal action, except to show there were reasonable grounds to
28 make an arrest.

29 **Sec. 16.** NRS 484C.210 is hereby amended to read as follows:
30 484C.210 1. If a person fails to submit to an evidentiary test
31 as requested by a police officer pursuant to NRS 484C.160, the
32 license, permit or privilege to drive of the person must be revoked as
33 provided in NRS 484C.220, and the person is not eligible for a
34 license, permit or privilege to drive for a period of:

35 (a) One year; or

36 (b) Three years, if the license, permit or privilege to drive of the
37 person has been revoked during the immediately preceding 7 years
38 for failure to submit to an evidentiary test.

39 2. If the result of a test given under NRS 484C.150 or
40 484C.160 shows that a person had a concentration of alcohol of 0.08
41 or more in his or her blood or breath or a detectable amount of a
42 controlled substance or prohibited substance in his or her blood or
43 urine for which he or she did not have a valid prescription, as
44 defined in NRS 453.128, or hold a valid registry identification card,
45 as defined in NRS 453A.140, at the time of the test, the license,



1 permit or privilege of the person to drive must be revoked as
2 provided in NRS 484C.220 and the person is not eligible for a
3 license, permit or privilege for a period of ~~90~~ 185 days.

4 3. Except as otherwise provided in ~~subsection~~ *subsections* 1
5 ~~3~~ and 4, at any time while a person is not eligible for a license,
6 permit or privilege to drive following a revocation under subsection
7 1, or *a revocation under subsection* 2 which was based on the
8 person having a concentration of alcohol of 0.08 or more in his or
9 her blood or breath, the person shall install, at his or her own
10 expense, ~~an~~ *an ignition interlock* device in any motor vehicle
11 which the person operates as a condition to obtaining ~~a restricted~~
12 ~~license~~ *an ignition interlock privilege* pursuant to NRS 483.490.

13 4. *The Department may provide for an exception to the*
14 *requirements of subsection 3 to avoid undue hardship to the*
15 *person and issue a restricted license pursuant to subsection 1 of*
16 *NRS 483.490 if the Department determines that:*

17 (a) *Requiring the person to install an ignition interlock device*
18 *in a motor vehicle which the person owns or operates would cause*
19 *the person to experience an economic hardship, as demonstrated*
20 *by the person to the satisfaction of the Department;*

21 (b) *The person is unable to provide a deep lung breath sample*
22 *for an ignition interlock device, as certified in writing by a*
23 *physician of the person; or*

24 (c) *The person resides more than 100 miles from a*
25 *manufacturer of ignition interlock devices, or such a*
26 *manufacturer's agent.*

27 5. If a revocation of a person's license, permit or privilege to
28 drive under NRS 62E.640 or 483.460 follows a revocation under
29 subsection 2 which was based on the person having a concentration
30 of alcohol of 0.08 or more in his or her blood or breath, the
31 Department shall cancel the revocation under that subsection and
32 give the person credit for any period during which the person was
33 not eligible for a license, permit or privilege.

34 ~~5.~~ 6. If an order to install ~~an~~ *an ignition interlock* device
35 pursuant to NRS 62E.640 or 484C.460 follows the installation of ~~an~~
36 *an ignition interlock* device pursuant to subsection 3, the court may
37 give the person day-for-day credit for any period during which the
38 person installed ~~an~~ *an ignition interlock* device as a condition to
39 obtaining ~~a restricted license.~~

40 ~~—6.~~ *an ignition interlock privilege.*

41 7. Periods of ineligibility for a license, permit or privilege to
42 drive which are imposed pursuant to this section must run
43 consecutively.



1 ~~[7:]~~ 8. *The Department shall adopt regulations setting forth*
2 *criteria for making a determination of undue hardship for the*
3 *purposes of this section.*

- 4 9. As used in this section ~~[, "device"]~~ :
5 (a) *"Ignition interlock device"* has the meaning ascribed to it in
6 ~~[NRS 484C.450.]~~ *section 13 of this act; and*
7 (b) *"Ignition interlock privilege"* *has the meaning ascribed to*
8 *it in section 14 of this act.*

9 **Sec. 17.** NRS 484C.220 is hereby amended to read as follows:
10 484C.220 1. As agent for the Department, the officer who
11 requested that ~~[a]~~ *an evidentiary* test be given pursuant to NRS
12 ~~[484C.150 or]~~ 484C.160 or who obtained the result of a test given
13 pursuant to NRS 484C.150 or 484C.160 shall immediately serve an
14 order of revocation of the license, permit or privilege to drive on a
15 person who failed to submit to ~~[a]~~ *an evidentiary* test requested by
16 the police officer pursuant to NRS ~~[484C.150 or]~~ 484C.160 or who
17 has a concentration of alcohol of 0.08 or more in his or her blood or
18 breath or has a detectable amount of a controlled substance or
19 prohibited substance in his or her blood or urine for which he or she
20 did not have a valid prescription, as defined in NRS 453.128, or
21 hold a valid registry identification card, as defined in NRS
22 453A.140, if that person is present, and shall seize the license or
23 permit to drive of the person. The officer shall then, unless the
24 information is expressly set forth in the order of revocation, advise
25 the person of his or her right to administrative and judicial review of
26 the revocation pursuant to NRS 484C.230 and, except as otherwise
27 provided in this subsection, that the person has a right to request a
28 temporary license. The officer shall also, unless the information is
29 expressly set forth in the order of revocation, advise the person that
30 he or she is required to install ~~[a]~~ *an ignition interlock* device
31 pursuant to NRS 484C.210. If the person currently is driving with a
32 temporary license that was issued pursuant to this section or NRS
33 484C.230, the person is not entitled to request an additional
34 temporary license pursuant to this section or NRS 484C.230, and the
35 order of revocation issued by the officer must revoke the temporary
36 license that was previously issued. If the person is entitled to request
37 a temporary license, the officer shall issue the person a temporary
38 license on a form approved by the Department if the person requests
39 one, which is effective for only 7 days including the date of
40 issuance. The officer shall immediately transmit the person's license
41 or permit to the Department along with the written certificate
42 required by subsection 2.

43 2. When a police officer has served an order of revocation of a
44 driver's license, permit or privilege on a person pursuant to
45 subsection 1, or later receives the result of an evidentiary test which



1 indicates that a person, not then present, had a concentration of
2 alcohol of 0.08 or more in his or her blood or breath or had a
3 detectable amount of a controlled substance or prohibited substance
4 in his or her blood or urine for which he or she did not have a valid
5 prescription, as defined in NRS 453.128, or hold a valid registry
6 identification card, as defined in NRS 453A.140, the officer shall
7 immediately prepare and transmit to the Department, together with
8 the seized license or permit and a copy of the result of the test, if
9 any, a written certificate that the officer had reasonable grounds to
10 believe that the person had been driving or in actual physical control
11 of a vehicle:

12 (a) With a concentration of alcohol of 0.08 or more in his or her
13 blood or breath or with a detectable amount of a controlled
14 substance or prohibited substance in his or her blood or urine for
15 which he or she did not have a valid prescription, as defined in NRS
16 453.128, or hold a valid registry identification card, as defined in
17 NRS 453A.140, as determined by a chemical test; or

18 (b) While under the influence of intoxicating liquor or a
19 controlled substance or with a prohibited substance in his or her
20 blood or urine and the person refused to submit to a required
21 evidentiary test.

22 ↪ The certificate must also indicate whether the officer served an
23 order of revocation on the person and whether the officer issued the
24 person a temporary license.

25 3. The Department, upon receipt of such a certificate for which
26 an order of revocation has not been served, after examining the
27 certificate and copy of the result of the chemical test, if any, and
28 finding that revocation is proper, shall issue an order revoking the
29 person's license, permit or privilege to drive by mailing the order to
30 the person at the person's last known address. The order must
31 indicate the grounds for the revocation and the period during which
32 the person is not eligible for a license, permit or privilege to drive
33 and state that the person has a right to administrative and judicial
34 review of the revocation and to have a temporary license. The order
35 must also ~~indicate that~~ *state whether* the person is required to
36 install ~~an~~ *an ignition interlock* device pursuant to NRS 484C.210.
37 The order of revocation becomes effective 5 days after mailing.

38 4. Notice of an order of revocation and notice of the
39 affirmation of a prior order of revocation or the cancellation of a
40 temporary license provided in NRS 484C.230 is sufficient if it is
41 mailed to the person's last known address as shown by any
42 application for a license. The date of mailing may be proved by the
43 certificate of any officer or employee of the Department, specifying
44 the time of mailing the notice. The notice is presumed to have been



1 received upon the expiration of 5 days after it is deposited, postage
2 prepaid, in the United States mail.

3 5. As used in this section, ~~["device"]~~ *"ignition interlock*
4 *device"* has the meaning ascribed to it in ~~[NRS 484C.450.]~~ *section*
5 *13 of this act.*

6 **Sec. 18.** NRS 484C.230 is hereby amended to read as follows:

7 484C.230 1. At any time while a person is not eligible for a
8 license, permit or privilege to drive following an order of revocation
9 issued pursuant to NRS 484C.220, the person may request in writing
10 a hearing by the Department to review the order of revocation, but
11 the person is only entitled to one hearing. The hearing must be
12 conducted as soon as is practicable at any location, if the hearing
13 officer permits each party and witness to attend the hearing by
14 telephone, videoconference or other electronic means. The Director
15 or agent of the Director may issue subpoenas for the attendance of
16 witnesses and the production of relevant books and papers and may
17 require a reexamination of the requester. Unless the person is
18 ineligible for a temporary license pursuant to NRS 484C.220, the
19 Department shall issue an additional temporary license for a period
20 which is sufficient to complete the administrative review. A person
21 who is issued a temporary license is not subject to and is exempt
22 *during the period of administrative review* from the requirement to
23 install ~~[a]~~ *an ignition interlock* device pursuant to NRS 484C.210.

24 2. The scope of the hearing must be limited to the issue of
25 whether the person:

26 (a) Failed to submit to ~~[a required]~~ *an evidentiary* test provided
27 for in NRS ~~[484C.150 or]~~ 484C.160; or

28 (b) At the time of ~~[the]~~ *a* test ~~[]~~ *given pursuant to NRS*
29 *484C.150 or 484C.160*, had a concentration of alcohol of 0.08 or
30 more in his or her blood or breath or a detectable amount of a
31 controlled substance or prohibited substance in his or her blood or
32 urine for which he or she did not have a valid prescription, as
33 defined in NRS 453.128, or hold a valid registry identification card,
34 as defined in NRS 453A.140.

35 ➤ Upon an affirmative finding on either issue, the Department shall
36 affirm the order of revocation. Otherwise, the order of revocation
37 must be rescinded.

38 3. If, after the hearing, the order of revocation is affirmed, the
39 person whose license, permit or privilege to drive has been revoked
40 shall, if not previously installed, install ~~[a]~~ *an ignition interlock*
41 *device* pursuant to NRS 484C.210.

42 4. If, after the hearing, the order of revocation is affirmed, the
43 person whose license, privilege or permit has been revoked is
44 entitled to a review of the same issues in district court in the same
45 manner as provided by chapter 233B of NRS. The court shall notify



1 the Department upon the issuance of a stay, and the Department
2 shall issue an additional temporary license for a period which is
3 sufficient to complete the review. A person who is issued a
4 temporary license is not subject to and is exempt *during the period*
5 *of judicial review* from the requirement to install ~~fa~~ *an ignition*
6 *interlock* device pursuant to NRS 484C.210.

7 5. If a hearing officer grants a continuance of a hearing at the
8 request of the person whose license was revoked, or a court does so
9 after issuing a stay of the revocation, the officer or court shall notify
10 the Department, and the Department shall cancel the temporary
11 license and notify the holder by mailing the order of cancellation to
12 the person's last known address.

13 6. As used in this section, ~~["device"]~~ *"ignition interlock*
14 *device"* has the meaning ascribed to it in ~~[NRS 484C.450.]~~ *section*
15 *13 of this act.*

16 **Sec. 19.** NRS 484C.450 is hereby amended to read as follows:

17 484C.450 As used in NRS 484C.450 to 484C.480, inclusive,
18 unless the context otherwise requires, ~~["device" means a mechanism~~
19 ~~that:~~

20 ~~— 1. Tests a person's breath to determine the concentration of~~
21 ~~alcohol in his or her breath; and~~

22 ~~— 2. If the results of the test indicate that the person has a~~
23 ~~concentration of alcohol of 0.02 or more in his or her breath,~~
24 ~~prevents the motor vehicle in which it is installed from starting.]~~ *the*
25 *words and terms defined in sections 13 and 14 of this act have the*
26 *meanings ascribed to them in those sections.*

27 **Sec. 20.** NRS 484C.460 is hereby amended to read as follows:

28 484C.460 1. Except as otherwise provided in subsections 2
29 and 5, a court shall order a person convicted of:

30 (a) A violation of NRS 484C.110 that is punishable pursuant to
31 paragraph (a) or (b) of subsection 1 of NRS 484C.400, if the person is
32 found to have had a concentration of alcohol of less than 0.18 in
33 his or her blood or breath, to install, at his or her own expense and
34 for a period of not less than 185 days, ~~fa~~ *an ignition interlock*
35 *device* in any motor vehicle which the person operates as a
36 condition to obtaining ~~[a restricted license]~~ *an ignition interlock*
37 *privilege* pursuant to NRS 483.490 ~~[for as a condition of~~
38 ~~reinstatement of]~~ *to reinstate* the driving privilege of the person.

39 (b) A violation of:

40 (1) NRS 484C.110 that is punishable pursuant to paragraph
41 (a) or (b) of subsection 1 of NRS 484C.400, if the person is found to
42 have had a concentration of alcohol of 0.18 or more in his or her
43 blood or breath;

44 (2) NRS 484C.110 or 484C.120 that is punishable as a felony
45 pursuant to NRS 484C.400 or 484C.410; or



1 (3) NRS 484C.130 or 484C.430,
2 ➔ to install, at his or her own expense and for a period of not less
3 than 12 months or more than 36 months, ~~{a}~~ *an ignition interlock*
4 device in any motor vehicle which the person operates as a
5 condition to obtaining ~~{a restricted license}~~ *an ignition interlock*
6 *privilege* pursuant to NRS 483.490 ~~{or as a condition of~~
7 ~~reinstatement of}~~ *to reinstate* the driving privilege of the person.

8 2. A court may, in the interests of justice, provide for an
9 exception to the provisions of subsection 1 for a person who is
10 convicted of a violation of NRS 484C.110 that is punishable
11 pursuant to paragraph (a) of subsection 1 of NRS 484C.400, to
12 avoid undue hardship to the person if the court determines that:

13 (a) Requiring the person to install ~~{a}~~ *an ignition interlock*
14 device in a motor vehicle which the person owns or operates would
15 cause the person to experience an economic hardship;

16 (b) The person requires the use of the motor vehicle to:

17 (1) Travel to and from work or in the course and scope of his
18 or her employment; or

19 (2) Obtain medicine, food or other necessities or to obtain
20 health care services for the person or another member of the
21 person's immediate family;

22 (c) The person is unable to provide a deep lung breath sample
23 for ~~{a}~~ *an ignition interlock* device, as certified in writing by a
24 physician of the person; or

25 (d) The person resides more than 100 miles from a manufacturer
26 of ~~{a}~~ *an ignition interlock* device or its agent.

27 ➔ *A person granted such an exception may apply to the*
28 *Department for a restricted license pursuant to subsection 1 of*
29 *NRS 483.490.*

30 3. If the court orders a person to install ~~{a}~~ *an ignition*
31 *interlock* device pursuant to subsection 1:

32 (a) The court shall immediately prepare and transmit a copy of
33 its order to the Director. The order must include a statement that ~~{a}~~
34 *an ignition interlock* device is required and the specific period for
35 which it is required. The Director shall cause this information to be
36 incorporated into the records of the Department and noted ~~{as a~~
37 ~~restriction}~~ on the person's ~~{driver's license.}~~ *ignition interlock*
38 *privilege.*

39 (b) The person who is required to install the *ignition interlock*
40 device shall provide proof of compliance to the Department before
41 the person may receive ~~{a restricted license or before the driving}~~ *an*
42 *ignition interlock* privilege . ~~{of the person may be reinstated, as~~
43 ~~applicable.}~~ Each model of ~~{a}~~ *an ignition interlock* device installed
44 pursuant to this section must have been certified by the Committee
45 on Testing for Intoxication.



1 4. A person ~~[whose driving]~~ *who obtains an ignition interlock*
2 privilege ~~[is restricted]~~ pursuant to this section or NRS 483.490
3 shall have the *ignition interlock* device inspected, calibrated,
4 monitored and maintained by the manufacturer of the *ignition*
5 *interlock* device or its agent at least one time each 90 days during
6 the period in which the person is required to use the *ignition*
7 *interlock* device to determine whether the *ignition interlock* device
8 is operating properly. Any inspection, calibration, monitoring or
9 maintenance required pursuant to this subsection must be conducted
10 in accordance with regulations adopted pursuant to NRS 484C.480.
11 The manufacturer or its agent shall submit a report to the Director
12 indicating whether the *ignition interlock* device is operating
13 properly, whether any of the incidents listed in subsection 1 of NRS
14 484C.470 have occurred and whether the *ignition interlock* device
15 has been tampered with. If the *ignition interlock* device has been
16 tampered with, the Director shall notify the court that ordered the
17 installation of the *ignition interlock* device. Upon receipt of such
18 notification and before the court imposes a penalty pursuant to
19 subsection 3 of NRS 484C.470, the court shall afford any interested
20 party an opportunity for a hearing after reasonable notice.

21 5. If a person is required to operate a motor vehicle in the
22 course and scope of his or her employment and the motor vehicle is
23 owned by the person's employer, the person may operate that
24 vehicle without the installation of ~~[a]~~ *an ignition interlock* device,
25 if:

26 (a) The employee notifies his or her employer that the
27 ~~[employee's driving privilege]~~ *employee* has been ~~[so restricted;]~~
28 *issued an ignition interlock privilege;* and

29 (b) The employee has proof of that notification in his or her
30 possession or the notice, or a facsimile copy thereof, is with the
31 motor vehicle.

32 ↪ This exemption does not apply to a motor vehicle owned by a
33 business which is all or partly owned or controlled by the person
34 otherwise subject to this section.

35 6. The running of the period during which a person is required
36 to have ~~[a]~~ *an ignition interlock* device installed pursuant to this
37 section commences when the Department issues ~~[a restricted~~
38 *license]* *an ignition interlock privilege* to the person ~~[or reinstates~~
39 *the driving privilege of the person]* and is tolled whenever and for as
40 long as the person is, with regard to a violation of NRS 484C.110,
41 484C.120, 484C.130 or 484C.430, imprisoned, serving a term of
42 residential confinement, placed under the supervision of a treatment
43 provider, on parole or on probation.



1 **Sec. 21.** NRS 484C.470 is hereby amended to read as follows:
2 484C.470 1. The court may extend the order of a person who
3 is required to install ~~[a]~~ **an ignition interlock** device pursuant to
4 NRS 484C.210 or 484C.460, ~~[not]~~ to ~~[exceed]~~ one-half of the period
5 during which the person is required to have ~~[a]~~ **an ignition interlock**
6 device installed, if the court receives from the Director of the
7 Department of Public Safety a report that 4 consecutive months
8 prior to the date of release any of the following incidents occurred:

9 (a) Any attempt by the person to start the vehicle with a
10 concentration of alcohol of 0.04 or more in his or her breath unless a
11 subsequent test performed within 10 minutes registers a
12 concentration of alcohol lower than 0.04 and the digital image
13 confirms the same person provided both samples;

14 (b) Failure of the person to take any random test unless a review
15 of the digital image confirms that the vehicle was not occupied by
16 the person at the time of the missed test;

17 (c) Failure of the person to pass any random retest with a
18 concentration of alcohol of 0.025 or lower in his or her breath unless
19 a subsequent test performed within 10 minutes registers a
20 concentration of alcohol lower than 0.025, and the digital image
21 confirms the same person provided both samples;

22 (d) Failure of the person to have the **ignition interlock** device
23 inspected, calibrated, monitored and maintained by the manufacturer
24 or its agent pursuant to subsection 4 of NRS 484C.460; or

25 (e) Any attempt by the person to operate a motor vehicle
26 without ~~[a]~~ **an ignition interlock** device or tamper with the **ignition**
27 **interlock** device.

28 2. A person required to install ~~[a]~~ **an ignition interlock** device
29 pursuant to NRS 484C.210 or 484C.460 shall not operate a motor
30 vehicle without ~~[a]~~ **an ignition interlock** device or tamper with the
31 **ignition interlock** device.

32 3. A person who violates any provision of subsection 2:

33 (a) Must have his or her driving privilege revoked in the manner
34 set forth in subsection ~~[4]~~ **1** of NRS 483.460; and

35 (b) Shall be:

36 (1) Punished by imprisonment in jail for not less than 30
37 days nor more than 6 months; or

38 (2) Sentenced to a term of not less than 60 days in residential
39 confinement nor more than 6 months, and by a fine of not less than
40 \$500 nor more than \$1,000.

41 ➔ No person who is punished pursuant to this section may be
42 granted probation, and no sentence imposed for such a violation
43 may be suspended. No prosecutor may dismiss a charge of such a
44 violation in exchange for a plea of guilty, guilty but mentally ill or
45 nolo contendere to a lesser charge or for any other reason unless, in



1 the judgment of the attorney, the charge is not supported by
2 probable cause or cannot be proved at trial.

3 **Sec. 22.** NRS 484C.475 is hereby amended to read as follows:

4 484C.475 Any person who provides a sample of breath for ~~an~~
5 *an ignition interlock* device, with the intent to start a motor vehicle
6 of another and for the purpose of allowing a person required to
7 install ~~an~~ *an ignition interlock* device pursuant to NRS 484C.210
8 or 484C.460 to avoid providing a sample of his or her breath, is
9 guilty of a misdemeanor.

10 **Sec. 23.** NRS 484C.480 is hereby amended to read as follows:

11 484C.480 1. The Committee on Testing for Intoxication shall
12 adopt regulations which:

13 (a) Provide for the certification of each model of those *ignition*
14 *interlock* devices, described by manufacturer and model, which it
15 approves as designed and manufactured to be accurate and reliable
16 to test a person's breath to determine the concentration of alcohol in
17 the person's breath and, if the results of the test indicate that the
18 person has a concentration of alcohol of 0.02 or more in his or her
19 breath, prevent the motor vehicle in which it is installed from
20 starting.

21 (b) Prescribe the form and content of records respecting the
22 calibration of *ignition interlock* devices, which must be kept by the
23 manufacturer of the *ignition interlock* device or its agent, and other
24 records respecting the installation, removal, inspection, maintenance
25 and operation of the *ignition interlock* devices which it finds should
26 be kept by the manufacturer or its agent.

27 (c) Prescribe standards and procedures for the proper
28 installation, removal, inspection, calibration, maintenance and
29 operation of ~~an~~ *an ignition interlock* device installed by the
30 manufacturer or its agent.

31 (d) Require the manufacturer or its agent to waive the cost of
32 installing or removing the *ignition interlock* device and adjust the
33 fee to lease, calibrate or monitor the *ignition interlock* device, if the
34 person required to install ~~an~~ *an ignition interlock* device pursuant
35 to NRS 484C.210 or 484C.460:

36 (1) Has an income which is at or below 100 percent of the
37 federally designated level signifying poverty, to 50 percent of the
38 fee; or

39 (2) Receives supplemental nutritional assistance, as defined
40 in NRS 422A.072, was determined indigent pursuant to NRS
41 171.188 or has an income which is at or below 149 percent of the
42 federally designated level signifying poverty, to 75 percent of the
43 fee.

44 2. The Committee shall establish its own standards and
45 procedures for evaluating the models of the *ignition interlock*



1 devices and obtain evaluations of those models from the Director or
2 the manufacturer of the *ignition interlock* device or its agent.

3 3. If a model of ~~[a]~~ *an ignition interlock* device has been
4 certified by the Committee to be accurate and reliable pursuant to
5 subsection 1, it is presumed that, as designed and manufactured,
6 each *ignition interlock* device of that model is accurate and reliable
7 to test a person's breath to determine the concentration of alcohol in
8 the person's breath and, if the results of the test indicate that the
9 person has a concentration of alcohol of 0.02 or more in his or her
10 breath, will prevent the motor vehicle in which it is installed from
11 starting.

12 **Sec. 24.** NRS 62E.640 is hereby amended to read as follows:

13 62E.640 1. If a child is adjudicated delinquent for an
14 unlawful act in violation of NRS 484C.110, 484C.120, 484C.130 or
15 484C.430, the juvenile court shall, if the child possesses a driver's
16 license:

17 (a) Issue an order revoking the driver's license of the child for
18 185 days and requiring the child to surrender the driver's license of
19 the child to the juvenile court; and

20 (b) Not later than 5 days after issuing the order, forward to the
21 Department of Motor Vehicles a copy of the order and the driver's
22 license of the child.

23 2. The Department of Motor Vehicles shall order the child to
24 submit to the tests and other requirements which are adopted by
25 regulation pursuant to subsection 1 of NRS 483.495 as a condition
26 of reinstatement of the driver's license of the child.

27 3. If the child is adjudicated delinquent for a subsequent
28 unlawful act in violation of NRS 484C.110, 484C.120, 484C.130 or
29 484C.430, the juvenile court shall order an additional period of
30 revocation to apply consecutively with the previous order.

31 4. The juvenile court may:

32 (a) Authorize the Department of Motor Vehicles to issue ~~[a~~
33 ~~restricted driver's license]~~ *an ignition interlock privilege* pursuant
34 to NRS 483.490 to a child whose driver's license is revoked
35 pursuant to this section; and

36 (b) Order the child to install, at his or her own expense, or at the
37 expense of the parent or guardian of the child, ~~[a]~~ *an ignition*
38 *interlock* device in any motor vehicle the child operates as a
39 condition to obtaining ~~[a restricted license]~~ *an ignition interlock*
40 *privilege* pursuant to NRS 483.490.

41 5. As used in this section ~~[, "device"]~~ :

42 (a) *"Ignition interlock device"* has the meaning ascribed to it in
43 ~~[NRS 484C.450.] section 13 of this act; and~~

44 (b) *"Ignition interlock privilege"* has the meaning ascribed to
45 *it in section 14 of this act.*



1 **Sec. 25.** NRS 483.081 and 483.082 are hereby repealed.

2 **Sec. 26.** This act becomes effective upon passage and approval
3 for the purposes of adopting regulations and performing any other
4 preparatory administrative tasks that are necessary to carry out the
5 provisions of this act, and on July 1, 2019, for all other purposes.

TEXT OF REPEALED SECTIONS

483.081 “International instructor” defined. “International instructor” means a person:

1. Who is at least 18 years of age;
2. Whose legal residence is not in this State;
3. Who comes into this State to teach at an educational institution for an indefinite period; and
4. Who may declare that he or she is a resident of this State for the limited purpose of obtaining a driver’s license or identification card.

483.082 “International student” defined. “International student” means a student:

1. Who is at least 18 years of age;
2. Whose legal residence is not in this State;
3. Who comes into this State to attend an educational institution for an indefinite period; and
4. Who may declare that he or she is a resident of this State for the limited purpose of obtaining a driver’s license or identification card.

