

PROPOSED AMENDMENT TO ASSEMBLY BILL 161

Proposed By: Assemblyman Cameron CH Miller (sponsor) and ACLU of Nevada

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Summary of Changes/Purpose: Bill expands definition of communication impairment, removes medical diagnoses requirement, explicates voluntariness of communication impairment designation, makes conforming changes

EXPLANATION: Matter in (1) *blue italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

SUMMARY – Revises provisions governing drivers’ licenses. (BDR 43-635)

FISCAL NOTE: Effect on Local Government: No.

Effect on State: Yes.

AN ACT relating to drivers’ licenses; requiring, under certain circumstances, that the

Department of Motor Vehicles place a designation on a driver’s license for certain persons with communication impairments; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Department of Motor Vehicles to adopt regulations establishing a program for the imprinting of a symbol or other indicator of a medical condition on a driver’s license. (NRS 483.3485). Existing law further requires, upon the application of a person with a disability which limits or impairs the ability to walk, that the Department place a designation on any driver’s license issued to the person indicating that the person is a person with such disability. (NRS 483.349). Section 1 of this bill defines the term “Person with

communication impairment.” ~~Section 1 2~~ of this bill requires, ~~upon the application of a person with autism that the Department place on any driver’s license issued to the person a designation indicating that the person is a person with autism. The application must include a statement from a licensed physician or an advanced practice registered nurse certifying that the applicant is a person with autism.~~ upon application of a person with a communication impairment, the Department of Motor Vehicles shall note on the individual’s driver’s license and vehicle registration, if applicable, that the applicant has a communication impairment.

Sections ~~2 and 3~~ 3 and 4 of this bill make conforming changes to indicate the proper placement of ~~sections~~ 1 and 2 in the Nevada Revised Statutes.

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

Section 1. Chapter 426 of NRS is hereby amended by adding thereto a new section to read as follows:

“Person with a communication impairment” defined. “Person with communication impairment” means any person who is deaf, as defined by NRS 426.084; any person who has a speech disorder that causes an impairment of the articulation of speech sounds, fluency, or voice; any person who has a language disorder that impairs their ability to comprehend or use language; any person who has an auditory processing disorder that impairs their ability to comprehend language; any person whose ability to communicate is impaired due to neurodivergence; any person who has any other condition that impairs their ability to communicate or comprehend language.

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

~~1~~ Upon the application and request of a person with ~~autism~~ a communication impairment, the Department shall ~~place on any driver's license issued to the person pursuant to the provisions of this chapter a designation that the person is a person with autism. The application must include a statement from a licensed physician or advanced practice registered nurse certifying that the applicant is a person with autism.~~ note atop the applicant's electronic vehicle registration that the applicant has a communication impairment and shall place on any driver's license issued to a person pursuant to the provisions of this section a designation that the applicant has a communication impairment. Disclosure of a communication impairment shall not be compelled by the Department and any such disclosure made by an applicant to the Department shall be voluntary.

Section 23. NRS 483.015 is hereby amended to read as follows:

483.015 Except as otherwise provided in NRS 483.330, the provisions of NRS 483.010 to 483.630, inclusive, *and sections 1 and 2 of this act* apply only with respect to noncommercial drivers' licenses.

Section 34. NRS 483.020 is hereby amended to read as follows:

483.020 As used in NRS 483.010 to 483.630, inclusive, *and sections 1 and 2 of this act*, unless the context otherwise requires, the words and terms defined in NRS 483.030 to 483.190, inclusive, have the meanings ascribed to them in those sections.

Section 45. 1. This section becomes effective upon passage and approval.

2. Sections 1, 2, ~~and 3,~~ and 4 of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act;
and

(b) On January 1, 2024, for all other purposes.