

Committee Action:
Do Pass _____
Amend & Do Pass _____
Other _____

Assembly Committee on Growth and Infrastructure

This measure may be considered for action during today's work session.

SENATE BILL 423 (R2)

Revises provisions relating to motorcycles. (BDR 43-662)

Sponsored By: Senate Committee on Growth and Infrastructure
Date Heard: May 11, 2023
Fiscal Notes: Effect on Local Government: No.
Effect on the State: Yes.

Senate Bill 423 revises provisions and renewal requirements related to a motorcycle endorsement on a driver's license issued by the Department of Motor Vehicles (DMV). With the exception of the first renewal of a motorcycle endorsement, an applicant must submit proof of completion of a motorcycle safety course approved by the DMV in the immediately preceding 12 months. However, an applicant who submits such proof is not required to submit such proof again at any subsequent renewal that occurs within the following seven years. If a person is found to violate the motorcycle endorsement requirement, a court must allow the individual to complete a course in motorcycle safety in lieu of imposing a fine. The bill revises certain eligibility requirements for instructors of the Program for the Education of Motorcycle Riders and removes required Program fees.

Amendments: Senator Harris:

- Removes the requirements related to submitting proof of completion of a motorcycle safety course for the renewal of a motorcycle endorsement.

MOCK-UP

PROPOSED AMENDMENT 3655 TO
SENATE BILL NO. 423
SECOND REPRINT

PREPARED FOR SENATOR HARRIS
MAY 11, 2023

PREPARED BY THE LEGAL DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold 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.

Legislative Counsel's Digest:

Existing law prohibits a resident of this State from driving a motorcycle upon a highway unless that person holds a valid motorcycle driver's license, a driver's license with a motorcycle endorsement or a permit to operate a motorcycle. (NRS 486.061) Existing law also provides that any person who violates this requirement is guilty of a misdemeanor. (NRS 486.381) **Section 3** of this bill provides that a court must allow such a person to complete a course of motorcycle safety in lieu of imposing a fine for such a violation which must be completed within 9 months of the issuance of the final order.

~~[Existing law provides that a motorcycle endorsement to a driver's license expires simultaneously with the expiration of the driver's license. (NRS 486.161) Existing regulations provide that a driver's license expires on the eighth anniversary of the birthday of the licensee, measured from the birthday of the licensee nearest the date of issuance or renewal. (NAC 483.043) Section 4 of this bill requires that an applicant for the renewal of a motorcycle endorsement, except for the first renewal of the motorcycle endorsement, provide proof that the applicant has successfully completed a course of motorcycle safety in the immediately preceding 12 months before the applicant may renew the motorcycle endorsement. Section 4 also provides that an applicant who submits such proof is not required to submit such proof again at any subsequent renewal that occurs within 7 years after such submission. Section 7 of this bill provides that this requirement does not take effect until January 1, 2032.]~~

1 Existing law requires the Director of the Department of Motor Vehicles to establish the
2 Program for the Education of Motorcycle Riders and sets forth certain eligibility
3 requirements for instructors of the Program. (NRS 486.372, 486.375) **Section 6** of this bill
4 removes the eligibility requirements that a Program instructor: (1) be a resident of this State
5 or a member of the Armed Forces of the United States stationed at a military installation

1 located in Nevada; and (2) has held a motorcycle driver's license or endorsement for at
2 least 2 years.

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

3 **Section 1.** (Deleted by amendment.)

4 **Sec. 2.** (Deleted by amendment.)

5 **Sec. 3.** NRS 486.061 is hereby amended to read as follows:

6 486.061 **1.** Except for a nonresident who is at least 16 years of age
7 and is authorized by the person's state of residency to drive a motorcycle, a
8 person shall not drive:

9 ~~H.1~~ **(a)** A motorcycle, except a trimobile, upon a highway unless that
10 person holds a valid motorcycle driver's license issued pursuant to NRS
11 486.011 to 486.381, inclusive, a driver's license issued pursuant to chapter
12 483 of NRS endorsed to authorize the holder to drive a motorcycle or a
13 permit issued pursuant to subsection 4 or 5 of NRS 483.280.

14 ~~F.2~~ **(b)** A trimobile upon a highway unless that person holds a valid
15 motorcycle driver's license issued pursuant to NRS 486.011 to 486.381,
16 inclusive, or a driver's license issued pursuant to chapter 483 of NRS.

17 **2.** *If, pursuant to NRS 486.381, a court of competent jurisdiction
18 finds that a person has violated the requirement of paragraph (a) of
19 subsection 1, the court shall permit the person to complete a course of
20 motorcycle safety in lieu of assessing a fine for the violation. The course
21 of motorcycle safety must be completed within 9 months of the date of
22 the final order of the court and proof of successful completion of the
23 course must be filed with the court.*

24 **Sec. 4.** ~~NRS 486.161 is hereby amended to read as follows:~~

25 ~~486.161 1. Every motorcycle driver's license expires as prescribed
26 by regulation.~~

27 ~~2. The Department shall adopt regulations prescribing when a
28 motorcycle driver's license expires.~~

29 ~~3. Every motorcycle driver's license is renewable at any time before
30 its expiration upon application, submission of the statement required
31 pursuant to NRS 486.084 and payment of the required fee.~~

32 ~~4. Every motorcycle endorsement to a driver's license issued on or
33 after January 1, 1972, expires simultaneously with the expiration of the
34 driver's license.~~

35 ~~5. Except for the initial renewal of a motorcycle endorsement to a
36 driver's license, an applicant for the renewal of a motorcycle
37 endorsement after the first renewal must submit proof of the successful
38 completion by the applicant of a course of motorcycle safety approved by
39 the Department, in consultation with the Administrator of the Program,
40 in the immediately preceding 12 months, except that an applicant who~~

1 ~~has submitted proof of the successful completion of a course of~~
2 ~~motorcycle safety is not required to submit such proof at any subsequent~~
3 ~~renewal that occurs within 7 years after such submission of proof.~~

4 ~~— [4.] 6. Except as otherwise provided in subsection 1 of NRS 483.384,~~
5 ~~each applicant for renewal must appear before an examiner for a driver's~~
6 ~~license and successfully pass a test of the applicant's eyesight.] (Deleted~~
7 ~~by amendment.)~~

8 **Sec. 5.** (Deleted by amendment.)

9 **Sec. 6.** NRS 486.375 is hereby amended to read as follows:

10 486.375 1. A person who:

11 (a) ~~Is a resident of this State or is a member of the Armed Forces of~~
12 ~~the United States stationed at a military installation located in Nevada;~~

13 ~~— (b)]~~ Is at least 21 years old;

14 ~~[(e)]~~ (b) Holds a motorcycle driver's license or a motorcycle
15 endorsement to a driver's license issued by the Department;

16 ~~[(d) Has held a motorcycle driver's license or endorsement for at least~~
17 ~~2 years; and~~

18 ~~— (e)] and~~

19 (c) Is certified as an instructor of motorcycle riders by a nationally
20 recognized public or private organization which is approved by the
21 Director,

22 ↪ may apply to the Department for a license as an instructor for the
23 Program.

24 2. The Department shall not license a person as an instructor if, within
25 2 years before the person submits an application for a license:

26 (a) The person has accumulated three or more demerit points pursuant
27 to the uniform system of demerit points established pursuant to NRS
28 483.473, or has been convicted of, or found to have committed, traffic
29 violations of comparable number and severity in another jurisdiction; or

30 (b) The person's driver's license was suspended or revoked in any
31 jurisdiction.

32 3. The Director shall adopt standards and procedures for the licensing
33 of instructors for the Program.

34 **Sec. 6.5.** (Deleted by amendment.)

35 **Sec. 7.** 1. This section becomes effective upon passage and
36 approval.

37 2. ~~[Sections 1, 2, 5,]~~ **Section 6** ~~[and 6.5]~~ of this act ~~[become]~~ **becomes**
38 effective:

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

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

43 3. Section 3 of this act becomes effective:

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

4 (b) On January 1, 2025, for all other purposes.

5 ~~4. Section 4 of this act becomes effective:~~

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

9 ~~— (b) On January 1, 2032, for all other purposes.]~~

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