

LCB File No. R082-03

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

Proposed Effective Date: Upon Codification

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

AUTHORITY: §§ 1-3, NRS 483.908

Section 1. NAC 483.850 Exemptions from requirements. (NRS 483.908) The following persons are exempt from the requirements of NRS 483.900 to 483.940, inclusive, and NAC 483.800 to 483.850, inclusive:

1. An operator of a farm vehicle that is:
 - (a) Controlled and operated by a farmer as a private motor carrier of property;
 - (b) Being used to transport either:
 - (1) Agricultural products; or
 - (2) Farm machinery or farm supplies, or both,to or from a farm;
 - (c) Not being used in the operation of a motor carrier for hire;
 - (d) Being used within 150 miles of the operator's farm; and
 - (e) Not carrying a hazardous material of a type or quantity which would require the vehicles to be placarded in accordance with 49 C.F.R. § 177.823.
2. Firefighters and operators of emergency equipment, necessary to the preservation of life or property or the execution of emergency governmental functions, who are not subject to normal traffic regulation.
3. ~~Military personnel while~~ *Individuals* driving a *commercial* motor vehicle ~~in the service of the Armed Forces~~ *for military purposes*.
4. A person who is driving a recreational vehicle that is being used solely for recreational purposes.

Sec. 2. NAC 483.825 Denial of license; issuance of restricted license. (NRS 483.908)

1. Except as otherwise provided in subsections 2 and 3, the department will not issue a license pursuant to NRS 483.900 to 483.940, inclusive, to a person:
 - (a) Who is under 21 years of age;
 - (b) Who does not meet the requirements of 49 C.F.R. §§ 391.41 to 391.49, inclusive, for operating a commercial motor vehicle;
 - (c) Whose driver's license is revoked, suspended or subject to disqualification;
 - (d) Who has not passed the required examinations; or
 - (e) Who, in the opinion of the administrator upon good cause and belief, would not be able to drive safely a commercial motor vehicle on the highways.

2. The department may issue a restricted commercial driver's license permitting the operation of a commercial vehicle within this state to a person who is under 21 years of age, but who is not less than 18 years of age, if the person:

(a) Holds a driver's license;

(b) Meets the minimum physical requirements of the department for driving a commercial vehicle within this state; and

(c) Does not intend to operate in interstate transportation, transport passengers for hire or transport hazardous material of a type or quantity for which the vehicle must be placarded pursuant to 49 C.F.R. Part 172.

~~{3. The department may issue a restricted commercial driver's license permitting the holder to operate a commercial motor vehicle to and from work or in the course of his work, or both, if the department revoked or suspended the holder's privilege to operate a commercial motor vehicle for an offense which he committed while operating a noncommercial motor vehicle.}~~