

**ADOPTED REGULATION OF THE DIRECTOR OF
THE DEPARTMENT OF MOTOR VEHICLES**

LCB File No. R145-04

Effective October 4, 2004

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

AUTHORITY: §1, NRS 481.051.

A REGULATION relating to instructors of driving schools; authorizing the Department of Motor Vehicles to issue a temporary license as an instructor for a school for training drivers to certain applicants; and providing other matters properly relating thereto.

Section 1. NAC 483.754 is hereby amended to read as follows:

483.754 1. A representative of the Department appointed by the Director will review each application for any license issued pursuant to the provisions of NRS 483.700 to 483.780, inclusive.

2. ~~[The]~~ *Except as otherwise provided in subsection 4, the* representative will approve or reject the application or request additional information within 30 days after the date on which the Department receives the application or additional information.

3. If the application is for a license to operate a school for training drivers, the representative will, before the application is approved or denied:

(a) Inspect the premises of the school for training drivers to ensure that the school has satisfactorily complied with all applicable state and local health and safety codes;

(b) Review all applicable city and county business licenses of the school;

(c) If the application requests approval to offer instruction in a classroom, inspect the premises of the school for training drivers to ensure:

- (1) The existence of satisfactory:
 - (I) Space for each student;
 - (II) Facilities for the disabled;
 - (III) Desks or tables, and chairs;
 - (IV) Restroom facilities; and
 - (V) Accessibility of the classroom to the area for parking; and
- (2) That the cleanliness of the equipment and facilities of the school for training drivers is satisfactory to the Department; and
- (d) Evaluate the curriculum and qualifications of each instructor of the school.
4. *If the application is for a license as an instructor for a school for training drivers and the Department has not yet received the report of criminal history of the applicant from the Federal Bureau of Investigation after the applicant has submitted the appropriate fingerprint cards, authorization for the report and the fee in accordance with NRS 483.7205 and paragraph (a) of subsection 2 of NAC 483.752, the Department may, before the application is approved or denied, issue a temporary license as an instructor for a school for training drivers. Except as otherwise provided in this subsection, a temporary license issued pursuant to this subsection expires on the date on which the Department approves or denies the application or upon the expiration of 6 months after the temporary license is issued, whichever occurs first. If the Department does not receive the report of criminal history within 6 months after the temporary license is issued, the Department may extend the temporary license until the report is received and the Department approves or denies the application.*
5. The Department may, before approving or rejecting an application, request another state or local governmental agency to review the application, curriculum or facility of the school.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R145-04

The Director of the Department of Motor Vehicles adopted regulations assigned LCB File No. R145-04 which pertain to chapter 483 of the Nevada Administrative Code on August 30, 2004.

Notice date: 7/7/2004

Date of adoption by agency:

Hearing date: Carson City 8/17/2004
Las Vegas 8/19/2004

Filing date: 10/4/2004

INFORMATIONAL STATEMENT

The Department of Motor Vehicles noticed and held public workshops in Carson City on July 20, 2004 and in Las Vegas on July 23, 2004. Public Hearings were held in Carson City on August 17, 2004 and August 19, 2004 in Las Vegas. The purpose of the workshops and hearings were to solicit comments and opinion on proposed regulation changes relating to instructors of drivers schools; authorizing the Department of Motor Vehicles to issue a temporary license as an instructor for a school for training drivers to certain applicants; and providing other matters properly relating thereto.

The notice of public workshops and hearings and complete copies of the proposed regulations were posted on July 7, 2004, at the Nevada State Library and Archives and each office of the Department of Motor Vehicles. In counties where the Department does not maintain an office, the notice was posted at the main office of the public library.

No one from the general public was present at the public workshops in Carson City or Las Vegas to present testimony.

There was no testimony at the hearing in Carson City. Testifying at the hearing in Las Vegas was Clemos Kelly representing Safeway Drive School. Mr. Kelly testified in support of the proposed regulations.

The Department will adopt the proposed regulation with no changes.

There are no adverse economic effects of this regulation to the Department, local authorities or the public.

There are no other state or government regulations that the proposed regulations duplicate.*