

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

LCB File No. R140-12

October 11, 2012

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

AUTHORITY: §1, NRS 481.052; §§2-9, 13, 50, 51, 59 and 60, NRS 481.051; §§10, 15-19 and 28, NRS 481.051 and 483.220; §11, NRS 483.340 and NRS 483.840; §12, NRS 481.051, 483.220, 483.380, 483.870 and 483.875; §14, NRS 481.051, 483.220, 483.290, 483.860 and 486.081; §§20-24, NRS 481.051, 483.220 and 483.875; §§25-27, NRS 483.908 and 483.912; §§29 and 30, NRS 483.220 and 483.490; §§31, 34 and 35, NRS 483.220, 483.267 and 483.270; §32, NRS 483.220 and 483.267; §33, NRS 483.220 and 483.270; §36, NRS 481.051, 483.220 and 483.360; §§37-45, NRS 483.220 and 483.383; §46, NRS 483.220 and 483.450; §47, NRS 209.517, 213.12185, 481.051, 483.220 and 483.460; §48, NRS 481.051 and 483.710; §49, NRS 481.051, 483.720, 483.7205 and 483.721; §52, NRS 481.051 and 483.725; §53, NRS 481.051, 483.220 and 483.475; §54, NRS 481.051, 483.220 and 483.250; §§55-58, NRS 483.908.

A REGULATION relating to the Department of Motor Vehicles; providing for the protection of certain information obtained by the Department relating to applications for a driver's license or identification card; prescribing the contents of a driver's license or identification card; prescribing the expiration date for a driver's license or identification card; prescribing the documentation required for an applicant for a driver's license or identification card to prove his or her full legal name and age; revising provisions relating to changing or correcting certain information on a driver's license or identification card; revising provisions relating to the renewal of a driver's license or identification card by mail; and providing other matters properly relating thereto.

Section 1. Chapter 481 of NAC is hereby amended by adding thereto a new section to read as follows:

As used in chapters 483 and 486 of NRS:

1. "Address of principal residence" means the address where a person currently resides.

2. “Full legal name” means a natural person’s first name, middle name and family name or last name, without the use of initials or a nickname.

Sec. 2. Chapter 483 of NAC is hereby amended by adding thereto the provisions set forth as sections 3 to 12, inclusive, of this regulation.

Sec. 3. *“Address of principal residence” has the meaning ascribed to it in section 1 of this regulation.*

Sec. 4. *“Full legal name” has the meaning ascribed to it in section 1 of this regulation.*

Sec. 5. *“Good cause to believe” means there are facts sufficient to warrant the belief by a reasonable person that the matter in question is true.*

Sec. 6. *“Identification card” means an identification card issued by the Department pursuant to this chapter and NRS 483.810 to 483.890, inclusive.*

Sec. 7. *“Limited-term driver’s license” means a driver’s license issued pursuant to paragraph (b) of subsection 7 of NRS 483.290.*

Sec. 8. *“Limited-term identification card” means an identification card issued pursuant to subsection 4 of NRS 483.875.*

Sec. 9. *“Seasonal resident” has the meaning ascribed to it in NAC 481.005.*

Sec. 10. *Any information obtained by the Department during the application and issuance process for a driver’s license, motorcycle driver’s license or identification card will be stored on an electronic system maintained by the Department in a manner that prevents unauthorized use of the information and ensures the security and confidentiality of personally identifiable information.*

Sec. 11. 1. *Each driver’s license, motorcycle driver’s license or identification card issued by the Department must contain:*

- (a) The full legal name of the licensee or holder of the identification card.*
- (b) The date of birth of the licensee or holder of the identification card.*
- (c) The gender of the licensee or holder of the identification card.*
- (d) A unique license or identification card number assigned to the licensee or holder of the identification card.*

(e) A digital photograph of the full face of the licensee or holder of the identification card.

The digital photograph of the licensee or holder must, in accordance with 6 C.F.R. § 37.17(e)(1), meet the following standards:

- (1) Lighting must be equally distributed across the face of the licensee or holder.*
- (2) The face of the licensee or holder must be clearly visible and free of shadows from the crown to the base of the chin and from one ear to the other.*
- (3) Any veil, scarf or headdress worn by the licensee or holder must not obscure any facial feature and must not generate any shadow.*
- (4) Any eyewear worn by the licensee or holder must not obstruct the iris or pupil of the eye. The iris and pupil of the eye must be clearly visible.*
- (f) The mailing address of the licensee or holder of the identification card.*
- (g) A physical description of the licensee or holder of the identification card, including the height, weight, hair color and eye color of the licensee or holder.*
- (h) The usual signature of the licensee or holder of the identification card.*
- (i) The date on which the driver's license, motorcycle driver's license or identification card is issued.*
- (j) The expiration date of the driver's license, motorcycle driver's license or identification card.*

(k) A reference to this State as the state in which the driver's license, motorcycle driver's license or identification card is issued.

(l) If the driver's license, motorcycle driver's license or identification card is issued in accordance 6 C.F.R. Part 37, Subparts A to E, inclusive, a security marking approved by the United States Department of Homeland Security in accordance with 6 C.F.R. § 37.17.

2. A driver's license, motorcycle driver's license or identification card is not valid if it does not contain the signature of the licensee or holder of the identification card or if a hole is punched through any part of the driver's license, motorcycle driver's license or identification card.

3. The Department will not place in any driver's license, motorcycle driver's license or identification card a radio frequency identification chip, geospatial technology or any other related technology.

Sec. 12. *1. Except as otherwise provided in NRS 483.283 or 483.861 and except for a limited-term driver's license or limited-term identification card, every driver's license, motorcycle driver's license or identification card expires on the fourth anniversary of the birthday of the licensee or holder of the identification card measured, in the case of an original issuance, a renewal of a driver's license, motorcycle driver's license or identification card or a renewal of an expired driver's license, motorcycle driver's license or identification card, from the birthday of the licensee or holder nearest the date of issuance or renewal.*

2. For the purposes of this chapter, any applicant, licensee or holder of an identification card whose date of birth was on February 29 in a leap year shall be deemed to have a birthdate of February 28.

Sec. 13. NAC 483.010 is hereby amended to read as follows:

483.010 ~~[1.]~~ As used in this chapter, unless the context otherwise requires, the words and terms defined in *subsection 2 of NRS 481.015*, NRS 483.030 to 483.190, inclusive, and ~~[subsections 2 and 3 of this section]~~ *sections 3 to 9, inclusive, of this regulation* have the meanings ascribed to them in those sections.

~~[2. “Department” means the Department of Motor Vehicles.~~

~~—3. “Good cause to believe” means there are facts sufficient to warrant the belief by a reasonable person that the matter in question is true.]~~

Sec. 14. NAC 483.050 is hereby amended to read as follows:

483.050 1. ~~[In addition to the documents listed in subsection 2 of NRS 483.290, the documentation that the Department must accept as proof of the name and age of an]~~ *Except as otherwise provided in subsection 2, an* applicant for a driver’s license, ~~[identification card or]~~ motorcycle driver’s license ~~[as required pursuant to NRS 483.290, 483.860 and 486.081, respectively, includes, without limitation:~~

~~—(a) An original or a certified copy of]~~ *or identification card must present at least* one of the following documents ~~[issued by the United States Citizenship and Immigration Services of the Department of Homeland Security:~~

~~—(1)]~~ *as proof of the applicant’s full legal name and age as required pursuant to NRS 483.290, 483.860 or 486.081:*

(a) A valid, unexpired United States passport or United States passport card;

(b) A certified copy of a birth certificate issued by a state or local office of public health, vital records or vital statistics or an equivalent office in the state of the United States, the District of Columbia or the territory of the United States in which the applicant was born;

(c) A Consular Report of Birth Abroad issued by the United States Department of State;

(d) An unexpired Permanent Resident Card issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;

(e) A Certificate of Naturalization issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;

(f) A Certificate of Citizenship issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;

(g) An unexpired employment authorization document issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;

(h) An unexpired Temporary Resident Card issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;

*(i) An Alien Registration Receipt Card that is issued using Form I-551 ~~;~~
~~—(2)—~~ by the United States Citizenship and Immigration Services of the Department of Homeland Security;*

*(j) A Permit to Reenter the United States ~~;~~
~~—(3)—~~ issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;*

*(k) A Refugee Travel Document ~~;~~
~~—(4)— If it is accompanied by the passport of the bearer of that document, an Arrival-Departure Record that is issued using Form I-94; or~~*

~~—(5)— A Resident Alien Card; and~~

~~—(b)— An identification card issued by another state, the District of Columbia or any territory of the United States if an applicant for such an identification card is required to furnish proof of his or her date of birth to obtain the identification card and the Department determines that the~~

~~documentation required by the other state, the District of Columbia or territory of the United States is substantially similar to the documentation that an applicant is required to furnish to prove his or her date of birth pursuant to this section and NRS 483.860.] issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;~~

(l) An unexpired foreign passport with a valid, unexpired United States visa which has affixed to it an unexpired arrival and departure record using Form I-94; or

(m) A driver's license, motorcycle driver's license or identification card from another state which is issued pursuant to the standards established by 6 C.F.R. Part 37, Subparts A to E, inclusive, and which contains a security mark approved by the United States Department of Homeland Security in accordance with 6 C.F.R. § 37.17.

2. An applicant may request permission from the Department to prove his or her full legal name and age using alternative documents. The Department may grant such permission if the applicant proves that, for reasons beyond the applicant's control, the applicant is unable to present the documents required pursuant to subsection 1. The Department will make reasonable efforts to establish the authenticity of the alternative documents provided by the applicant and, if permission is granted to the applicant, indicate in the applicant's record that such permission was granted.

*3. The forms of identification that are unacceptable to the Department as proof of the **full legal** name and age of an applicant for a driver's license, motorcycle driver's license or identification card in this State include, without limitation:*

- (a) An identification card issued by a consulate of a foreign government;*
- (b) A birth certificate issued by a **hospital or** foreign government; ~~[and]~~*

(c) A Border Crossing Card issued by the United States Citizenship and Immigration Services of the Department of Homeland Security ~~§~~; *and*

(d) A driver's license, motorcycle driver's license or identification card issued by another state, the District of Columbia or any territory of the United States that does not comply with the requirements of 6 C.F.R. Part 37, Subparts A to E, inclusive.

Sec. 15. NAC 483.055 is hereby amended to read as follows:

483.055 1. A person who wishes or is required pursuant to NRS 483.390 or 483.870 to change the *full legal* name indicated on his or her driver's license, motorcycle driver's license or identification card must submit proof satisfactory to the Department that his or her *full legal* name was legally changed. The proof may include, without limitation ~~§~~

~~—(a) An original or a certified copy of any document listed in subsection 2 of NRS 483.290 that reflects the change of name;~~

~~—(b) One~~, *one* of the following documents if that document reflects the change of *the person's full legal* name and indicates that it has been filed with a court of competent jurisdiction, recorded by the county recorder or filed with or certified by another appropriate agency:

~~[(1)]~~ *(a)* A certificate of marriage;

~~[(2)] An abstract of a recorded certificate of marriage;~~

~~—[(3)]~~ *(b)* A certificate of domestic partnership issued by the Secretary of State of this State or any authorized agency of another state;

(c) An order of a court changing the name of the person;

~~[(4)]~~ *(d)* A decree of adoption;

~~[(5)]~~ *(e)* A divorce decree; or

~~[(6)]~~ (f) Any other document that the Department determines is acceptable as proof of the change of ~~[name; and~~

~~—(c) If the person is requesting that the Department change the name indicated on his or her driver's license, motorcycle driver's license or identification card to a former name, a record of the Department relating to a driver's license, motorcycle driver's license or identification card previously issued to the person that indicates the former]~~ *the person's full legal* name.

2. Except as otherwise provided in subsection 3, the Department shall indicate the *full legal* name of the person requesting the change of *his or her full legal* name on a new driver's license, motorcycle driver's license or identification card in a manner that is identical to the manner in which the *full legal* name appears on the document submitted by the person as proof of the change of *the person's full legal* name.

3. Upon request, the Department shall indicate the *full legal* name of the person requesting the change of *his or her full legal* name on a driver's license, motorcycle driver's license or identification card in a manner that combines the maiden name and the married name of the person ~~[.]~~ *as a hyphenated last name.*

4. The maiden name of a person may not be used as a middle name on a driver's license, motorcycle driver's license or identification card unless documented by an original or certified copy of any document of proof of the change of the person's full legal name listed in subsection 1.

Sec. 16. NAC 483.060 is hereby amended to read as follows:

483.060 *1.* A person who wishes to ~~[change]~~ *correct* the social security number ~~[indicated]~~ *provided* on *the application for* his or her driver's license, motorcycle driver's license or identification card must submit proof satisfactory to the Department that the social

security number indicated on his or her driver's license, motorcycle driver's license or identification card is incorrect. The proof may include, without limitation, any of the ~~following~~ documents ~~if the document indicates the social security number of the person:~~

- ~~1. Any document listed in subsection 4 of NRS 483.290;~~
- ~~2. A military identification card issued by the United States Government, including a military identification card issued to a dependent of military personnel;~~
- ~~3. Discharge papers issued by a branch of the military or naval service of the United States;~~
- ~~4. A driver's license issued by another state or the District of Columbia; or~~
- ~~5. An identification card issued by another state or the District of Columbia.]~~ *listed in subsection 2.*

2. An applicant for a driver's license, motorcycle driver's license or identification card must present at least one of the following documents as proof of the applicant's social security number as required pursuant to NRS 483.290, 483.860 or 486.081:

- (a) A social security card;*
- (b) A Form W-2;*
- (c) A Social Security Form SSA-1099 benefits statement;*
- (d) A Form 1099; or*
- (e) A record of payment from an employer that contains the full legal name and social security number of the applicant.*

Sec. 17. NAC 483.065 is hereby amended to read as follows:

483.065 A person who wishes to ~~change~~ *correct* the date of birth indicated on his or her driver's license, motorcycle driver's license or identification card must submit proof satisfactory

to the Department that the date of birth indicated on his or her driver's license, motorcycle driver's license or identification card is incorrect. The proof may include, without limitation ~~1. Any~~, *any* document listed in NAC 483.050 as acceptable proof of the *full legal* name and age of an applicant for a driver's license, motorcycle driver's license or identification card. ~~2. Discharge papers issued by a branch of the military or naval service of the United States;~~ ~~3. A decree of adoption that has been filed with a court of competent jurisdiction; or~~ ~~4. Any other documentation acceptable to the Department.]~~

Sec. 18. NAC 483.070 is hereby amended to read as follows:

483.070 1. A person who wishes to change the gender indicated on his or her driver's license, motorcycle driver's license or identification card must submit proof satisfactory to the Department that the ~~person's gender was changed.]~~ *person is living full-time as a person of the identified gender and undergoing treatment to continue to live as a person of that gender.* The proof must ~~include documentation]~~ *be* prepared by a physician or an osteopathic physician, *on a form provided by the Department*, indicating that ~~the gender of]~~ the person ~~has been changed.]~~ *is living full-time as a person of the identified gender and undergoing treatment to continue to live as a person of that gender.*

2. ~~[A statement by a physician who practices in the area of psychiatry that the gender of the person will be changed or is in the process of being changed is not sufficient documentation for the purposes of subsection 1.~~

~~3.]~~ If a person requests that the Department change the *full legal* name and the gender indicated on his or her driver's license, motorcycle driver's license or identification card, the person must submit proof that his or her *full legal* name was legally changed as prescribed in NAC 483.055 in addition to the documentation set forth in subsection 1.

~~[4.]~~ 3. As used in this section:

(a) “Osteopathic physician” means a person who is licensed to practice osteopathic medicine pursuant to chapter 633 of NRS or the laws of another state or jurisdiction.

(b) “Physician” means a person who is licensed to practice medicine pursuant to chapter 630 of NRS or the laws of another state or jurisdiction.

Sec. 19. NAC 483.075 is hereby amended to read as follows:

483.075 If a person requests that the Department change ~~[the]~~ *or correct any* information on his or her driver’s license, motorcycle driver’s license or identification card pursuant to NAC 483.050 to 483.070, inclusive, the Department shall:

1. Require the person requesting the change *or correction* to surrender his or her current driver’s license, motorcycle driver’s license or identification card;

2. Charge and collect the appropriate fee as set forth in NRS 483.410, ~~[or]~~ 483.820 ~~[:]~~ *or 483.910 and NAC 483.900;* and

3. Issue a new driver’s license, motorcycle driver’s license or identification card to the person.

Sec. 20. NAC 483.0825 is hereby amended to read as follows:

483.0825 1. A person ~~[specified in]~~ *who is determined pursuant to* NAC ~~[483.081]~~ *483.084 to be eligible* may apply for the renewal of his or her identification card by mail by submitting to the Department an application provided by the Department. The application must include the applicant’s:

(a) Except as otherwise provided in this paragraph, mailing address and ~~[the]~~ address of ~~[his or her]~~ *principal* residence in this State. If the applicant is an employee of the Federal Government or on active military duty or a dependent of such an applicant, he or she is not

required to comply with this paragraph, but the applicant must submit an employment or military record which indicates that this State is the state of his or her residence.

(b) Mailing address outside the State.

(c) Physical description, including, without limitation, the applicant's height and weight and the color of his or her hair and eyes.

(d) Mother's maiden name.

(e) Signature.

2. Each application must be accompanied by the fees required by NRS 483.820 and NAC 483.900.

3. Each application must be mailed or otherwise delivered to the Department of Motor Vehicles, 555 Wright Way, Carson City, Nevada 89711-0450, Attention: Central Services and Records Division, Renewal by Mail Section.

4. Each applicant may register to vote or correct any information relating to the applicant set forth in the registrar of voters' register.

5. The Department will, within ~~10~~ 30 business days after receiving the application:

(a) Mail a new identification card to the applicant;

(b) Request additional information from the applicant; or

(c) Deny the application.

~~6. If the Department has obtained a digital image and signature of the applicant, the digital image and signature will be included on the identification card mailed to the applicant pursuant to this section.~~

~~—7. If the Department has not obtained a digital image of the applicant, the identification card mailed pursuant to this section must have the words “valid without photo” in the place where the photograph of the holder of the identification card would otherwise appear.]~~

Sec. 21. NAC 483.084 is hereby amended to read as follows:

483.084 1. The Department will, by mail, ~~[renew the identification card of]~~ *issue a renewed identification card to* each ~~[qualified]~~ *eligible* applicant ~~[.]~~ *upon the renewal of his or her identification card.*

2. The holder of an identification card is not eligible to apply for the renewal of the identification card by mail if:

(a) ~~[The holder is applying to renew by mail for the second consecutive time;]~~ *Except as otherwise provided in subsection 4, the holder previously renewed the identification card and the immediately preceding time that it was renewed the renewal was completed by mail;*

(b) The holder is ~~[an international instructor, international student or]~~ *a* seasonal resident;

(c) The holder wishes to change *or correct* any information ~~[other than his or her address which appears on the front of]~~ *on* the identification card ~~[.]~~ *pursuant to NAC 483.055 to 483.070, inclusive;*

(d) The identification card is a limited-term identification card; or

~~[(d)]~~ *(e)* The identification card of the holder has been stolen, lost or destroyed.

3. The Department may renew *, by mail,* the identification card of any applicant who is employed by the Federal Government, is on active military duty or is the dependent of such a person ~~[.]~~ *if:*

(a) ~~[Regardless of whether the applicant previously renewed his or her identification card by mail; or~~

~~—(b) If the identification card has been expired for more than 1 year, but less than 2 years.~~

~~—4.— As used in this section:~~

~~—(a) “International instructor” has the meaning ascribed to it in NRS 483.081.~~

~~—(b) “International student” has the meaning ascribed to it in NRS 483.082.~~

~~—(c) “Seasonal resident” has the meaning ascribed to it in NAC 481.005.]~~ *The applicant has not requested to change or correct any information on the identification card pursuant to NAC 483.055 to 483.070, inclusive; and*

(b) The applicant has renewed the identification card in person at least once during the 16 years immediately preceding the request for renewal by mail.

4. The Department may renew the identification card of an applicant by mail regardless of whether it was previously renewed by mail if the Department considers renewal by mail appropriate because of the special circumstances of the applicant.

Sec. 22. NAC 483.085 is hereby amended to read as follows:

483.085 The Department will deny an application for the renewal of an identification card by mail and require the applicant to renew his or her identification card in person at an office of the Department if:

1. The applicant wishes to change *or correct* any information ~~[other than his or her address which appears on the front of]~~ *on* the identification card ~~[;]~~ *pursuant to NAC 483.055 to 483.070, inclusive;*

2. The applicant’s identification card has been stolen, lost or destroyed; or

3. ~~[Except as otherwise provided in NAC 483.0825, the]~~ *The* Department has not obtained the applicant’s digital image and signature required for the production of a renewed identification card.

Sec. 23. NAC 483.086 is hereby amended to read as follows:

483.086 1. If, not less than ~~[4 weeks]~~ *30 days* after the Department ~~[mails an]~~ *issues a renewed* identification card ~~[that has been renewed]~~ by mail to an applicant, the applicant notifies the Department that he or she has not received the renewed identification card and the Department determines that the current mailing address of the applicant is the mailing address that the applicant listed on his or her application, the Department will mail a duplicate identification card to the applicant free of charge.

2. If the applicant notifies the Department pursuant to subsection 1 that he or she has not received his or her renewed identification card and the Department determines that the mailing address of the applicant listed on the application is not the current mailing address of the applicant, the applicant must apply to the Department ~~[in person]~~ for a change of address by completing the required application, ~~[and]~~ submitting any necessary documentation to the Department ~~[]~~ *and paying the fees required by NRS 483.820 and NAC 483.900.*

Sec. 24. NAC 483.087 is hereby amended to read as follows:

483.087 1. An identification card ~~[for which a renewed identification card has been produced]~~ *which is renewed by mail* is valid until ~~[]~~:

~~—(a) The identification card expires; or~~

~~—(b) The renewed identification card is lost, stolen or destroyed.]~~ *the date on which the identification card is set to expire as determined pursuant to section 12 of this regulation.*

2. If a renewed identification card is lost, stolen or destroyed, the holder of the renewed identification card must apply ~~[in person]~~ to the Department for a new identification card. The new identification card expires on the same date as the renewed identification card.

3. The Department will charge and collect the fee prescribed for a duplicate identification card set forth in NRS 483.820 *and NAC 483.900* for an identification card that is issued pursuant to subsection 2.

4. A person who applies for a renewal of his or her identification card by mail and who requests express delivery service of the identification card must pay to the Department the actual costs of that service.

Sec. 25. NAC 483.1232 is hereby amended to read as follows:

483.1232 1. An instructor who is registered as a third-party certifier:

(a) Shall not instruct a student in the driving or operation of a vehicle for which a Class A, Class B or Class C driver's license is required by allowing the vehicle to be driven on a public highway, unless the student has obtained an instruction permit for the class of vehicle he or she is learning to drive; and

(b) Shall ensure that the student adheres to the requirements pertaining to the instruction permit.

2. Before certifying the ability of a student to drive a vehicle for which a Class A, Class B or Class C driver's license is required, the third-party certifier must determine that the student is able to operate safely and control fully that vehicle.

3. While administering any part of the driving skills test, a third-party certifier shall, at all times during the test, remain alert and be in a physical and mental state that renders him or her capable of taking physical control of the vehicle if necessary.

4. The third-party certifier shall state on a form approved by the Department the means by which he or she determined the qualifications of the student to operate the vehicles for which a Class A, Class B or Class C driver's license is required.

5. A third-party certifier shall maintain a record for each student who is certified by the third-party certifier. The record must include a description of the training and tests given to the student. The record must be available for inspection by a representative of the Department during normal business hours.

6. A school for training drivers shall keep a record for each student to whom an instructor who is a third-party certifier administers any part of the driving skills test. The record must include:

- (a) The *full legal* name and address of the student;
- (b) The record of the driving skills test administered to the student;
- (c) The number of the instruction permit or driver's license issued to the student;
- (d) The *full legal* name and registration number of each third-party certifier who administered any part of the test to the student;
- (e) A description of the type of testing given to the student and the amount of time devoted to each type of test;
- (f) The date on which each type of test was given;
- (g) The total number of hours of instruction given to the student; and
- (h) Sufficient information that will demonstrate to the satisfaction of the Department that the third-party certifier who administered a specific test to the student did not also provide instruction to the student relating to that test.

Sec. 26. NAC 483.1236 is hereby amended to read as follows:

483.1236 1. The Department may revoke the registration of a third-party certifier who is registered pursuant to NAC 483.1224 if:

- (a) The third-party certifier has been convicted of:

- (1) Driving under the influence of an intoxicating liquor or a controlled substance within the past 7 years;
 - (2) A gross misdemeanor or felony relating to the management of money or a business;
 - (3) Fraud;
 - (4) Embezzlement; or
 - (5) Possessing more than one valid driver's license issued to the third-party certifier under a *full legal* name other than his or her own, or issued to him or her by more than one state, or both;
- (b) The Department determines that the third-party certifier falsified an application or any other information to obtain or maintain registration as a third-party certifier;
 - (c) The school for training drivers fails to maintain an active license or ceases to maintain an established place of business in this State;
 - (d) The third-party certifier allows an unauthorized person to administer any part of the driving skills test to a student;
 - (e) Any action is taken against the instructor's license issued to the third-party certifier by the Department;
 - (f) The third-party certifier administers any part of the driving skills test to a student to whom the third-party certifier has provided instruction for that part of the test; or
 - (g) The third-party certifier refuses to allow an authorized representative of the Department access, during regular business hours, to inspect the records maintained by the third-party certifier relating to the students whose driving abilities were certified by the third-party certifier.

2. The Department may suspend the registration of a third-party certifier if the third-party certifier or his or her agent, officer or employee fails to cooperate fully with an authorized representative of the Department during an inspection of the third-party certifier.

3. The Director may temporarily suspend for not more than 30 days or refuse to renew the registration of a third-party certifier if the Director finds that such a temporary suspension or refusal to renew is in the public interest. The Department may conduct a hearing and issue a final decision on the matter within 30 days after the date on which the notice of temporary suspension or refusal to renew a registration is sent to the third-party certifier.

4. Any third-party certifier whose registration is revoked pursuant to this section:

(a) May not reapply for registration until 2 years after the date of revocation; and

(b) Must attend a training program approved by the Department for the certification of a driver at the time he or she reapplies for registration as a third-party certifier.

5. A third-party certifier may, within 30 days after the temporary suspension or revocation of, or refusal to renew, his or her registration pursuant to this section, request a hearing on the question of whether the third-party certifier committed one or more acts constituting grounds for the suspension, revocation or refusal to renew the registration. The hearing must be conducted pursuant to the provisions of chapter 233B of NRS, and judicial review must be available as provided therein.

Sec. 27. NAC 483.183 is hereby amended to read as follows:

483.183 1. The Department may revoke the registration of a third-party certifier who is registered pursuant to NAC 483.140 if:

(a) The third-party certifier has been convicted of:

- (1) Driving under the influence of an intoxicating liquor or a controlled substance within the past 7 years;
- (2) A gross misdemeanor or felony relating to the management of money or a business;
- (3) Fraud;
- (4) Embezzlement; or
- (5) Possessing more than one valid driver's license issued to the third-party certifier under a *full legal* name other than his or her own, or issued to him or her by more than one state, or both; or

(b) The Department determines that the third-party certifier falsified an application or any other information to obtain or maintain registration as a third-party certifier.

2. The Department may suspend the registration of a third-party certifier if the third-party certifier or his or her agent, officer or employee fails to cooperate fully with an authorized representative of the Department during an inspection of the third-party certifier.

3. The Director may temporarily suspend for not more than 30 days or refuse to renew the registration of a third-party certifier if the Director finds that such a temporary suspension or refusal to renew is in the public interest. The Department may conduct a hearing and issue a final decision on the matter within 30 days after the date on which the notice of temporary suspension or refusal to renew a registration is sent to the third-party certifier.

4. Any third-party certifier whose registration is revoked pursuant to this section:

- (a) May not reapply for registration until 2 years after the date of revocation; and
- (b) Must attend a training program approved by the Department for the certification of a driver at the time he or she reapplies for registration as a third-party certifier.

5. A third-party certifier may, within 30 days after the temporary suspension or revocation of, or refusal to renew, his or her registration pursuant to this section, request a hearing on the question of whether the third-party certifier committed one or more acts constituting grounds for the suspension, revocation or refusal to renew the registration. The hearing must be conducted pursuant to the provisions of chapter 233B of NRS, and judicial review must be available as provided therein.

Sec. 28. NAC 483.197 is hereby amended to read as follows:

483.197 1. The Department may revoke the registration of a third-party certifier who is registered pursuant to NAC 483.190 if:

(a) The third-party certifier has been convicted of:

(1) Driving under the influence of an intoxicating liquor or a controlled substance within the past 7 years;

(2) A gross misdemeanor or felony relating to the management of money or a business;

(3) Fraud;

(4) Embezzlement; or

(5) Possessing more than one valid driver's license issued to the third-party certifier under a *full legal* name other than his or her own, or issued to him or her by more than one state, or both; or

(b) The Department determines that the third-party certifier falsified an application or any other information to obtain or maintain registration as a third-party certifier.

2. Any third-party certifier whose registration is revoked pursuant to this section:

(a) May not reapply for registration until 2 years after the date of revocation; and

(b) Must attend a training program approved by the Department for the certification of a driver at the time he or she reapplies for registration as a third-party certifier.

3. Within 30 days after revocation of his or her registration pursuant to this section, a third-party certifier may request a hearing on the question of whether the third-party certifier committed one or more acts constituting grounds for such revocation. The hearing must be conducted pursuant to the provisions of chapter 233B of NRS and judicial review must be available as provided therein.

Sec. 29. NAC 483.210 is hereby amended to read as follows:

483.210 Upon receipt of a completed application, the Department will consider the following factors in determining whether or not to issue a restricted license:

1. The applicant's complete driving history.
2. The applicant's need for the license and the hardship to the applicant if his or her application is denied.
3. The applicant's need to drive on the job or to and from work.
4. The distance from the applicant's *address of principal* residence to his or her place of employment.
5. The availability of public transportation or an alternate means of transportation to the applicant.
6. If the Department is notified by a court that the applicant is authorized to undergo a program of treatment for alcoholism or drug abuse pursuant to NRS 484C.330, the applicant's need to drive to and from the treatment facility.
7. Any other information which is pertinent to evaluating the application.

Sec. 30. NAC 483.240 is hereby amended to read as follows:

483.240 1. Before the Department will issue a restricted license to an applicant, the applicant must:

(a) Comply with the requirements for reinstatement of his or her driver's license set forth in NAC 483.478, except that a person who is exempt from the requirements for a commercial driver's license pursuant to federal regulations and who is applying for a restricted Class A or Class B driver's license may submit an affidavit of driving ability in lieu of passing a driving skills test.

(b) Sign an affidavit acknowledging that the restricted license will be cancelled by the Department if:

(1) The applicant is convicted of a traffic violation which has been assigned four or more demerit points;

(2) The applicant's privilege to drive is suspended, revoked or cancelled for any reason other than the reason for which his or her license was suspended, revoked or cancelled when he or she applied for the restricted license;

(3) The applicant fails to maintain proof of financial responsibility as required by chapter 485 of NRS; or

(4) The applicant fails to notify the Department in writing of any change of his or her address *of principal residence* or employment, or any other information included in his or her application for the restricted license within 10 days after the change occurs. The notification required by this subparagraph must be submitted to the Division of Field Services of the Department to which the applicant submitted his or her application.

(c) Provide any additional information which may be required for the assessment of eligibility.

2. Before the Department will issue a restricted license to an applicant whose license has been suspended pursuant to NRS 483.475, the applicant must, in addition to complying with the requirements set forth in subsection 1, submit to the Department:

(a) Proof that the applicant has completed an approved course in traffic safety within the 6 months immediately preceding the submission of the application; or

(b) A notice of the applicant's enrollment in an approved course in traffic safety which includes the dates on which the course will begin and end. The date on which the approved course will end must be not later than the date on which the suspension of the applicant's driver's license will end.

3. Before the Department will issue a restricted license to an applicant whose driver's license has been revoked, the applicant must, in addition to complying with the requirements set forth in subsection 1, furnish to the Department proof of financial responsibility in the manner prescribed in subsection 1 of NRS 485.307.

4. All restricted licenses will contain the ~~following~~ information ~~set forth in section 11 of this regulation and:~~

- (a) ~~The full name of the licensee.~~
- ~~(b) The current mailing address of the licensee.~~
- ~~(c) The licensee's Nevada driver's license number.~~
- ~~(d) The licensee's social security number, unless he or she requests that it not appear on the license.~~
- ~~(e) The class of driver's license.~~
- ~~(f) The expiration date of the restricted license.~~
- ~~(g) The date of birth of the licensee.~~

~~—(h) A physical description of the licensee.~~

~~—(i)~~ Detailed driving restrictions on the license, which will include:

- (1) The conditions under which the licensee may drive.
- (2) The type of driving privilege authorized.
- (3) The days and hours the licensee is permitted to drive.

~~(i)~~ (b) Other applicable instructions.

5. A restricted license is not transferrable and may be used only for the purpose stated on the license.

Sec. 31. NAC 483.265 is hereby amended to read as follows:

483.265 1. An application for a restricted license issued pursuant to NRS 483.267 or 483.270 must be completed on a form provided by the Department and submitted to the Division of Field Services of the Department for the area in which the applicant resides.

2. An application must include:

- (a) The *full legal* name, date of birth and social security number of the applicant;
- (b) The applicant's mailing address and ~~the~~ address of ~~his or her~~ *principal* residence, if that address is different from the mailing address;
- (c) The *full legal* names, driver's license numbers and signatures of the applicant's parents or legal guardians;
- (d) The *full legal* names, addresses *of principal residence* and telephone numbers of the employers of the parents or legal guardians of the applicant;
- (e) A description of the reasons for which the applicant needs to operate a motor vehicle;
- (f) A list of the days on which and the hours during which the applicant needs to operate a motor vehicle;

(g) A description of the route along which the applicant will drive if issued a restricted license; and

(h) Any other information requested by the Department.

Sec. 32. NAC 483.266 is hereby amended to read as follows:

483.266 In addition to the information required pursuant to NAC 483.265, an application for a restricted license issued pursuant to NRS 483.267 must include:

1. The *full legal* name and social security number of the member of the applicant's household who has a medical condition which renders that member unable to operate a motor vehicle.

2. The following information relating to the medical condition of that member of the applicant's household:

(a) A description of the medical condition;

(b) A statement verifying that the medical condition renders that member of the applicant's household unable to operate a motor vehicle;

(c) A statement concerning whether the medical condition is temporary or permanent; and

(d) If the medical condition is temporary, an estimate of the time necessary for recovery from the condition.

↪ The information required by this subsection must be signed and dated by the physician who treated that member of the applicant's household not more than 30 days before the date on which the Department receives the application.

3. The name, address and telephone number of the physician who treated the member of the applicant's household who has a medical condition which renders that member unable to operate a motor vehicle.

Sec. 33. NAC 483.267 is hereby amended to read as follows:

483.267 1. In addition to the information required pursuant to NAC 483.265, an application for a restricted license issued pursuant to NRS 483.270 must include:

(a) The name, address and telephone number of the school the applicant attends;

(b) The number of miles from the applicant's *address of principal* residence to the school the applicant attends; and

(c) A written statement signed by the registrar or any other member of the administrative staff of the school the applicant attends which sets forth:

(1) Whether the applicant is authorized to attend a school other than the school to which he or she was assigned by the school district;

(2) Whether the school district provides transportation between the applicant's *address of principal* residence and the school he or she attends;

(3) The dates on which the semesters for which the license will be used begin and end; and

(4) The hours during which the applicant will be in school each day.

2. If the applicant's *address of principal* residence is not more than 2 miles from the school which the applicant attends or the nearest location where transportation is provided by the school or school district, the applicant must submit with his or her application a letter from the physician who treated the applicant which includes:

(a) A statement that the applicant's medical condition prevents the applicant from walking the distance between his or her *address of principal* residence and the school or the location nearest his or her *address of principal* residence where transportation is provided by the school or school district;

(b) A statement that the applicant's medical condition will not adversely affect his or her ability to operate a motor vehicle safely; and

(c) If the applicant is taking medication for the medical condition, a statement that the medication will not adversely affect the applicant's ability to operate a motor vehicle safely.

Sec. 34. NAC 483.269 is hereby amended to read as follows:

483.269 1. Upon receipt of a completed application, the Department will consider the following factors in determining whether to issue a restricted license pursuant to NRS 483.267 or 483.270:

(a) The applicant's need for the license and the hardship the applicant will experience if the application is denied;

(b) The availability of any licensed drivers who are members of the applicant's household who are able to transport the person who has a medical condition which renders him or her unable to operate a motor vehicle or drive the applicant to and from school;

(c) The availability of public transportation or any other means of transportation for the applicant or the person who has a medical condition which renders him or her unable to operate a motor vehicle; and

(d) Any other information which the Department may require to evaluate the application.

2. In addition to the factors set forth in subsection 1, the Department will consider the following factors in determining whether to issue a restricted license pursuant to NRS 483.270:

(a) The distance from the applicant's *address of principal* residence to the school or the location where transportation is provided by the school or school district and, if the distance is not more than 2 miles, the applicant's ability to walk that distance;

(b) Whether the applicant attends the school to complete special studies or a program in alternative education which is not offered at the school to which the applicant was assigned; and

(c) If the applicant is attending a private school:

(1) Whether transportation is provided by the school; and

(2) Whether it is impossible or impracticable to furnish private transportation to and from school.

Sec. 35. NAC 483.273 is hereby amended to read as follows:

483.273 1. A restricted license issued pursuant to NRS 483.267 or 483.270 will contain the ~~following~~ information ~~set forth in section 11 of this regulation and:~~

(a) ~~The full name of the licensee;~~

~~—(b) The mailing address of the licensee;~~

~~—(c) The date of birth of the licensee;~~

~~—(d) A physical description of the licensee;~~

~~—(e) A unique number assigned by the Department;~~

~~—(f) The licensee's social security number, unless he or she requests that it not appear on the license;~~

~~—(g) The class of driver's license;~~

~~—(h) The expiration date of the restricted license;~~

~~(i)~~ Driving restrictions on the license, which will include:

(1) The conditions under which the licensee may drive;

(2) The type of driving privilege authorized;

(3) The days and hours the licensee is permitted to drive; and

(4) The route along which the licensee is permitted to drive; and

~~(b)~~ (b) Any other applicable instructions.

2. Unless the Department establishes an earlier date of expiration, a restricted license issued pursuant to NRS 483.267 or 483.270 expires on the licensee's ~~16th~~ 18th birthday.

Sec. 36. NAC 483.405 is hereby amended to read as follows:

483.405 1. Each applicant for a license to operate a motor vehicle who requires the use of a telescopic device must submit to the Department an application approved by the Department and a report from a physician or optometrist which is dated not more than 90 days before the date the Department receives the application and report.

2. The application must include the applicant's *full legal* name, date of birth and social security number, if the applicant has obtained one, and any information required by the Department relating to his or her driving record.

3. The report of the physician or optometrist must include:

- (a) The best corrected vision of the applicant when looking through the telescopic device;
- (b) The best corrected vision of the applicant when looking through the carrier lens;
- (c) The field of vision of the applicant;
- (d) A statement describing the nature of the applicant's visual deficiency, including whether the condition is progressive or stable; and

(e) Any other information which the Department deems appropriate.

4. The application and report may be delivered in person to any office of the Department or may be mailed to the regional manager of the Department for the region in which the applicant resides. The address of the:

(a) Northern regional manager is the Department of Motor Vehicles, 305 Galletti Way, Reno, Nevada 89512, Attention: Northern Regional Manager.

(b) Southern regional manager is the Department of Motor Vehicles, 8250 West Flamingo, Las Vegas, Nevada 89117, Attention: Southern Regional Manager.

Sec. 37. NAC 483.430 is hereby amended to read as follows:

483.430 1. The holder of a driver's license is not eligible to apply for the renewal of the license by mail if:

(a) ~~The~~ *Except as otherwise provided in subsection 2 of NAC 483.4575, the* holder ~~is applying for a second consecutive renewal of~~ *previously renewed* the license *and the immediately preceding time that it was renewed the renewal was completed* by mail;

(b) The license is a commercial driver's license ~~is~~ *with a hazardous materials endorsement;*

(c) At the time the Department mails to the applicant the expiration notice required pursuant to NRS 483.382, an examination of the applicant's driving record in this State, any other state, the District of Columbia, any territory or possession of the United States or any country indicates that his or her driver's license or privilege to drive in that jurisdiction is suspended, revoked or cancelled or that his or her application for a driver's license in that jurisdiction has been denied;

(d) The license is subject to ~~Restriction M, N, O or S,~~ *any restriction requiring a yearly vision examination, medical examination, knowledge test or driving test,* or any combination thereof, as those restrictions are described in NAC 483.350, 483.360 and 483.365;

(e) The holder is 71 years of age or older, unless he or she submits:

(1) A statement from a licensed physician providing that it is the opinion of the physician that the person is physically able to operate a motor vehicle safely; and

(2) A report from a licensed ophthalmologist, optometrist or physician regarding the vision of the person, including, without limitation, the visual acuity of the person in each eye, with corrective lenses, if applicable;

(f) The holder has been convicted of three or more traffic violations within the 4 years immediately preceding the date of expiration of the license;

(g) The license is a restricted driver's license issued pursuant to NRS 483.490;

(h) The holder's *full legal* name is listed in the records of the Department as a person who must renew his or her driver's license in person because the Department believes that the information contained on the driver's license may be incorrect or that the license may have been issued as a result of fraud or mistake;

(i) ~~[The holder is an international instructor or an international student;~~
~~—(j) The holder is required to leave the United States on or before the date of expiration of the license;]~~ *The license is a limited-term driver's license;* or

~~[(k)]~~ (j) The holder wishes to change *or correct* any information ~~[other than his or her address which appears on the front of]~~ *on* his or her driver's license ~~[.]~~ *pursuant to NAC 483.055 to 483.070, inclusive.*

2. A statement or report submitted pursuant to paragraph (e) of subsection 1 must be:

- (a) Completed on a form acceptable to the Department; and
- (b) Dated not more than 90 days before the date of its submission to the Department.

3. As used in this section ~~[:~~

~~—(a) “International instructor” has the meaning ascribed to it in NRS 483.081.~~

~~—(b) “International student” has the meaning ascribed to it in NRS 483.082.~~

~~—(c) “Traffic], “traffic violation” has the meaning ascribed to it in NRS 483.473.~~

Sec. 38. NAC 483.435 is hereby amended to read as follows:

483.435 1. Each application for the renewal of a driver's license by mail must:

- (a) Be made upon a form furnished by the Department;

- (b) Be mailed or otherwise delivered to the Department of Motor Vehicles, Renewal of Drivers' Licenses By Mail, 555 Wright Way, Carson City, Nevada 89711-0450;
- (c) Be accompanied by the fees required pursuant to NRS 483.410 and NAC 483.900;
- (d) Include the full legal name, date of birth, driver's license number, mailing address and ~~residential~~ address *of principal residence* of the applicant; and
- (e) Include such other information as the Department may require.

2. At the time he or she applies for the renewal of his or her driver's license by mail, an applicant may change his or her mailing ~~for residential~~ address *or address of principal residence* as it appears on the driver's license.

3. The Department will include on the application for the renewal of a driver's license by mail the opportunity for the applicant to indicate on his or her renewed driver's license that the applicant wishes to be a donor of all or part of his or her body pursuant to NRS 451.500 to 451.598, inclusive, or that the applicant refuses to make an anatomical gift of his or her body or part of his or her body.

Sec. 39. NAC 483.440 is hereby amended to read as follows:

483.440 1. The Department will deny an application for the renewal of a driver's license by mail and require the applicant to renew the license in person at an office of the Department if:

(a) The applicant indicates on his or her application that he or she suffers from a physical or mental condition which may interfere with the applicant's ability to operate a motor vehicle safely;

(b) The applicant wishes to change ~~the~~ *or correct any* information ~~which appears on the front of~~ *on* the driver's license ~~other than his or her address;~~ *pursuant to NAC 483.055 to 483.070, inclusive;*

(c) The applicant wishes to add an endorsement to or change the classification of the driver's license;

(d) The applicant's driver's license has been stolen, lost or destroyed;

(e) The applicant is not eligible to apply for the renewal of his or her driver's license by mail pursuant to NAC 483.430;

(f) The applicant submits his or her application for the renewal of his or her driver's license by mail 30 days or more after the expiration of the driver's license; or

(g) ~~Except as otherwise provided in NAC 483.4565, the~~ *The* Department has not obtained the applicant's digital image and signature required for the production of a renewed driver's license.

2. Except as otherwise provided in paragraph (e) of subsection 1 of NAC 483.430, to renew his or her driver's license by mail, a qualified applicant is not required to complete an examination of his or her vision, a written examination or a driving examination.

Sec. 40. NAC 483.445 is hereby amended to read as follows:

483.445 1. The Department will issue a renewed driver's license, by mail, to each qualified applicant ~~[]~~ *upon the renewal of the driver's license.*

2. ~~[A person for whom a renewal is authorized will receive a new driver's license, which includes a photograph and signature, by first class mail.~~

~~—3.— A driver's license which is renewed by mail expires 4 years after the birthday of the applicant nearest the date of renewal.~~

~~—4.]~~ An applicant who applies to renew his or her driver's license by mail and who requests express delivery service of the driver's license must pay to the Department the actual costs of that service.

Sec. 41. NAC 483.451 is hereby amended to read as follows:

483.451 1. If, not less than ~~[4 weeks]~~ *30 days* after the Department ~~[mails]~~ *issues* a *renewed* driver's license ~~[that has been renewed]~~ by mail, the applicant notifies the Department that he or she has not received the renewed driver's license and the Department determines that the current mailing address of the applicant is the mailing address that the applicant listed on his or her application, the Department will mail a duplicate driver's license to the applicant at no charge.

2. If the applicant notifies the Department pursuant to subsection 1 that he or she has not received the renewed driver's license and the Department determines that the mailing address of the applicant listed on the application is not the current mailing address of the applicant, the applicant must apply to the Department ~~[in-person]~~ for the renewal of his or her driver's license.

Sec. 42. NAC 483.455 is hereby amended to read as follows:

483.455 1. A driver's license which is renewed by mail is valid until ~~[-~~
~~—(a) The license expires pursuant to NAC 483.445; or~~
~~—(b) The license is lost, stolen or destroyed.]~~ *the date on which the license is set to expire as determined pursuant to section 12 of this regulation.*

2. If a *renewed* driver's license ~~[which was renewed by mail]~~ is lost, stolen or destroyed, the licensee must apply ~~[in-person]~~ to the Department for a ~~[new]~~ *duplicate* driver's license. The ~~[new]~~ *duplicate* driver's license expires on the same date as the *renewed* driver's license . ~~[which was renewed by mail.]~~

3. The Department will charge and collect the fee prescribed for a duplicate license in NRS 483.410 *and NAC 483.900* for a driver's license issued pursuant to subsection 2.

Sec. 43. NAC 483.4565 is hereby amended to read as follows:

483.4565 1. A person may apply for a driver's license by mail by submitting to the Department an application provided by the Department.

2. Each application must be accompanied by the required fees.

3. If the application is for a renewal of a driver's license, it must be accompanied by:

(a) A report regarding the vision of the applicant from a licensed ophthalmologist, optometrist or physician, or an agency which issues driver's licenses in another state. The report must:

(1) Be signed by the ophthalmologist, optometrist or physician, or a representative of the agency;

(2) Include the applicant's *full legal* name, address *of principal residence* and driver's license number;

(3) Be dated not earlier than 90 days before its submission to the Department;

(4) Include visual acuity readings acceptable to the Department; and

(5) Indicate whether the test was administered with corrective lenses.

(b) If the applicant is 71 years of age or older, a statement from a licensed physician providing that it is the opinion of the physician that the person is physically able to operate a motor vehicle safely. The statement must be:

(1) Completed on a form acceptable to the Department.

(2) Dated not earlier than 90 days before its submission to the Department.

(c) If the applicant is an employee of the Federal Government, on active military duty or a dependent of such a person, proof that the applicant is:

(1) On active military duty or a dependent of such a person; or

(2) Employed by the Federal Government or a dependent of such a person.

4. Each application must be submitted to a driver's license office of this State.

5. Each applicant will be given the opportunity to register to vote or to correct information in the registrar of voters' register.

6. The Department will, within 10 business days after receiving the application:

(a) Mail a driver's license to the applicant;

(b) Request additional information from the applicant; or

(c) Deny the application.

~~[7.— If the Department has obtained a digital image and signature of the applicant, the digital image and signature will be included on each driver's license mailed pursuant to this section.~~

~~—8.— If the Department has not obtained a digital image of the applicant, the mailed driver's license must have the words "valid without photo" in the place where the photograph of the licensee would otherwise appear.]~~

Sec. 44. NAC 483.4575 is hereby amended to read as follows:

483.4575 1. Any person who is a resident of this State, holds a driver's license from this State and is temporarily residing outside this State is eligible to obtain his or her license by mail unless:

(a) The person's license or driving privilege is suspended, revoked, cancelled or denied;

(b) The person holds a commercial driver's license;

(c) Except as otherwise provided in subsection ~~[3.]~~ 2, the person's license has been expired for over 1 year;

(d) Except as otherwise provided in subsection ~~[3.]~~ 2, the person ~~[is applying for a second consecutive renewal]~~ *previously renewed the license and the immediately preceding time that it was renewed the renewal was completed* by mail; ~~[or]~~

(e) Except as otherwise provided in subsection 2, ~~[or 3,]~~ the person is required to take a driving test ~~[.]~~;

(f) The person wishes to change or correct any information on the license pursuant to NAC 483.055 to 483.070, inclusive; or

(g) The license is a limited-term driver's license.

2. ~~[The Department may accept proof of the successful completion of a driving test administered by an agency which issues driver's licenses in another state.~~

~~—3.]~~ The Department may renew, *by mail*, the driver's license of any applicant who is employed by the Federal Government, *is* on active military duty or *is* the dependent of such a person ~~[.]~~ *and will place a notation in the applicant's record indicating that when the applicant returns to this State he or she must be tested if:*

(a) ~~[Regardless of whether the driver's license was previously renewed by mail; and~~

~~—(b) If the driver's license has been expired for more than 1 year but less than 2 years, if the Department receives proof that the applicant has successfully completed a driving test administered by an agency which issues driver's licenses in another state.~~

~~—4.]~~ *The applicant has not requested to change or correct any information on the driver's license pursuant to NAC 483.055 to 483.070, inclusive; and*

(b) The applicant has renewed the driver's license in person at least once during the 16 years immediately preceding the request for renewal by mail.

3. A person whose driving privilege has been suspended, cancelled, revoked or denied may obtain his or her driver's license by mail after the person's driving privilege has been reinstated.

Sec. 45. NAC 483.459 is hereby amended to read as follows:

483.459 1. An application for a driver's license by mail will not be processed by the Department and a letter requesting additional information will be sent to the applicant within 10 days after receipt of the application if:

- (a) Proof of residence is required;
- (b) No fee or an insufficient fee was submitted with the application;
- (c) ~~Proof of the applicant's name change is required;~~

~~(d)~~ Proof of the applicant's military status or employment by the Federal Government is required;

~~(e)~~ (d) Additional information is needed to locate the driving record of the applicant;

~~(f)~~ (e) There is a discrepancy between the social security number submitted by the applicant and the social security number on the applicant's driving record;

~~(g)~~ (f) The applicant is licensed to drive in another state;

~~(h)~~ (g) The report required pursuant to paragraph (a) of subsection 3 of NAC 483.4565 was not submitted to the Department or needs to be corrected; or

~~(i)~~ (h) The applicant's driver's license issued by another state has been suspended, cancelled, revoked or denied by that state.

2. The Department may request such additional information as it deems necessary to determine whether an applicant is physically or mentally capable of operating a motor vehicle safely.

Sec. 46. NAC 483.462 is hereby amended to read as follows:

483.462 A record of conviction required by NRS 483.450 must be submitted to the Department in written or electronic format by the court in which the person is convicted. The

record must contain, in a form prescribed by the Department, at least the following information unless it is not available:

1. The name and address of the court;
2. The number of the case;
3. The number of the citation;
4. The date and time the citation was issued or the arrest was made;
5. The *full legal* name and last known address *of principal residence* of the person convicted;
6. The driver's license number of the person convicted;
7. The date of the conviction;
8. A description of the violation and a reference to the statute under which the person is convicted;
9. Whether or not the person was the holder of a commercial driver's license at the time of the issuance of the citation;
10. Whether or not the person was operating a commercial motor vehicle or transporting hazardous materials at the time of the issuance of the citation; and
11. If the conviction is for a violation of a vehicle registration requirement, the license plate number or vehicle identification number of the vehicle that is registered to or owned by the person which is in violation of the vehicle registration requirement.

Sec. 47. NAC 483.463 is hereby amended to read as follows:

483.463 1. The notice required by NRS 209.517 and 213.12185 must be submitted to the Department within 10 days after the driver's release from imprisonment or the date on which the driver is placed on parole or residential confinement. The notice must be submitted in written or

electronic format and must contain, in a form prescribed by the Department, at least the following information:

- (a) The name and contact information of the agency submitting the notice;
- (b) The *full legal* name and address *of principal residence* of the person convicted;
- (c) The date of birth of the person convicted;
- (d) The date of the driver's completion of a sentence of imprisonment or the date on which the driver is placed on parole or residential confinement;
- (e) The number of the case;
- (f) The date the citation was issued or the arrest was made; and
- (g) The name and address of the court in which the person was convicted.

2. The period of revocation during which a driver is not eligible for a license, permit or privilege to drive pursuant to NRS 483.460 resumes upon the receipt by the Department of the notice described in subsection 1.

3. Upon receipt of a notice informing the Department that a driver has had his or her parole revoked or a term of residential confinement rescinded, the Department will set aside the period of revocation during which the driver is not eligible for a license, permit or privilege to drive. The notice must contain the date of incarceration and comply with the requirements of subsection 1.

Sec. 48. NAC 483.750 is hereby amended to read as follows:

483.750 1. In addition to any applicable statutory requirements, an applicant for a license to operate a school for drivers must:

- (a) Submit to the Department:

(1) The *full legal* name and address *of principal residence* of each person who has an ownership interest in the school or who is an officer of the school; and

(2) The proposed days and hours of operation of the school;

(b) Be a licensed instructor for a course, or employ or contract for the services of at least one person who is a licensed instructor;

(c) Within the 2 years immediately preceding the date an applicant submits his or her application to operate a school, not have a conviction of:

(1) Two or more traffic offenses; or

(2) A gross misdemeanor;

(d) Within the 5 years immediately preceding the date an applicant submits his or her application to operate a school, not have been convicted of a felony;

(e) Never have been convicted of:

(1) An offense involving fraud, dishonesty or moral turpitude;

(2) A sexual offense as defined in NRS 179D.410; or

(3) A crime that the Department determines is related to the operation of a school for drivers; and

(f) Not be a law enforcement officer whose primary duty assignment includes the enforcement of traffic laws in the jurisdiction in which the school is located.

2. If the applicant is applying for a license to operate a school for training drivers that will provide behind-the-wheel training, the applicant must furnish the Department with:

(a) A list of each vehicle used by the school for training drivers, including the year, make, model and vehicle identification number of each vehicle;

(b) A copy of the certificate of insurance that clearly identifies the vehicle insured for each vehicle used by the school for training drivers;

(c) A copy of the lease agreement for each vehicle which is leased by the school and used for the training of drivers;

(d) The proposed plan of behind-the-wheel training that the school will offer, including copies of detailed training outlines;

(e) Proof of the experience required by subsection 5 of NRS 483.710; and

(f) Any other information concerning the applicant's honesty and integrity which the Department considers necessary.

3. An operator shall include in the application the address of each place where the operator conducts business and the name under which he or she does business at each address. If an operator does business at more than one address, the operator shall designate one address as his or her principal place of business and one name as the principal name of the business. The operator shall designate as branch locations all his or her other business addresses not otherwise designated as a principal place of business pursuant to this subsection. A branch location must be operated under the same name as the principal place of business.

4. An applicant who makes application to the Department to operate more than one school, in addition to meeting the requirements of subsections 2 and 3, must meet the requirements of NRS 483.710 and:

(a) Submit a separate application and fee for each school the applicant will be operating under a different name; and

(b) Prohibit an instructor employed by the school from instructing at a school or branch location for which he or she is not licensed.

5. If a school ceases operation as a school for training drivers, it shall immediately surrender to the Department the license issued by the Department.

6. If a school closes a branch location, it shall surrender to the Department the license for that location within 10 calendar days after the date of closure.

Sec. 49. NAC 483.752 is hereby amended to read as follows:

483.752 1. Each applicant for licensure as an instructor must, in addition to all applicable statutory requirements, provide to the Department:

(a) Proof acceptable to the Department that the applicant possesses a valid driver's license issued by this State;

(b) Proof acceptable to the Department that the applicant:

(1) Has received a high school diploma or its equivalent; or

(2) If the application is for licensure as an instructor for a school for training drivers to operate commercial motor vehicles, has accumulated, in the 7 years immediately preceding his or her application, not less than 5 years' experience in the operation of commercial vehicles;

(c) The applicant's:

(1) ~~[Name;]~~ *Full legal name;*

(2) Date of birth;

(3) Social security number and driver's license number; and

(4) ~~[Residential address;]~~ *Address of principal residence;*

(d) The official name of the school at which the applicant will be an instructor;

(e) A resume that summarizes the applicant's education, experience, certification as an instructor and fitness for the position;

(f) Any certificates which substantiate that the applicant meets the qualifications for licensure as an instructor; and

(g) Any other information concerning the applicant which the Department may consider necessary to determine whether the applicant is qualified for licensure.

2. If the application is for a license as an instructor for a school for training drivers, the applicant, in addition to all applicable statutory requirements and the requirements of subsection 1, must:

(a) Submit to the Department to satisfy the requirements of NRS 483.7205:

(1) Two cards upon which the applicant's fingerprints, taken by an agent of the Department who has been authorized by the Department to take fingerprints or by a law enforcement agency, are displayed;

(2) Written permission that authorizes the Department to forward those cards to the Central Repository for submission to the Federal Bureau of Investigation for its report; and

(3) A fee for processing the fingerprints of the applicant that is equal to the total amount charged by the Central Repository and the Federal Bureau of Investigation for processing the fingerprints of the applicant.

(b) Obtain a score of at least 80 percent on a practical demonstration of driving ability over a prescribed course established by the Department in the type of vehicle in which the applicant will be providing instruction.

(c) If the applicant is seeking approval to provide behind-the-wheel training:

(1) Not have, in any jurisdiction:

(I) More than two convictions for a moving traffic violation within the 24 months immediately preceding the date on which the applicant submitted his or her application;

(II) Any convictions involving alcohol or controlled substances within the 3 years immediately preceding the date on which the applicant submitted his or her application; or

(III) Had the applicant's driver's license or driving privilege suspended or revoked within the 3 years immediately preceding the date on which the applicant submitted his or her application;

(2) Be authorized to operate a vehicle of the classification necessary for the type of vehicle in which the applicant will be giving instruction; and

(3) Submit evidence that the applicant has possessed, for at least 5 years, a driver's license of the classification necessary for the type of vehicle in which he or she will be giving instruction.

3. An applicant who seeks approval to provide classroom instruction to a person who is under 18 years of age must, except as otherwise provided in this subsection, submit school transcripts or other documentation as proof of completion of at least 40 hours of instruction at the college level, or the equivalent thereof, as evidenced by the accumulation of four credits for continuing education or other training acceptable to the Department that pertains to the development of skills related to driving or providing instruction. An instructor in a school for training commercial vehicle operators and an instructor who is not approved to provide classroom instruction to a person who is under 18 years of age may submit proof of other education and experience that is acceptable to the Department.

4. If the application is for a license as an instructor for a school for traffic safety or a school or other entity that offers a course on the abuse of alcohol or controlled substances, the applicant, in addition to any applicable statutory requirements and the requirements of subsection 1, must:

(a) Have education or experience in a field related directly to the subject matter to be taught, such as:

- (1) Traffic safety;
- (2) Law enforcement;
- (3) Drivers' education or improvement; or
- (4) Some other closely related field approved by the Department.

(b) Present proof to the Department that the applicant has successfully completed a course of instruction in the subject matter to be taught.

(c) Not be a law enforcement officer whose primary duty assignment includes the enforcement of traffic laws in the jurisdiction in which the school is located.

(d) If the application is for a license as an instructor to teach at a school or other entity that offers a course on the abuse of alcohol or controlled substances, have a minimum of 2 years of education or experience in a field related directly to the problems of driving under the influence of intoxicating liquor or controlled substances, such as rehabilitative counseling for abusers of alcohol and controlled substances, or a combination of education and experience acceptable to the Department.

5. A representative of the Department may interview an applicant for any license as an instructor to evaluate his or her knowledge, skills and abilities, and fitness for receiving a license.

6. An instructor may transfer his or her license to another school after notifying the Department.

7. An instructor must obtain a separate license for each school at which he or she acts as an instructor. An instructor must file a separate application and pay a separate fee for each such license.

8. If an instructor terminates his or her employment or contractual relationship with a school for drivers, the instructor shall surrender his or her license to instruct at that school to the operator of the school. The operator shall forward the surrendered license to the Department not later than 10 days after the termination of the employment or relationship. The Department will issue an updated license to authorize the instructor to teach at a different school for the remaining term of the surrendered license if the instructor submits to the Department:

- (a) All documentation required by the Department; and
- (b) A certificate of employment indicating the instructor has been reemployed by a licensed school.

Sec. 50. NAC 483.760 is hereby amended to read as follows:

483.760 1. A license to operate a school for drivers issued to the operator of the school must:

(a) Be displayed in a conspicuous place visible to the public within each principal place of business and each branch location; and

(b) Include:

- (1) The *full legal* name of the licensee;
- (2) The physical address of the principal place of business or branch location;
- (3) The number of the license;
- (4) The date of expiration of the license; and
- (5) Each activity for which the school for drivers is approved by the Department to provide courses.

2. The holder of a license as an instructor for a school for drivers shall post the license in a conspicuous place on the premises of the school for which the license is issued.

Sec. 51. NAC 483.770 is hereby amended to read as follows:

483.770 1. The holder of a license to operate a school for drivers shall:

- (a) Keep, at his or her principal place of business, all books and records, including student records, for all locations at which the holder does business;
- (b) Maintain the books and records for not less than 3 years after the books and records are created, even if he or she ceases to operate any school;
- (c) Permit any authorized representative of the Department to inspect and copy the books and records at any reasonable time; and
- (d) If requested by the Department, produce, not later than 3 business days after being requested, any books and records or other information identified in the request at the time and place specified in the request.

2. A school for drivers shall require each student enrolled in the school to complete, on a form approved by the Department, an evaluation of the training provided by the school.

3. Each operator of a school for drivers shall keep a record for each student of the school which includes:

- (a) The *full legal* name and address *of principal residence* of the student;
- (b) The record of attendance of the student at each training session;
- (c) The instruction permit number or driver's license number of the student;
- (d) The *full legal* name and license number of each instructor of each training session attended by the student;
- (e) A description of the type of instruction given and the amount of time devoted to each type of instruction;
- (f) The date on which each type of instruction was given;

(g) The total number of hours of instruction; and

(h) The evaluation form completed by the student or a notation on the record indicating the reason why the student did not complete the evaluation form.

4. As used in this section, “books and records” includes, without limitation, all electronic records created by a school for drivers providing an interactive course that uses communications technology.

Sec. 52. NAC 483.778 is hereby amended to read as follows:

483.778 1. A school for drivers may teach a course by correspondence only if the school is approved by the Department for teaching the course in the classroom.

2. A school for training drivers may teach an interactive course that uses communications technology only if:

(a) The school for training drivers is approved by the Department for teaching the course in the classroom; and

(b) The communications technology system is approved by the Department.

3. A course given by correspondence or an interactive course that uses communications technology must have the same content as the course given in the classroom and:

(a) If given by correspondence, must entail at least 8 hours of study for its completion by an average student; or

(b) If given by communications technology, must consist of a sequence of units of instruction, each of which entails at least as many hours of study for its completion by an average student as such a student would require to complete that unit in a classroom.

4. Before the Department will approve any specific communications technology for use in a school for training drivers, the school for training drivers must satisfy the Department that:

(a) The communications technology accurately measures and records the amount of time spent by a student to complete a unit of instruction, and that the student will be required to take the final examination for the course in person at the place of business of the school for training drivers; or

(b) The communications technology:

(1) Accurately measures and records the amount of time spent by a student to complete a unit of instruction;

(2) Prevents a student working on one unit of instruction of a course from advancing to a subsequent unit of instruction if the student:

(I) Fails to complete the current unit; or

(II) Completes the current unit in less time than required in the course syllabus;

(3) Includes a system of validation criteria that:

(I) Establishes the identity of the student working on each unit of instruction; and

(II) Prevents a student who fails to satisfy 10 percent or more of the validation criteria

from:

(i) Performing any additional work on that unit; and

(ii) Receiving a certificate of completion for the course; and

(4) Generates a report that includes, without limitation, for each student:

(I) The *full legal* name of the student;

(II) The date and time that the student begins and ends each work session; and

(III) The total actual time spent by a student to complete each unit.

5. The operator of a school for drivers must submit a report to the Department whenever a student enrolls in a course taught by correspondence or an interactive course that uses

communications technology at the referral of the Department, a court or other entity. The report must include the *full legal* name of the student, his or her social security number, date of birth and ~~{place}~~ *address* of *principal* residence and the name of the entity that referred the student to the school.

6. Each student enrolled in a course taught by correspondence or an interactive course that uses communications technology must take a final examination and, except as otherwise provided in this section, sign a notarized statement, under penalty of perjury, that the student took the examination. If the student is under 18 years of age, a parent or legal guardian must sign the statement. The examination and the signed statement must be maintained in the school's file for the student and be made available for inspection by the Department.

Sec. 53. NAC 483.787 is hereby amended to read as follows:

483.787 1. After a course on traffic safety is completed, the operator of the school conducting the course shall submit to the Department, on a form approved by the Department, the following information concerning each student who completed the course:

- (a) ~~{Name;}~~ *Full legal name;*
- (b) Address ~~{}~~ *of principal residence;*
- (c) Driver's license number;
- (d) Date of birth;
- (e) Course;
- (f) The date on which the student completed the course;
- (g) Test score;
- (h) License number of the school;

(i) Whether the student had any traffic violations pending at any time during his or her enrollment in the course;

(j) Whether the student's enrollment in the course was in conjunction with any type of plea agreement or a condition of sentencing;

(k) Information concerning previous courses the student has enrolled in and completed within the 12-month period immediately preceding the student's enrollment in this course, including the name and location of the schools attended and the dates of enrollment and completion; and

(l) The instructor's printed name and signature.

2. The form must be mailed to the Department of Motor Vehicles, Central Services and Records Division, 555 Wright Way, Carson City, Nevada 89711, Attention: Data Integrity.

3. Except as otherwise provided in subsections 4 and 5, upon receipt of the form by the Department, three demerit points will be deleted from, credited to or not credited to the driver's demerit record pursuant to NRS 483.475.

4. Three demerit points will not be deleted from, credited to or not credited to the demerit record of a student who:

(a) Attended the course pursuant to a plea agreement;

(b) Missed one or more class sessions; or

(c) Failed to obtain a score of 70 percent or greater on the final examination.

5. The Department may, in its discretion, decide that no demerit points will be deleted from or not credited to the driver's demerit record if the student's enrollment was a condition of sentencing.

6. A person is not eligible for the deletion of demerit points and may not otherwise receive credit for completing a traffic safety course more than once in any 12-month period.

7. The operator of a school or other entity that offers a course on the abuse of alcohol and controlled substances shall submit a written report to the referring court for each student who enrolls in such a course at the referral of the court. The report must include:

- (a) The name and department of the court having jurisdiction of the student;
- (b) Whether the student successfully completed the course within the time ordered by the court; and
- (c) Any additional information required by order of the court.

8. The operator of a school or other entity that offers a course on the abuse of alcohol and controlled substances or a course on traffic safety shall retain:

- (a) A copy of the reports and forms required pursuant to this section for each student;
- (b) Each student's preliminary examination, if one is administered, and final examination, or the score on those examinations if administered orally;
- (c) Each student's record of attendance in class;
- (d) Each student's evaluation of the course and teacher; and
- (e) The agreement signed by any speaker who is a guest pursuant to NAC 483.777,

↪ for 3 years after the date on which the final class was held for the course to which it pertains.

9. The documents which must be retained pursuant to subsection 8 are not public records but must be made available to a representative of the Department or Judicial System during any inspection of the school.

10. The operator of a school or other entity that offers a course on the abuse of alcohol and controlled substances shall submit to the Department a written report that includes the:

- (a) ~~{} Name;~~ *Full legal name;*
- (b) Address ~~{};~~ *of principal residence;*

(c) Date of birth; and

(d) Driver's license number, if available,

↪ of each student who enrolls in a course on the abuse of alcohol and controlled substances. The report must be submitted by the 10th day of the month immediately following the month in which the student enrolls in the course.

11. A student enrolled in a course on traffic safety who fails to pass the final examination must wait at least 4 hours before he or she may retake the examination.

Sec. 54. NAC 483.7898 is hereby amended to read as follows:

483.7898 1. The Department may accept the following as proof of successful completion of a course in automobile driver education offered by a public or private college, university or high school located in the United States that is subject to regulation by its respective state educational agency or governing board:

(a) A written statement which indicates that the student has successfully completed a course in automobile driver education which includes the:

(1) ~~{Name}~~ *Full legal name* of the student;

(2) Date of birth of the student; and

(3) Signature of the registrar or other member of the administrative staff of the school;

(b) A school transcript; or

(c) Any other form acceptable to the Department.

2. The Department may accept a certificate of completion on a form approved by the Department as proof of successful completion of a course in automobile driver education that is offered by a school for training drivers which is licensed or approved by the Department and which includes the:

- (a) Official name of the school;
- (b) License number of the school;
- (c) ~~[Name]~~ *Full legal name* of the student;
- (d) Date of birth of the student;
- (e) Date that the course was completed;
- (f) Amount and type of training that was completed; and
- (g) Name and signature of the instructor who provided the training.

3. For a person under the age of 18 years to receive credit for completion of classroom instruction of a course in automobile driver education:

- (a) The student must attend every session; or
- (b) If a student is absent, the absence must be marked on the attendance record and the student must make up the session that is missed.

~~4. [A school for training drivers may issue a certificate of completion to a person under the age of 18 years only if the person:~~

- ~~—(a) Completes the classroom course required pursuant to subparagraph (1) of paragraph (d) of subsection 1 of NRS 483.250; and~~
- ~~—(b) Receives a minimum passing score of 70 percent on his or her final examination.~~

~~—5.]~~ A school for training drivers that provides training to students as described in this section shall retain a copy or transcript of the record of each student under the age of 18 years for 3 years after the date of the completion of the course as evidence of the total hours of training the student has received.

~~[6.—A person under the age of 18 years who applies for a driver’s license or instruction permit and who presents a court document showing that he or she has been legally emancipated~~

~~must submit proof of completion of a course in automobile driver education, but the person may sign for himself or herself, attesting that he or she has completed the training and experience required by subparagraph (2) of paragraph (d) of subsection 1 of NRS 483.250.]~~

Sec. 55. NAC 483.803 is hereby amended to read as follows:

483.803 1. A person who is not physically qualified to operate a commercial motor vehicle pursuant to 49 C.F.R. § 391.41, but who is otherwise qualified to operate a commercial motor vehicle, may apply to the Department for a waiver of the physical requirements with which the person does not comply.

2. An applicant for a waiver of one or more of the physical requirements described in subsection 1 must submit to the Department an application on a form prescribed by the Department. The application must include:

(a) The applicant's full legal name, date of birth, address ~~[]~~ *of principal residence*, telephone number, social security number and driver's license number;

(b) The type of vehicle the applicant will operate;

(c) The type of commodities or cargo the applicant will transport;

(d) The type of transmission, braking system and steering system of the vehicle which the applicant will operate;

(e) Whether the applicant is self-employed, employed by a motor carrier or unemployed as a commercial driver;

(f) Information relating to the driving history of the applicant, including, without limitation, the number of years the applicant has been licensed to drive a commercial motor vehicle and the number of years he or she has operated the type of vehicle for the operation of which he or she is requesting a license;

(g) If the applicant is or will be employed by a motor carrier, the name and address of the motor carrier; and

(h) A description of any modifications made to the vehicle for the driver.

3. The application must be submitted to the Department of Motor Vehicles, 810 East Greg Street, Sparks, Nevada 89431.

Sec. 56. NAC 483.820 is hereby amended to read as follows:

483.820 1. On or after July 1, 1990, the Department will, upon the payment of the required fee, issue to every qualified applicant a commercial driver's license containing ~~f:~~

~~—(a) The prominent statement that the license is a commercial driver's license;~~

~~—(b) The full name, signature and mailing address of the licensee;~~

~~—(c) Physical and other information to identify and describe the licensee, including his or her date of birth, sex and height;~~

~~—(d) A front view color photograph of the licensee;~~

~~—(e) A unique driver's license number, assigned to the licensee in a manner consistent with the requirements set forth in NRS 483.345;~~

~~—(f) The prominent display of the word Nevada;~~

~~—(g) The date of issuance and the date of expiration of the license;~~

~~—(h) The class or type of the vehicle to be operated, including an endorsement obtained pursuant to 49 C.F.R. § 383.93 that the licensee is authorized to operate that type of vehicle; and~~

~~—(i) Any] *the information set forth in section 11 of this regulation and also containing any*~~

restriction placed on the licensee by the Department.

2. A person may attach to his or her driver's license a document which identifies the person as a donor of all or any part of his or her body pursuant to NRS 451.500 to 451.590, inclusive.

Sec. 57. NAC 483.8485 is hereby amended to read as follows:

483.8485 1. A peace officer who has received the result of a test given pursuant to NRS 484C.150 or 484C.160 which indicates that a person who, while in control of a commercial motor vehicle, had a concentration of alcohol of 0.04 or more but less than 0.08 in his or her blood or breath shall prepare a written certificate indicating whether the peace officer:

(a) Had reasonable grounds to believe that the person was driving under the influence of alcohol;

(b) Served an order of suspension on the person pursuant to subsection 2; and

(c) Issued the person a temporary driver's license of the same type and class as the license which was seized pursuant to subsection 2.

2. If a person who was in control of a commercial motor vehicle and to whom a test is given pursuant to NRS 484C.150 or 484C.160 is present when a peace officer receives the result of the test and the test indicates that the person has a concentration of alcohol of 0.04 or more but less than 0.08 in his or her blood or breath, the peace officer shall:

(a) Serve an order of suspension of the driver's license, permit or privilege to drive;

(b) Seize any driver's license or permit of the person;

(c) Advise the person of his or her right to:

(1) Administrative and judicial review of the suspension; and

(2) Obtain a temporary driver's license of the same type and class as the license which was seized, if his or her driver's license is seized pursuant to paragraph (b);

(d) If the person requests a temporary driver's license, and his or her driver's license is seized pursuant to paragraph (b), issue the person a temporary driver's license of the same type and class as the license which was seized on a form approved by the Department which becomes

effective 24 hours after the person receives the temporary driver's license and expires 168 hours after it becomes effective; and

(e) Transmit to the Department:

(1) Any driver's license or permit seized pursuant to paragraph (b); and

(2) The written certificate that the peace officer is required to prepare pursuant to subsection 1.

3. If a person who was in control of a commercial motor vehicle and to whom a test is given pursuant to NRS 484C.150 or 484C.160 is not present when a peace officer receives the result of the test and the test indicates that the person has a concentration of alcohol of 0.04 or more but less than 0.08 in his or her blood or breath, the peace officer shall transmit to the Department a copy of the result of the test and the written certificate that the peace officer is required to prepare pursuant to subsection 1.

4. The Department, upon receiving a copy of the result of the test and the written certificate transmitted by the peace officer pursuant to subsection 3, will:

(a) Review the result of the test and the written certificate; and

(b) If the Department determines that it is appropriate, issue an order to suspend the driver's license, permit or privilege to drive of the person by mailing the order to the person at his or her last known *mailing* address.

5. An order for suspension issued by the Department pursuant to subsection 4 must:

(a) Explain the grounds for the suspension;

(b) Indicate the period of the suspension;

(c) Require the person to transmit to the Department any driver's license or permit held by the person; and

(d) Explain that the person has a right to administrative and judicial review of the suspension.

6. An order for suspension issued by the Department pursuant to subsection 4 is presumed to have been received by the person 5 days after the order is deposited by the Department, postage prepaid, in the United States mail. The date of mailing of the order may be shown by a certificate specifying the date of mailing that is prepared by an officer or employee of the Department.

Sec. 58. NAC 483.849 is hereby amended to read as follows:

483.849 1. At any time during which the driver's license, permit or privilege to drive is suspended pursuant to NAC 483.8485, the person may request in writing an administrative hearing by the Department to review the order of suspension. A person is entitled to only one administrative hearing pursuant to this section.

2. Unless the parties agree otherwise, the hearing must be conducted within 15 days after receipt of the request, or as soon thereafter as is practicable, in the county in which the requester resides.

3. The Director of the Department or his or her agent may:

(a) Issue subpoenas for:

(1) The attendance of witnesses at the hearing; and

(2) The production of relevant books and papers; and

(b) Require a reexamination of the requester.

4. The scope of the hearing must be limited to the issues of whether the person, at the time of the test:

(a) Was in control of a commercial motor vehicle; and

(b) Had a concentration of alcohol of 0.04 or more but less than 0.08 in the person's blood or breath.

5. The Department will issue to the person a temporary driver's license of the same type and class as the license which was seized, if he or she holds a driver's license for a period that is sufficient to complete the administrative hearing.

6. Upon an affirmative finding on the issues listed in subsection 4, the Department will affirm the order of suspension. Otherwise, the order of suspension must be rescinded.

7. If the order of suspension is affirmed by the Department, the person is entitled to judicial review of the issues listed in subsection 4 in the manner provided in chapter 233B of NRS.

8. Upon receiving a notice from a court of competent jurisdiction that the court has issued a stay, the Department will issue an additional temporary driver's license if the person holds a driver's license for a period that is sufficient to complete the judicial review.

9. Upon receiving a notice from:

(a) A hearing officer that he or she has granted a continuance of the administrative hearing;

or

(b) A court of competent jurisdiction that the court has granted a continuance after issuing a stay of the suspension,

↳ the Department will cancel any temporary driver's license granted pursuant to this section and notify the holder by mailing an order of cancellation to the last known *mailing* address of the holder.

Sec. 59. NAC 483.458 and 483.717 are hereby repealed.

Sec. 60. This regulation becomes effective upon filing with the Secretary of State or the expiration of any extension of time granted to this State by the Secretary of Homeland Security to comply with the provisions of the Real ID Act of 2005, whichever is later.

TEXT OF REPEALED SECTION

483.458 Requirements for written test. (NRS 483.220, 483.383)

1. The Department will place a restriction on a driver's license that is renewed by mail designating that a written test is required when the applicant returns to this State if the applicant has been convicted of three or more moving traffic violations within the preceding 4 years.

2. The Department will not issue a driver's license or renew the driver's license by mail or in person until the test required pursuant to subsection 1 has been successfully completed by the applicant.

483.717 "Director" defined. (NRS 481.051) "Director" means the Director of the Department of Motor Vehicles.