

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

LCB File No. R028-13

DRIVER AUTHORIZATION CARDS

Section 1. *Chapter 483 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.*

Section 2. *“Driver Authorization Card” defined.*

- 1. “Driver authorization card” means a license issued pursuant to NRS 483.230 to 483.417.*
- 2. A driver authorization card shall not be used for identification purposes.*
- 3. A person who has been issued a driver authorization card may not apply for a Nevada commercial driver’s license unless he or she complies with the provisions set forth in NRS 483.900 to 483.940 and NAC 483.800 to 483.850.*

Section 3. *Proof of Residency for a Driver authorization card*

- 1. Every applicant for a driver authorization card must provide an original or certified copy of any two of the following documents as proof of his or her residence address in this state:*
 - a. Tax records for the individual*
 - b. Bill or statement for a request of payment*
 - c. Record of property taxes assessed or paid in this state*
 - d. Deed or documentation of a mortgage*
 - e. Enrollment records or an identification card from an educational institution in this state*
 - f. Receipts from a motel, hotel, campground or recreational vehicle park showing 30 consecutive days of residency*
 - g. Voter registration card issued by the Nevada Secretary of State*
 - h. Documentation of receipt of public assistance from this state*
 - i. Military leave and earnings statement (LES) to evidence Nevada residency when deployed out of Nevada*
 - j. Notarized statement from owner of property indicating the individual physically resides at the property*
 - k. Documentation applicant is enrolled in the Nevada Confidential Address Program (CAP)*
 - l. Department approved form for Nevada residency*
- 2. If for reasons beyond his or her control an applicant is unable to present the documents required pursuant to Section 1 of this regulation or Section 5 of SB 303, the applicant may request that the Department accept alternative documents.*
- 3. Minor applicants may submit a form approved by the Department, which must be signed by a parent, step parent, or legal guardian of the applicant. The parent or guardian must reside at the same residence address, accompany the applicant, and*

present proof of residency in the form of a document listed in subsections 1 or 2 of this section or Section 5 of SB 303.

Section 4. *Translated documents for Driver authorization card*

Chapter 483 of NAC is hereby amended by adding thereto a new section to read as follows:

- 1. Documents accepted pursuant to subsection 5 of SB 303 that are translated from another language to English must include:
 - (a) A typed or electronically printed translation only;*
 - (b) The full and complete translation of the entire document;*
 - (c) A typed or electronically printed statement conveying, “I, [insert translator’s full legal name], certify that the foregoing is a complete and accurate translation from [insert foreign language] to English to the best of my ability and belief. I further certify that I am fully competent to translate from English into [insert foreign language] and that I am competent in both languages.”; and*
 - (d) A notarial officer signature subscribing witness pursuant to Chapter 240 of the Nevada Revised Statutes;**
- 2. Both the original language and translation are considered one document.*
- 3. Any name variation from any identity document must be accompanied by documentation as set forth in NAC 483.055.*

Section 5. *Driver’s Examinations*

Before the issuance of a driver authorization card, an applicant must pass a written examination, vision examination and driving examination administered by the Department pursuant to NRS 483.330.

Section 6. *Chapter 483 of NAC is hereby amended by adding thereto the provisions set forth as sections 7 through 10 of this regulation.*

Section 7. *Originals or Renewals of Driver’s Licenses and Identification Cards [Effective January 1, 2014]*

- 1 Except as otherwise provided in NRS 483.283, every driver’s license or identification card with a birth year ending in an odd number year on his or her birth year shall expire on the fourth anniversary of the licensee’s birthday, measured in the case of a renewal or a renewal of an expired driver’s license or identification card from the birthday nearest the date of issuance or renewal.*
- 2 Except as otherwise provided in NRS 483.283, every driver’s license or identification card with a birth year ending in an even number year on his or her birth year shall expire on the eighth anniversary of the licensee’s birthday, measured in the case of an original, a renewal or a renewal of an expired driver’s license or identification card from the birthday nearest the date of issuance or renewal.*
- 3 Except as otherwise provided in NRS 483.283, the renewal of a driver’s license or identification card expiring on the eighth anniversary of a licensee’s birthday must be completed in person at the Department of Motor Vehicles.*

FIRST
PARALLEL
SECTION

- 4 *Except as otherwise provided in NRS 483.283, an original or renewal of a driver's license or identification card issued to any person 65 years or older shall expire on the fourth anniversary of the licensee's birthday.*
- 5 *Persons who possess documents issued by the United States Citizenship and Immigration Services of the Department of Homeland Security and acceptable per NAC 483.050 which do not have an end of stay date shall receive a license or identification card that is valid for one year from the date of issuance.*

Section 8. Originals or Renewals of Driver's Licenses and Identification Cards [Effective January 1, 2018]

SECOND
PARALLEL
SECTION

- 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 or identification card expires on the eighth anniversary of the licensee's birthday, measured in the case of an original, a renewal or a renewal of an expired driver's license or identification card from the birthday nearest the date of issuance or renewal.*
- 2 *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, the renewal of a driver's license or identification card expiring on the eighth anniversary of a licensee's birthday must be renewed in person at the Department of Motor Vehicles.*
- 3 *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, an original or renewal license issued to any person 65 years or older shall expire on the fourth anniversary of the licensee's birthday.*
- 4 *For the purposes of this chapter, any applicant, licensee or holder of a driver's license, motorcycle driver's license or identification card whose date of birth was on February 29 in a leap year shall be deemed to have a birthdate of February 28.*
- 5 *Persons who possess documents issued by the United States Citizenship and Immigration Services of the Department of Homeland Security and acceptable per NAC 483.050 which do not have an end of stay date shall receive a license or identification card that is valid for one year from the date of issuance.*

Section 9. Originals or Renewals of Commercial Driver's Licenses [Effective July 8, 2014]

FIRST
PARALLEL
SECTION

- 1 *Except as otherwise provided in NRS 483.283 or 483.861 and except for a limited-term commercial driver's license, every commercial driver's license with a birth year ending in an odd number year shall expire on the fourth anniversary of the date of issuance for a renewal or a renewal of an expired commercial driver's license.*
- 2 *Except as otherwise provided in NRS 483.283 or 483.861 and except for a limited-term commercial driver's license, every commercial driver's license with a birth year ending in an even number year shall expire on the eighth anniversary of the date of issuance.*
- 3 *Persons who possess documents issued by the United States Citizenship and Immigration Services of the Department of Homeland Security and acceptable per NAC 483.050 which do not have an end of stay date shall receive a license or identification card that is valid for one year from the date of issuance.*

Section 10. Originals or Renewals of Commercial Driver's Licenses [Effective July 8, 2018]

1. *Except as otherwise provided in NRS 483.283 or 483.861 and except for a limited-term commercial driver's license, every commercial driver's license shall expire on the eighth anniversary of the date of issuance.*
2. *Persons who possess documents issued by the United States Citizenship and Immigration Services of the Department of Homeland Security and acceptable per NAC 483.050 which do not have an end of stay date shall receive a license or identification card that is valid for one year from the date of issuance.*

Section 11. Chapter 483 of NAC is hereby amended by adding a new section to read as follows:

A veteran's designation added to a driver authorization card, driver's license or instruction permit pursuant to SB244 may also be added to a commercial license issued pursuant to NRS 483.900.

Section 12. Additional required documentation for Department of Corrections Identification Cards

Chapter 483 of NAC is hereby amended by adding a new section to read as follows:

1. An individual providing a photo ID card produced by the Department of Corrections pursuant to NRS 209.511(f)(1)(2) shall provide to the Department of Motor Vehicles the additional documentation that was used to create the identification card issued by the Department of Corrections as proof of name and date of birth.

2. If the additional documentation required in subsection 1 above is not provided at the time of application, the Department of Motor Vehicles shall require the documentation before a driver's license or identification card may be issued.

DRIVERS' LICENSES AND IDENTIFICATION CARDS

Proof of Identifying Information

Section 13. Chapter 483 of NAC is hereby amended by adding thereto the provisions set forth as sections 13 through 15 of this regulation.

Note: The sections below were NEW to Chapter 483 and adopted in December 2012 under R140-12. The blue language is what we are proposing as of July 2013.

Section 14. (R140-12) Any information obtained by the Department during the application and issuance process for a *driver authorization card*, 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.

Section 15. (R140-12) [Authority for change is from NRS 483.340(2)]

1. Each *driver authorization card*, 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 *address of principal residence* ~~{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 authorization card*, driver's license, motorcycle driver's license or identification card is issued.
 - (j) The expiration date of the *driver authorization card*, driver's license, motorcycle driver's license or identification card.
 - (k) A reference to this State as the state in which the *driver authorization card*, 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 authorization card*, 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 *the Department invalidates* ~~{a hole is punched through}~~ any part of the *driver authorization card*, driver's license, motorcycle driver's license or identification card.
3. The Department will not place in any *driver authorization card*, driver's license, motorcycle driver's license or identification card a radio frequency identification chip, geospatial technology or any other related technology.

Section 16. *LCB File No. R140-12A, Section 12, is hereby repealed.*

Section 17. Chapter 483 of NAC is hereby amended by adding thereto the provisions set forth as sections 18 through 71 of this regulation.

Section 18. **NAC 483.050 Documentation required for proof of name and age of applicant; unacceptable documents.** (NRS 481.051, 483.220, 483.290, 483.860, 486.081)

1. Except as otherwise provided in subsection 2 *and SB303, Section 5*, an applicant for a *driver authorization card*, 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 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 by the United States Citizenship and Immigration Services of the Department of Homeland Security;
- (j) A Permit to Reenter the United States issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;
- (k) A Refugee Travel Document 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;
- (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.

Section 19. NAC 483.055 Documentation required for change of name; appearance of new name. (NRS 481.051, 483.220)

1. A person who wishes or is required pursuant to NRS 483.390, ~~483.870~~, or SB303 to change the full legal name indicated on his or her *driver authorization card*, 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, 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:

- (a) A certificate of marriage;
- (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;
- (d) A decree of adoption;
- (e) A divorce decree; or
- (f) Any other document that the Department determines is acceptable as proof of the change of 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 authorization card*, 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 authorization card*, 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 authorization card*, 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.

Section 20. NAC 483.060 Documentation required for change of social security number. (NRS 481.051, 483.220)

1. A person who wishes to correct the social security number 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 *social security* documents ~~listed in subsection 2.~~ *required pursuant to NRS 483.290 or 483.860.*

~~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.~~

Section 21. NAC 483.065 Documentation required for change of date of birth. (NRS 481.051, 483.220) A person who wishes to correct the date of birth indicated on his or *her driver authorization card*, 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 authorization card*, driver's license, motorcycle driver's license or identification card is incorrect. The proof may include, without limitation, any document listed in NAC 483.050 as acceptable proof of the full legal name and age of an applicant for a *driver authorization card*, driver's license, motorcycle driver's license or identification card.

Section 22. NAC 483.070 Documentation required for change of gender. (NRS 481.051, 483.220)

1. A person who wishes to change the gender indicated on his or her *driver authorization card*, driver's license, motorcycle driver's license or identification card must submit proof satisfactory to the Department that the 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 be prepared by a physician or an osteopathic physician, on a form provided by the Department, indicating that the 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.

2. If a person requests that the Department change the full legal name and the gender indicated on his or her *driver authorization card*, 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.

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.

Section 23. NAC 483.075 Procedures for issuance of changed ~~{driver's}~~ license or identification card. (NRS 481.051, 483.220) If a person requests that the Department change or correct any information on his or her *driver authorization card*, 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 authorization card*, driver's license, motorcycle driver's license or identification card;

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

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

RENEWING OF IDENTIFICATION CARDS BY MAIL

Section 24. NAC 483.081 Applicability of provisions. (NRS 481.051, 483.875) *Except as otherwise provided, ~~the~~ provisions of NAC 483.081 to 483.087, inclusive, apply to a person who is 65 years of age or older and is applying to renew his or her identification card by mail.*

Section 25. NAC 483.084 Eligibility for renewal by mail. (NRS 481.051, 483.220, 483.875) ~~Effective on January 01, 2018~~

1. *Except as otherwise provided in subsection 3, the* Department will, by mail, renew the identification card of each qualified applicant *who is 65 years of age or older.*

2. Except as otherwise provided in subsection 4, 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;

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

(c) The holder wishes to change any information other than his or her address which appears on the front of the identification card; or

(d) The identification card of the holder has been stolen, lost or destroyed.

3. The Department may renew 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:

(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. 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.

5. 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.

INDICATION OF CERTAIN MEDICAL CONDITIONS AND DISABILITIES

Section 26. NAC 483.077 Imprinting of indicator of certain medical conditions; designation of disability which limits or impairs ability to walk. (NRS 481.051, 483.220, 483.3485, 483.349, 483.863, 483.865)

1. Upon application for a *driver authorization card*, driver's license or identification card, an applicant may, if eligible, request that an indicator of a medical condition listed in subsection 2 be imprinted on his or her *driver authorization card*, driver's license or identification card.

2. The indicator of a medical condition in subsection 1 must conform with the International Classification of Diseases, Ninth Revision, Clinical Modification (ICD-9), or the most recent revision, adopted by the National Center for Health Statistics and the Centers for Medicare and Medicaid Services. The following ICD-9 codes may be used on a *driver authorization card*, *driver's* license or identification card:

(a) Code 250.3, indicating a person with diabetes with other coma;

(b) Code 345.9, indicating a person with epilepsy;

- (c) Code 369.00, indicating a person with blindness and low vision;
- (d) Code 389.10, indicating a person with deafness;
- (e) Code 414.0, indicating a person with coronary atherosclerosis;
- (f) Code 496.0, indicating a person with chronic airway obstruction;
- (g) Code E934.2, indicating a person on anticoagulants;
- (h) Code 995.60, indicating a person with a food allergy; or
- (i) Code 995.86, indicating a person with malignant hyperthermia.

3. To be eligible to have a medical indicator listed in subsection 2 placed on his or her driver's license or identification card, an applicant, at the time of submitting his or her application for a *driver authorization card*, driver's license or identification card and at the time for each renewal of the *driver authorization card*, driver's license or identification card, must present, in person and on a form provided by the Department, written documentation prepared by a licensed physician indicating that the applicant has been diagnosed with a condition listed in subsection 2. The form must be signed and dated within the immediately preceding 30 days, and include all requested information.

4. In addition to the conditions listed in subsection 2, an applicant may request a designation on his or her *driver authorization card*, driver's license or identification card that he or she is a person with a disability which limits or impairs the ability to walk.

RESTRICTED LICENSES - Licenses Issued During Period of Suspension or Revocation of Driver's Licenses

Section 27. NAC 483.200 Application; additional documentation required under certain circumstances. (NRS 483.220, 483.490)

1. An application for a restricted *driver authorization card or driver's* license issued pursuant to subsection 1 or 2 of NRS 483.490 *and SB303, Section 5* 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. If the applicant is employed, the application must be completed by the applicant and his or her employer.

3. If the applicant is self-employed, the applicant must provide the Department with a copy of his or her business license or other documents which are satisfactory to the Department verifying that the applicant is self-employed.

4. If the applicant is unemployed, he or she must provide the Department with:

(a) Documentation which may include, but is not limited to, a notarized letter from any person familiar with the applicant's need for such a restricted license. The letter must include:

(1) If applicable, a description of the applicant's medical problems; and

(2) Verification of the inability of the applicant to obtain another method of transportation;

(b) A list of the specific days the applicant needs to drive to obtain medical care, medicine or food; and

(c) Any additional information requested by the Department concerning the applicant's fitness and eligibility to drive safely on the highways.

Section 28. NAC 483.210 Factors for determining whether to issue license. (NRS 483.220, 483.490) Upon receipt of a completed application, the Department will consider the following factors in determining whether or not to issue a restricted *driver authorization card or driver's 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.

Section 29. NAC 483.220 Restrictions on issuance of license. (NRS 483.220, 483.490) A resident of Nevada who has had his or her *driver authorization card or driver's license* suspended or revoked will not be issued a restricted license pursuant to subsection 1 or 2 of NRS 483.490 if:

1. The resident lives within 2 miles of his or her place of employment unless the resident meets all other requirements for granting the license and presents satisfactory evidence that he or she is physically unable to walk the distance.
2. The resident has been convicted of:
 - (a) Six or more traffic violations which have been assigned four or more demerit points each within a period of 5 years; or
 - (b) Any of the following offenses during the previous 12 months:
 - (1) A felony committed with the use of a motor vehicle, including, but not limited to, voluntary manslaughter or causing the death of or substantial bodily harm to a person in violation of subsection 2 of NRS 484B.653.
 - (2) Willfully failing or refusing to bring a vehicle to a stop, or otherwise fleeing or attempting to elude a peace officer in violation of NRS 484B.550.
 - (3) Failing to stop at the scene of an accident in violation of NRS 484E.010 or 484E.020.
 - (4) Failing to render assistance in the event of a motor vehicle accident which resulted in the death of or injury to another person in violation of NRS 484E.030.
 - (5) Violating a condition of a restricted license.
3. The resident has been convicted of any combination of the following offenses three or more times in the past 5 years:
 - (a) Driving or operating a motor vehicle while under the influence of intoxicants or drugs.
 - (b) Driving a motor vehicle while his or her license, permit or privilege to drive was revoked or suspended.
 - (c) Leaving the scene of an accident which resulted in injury or death.
 - (d) Reckless driving.
4. The resident's license has been suspended pursuant to NRS 483.465 or chapter 485 of NRS.

5. The resident gives false information when applying for a restricted license.
6. The resident's driving privilege is currently suspended, revoked or cancelled in another state.
7. The resident is 18 years of age or older and his or her *driver authorization card or driver's license* has been suspended pursuant to a court order for placing graffiti on or otherwise defacing the public or private property, real or personal, of another person in violation of NRS 206.330.

Section 30. NAC 483.225 Cancellation of license. (NRS 483.220, 483.490)

1. The Department will cancel a restricted *driver authorization card or driver's license* issued pursuant to subsection 1 or 2 of NRS 483.490 *and SB303, Section 5* if:

(a) The holder's *driver authorization card or driver's license* has been suspended for the accumulation of demerit points in violation of NRS 483.475, and the Department becomes aware that the holder of the restricted license:

(1) Did not complete an approved course in traffic safety within 6 months immediately preceding the suspension of his or her *driver authorization card or driver's license* or has not completed an approved course in traffic safety since the suspension of the *driver authorization card or driver's license*; and

(2) Will not complete an approved course in traffic safety within the period required pursuant to subsection 2 of NAC 483.240;

(b) The holder is convicted of a moving violation which has been assigned four or more demerit points during the period of the license or has had his or her privilege to drive suspended, revoked or cancelled for another reason;

(c) The holder does not comply with the conditions of the license;

(d) The holder becomes ineligible for a license pursuant to NAC 483.220; or

(e) The holder terminates his or her current employment.

2. If the restricted *driver authorization card or driver's license* of a person is cancelled pursuant to this section, the Department will not issue another restricted *driver authorization card or driver's license* to that person during the period of the suspension or revocation for which the original restricted license was issued.

Section 31. NAC 483.240 Prerequisites to issuance of license; contents; transfer prohibited. (NRS 483.220, 483.490)

1. Before the Department will issue a restricted *driver authorization card or driver's license* to an applicant, the applicant must:

(a) Comply with the requirements for reinstatement of his or her *driver authorization card or 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 *driver authorization card or driver's* 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 *driver authorization card or driver's* 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 authorization card or* driver's license will end.

3. Before the Department will issue a restricted *driver authorization card or driver's* license to an applicant whose *driver authorization card or* 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 information set forth in section 11 of this regulation and:

(a) 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.

(b) Other applicable instructions.

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

Section 32. NAC 483.245 Satisfaction of conditions for reinstatement of revoked or suspended ~~{driver's}~~ license. (NRS 483.220, 483.490) Except as otherwise provided in title 5 of NRS, if the Department has revoked or suspended a *driver authorization card or* driver's license pursuant to title 5 or Chapters 483, 484A to 484E, inclusive, or 485 of NRS, before the issuance of a restricted *driver authorization card or driver's* license, the applicant must, in addition to satisfying other conditions for the issuance of a restricted *driver authorization card or driver's* license required by law, satisfy the conditions for reinstatement of a *driver authorization card or* driver's license.

Section 33. NAC 483.252 Restrictions on use of license. (NRS 483.220, 483.490)

1. The holder of a restricted *driver authorization card or driver's* license issued pursuant to subsection 1 or 2 of NRS 483.490 shall not operate a motor vehicle except on the days and during the hours stated on the license.

2. Except as otherwise provided in subsection 3, the Department will not authorize the holder of a restricted *driver authorization card or driver's* license to operate a motor vehicle more than 6 days per week or more than 10 hours per day.

3. The Department may authorize the holder of a restricted *driver authorization card or driver's* license issued pursuant to subsection 5 of NRS 483.490 to drive a motor vehicle 7 days per week if the Department determines that the authorization is necessary for the holder of the *driver authorization card or driver's* license to exercise his or her right to visit a child.

4. An applicant for a restricted *driver authorization card or driver's* license which authorizes him or her to drive a motor vehicle 7 days per week must, in addition to the requirements set forth in NAC 483.245, submit to the Department the court order which authorizes the applicant to visit a child.

Section 34. NAC 483.254 Persons ineligible to receive license. (NRS 483.220, 483.490)

The Department will not issue a restricted *driver authorization card or driver's* license to a person who:

1. Is under 18 years of age and has been prohibited from applying for a *driver authorization card or driver's* license pursuant to a court order issued pursuant to:

(a) Title 5 of NRS for placing graffiti on or otherwise defacing the public or private property, real or personal, of another person, in violation of NRS 206.125 or 206.330; or

(b) Title 5 of NRS for handling or possessing a firearm or having a firearm under his or her control in violation of NRS 202.300; or

2. Is 18 years of age or older and has been prohibited from applying for a *driver authorization card or driver's* license pursuant to a court order for placing graffiti on or otherwise defacing the public or private property, real or personal, of another person in violation of NRS 206.330.

**LICENSES ISSUED TO PERSON WITH MEDICAL HARDSHIP IN FAMILY OR
TRANSPORTATION TO SCHOOL**

Section 35. NAC 483.265 Application: Form; submission; contents. (NRS 483.220, 483.267, 483.270)

1. An application for a restricted *driver authorization card or driver's* 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 *with exception of the driver authorization card requirements, the* social security number of the applicant;

(b) The applicant's mailing address and address of 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.

Section 36. NAC 483.266 Application for license for person with medical hardship in family. (NRS 483.220, 483.267) In addition to the information required pursuant to NAC 483.265, an application for a restricted *driver authorization card or driver's* 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, *unless the member of the household who is unable to operate a motor vehicle holds a valid driver authorization card. The member of the household who is unable to operate a motor vehicle and who holds a valid driver authorization card will not be required to provide a social security number unless he or she has been issued one by the United States Government.*

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.

Section 37. NAC 483.268 Examinations. (NRS 483.220, 483.267, 483.270, 483.330) Before the issuance of a restricted *driver authorization card or driver's* license pursuant to NRS 483.267 or 483.270, an applicant must pass a written examination, vision examination and driving examination administered by the Department.

Section 38. NAC 483.269 Factors for determining whether to issue license. (NRS 483.220, 483.267, 483.270)

1. Upon receipt of a completed application, the Department will consider the following factors in determining whether to issue a restricted *driver authorization card or driver's* 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 *driver authorization card or driver's* 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.

Section 39. NAC 483.270 Denial of license: Grounds. (NRS 483.220, 483.267, 483.270)

The Department will deny an application for a restricted *driver authorization card or driver's* license issued pursuant to NRS 483.267 or 483.270 if:

1. The applicant is prohibited from applying for a driver's license by a court order issued pursuant to:

(a) Title 5 of NRS for placing graffiti on or otherwise defacing the public or private property, real or personal, of another person, in violation of NRS 206.125 or 206.330; or

(b) Title 5 of NRS for handling or possessing a firearm or having a firearm under his or her control in violation of NRS 202.300; or

2. A member of the applicant's household is a licensed driver who is able to provide transportation for the applicant or the member of the household who has a medical condition that renders that member unable to operate a motor vehicle.

Section 40. NAC 483.271 Denial of license: Additional grounds for license for transportation to school. (NRS 483.220, 483.270) The Department will deny an application for a restricted *driver authorization card or driver's* license issued pursuant to NRS 483.270 if:

1. The applicant lives not more than 2 miles from the school or the nearest location where transportation is provided by the school district.

2. The applicant is authorized to attend a school other than the school to which he or she was assigned by the school district.

3. Public transportation or any other means of transportation is available to the applicant.

4. The restricted license is requested for the purpose of attending:

(a) Extracurricular activities which occur before or after regular school hours; or

(b) Summer school, unless all of the pupils in the school are required to attend school during the summer or it is necessary for the applicant to attend high school during the summer in order to graduate during that summer.

5. The applicant is attending a public school in this State in:

- (a) A county whose population is 35,000 or more; or
- (b) A city or town whose population is 25,000 or more.

Section 41. NAC 483.272 Denial of license: Notification by certified mail; appeal. (NRS 483.220, 483.267, 483.270) The Department will notify the applicant by certified mail of a denial of an application for a restricted *driver authorization card or driver's* license issued pursuant to NRS 483.267 or 483.270 and of the reason for the denial. The applicant may appeal the decision to the Department hearing officer within 30 days after receipt of the notice of denial.

Section 42. NAC 483.273 Contents of license; expiration. (NRS 483.220, 483.267, 483.270)

1. A restricted *driver authorization card or driver's* license issued pursuant to NRS 483.267 or 483.270 will contain the information set forth in section 11 of this regulation and:

- (a) 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) Any other applicable instructions.

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

Section 43. NAC 483.274 Restrictions on use of license. (NRS 483.220, 483.267, 483.270)

1. The holder of a restricted *driver authorization card or driver's* license issued pursuant to NRS 483.267 or 483.270 shall not operate a motor vehicle except:

- (a) On the days and during the hours stated on the license;
- (b) Along the route designated on the license; and
- (c) Pursuant to any other restrictions the Department may impose.

2. Except as otherwise provided in paragraph (d) of subsection 3 of NRS 483.270, the holder of a restricted *driver authorization card or driver's* license issued pursuant to NRS 483.270 shall not transport passengers in a motor vehicle operated by him or her.

Section 44. NAC 483.275 Renewal of license prohibited; requirements for extension of license; examinations not required under certain circumstances. (NRS 483.220, 483.267, 483.270, 483.330)

1. The Department will not renew a restricted *driver authorization card or driver's* license issued pursuant to NRS 483.267 or 483.270.

2. The Department may extend the expiration date for a restricted *driver authorization card or driver's* license issued pursuant to NRS 483.267 if:

(a) The license was issued to the licensee because a member of his or her household had a temporary medical condition which rendered that member unable to operate a motor vehicle; and

(b) Because of that medical condition, the member of the licensee's household is unable to operate a motor vehicle when the restricted license expires.

3. The Department may waive any of the examinations required pursuant to NAC 483.330 if the applicant was the holder of a restricted *driver authorization card or driver's* license issued pursuant to NRS 483.270 which expired not more than 6 months before the Department received the application for a new restricted *driver authorization card or driver's* license.

4. The Department will not require an applicant for an unrestricted driver's license to pass a written, vision or driving examination administered pursuant to NRS 483.330 if:

(a) The applicant complies with all other requirements for the issuance of a driver's license; and

(b) The applicant was issued a restricted *driver authorization card or driver's* license pursuant to NRS 483.267 or 483.270 which expired not more than 6 months before the Department received his or her application for a driver's license.

Section 45. NAC 483.276 Cancellation of license. (NRS 483.220, 483.267, 483.270) The Department will cancel a restricted *driver authorization card or driver's* license issued pursuant to NRS 483.267 or 483.270 if:

1. The holder of the license:

(a) Is convicted of a moving violation or has his or her privilege to drive suspended, revoked or cancelled for any reason;

(b) Does not comply with the conditions of the license;

(c) Falsified any of the information on his or her application for the license; or

(d) Fails to maintain proof of financial responsibility as required by chapter 485 of NRS;

2. The Department becomes aware that the reason for which the restricted *driver authorization card or driver's* license was issued no longer exists; or

3. The parent or legal guardian of the holder of the license requests that the license be cancelled pursuant to NRS 483.310.

PHYSICAL AND MENTAL DISABILITIES AND RESTRICTIONS ON LICENSES

Section 46. NAC 483.310 Examination of applicant or licensee. (NRS 481.051, 483.220, 483.360)

1. If a representative of the Department has good cause to believe that an applicant is afflicted with or suffering from any physical or mental disability or disease which may prevent the applicant from operating a motor vehicle safely or which makes such operation hazardous to public safety, the Department may require physical or mental examinations and reports by a licensed physician, psychiatrist, psychologist, certified drug and alcohol counselor or any other competent authority acceptable to the Department. The cost of the examination must be borne by the person whose fitness to operate a motor vehicle safely is in question. The applicant must submit a medical report to the Department that is completed and signed by the applicant's physician. The medical report must indicate whether the condition of the applicant and any medication prescribed for the applicant would affect his or her ability to operate a motor vehicle safely. The report must be submitted within 30 days after the date of the physical or mental examination.

2. The Department will include, as part of the application for a *driver authorization card*, driver's license, renewal or permit, questions as to the existence of physical or mental conditions which may impair the ability of the applicant to operate a motor vehicle safely or which make such operation hazardous to the public safety. These questions must be answered by each applicant for a *driver authorization card*, driver's license or permit and by each licensee seeking renewal of his or her driver's license.

3. If the answer to any such question indicates the existence of any physical or mental disability which the Department determines may prevent the applicant from safely operating a motor vehicle, the Department may require an examination of the applicant by a licensed physician or psychiatrist, psychologist, certified drug and alcohol counselor or any other competent authority acceptable to the Department as a prerequisite to the issuance of a license or permit. The examination must be completed on a form furnished by or acceptable to the Department. The cost of the examination must be borne by the person whose fitness to operate a motor vehicle safely is in question. The medical reports are advisory and are not binding on the Department.

4. The Department will not issue a license to an applicant before evaluation of the medical report by the Department. If the medical report is received within 30 days after the date of the physical or mental examination, or 90 days after the visual examination, the Department will evaluate the applicant and will issue or deny the license or instruction permit, with or without restrictions.

5. The Department may use the results of any physical or mental examinations or reports only to determine the physical or mental competency of the person for the purpose of revoking, suspending, allowing a voluntary surrender and cancelling, denying or issuing a *driver authorization card*, driver's license or permit. This information is privileged and may be released only to the person examined, to the attorney of the person examined upon his or her written release, pursuant to a court order or to the Departmental hearing officer upon the person's written request for a hearing.

Section 47. NAC 483.320 Revocation, suspension, cancellation and voluntary surrender of license. (NRS 481.051, 483.220, 483.360)

1. The Department will suspend the *driver authorization card or* driver's license of any person who fails to submit to an examination within 15 days after it is requested.

2. Except as otherwise provided in subsection 3, if a licensee fails twice within a 3-year period to comply with a restriction placed by the Department on his or her license, the Department will suspend the license for 3 months.

3. If a licensee fails to comply with any restriction requiring a yearly vision examination, medical examination or driving test, or any combination thereof, the Department will cancel his or her license.

4. If it is determined that a licensee is physically or mentally incompetent to operate a motor vehicle, the Department may afford the licensee the opportunity to surrender his or her *driver authorization card or* driver's license voluntarily. Upon receipt of the *driver's* license, the Department will cancel the driving privilege and issue an identification card without charging a fee pursuant to NRS 483.820 and NAC 483.900. *Upon receipt of the driver authorization card, the Department will cancel the driving privilege and issue an identification card without charging a fee pursuant to NRS 483.820 and NAC 483.900 upon submittal of documentation as set forth in NRS 483.290 and NAC 483.050.* The licensee may apply for a reinstatement of

the *driver authorization card or driver's license* if the licensee presents medical evidence satisfactory to the Department that he or she is physically or mentally capable of operating a motor vehicle. If the licensee fails to surrender his or her license voluntarily to the Department within 15 days after the Department requests the surrender, the Department will suspend the licensee's driving privilege. The Department will rescind the suspension of the driving privilege of the licensee, cancel his or her *driver authorization card or driver's license* and allow the licensee to apply for a new *driver authorization card or driver's license* pursuant to the provisions of NRS 483.010 to 483.630, inclusive, if the licensee submits to the Department proof that is satisfactory to the Department that the licensee was physically unable to surrender his or her *driver authorization card or driver's license* when requested.

Section 48. NAC 483.330 Persons required to submit medical reports; no fee for imposition of medically related restriction. (NRS 481.051, 483.220, 483.360) A person who has experienced any of the following physical or medical ailments or any related ailments, and who is applying for or renewing a *driver authorization card or driver's license* or who is requested by the Department to obtain a medical examination, must submit a written medical report describing the ailment and its effect on the person's ability to operate a motor vehicle safely:

1. Any person who experienced a lapse of consciousness occurring within the last 3 years as a result of a condition which can cause a lapse of consciousness, including, without limitation, epilepsy, diabetes, frequently reoccurring fainting or dizzy spells caused by major medical problems and major head injuries or any other injuries or ailments resulting in lapses of consciousness.

2. Any person having a cardiovascular ailment or related ailment occurring within the last 3 years which may interfere with the ability of the person to operate a motor vehicle safely, including, without limitation, myocardial infarction, angina pectoris, coronary insufficiency, thrombosis or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse or congestive cardiac failure.

3. Any person who has a mental, nervous or functional disease or psychiatric disorder which is likely to interfere with the ability to operate a motor vehicle safely.

4. Any person who has an established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular or vascular disease which may interfere with the ability to control and operate a motor vehicle safely.

5. Any person who has had three convictions of driving under the influence within the last 4 years.

6. Any person who does not have visual acuity of at least 20/40 (Snellen) in both eyes with corrective lenses.

7. Any person who the examiner has good cause to believe has a medical problem not specified herein which may interfere with the safe operation of a motor vehicle.

The Department will not charge a fee to any person who is required to add a restriction to his or her license as a result of a medical condition.

Section 49. NAC 483.340 Vision screening standards. (NRS 481.051, 483.220, 483.360)

1. The following summary of vision standards consists of minimum levels of acceptable vision and the restrictions that will be imposed on a driver if he or she fails to meet those minimum levels:

- (a) Vision with no progressive abnormalities or diseases of the eye:
 - (1) Better than and including 20/40 - full driving privileges.
 - (2) Worse than 20/40 through and including 20/70 - daylight driving only.
 - (3) Worse than 20/70 - not eligible to be licensed.
- (b) Vision with progressive abnormalities or diseases of the eye:
 - (1) Better than and including 20/40 - full driving privileges.
 - (2) Worse than 20/40 through and including 20/60 - daylight driving only and yearly visual examination.
 - (3) Worse than 20/60 - not eligible to be licensed.
- (c) Drivers with vision of 20/100 or worse in one eye and the vision in the other eye is:
 - (1) Better than and including 20/40 - full driving privileges.
 - (2) Worse than 20/40 through and including 20/50 - daylight driving only and yearly visual examination.
 - (3) Worse than 20/50 - not eligible to be licensed.

2. A person who fails to meet the minimum levels of acceptable vision for a *driver authorization card or driver's* license may not be licensed to drive, and the Department shall not administer a driving test to that person. A person who fails to meet minimum standards may submit a medical report by a physician or optometrist licensed to practice in this State for consideration by the Department. The Department may request additional opinions or supporting information if a medical report is questionable or unclear. All medical reports are advisory and are not binding on the Department.

Section 50. NAC 483.350 Medically related restrictions. (NRS 481.051, 483.220, 483.360, 483.908)

1. The restrictions and compulsory requirements described in subsection 2 may be imposed when licensing persons to drive. A *driver authorization card or* driver's license will not be issued and a driving test will not be conducted until the applicant complies with the provisions of this section.

2. Restriction and Description (and text placed on an affected license) Criteria for Restriction

Restriction B - Corrective lenses.
(Restriction B – Corrective Lenses)

This restriction is placed on the *driver authorization card or* driver's license of a person who meets the minimum levels of acceptable vision set forth in NAC 483.340 only with the aid of corrective lenses.

Restriction C – Mechanical or adaptive device.
(Restriction C – Mechanical/Adaptive Device)

This restriction is placed on the *driver authorization card or* driver's license of a person who is physically unable to operate a motor vehicle without the aid of a mechanical or other adaptive device.

Restriction D – Prosthetic aid.
(Restriction D – Prosthetic Aid)

This restriction is placed on the *driver authorization card or* driver's license of a

person who is required to wear a prosthetic device while operating a motor vehicle.

Restriction F - Outside mirrors.
(Restriction F – Outside Mirrors)

This restriction is placed on the *driver authorization card or* driver's license of a person who is legally blind (20/200) in the right eye, whose hearing is impaired, who is required to wear a telescopic device while operating a motor vehicle or whose mobility of his or her head or neck is limited.

Restriction G – Daylight driving only.
Restriction G – Daylight Driving Only)

This restriction is placed on the *driver authorization card or* driver's license of a person, upon a recommendation from a physician, optometrist or ophthalmologist, with visual acuity of 20/50 or worse in both eyes, who is required to wear a telescopic device while operating a motor vehicle or who holds a motorcycle driver's instruction permit.

Restriction JB – Driving test every 6 months.
(Restriction JB – Drive Test Every 6 Months)

This restriction is placed on the *driver authorization card or* driver's license of a person whose physician requests more frequent driving tests.

Restriction JC – Vision examination every 6 months.
(Restriction JC – Eye Test Every 6 Months)

This restriction is placed on the *driver authorization card or* driver's license of a person who is required to have a vision examination every 6 months.

Restriction JF – Must have wink mirrors.
(Restriction JF - Must Have Wink Mirrors)

This restriction may be placed on the *driver authorization card or* driver's license of a person who is legally blind (20/200) in the right eye, whose hearing is impaired, who is required to wear a telescopic device while operating a motor vehicle or whose mobility of his or her head or neck is limited.

Restriction JK – Left foot accelerator.
(Restriction JK – Left Foot Accelerator)

This restriction is placed on the *driver authorization card or* driver's license of a person who is physically unable to operate the right foot accelerator.

Restriction JT – Speed not to exceed 45 miles per hour.

This restriction is placed on the *driver authorization card or* driver's license of a

(Restriction JT – Speed 45 MPH Or Less)

person who is required to wear a telescopic device while operating a motor vehicle or upon the recommendation of a physician or the Department after the administration of a driving test to the applicant.

Restriction JV – Nevada medical waiver.
(Restriction JV – NV Med Waiver)

This restriction is placed on the commercial driver’s license of a person who obtains a waiver pursuant to the provisions of NAC 483.803.

Restriction V – Federal medical waiver.
(Restriction V – Med Variance Docs Reqd)

This restriction is placed on the commercial driver’s license of a person who has been issued a federal medical waiver.

Restriction 1 – Telescopic device.
(Restriction 1 – Telescopic Device)

This restriction is placed on the *driver authorization card or* driver’s license of a person who meets the minimum levels of acceptable vision set forth in NAC 483.340 only with the aid of a telescopic device.

Restriction 2 – Hearing aid.
(Restriction 2 – Hearing Aid)

This restriction may be placed on the *driver authorization card or* driver’s license of a person who wears a hearing aid.

Restriction 4 – Grip on steering wheel or power steering.
(Restriction 4 – Grip/Power Steering Wheel)

This restriction is placed on the *driver authorization card or* driver’s license of a person who has difficulty gripping or turning the steering wheel of the motor vehicle.

Restriction 5 – Directional signals.
(Restriction 5 – Directional Signals)

This restriction is placed on the *driver authorization card or* driver’s license of a person who is physically unable to perform signals with his or her arms or whose driver’s license is restricted to hand controls.

Restriction 6 - Yearly vision examination.
(Restriction 6 – Yearly Vision Exam)

This restriction is placed on the *driver authorization card or* driver’s license of a person who is required to wear a telescopic device while operating a motor vehicle or a person whose vision is 20/50 or worse in both eyes and who is determined by an eye specialist to have a progressive abnormality or disease of the eye or a person whose vision is 20/100 or worse in one eye and whose vision is worse than 20/40 in the other

eye.

Restriction 7 - Yearly medical letter.
(Restriction 7 – Yearly Medical Letter)

This restriction is placed on the *driver authorization card or* driver's license of a person who has had seizures or episodes of altered consciousness within the last 3 years or another physical or mental condition that his or her physician determines necessitates a yearly medical examination.

Restriction 8 – Yearly driving test.
(Restriction 8 – Yearly Drive Test)

This restriction is placed on the *driver authorization card or* driver's license of a person based on the person's performance on his or her driving test or on the driver's license of a person who is required to wear a telescopic device while operating a motor vehicle.

Restriction 9 – Seat cushion or automatic seat.
(Restriction 9 – Seat Cushion/Auto Seat)

This restriction is placed on the *driver authorization card or* driver's license of a person who the examiner determines is unable to see adequately out of the windows or reach the control pedals because of his or her size. This restriction is not limited to a seat cushion or automatic seat if another device is available.

3. The Department will place any other restriction that is not otherwise described in this section upon the *driver authorization card or* driver's license of a person if the physician of that person so recommends.

Section 51. NAC 483.360 Restrictions not medically related. (NRS 481.051, 483.220, 483.360, 483.908)

1. The restrictions and compulsory requirements described in subsection 2 may be imposed when licensing persons to drive.

Restriction and Description (and text placed on an affected license)

Criteria for Restriction

Restriction A – Automatic transmission.
(Restriction A – Auto Trans)

This restriction is placed on the *driver authorization card or* driver's license of a person who is physically unable to operate a motor vehicle that is equipped with a manual transmission.

Restriction E – Automatic transmission for commercial *or noncommercial* motor vehicle.
(Restriction E – Auto Trans CMV Wgt Only)

This restriction is placed on the *driver authorization card or* driver's license of a person who is physically unable to operate a ~~commercial~~ motor vehicle that is equipped with a manual transmission, who completed the driving skills test for:

(a) ~~his or her~~ a commercial driver's license in a motor vehicle ~~that is~~ equipped with an automatic transmission, or

(b) ~~his or her~~ a Class A or Class B noncommercial *driver authorization card or* driver's license in a motor vehicle ~~that is~~ equipped with an automatic transmission.

Restriction JA – Must carry detail form.
(Restriction JA – Must Carry Detail Form)

This restriction is placed on the *driver authorization card or* driver's license of a person who requires a restriction that is not described in this section or NAC 483.350 or whose *driver authorization card or* driver's license requires more restrictions than can be shown on the license. The person must carry the detail form with his or her *driver authorization card or* driver's license at all times.

Restriction JD - Authorization to operate an emergency vehicle falling within Class A.
(Restriction JD - Drive Fire Equip NCMV A)

This restriction is placed on the driver's license of a person who holds a Class B or Class C commercial driver's license and is authorized to operate an emergency vehicle falling within Class A.

Restriction JE - Authorization to operate an emergency vehicle falling within Class B.
(Restriction JE - Drive Fire Equip NCMV B)

This restriction is placed on the driver's license of a person who holds a Class C commercial driver's license and is authorized to operate an emergency vehicle falling within Class B.

Restriction JG - Motorcycle with sidecar.
(Restriction JG - Motorcycle w-Sidecar)

This restriction is placed on the *driver authorization card or* driver's license of a person who has demonstrated proficiency in operating a motorcycle equipped with a sidecar.

Restriction JH - Medical hardship.
(Restriction JH - Tnsprt Handicapped Only)

This restriction is placed on a restricted *driver authorization card or* driver's

license issued pursuant to NRS 483.267 permitting a person to transport a member of his or her household who has a medical condition that renders the member of the household unable to drive.

Restriction JI - Authorization to operate a recreational vehicle falling within Class A.
(Restriction JI - Drive NCMV A Rec Veh)

This restriction is placed on the driver's license of a person who holds a Class B or Class C ~~non~~commercial driver's license and has demonstrated proficiency in operating a noncommercial recreational vehicle falling within Class A.

Restriction JJ - Authorization to operate a recreational vehicle falling within Class B.
(Restriction JJ - Drive NCMV B Rec Veh)

This restriction is placed on the driver's license of a person who holds a Class C ~~non~~commercial driver's license and has demonstrated proficiency in operating a noncommercial recreational vehicle falling within Class B.

Restriction JL - Trimobile.
(Restriction JL - Trimobile)

This restriction is placed on the *driver authorization card or* driver's license of a person who holds a Class C noncommercial *driver authorization card or* driver's license and who has demonstrated proficiency in operating a trimobile.

Restriction JM - Authorization to operate only motor vehicles falling within Class A that are tow cars.
(Restriction JM - Class A Tow Car Only)

This restriction is placed on the driver's license of a person who holds a Class A commercial driver's license if he or she completes the driving skills test in a tow car.

Restriction JN - Instruction permit.
(Restriction JN - Instruction Permit)

This restriction is placed on each instruction permit issued by the Department.

Restriction JO - Instruction permit for driver's education only.
(Restriction JO - Driver Educ Only)

This restriction is placed on an instruction permit granted pursuant to subsection 3 of NRS 483.280 that is valid for a school year or a more restricted period and authorizes the permittee to drive a motor vehicle only on a designated highway or within a designated area and only when an approved instructor is occupying a seat beside the

Restriction JP - Authorization to tow a vehicle with a gross vehicle weight rating of more than 10,000 pounds only when operating a noncommercial vehicle falling within Class C. (Restriction JP - Tow >10000 lb Class C Only)

Restriction JR - Authorization to operate a three-wheeled motorcycle with a single power driven rear wheel. (Restriction JR - 3 Wheel MC w/1 Rear Pwr Wheel)

Restriction JS - Low-speed vehicles only. (Restriction JS - Low-Speed Vehicles Only)

Restriction JU - Physical examination required. (Restriction JU - Phys Exam)

Restriction JW - Direct visual supervision by a person 21 years of age or older. (Restriction JW - Dir Visual Sup 21+ Yrs)

Restriction K - Intrastate operation of a commercial motor vehicle only. (Restriction K - CMV Intrastate Only)

Restriction L - No air brakes. (Restriction L - No Air Brakes ~~{CMV Wgt Only}~~)

permittee.

This restriction is placed on the driver's license of a person who holds a Class B commercial driver's license that contains a J endorsement.

This restriction is placed on the *driver authorization card* or driver's license of a person who has demonstrated proficiency in operating a three-wheeled motorcycle with a single power driven rear wheel.

This restriction is placed on the *driver authorization card* or driver's license of a person who completes the driving skills test in a low-speed vehicle and restricts the person to driving only on specially designated roadways at a speed of 35 miles per hour or less.

This restriction is placed on the driver's license of a person who is obtaining a commercial driver's license.

This restriction is placed on a Class M *driver authorization card instruction permit* or driver's instruction permit and requires the holder of the permit, while operating a motorcycle, to be under the direct visual supervision of a person who is licensed to operate a motorcycle and is at least 21 years of age.

This restriction is placed on the commercial driver's license of a person who does not meet the requirements set forth in 49 C.F.R. §§ 391.41 to 391.49, inclusive, or who is less than 21 years of age.

This restriction is placed on the *driver authorization card*, driver's license *or commercial driver's license* of a person who does not pass a knowledge test and a

driving skills test in a ~~commercial~~ motor vehicle which is equipped with air brakes.

Restriction M - Authorization to transport passengers in motor vehicles falling within Class B or Class C only.
(Restriction M - No Class A Psngr Veh)

This restriction is placed on the driver's license of a person who holds a Class A commercial driver's license and who completes the skills test for a passenger endorsement in a motor vehicle falling within Class B.

Restriction N - Authorization to transport passengers in motor vehicles falling within Class C only.
(Restriction N - No Class A/B Psngr Veh)

This restriction is placed on the driver's license of a person who holds a Class A or Class B commercial driver's license and who completes the skills test for a passenger endorsement in a motor vehicle falling within Class C.

Restriction O - No tractor-trailer combination connected by a fifth wheel.
(Restriction O - No Tractor Trailer CMV Wgt Only)

This restriction is placed on the driver's license of a person who holds a Class A commercial driver's license and who completes the skills test in a combination vehicle for a Class A commercial driver's license with the power unit and towed unit connected by connection other than a fifth wheel, such as a pintle hook.

Restriction P - No passengers in a commercial motor vehicle.
(Restriction P - No Psngr in CMV Bus)

This restriction is placed on a commercial driver's license instruction permit with a P endorsement and indicates that the holder of the permit is prohibited from operating a commercial motor vehicle carrying passengers other than federal or state auditors and inspectors, test examiners, other trainees and the holder of a commercial driver's license accompanying the permit holder as prescribed by 49 C.F.R. § 383.25.

Restriction Q - Moped.
(Restriction Q - Moped)

This restriction is placed on the *driver authorization card or* driver's license of a person who performs the skills portion of the test on a moped. The driver may only operate a moped as defined in NRS 483.088.

Restriction R - No hazardous materials or

This restriction is placed on the commercial

passengers.
(Restriction R - No Plac HazMat or Psngrs)

driver's license of a person who is less than 21 years of age.

Restriction S – No passengers on a motorcycle.
(Restriction S – No Psngrs)

This restriction is placed on a Class M *driver authorization card instruction permit or* driver's instruction permit and prohibits the holder of the permit from carrying passengers on a motorcycle.

Restriction T - To and from school only.
(Restriction T – To/From School Only)

This restriction is placed on the *driver authorization card or* driver's license of a person between 14 and 18 years of age who is granted a restricted driver's license to drive to and from school.

Restriction U - Motorcycle not to exceed 90 cubic centimeters.
(Restriction * - MC Not To Exceed 90cc)

This restriction is placed on the *driver authorization card or* driver's license of a driver who performs the skill portion of the test on a motorcycle which has 90 cubic centimeters or less. The driver may only operate a motorcycle having 90 cubic centimeters or less.

Restriction W – Farm waiver.
(Restriction W – Farm Waiver)

This restriction is placed on the *driver authorization card or* driver's license of a farmer or an employee or family member of a farmer and allows the person to operate a farm vehicle to transport agricultural products, farm machinery or farm supplies to or from a farm within Nevada and within 150 miles of the person's farm. The person shall not operate a motor vehicle in the operation of a common or contract motor carrier with a Class A or Class B noncommercial *driver authorization card or* driver's license.

Restriction X - Operation of tank vehicle only if empty.
(Restriction X - No Cargo in CMV Tank Veh)

This restriction is placed on a commercial driver's license instruction permit with an N endorsement and indicates that the holder of the permit may only operate an empty tank vehicle and is prohibited from operating any tank vehicle which previously contained hazardous materials that has not been purged of any residue.

Restriction Y - Ignition Interlock Device.
(Restriction Y – Ignition Interlock)

This restriction is placed on the *driver authorization card or* driver’s license of a person if the Department receives a copy of an order of a court of competent jurisdiction that requires that person to install a device in a motor vehicle which he or she owns or operates pursuant to the provisions of NRS 484C.460 or if the person is required to install such a device pursuant to the provisions of the laws of another state, the District of Columbia, any territory or possession of the United States or any other country.

Restriction Z – No full air brakes.
(Restriction Z - No Full Air Brake Equip
CMV)

This restriction is placed on the commercial driver’s license of a driver who performs the skills test in a motor vehicle equipped with air over hydraulic brakes.

Restriction 3 – No freeway driving
(Restriction 3 – No Fwy Driving)

This restriction is placed on a motorcycle instruction permit.

3. As used in this section:

- (a) “Commercial motor vehicle” has the meaning ascribed to it in NRS 484C.120.
- (b) “Low-speed vehicle” has the meaning ascribed to it in NRS 484B.637.
- (c) “Trimobile” has the meaning ascribed to it in NRS 486.057.
- (d) “Tow car” has the meaning ascribed to it in NRS 484.201.
- (e) “Driver authorization card” has the meaning ascribed to it in SB303 and the NAC 483 definitions provided in the proposed regulations.*

Section 52. NAC 483.370 Denial of license: Physical or mental conditions. (NRS 481.051, 483.220) If one or more of the following physical or mental conditions exist and there is documented evidence through medical examinations or reports in addition to appropriate departmental evaluations and examinations which indicate the disorder would severely impair the person’s ability to operate safely a motor vehicle, the Department will not issue or renew the *driver authorization card or driver’s* license, permit or privilege. The existence of one of these conditions does not automatically preclude the person from obtaining a license if the condition is not severe enough to impair driving ability:

1. Lapses of consciousness, severe dizziness, fainting spells, head injuries, seizures or any other injuries or ailments resulting in lapses of consciousness, including, without limitation, epilepsy or disorders related to or associated with diabetes. A person suffering from lapses of consciousness or any other disorder as specified above will not be issued a license until the person submits to the Department a letter signed by his or her physician which states that:

(a) The person has been free of seizures or has not suffered any fainting or dizzy spells or other such disorders for a period of 3 months; or

(b) The seizure or other ailment resulting in the lapse of consciousness was an isolated incident and is unlikely to reoccur.

The letter must also state whether any medication prescribed for the person will interfere with the ability of the person to operate a motor vehicle safely and the date of the most recent seizure or lapse of consciousness.

2. Any cardiovascular ailment or related ailment such as myocardial infarction, angina pectoris, coronary insufficiency, thrombosis or any other disease of a variety known to be accompanied by syncope, dyspnea, collapse or congestive cardiac failure.

3. High blood pressure.

4. Any physical or mental condition which impairs the ability of the person to operate a motor vehicle safely and which:

(a) Affects perception;

(b) Affects consciousness, including, without limitation, epilepsy;

(c) Alters judgment, including, without limitation, dementia or mental illness; or

(d) Limits motion, including, without limitation, arthritis, paralysis or amputation.

5. Any respiratory dysfunction.

6. Any rheumatic, arthritic, orthopedic, muscular, neuromuscular or vascular diseases.

7. Inability to meet the minimum levels of acceptable vision established by the Department.

8. Visual acuity obtained with the use of bioptic and telescopic lenses.

Section 53. NAC 483.380 Medical Advisory Board. (NRS 481.051, 483.220)

1. The Director of the Department of Motor Vehicles or his or her authorized representative may request an advisory opinion from the Medical Advisory Board in the case of any person applying for a *driver authorization card or* driver's license, permit or renewal of them, any person whose license has been suspended, revoked, cancelled or denied for any person being examined under the provisions of NRS 483.330, 483.480 or the regulations of the Department, whenever he or she has good cause to believe that such person suffers from any physical or mental disability or disease that may prevent such person from safely operating a motor vehicle.

2. The Board shall assist the Department by developing medical and health standards for use in the issuance of *a driver authorization card or* driver's licenses by the Department so as to prevent the issuance of licenses to those persons suffering from physical or mental disabilities or diseases which prevent the safe operation of a motor vehicle.

3. The Board shall meet when the Director of the Department of Motor Vehicles or his or her authorized representative so requests.

4. The Medical Advisory Board may use medical reports submitted to or made by the Board only to determine the mental or physical condition of an applicant. This information is privileged and may be released only to the person examined, to the attorney of the person examined upon his or her written release or pursuant to a court order. Reports of the Medical Advisory Board may be admitted in proceedings under Chapter 483 of NRS and the regulations of the Department.

Section 54. NAC 483.390 Hearings. (NRS 481.051, 483.220)

1. A licensee has 30 days after the effective date of a suspension, revocation or cancellation of a *driver authorization card or driver's* license or permit *of them*, the denial of an application, or imposition of a restricted license to request a hearing before the departmental hearing officer.

If the licensee does not request a hearing until after the 30-day period, the Department in its discretion, may grant the request.

2. Upon request, the applicant or licensee shall provide the hearing officer all available information which the hearing officer deems necessary to determine the fitness of the applicant or licensee to operate a motor vehicle safely, including the licensee's or applicant's statement of his or her case history and any treating physician's statement as to the diagnosis, treatment and prospect of recovery from or control of the ailment.

Section 55. NAC 483.400 Reinstatement of license or issuance after denial; submission of information regarding hazard to public welfare. (NRS 481.051, 483.220, 483.495)

1. If a person who, for medical or physical reasons or because his or her licensing would be hazardous to public safety, has been denied a *driver authorization card or driver's* license or permit *of them*, or has had his or her *driver authorization card or driver's* license *or permit of them* suspended, revoked or cancelled subsequently applies for issuance or reinstatement of the license or permit, the person may be required to submit the following information:

(a) A current statement of his or her case history.

(b) A current statement concerning the ailment by any treating physician or psychiatrist, psychologist, certified drug and alcohol counselor or any other competent authority acceptable to the Department. The statement must include the diagnosis, treatment and prospect of recovery from or control of the ailment.

(c) A current report covering the results of any medical examinations pertinent to the ailment in question.

(d) Evidence of the Medical Advisory Board's approval, when applicable.

(e) Any other information the Department deems relevant.

The Director or the Director's authorized representative may, in addition, require the applicant or licensee be given a driving test and other examinations which are deemed necessary to effectively evaluate the ability of the applicant or licensee to operate a motor vehicle safely.

2. The Department may require any or all of the information specified in subsection 1, together with any other information deemed relevant in any case in which the issue arises as to whether the driving of a motor vehicle by a person would be hazardous to the public welfare.

TELESCOPIC DEVICES

Section 56. NAC 483.410 License to operate motor vehicle while wearing device: Requirements for eligibility. (NRS 481.051, 483.220, 483.360) To be eligible to receive a *driver authorization card or* driver's license to operate a motor vehicle while wearing a telescopic device:

1. The best corrected vision of the applicant must be:

(a) At least 20/40 when looking through the telescopic device; and

(b) At least 20/120 when looking through the carrier lens.

2. The field of vision of the applicant must be at least 130 degrees.

3. The condition which is the nature of the applicant's visual deficiency must be stable.

4. The applicant must pass a comprehensive road test to determine whether he or she is able to operate a motor vehicle safely while using the telescopic device and the carrier lens.

Section 57. NAC 483.415 License to operate motor vehicle while wearing device: Restrictions. (NRS 481.051, 483.220, 483.360) A *driver authorization card or* driver's license to operate a motor vehicle while wearing a telescopic device must be subject to:

1. Restrictions for corrective lenses, telescopic devices, outside mirrors, daylight driving only, speed not to exceed 45 miles per hour, yearly vision examinations and yearly driving tests as they are described in NAC 483.350 and 483.360; and

2. Any other restriction the Department deems necessary for the applicant to operate a motor vehicle safely.

RENEWAL OF LICENSES BY MAIL

Section 58. NAC 483.423 Applicability of provisions. [Effective January 1, 2014]

(NRS 483.220, 483.383) The provisions of NAC 483.423 to 483.455, inclusive, apply to a person who is residing in this State at the time the person applies to renew his or her driver's license by mail.

Section 58. NAC 483.423 Applicability of provisions. [Effective January 1, 2018]

(NRS 483.220, 483.383) The provisions of NAC 483.423 to 483.455, inclusive, apply to a person who is *65 years of age or older and is* residing in this State at the time the person applies to renew his or her driver's license by mail.

Section 59. NAC 483.430 Ineligibility. (NRS 483.220, 483.383)

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

(a) The holder is applying for a second consecutive renewal of the license by mail;

(b) The license is a commercial driver's license;

(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 any restriction requiring a vision examination, medical examination or driving test, or any combination thereof, or flagged for a written test pursuant to NAC 483.458.

(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 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; or

(k) The holder wishes to change any information other than his or her address which appears on the front of his or her driver's license; or

(l). The holder has been issued a driver authorization card.

(m). The holder has been issued a driver's license for an 8 year period.

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 violation" has the meaning ascribed to it in NRS 483.473.

Section 60. NAC 483.440 Denial of application and renewal in person; exemption from certain examinations. (NRS 483.220, 483.383)

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 information which appears on the front of the driver's license other than his or her address;

(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 Department has not obtained the applicant's digital image and signature required for the production of a renewed driver's license.

(h). The applicant has been issued a driver authorization card in accordance with subsection 5 of SB 303.

(i). The applicant's driver's license expires on the eighth anniversary of the licensee's birthday.

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.

Section 61. NAC 483.4575 Determination of eligibility. (NRS 483.220, 483.383)

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, the person's license has been expired for over 1 year;
- (d) Except as otherwise provided in subsection 3, the person is applying for a second consecutive renewal 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 holds a driver authorization card issued in accordance with subsection 5 of SB 303.

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 the driver's license of any applicant who is employed by the Federal Government, on active military duty or the dependent of such a person:

- (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. 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.

CANCELLATION, SUSPENSION, REVOCATION AND VOLUNTARY SURRENDER OF LICENSES

Section 62. NAC 483.463 Notification of Department when certain drivers are released from imprisonment or placed on parole or residential confinement; resumption and setting aside of period of revocation. (NRS 209.517, 213.12185, 481.051, 483.220, 483.460)

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 *driver authorization card or driver's* license, permit or privilege to drive. The notice must contain the date of incarceration and comply with the requirements of subsection 1.

Section 63. NAC 483.465 Fee for reinstatement not required under certain circumstances; additional fees for renewal or adding endorsement at time of reinstatement. (NRS 483.220, 483.495)

1. The Department will not charge an additional fee for:
 - (a) The reinstatement of a *driver authorization card or* driver's license that was previously withdrawn and reinstated for the same offense;
 - (b) Any change made to a *driver authorization card or* driver's license at the time of reinstatement;
 - (c) The issuance of a duplicate *driver authorization card or* driver's license after the suspension of the license; or
 - (d) The reinstatement of a *driver authorization card or* driver's license that was cancelled because of an error made by the Department.
2. If a person is simultaneously reinstating a suspended license and renewing the license, the Department will charge an additional fee for the renewal of the license and, if appropriate, a penalty for late renewal as provided in NRS 483.386.
3. The Department will charge an additional fee to add an endorsement not on a license before reinstatement.

Section 64. NAC 483.471 Reinstatement: Waiver of certain tests. (NRS 483.220, 483.495, 483.908)

1. The Department will waive the knowledge, driving skills and vision tests when reinstating a *driver authorization card or* driver's license if:
 - (a) The license was suspended for:
 - (1) Any violation of law governing financial responsibility;
 - (2) The failure to make a report of an accident;
 - (3) The violation of a written promise to appear in court pursuant to a citation;
 - (4) The violation of a license restriction, other than a restriction that requires an annual vision test, a driving skills test or the submission of a medical letter from a physician;
 - (5) The use, possession, sale or distribution by a minor of a controlled substance, or the purchase, consumption or possession by a minor of an alcoholic beverage;
 - (6) A first offense for driving at a time when the license was suspended; or
 - (7) Pursuant to NRS 483.443, the failure to:
 - (I) Comply with a subpoena or warrant relating to a proceeding to establish paternity or to establish or enforce an obligation for the support of a child; or
 - (II) Satisfy an arrearage in the payment for the support of one or more children.
 - (b) The license was cancelled for:
 - (1) Insufficient identification at the time of application;
 - (2) The issuance of a check to the Department with insufficient money or credit to pay the check;
 - (3) The withdrawal of the license of the driver in another state;
 - (4) The failure to pay all fees;
 - (5) The failure to pay a civil penalty relating to the operation of a motor vehicle; or

(6) Incorrect information appearing on the *driver authorization card or* driver's license, except for a missing or an incorrect license endorsement.

2. An applicant who successfully completes a knowledge test for a commercial driver's license may not be required to complete a knowledge test for a noncommercial driver's license.

3. The Department will waive the driving skills test when reinstating a *driver authorization card or* driver's license if:

(a) The license has been revoked for less than 1 year:

(1) For a conviction for driving under the influence of alcohol or a controlled substance;

(2) For failing to submit to a test of alcohol concentration or the presence of a controlled substance in the system of the driver; or

(3) Pursuant to the provisions of NRS 484C.220.

(b) The driver has successfully completed a driving skills test in a commercial vehicle. An additional driving skills test in a noncommercial vehicle will not be required.

(c) The license was cancelled because of an error made by the Department.

(d) The driver is reinstating his or her license by mail for the purpose of obtaining a license in another state.

4. The Department will waive the vision test when reinstating a *driver authorization card or* driver's license if:

(a) The expiration date on the reinstated license will not change from the expiration date on the withdrawn license;

(b) The reinstatement is completed by mail to obtain a clearance letter or a license from another state; or

(c) The applicant provides a report from an ophthalmologist, optician or optometrist in lieu of a vision test administered by the Department.

Section 65. NAC 483.475 Reinstatement: Administration of certain tests. (NRS 483.220, 483.495, 483.908)

1. The Department will administer an applicable driving skills test to an applicant for reinstatement of his or her *driver authorization card or* driver's license in, but not limited to, the following instances:

(a) The applicant has been convicted of six or more moving violations while operating a noncommercial motor vehicle during the 4-year period immediately preceding the date of reinstatement;

(b) The applicant has been convicted of four or more moving violations while operating a commercial motor vehicle during the 4-year period immediately preceding the date of reinstatement;

(c) The applicant has been involved in more than one accident in which he or she was at fault during the 1-year period immediately preceding the date of reinstatement;

(d) The applicant is applying for an upgrade in the type or classification of his or her license;

(e) The applicant is applying for an additional endorsement not on the license which was withdrawn that requires a driving skills test;

(f) The license has been expired for 1 year or more;

(g) The license has been withdrawn for 1 year or more; or

(h) The license was withdrawn because of the failure of the applicant to complete a driving skills test.

2. The Department will administer an applicable knowledge test, or a test more specific to a particular classification or endorsement, to an applicant for reinstatement of his or her *driver authorization card or* driver's license in, but not limited to, the following instances:

(a) The applicant has been convicted of three or more moving violations while operating a noncommercial motor vehicle during the 4-year period immediately preceding the date of reinstatement;

(b) The applicant has been convicted of two or more moving violations while operating a commercial motor vehicle during the 4-year period immediately preceding the date of reinstatement;

(c) The applicant is applying for an upgrade in the type or classification of his or her license;

(d) The applicant is applying for an additional endorsement on his or her license which was withdrawn that requires a knowledge test;

(e) The license has been expired for 1 year or more;

(f) The license has been withdrawn for 1 year or more; or

(g) The license was withdrawn because of the failure of the applicant to complete a knowledge test.

Section 66. NAC 483.478 Reinstatement: Requirements. (NRS 483.220, 483.495, 483.908)

1. Except as otherwise provided in title 5 of NRS, if the Department has revoked or suspended a *driver authorization card or* driver's license pursuant to title 5 or chapter 483, 484A to 484E, inclusive, or 485 of NRS, before the reinstatement of the license, the applicant must, in addition to complying with any other conditions required by law:

(a) Comply with the requirements for the reinstatement of a *driver authorization card or* driver's license set forth in NAC 483.471 and 483.475;

(b) Provide any additional information requested by the Department for the evaluation of the applicant's fitness to operate a motor vehicle safely and any other information that the Department deems relevant; and

(c) Pay the required fees.

2. If the Department has withdrawn the privilege to operate both a commercial motor vehicle and a noncommercial motor vehicle, before the reinstatement of the privilege to operate a commercial motor vehicle, in addition to complying with the conditions set forth in subsection 1, an applicant must comply with the requirements for the reinstatement of the privilege to operate a noncommercial motor vehicle before complying with the requirements for reinstatement of the privilege to operate a commercial motor vehicle.

3. If the Department has withdrawn a commercial driver's license, but an applicant reinstates only a noncommercial driver's license, the commercial driver's license remains withdrawn until the applicant satisfies the applicable requirements for reinstatement of his or her commercial driver's license.

Section 67. NAC 483.480 Termination or rescission of action to withdraw license or award of credit against period of revocation. (NRS 483.220, 483.495)

1. The Department will terminate or rescind an action to withdraw a *driver authorization card or* driver's license or award credit against the period of revocation if the action resulted from:

(a) Incorrect information on the *driver authorization card or* driver's license and the information has been corrected by the Department;

(b) A conviction and the Department has received a notice from the court amending the conviction to an offense which is not cause for the withdrawal of the license;

(c) A statement from a law enforcement officer and the Department has received a corrected statement from the officer amending the information that caused the withdrawal action; or

(d) A statement from a law enforcement officer and the Department has received an amended conviction order from the court finding that the license was incorrectly revoked.

2. If the action to withdraw a *driver authorization card or* driver's license resulted from a statement of the court that the court seized a person's *driver authorization card or* driver's license at the time of a conviction and ordered the person not to operate a motor vehicle, the person must receive credit against the period of revocation from the time of the conviction to the time of withdrawal of the *driver authorization card or* driver's license by the Department.

3. If an investigation conducted by the Division of Compliance Enforcement of the Department indicates that a conviction has been recorded on the driving record of a person who is the victim of identity theft, or the subject of an action to withdraw a *driver authorization card or* driver's license is a victim of identity theft, and is not the actual person identified on the report of conviction or by a law enforcement agency at the time of the report, the Department will remove the conviction and terminate or rescind the action to withdraw a *driver authorization card or* driver's license.

Section 68. NAC 483.485 Voluntary surrender of license: Contents of form; license deemed surrendered under certain circumstances. (NRS 483.220, 483.505)

1. A person who voluntarily surrenders his or her *driver authorization card or* driver's license to the Department shall complete a form, approved by the Department, which contains:

(a) A statement that the license is being voluntarily surrendered to the Department;

(b) A statement setting forth the reasons why the license is being surrendered;

(c) The person's signature; and

(d) The date the license is being surrendered.

2. A license shall be deemed voluntarily surrendered to the Department because of, but not limited to, the following reasons:

(a) The license is held by a minor and the person who signed the application of the minor for the license dies; or

(b) The communication to the Department of confidential medical reasons that render the driver either physically or mentally incapable of driving.

Section 69. NAC 483.490 Voluntary surrender of license: Cancellation of driving privileges; issuance of identification card. (NRS 483.220, 483.505) Driving privileges must be cancelled when a license is voluntarily surrendered for the following reasons:

1. Release from liability by a person pursuant to NRS 483.310; or

2. Confidential medical reasons.

A person who voluntarily surrenders his or her *driver's* license to the Department for confidential medical reasons may obtain an identification card at no charge. *A person who voluntarily surrenders a driver authorization card is not eligible to receive an identification card without submitting proper documentation as set forth in NAC 483.050.*

vehicle or upon the recommendation of a physician or the Department after the administration of a driving test to the applicant.

Restriction F - Automatic transmission.

This restriction is placed on the driver's license of a person who is physically unable to operate a motor vehicle that is equipped with a manual transmission or any person who completed the driving skills test for his or her Class A or Class B noncommercial driver's license or his or her commercial driver's license in a motor vehicle that is equipped with an automatic transmission.

Restriction O - Yearly driving test.

This restriction is placed on the driver's license of a person based on the person's performance on his or her driving test or on the driver's license of a person who is required to wear a telescopic device while operating a motor vehicle.

Restriction R - No hazardous cargo that requires placarding or no passengers for hire.

This restriction applies to commercial drivers' licenses and is placed on the commercial driver's license of a person who is under 21 years of age, who has impaired vision or who has a clinical diagnosis of epilepsy or any other ailment that is likely to cause a loss of consciousness, unless the person obtains a waiver pursuant to the provisions of NAC 483.803.

Restriction X - Other restriction or instruction permit.

This restriction is used for any other restrictions that are not described in this section, NAC 483.350 or 483.360 and is placed on each instruction permit issued by the Department.

3. The Department will place any other restriction that is not described in this section or NAC 483.350 upon the driver's license of a person if the physician of that person so recommends.

4. As used in this section, "hazardous cargo that requires placarding" means any substance that requires the motor vehicle that transports that substance to bear a placard pursuant to the provisions of 49 C.F.R. § 397.2, as that regulation existed on November 14, 1997.