

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

LCB FILE NO. R090-17I

**The following document is the initial draft regulation proposed
by the agency submitted on 09/05/2017**

Re: Regulation Changes to Coincide with Statutory Changes of the 2017 Legislative Session

Display of Alternate Address (AB252)

Intent: to allow a peace officer or retired peace officer to request an alternate address be placed on the face of his or her driver's license, commercial driver's license or identification card.

NAC483 - Display of Alternate address

- 1. The Department may issue a Driver's License, Identification Card or Commercial Driver's License with an alternate address listed on it to:**
 - a. A peace officer if:**
 - i. A form approved by the department is submitted; and**
 - ii. The form is submitted during an in-office transaction.**
 - b. A retired peace officer if:**
 - i. A form approved by the Department that is accompanied by proof of retired peace officer status; and**
 - ii. The form is submitted during an in-office transaction.**
- 2. Any address used as an alternate address must be a known physical address.**
- 3. A Post Office Box is not permitted for use as an alternate address.**

Display of Mailing Address on the Face of the Card

Intent: during several hearings with the 2017 session, there was testimony surrounding the safety concern over the physical address printing on the face of the driver's license or identification cards. The DMV agreed to allow an applicant the ability to choose to have the mailing address printed on the face of the driver's license, motorcycle driver's license, or identification card. This does not apply to a Real ID compliant card issued pursuant to CFR 37.17

NAC 483.040 Contents; validity; prohibited technology. (NRS 481.051, 483.340, 483.840)

1. Each driver's license, motorcycle driver's license or identification card issued by the Department must contain:
 - (a) The full legal name of the licensee or holder of the identification card.
 - (b) The date of birth of the licensee or holder of the identification card.
 - (c) The gender of the licensee or holder of the identification card.
 - (d) A unique license or identification card number assigned to the licensee or holder of the identification card.
 - (e) A digital photograph of the full face of the licensee or holder of the identification card. The digital photograph of the licensee or holder must, in accordance with 6 C.F.R. § 37.17(e)(1), meet the following standards:

- (1) Lighting must be equally distributed across the face of the licensee or holder.
- (2) The face of the licensee or holder must be clearly visible and free of shadows from the crown to the base of the chin and from one ear to the other.
- (3) Any veil, scarf or headdress worn by the licensee or holder must not obscure any facial feature and must not generate any shadow.
- (4) Any eyewear worn by the licensee or holder must not obstruct the iris or pupil of the eye. The iris and pupil of the eye must be clearly visible.
- (f) Except as otherwise provided in 6 C.F.R. § 37.17(f) **and subsection 2**, the address of principal residence of the licensee or holder of the identification card **if the card is issued pursuant to the standards established by 6 C.F.R. Part 37, subparts A to E, inclusive**.
- (g) A physical description of the licensee or holder of the identification card, including the height, weight, hair color and eye color of the licensee or holder.
- (h) The usual signature of the licensee or holder of the identification card.
- (i) The date on which the driver's license, motorcycle driver's license or identification card is issued.
- (j) The expiration date of the driver's license, motorcycle driver's license or identification card.
- (k) A reference to this State as the state in which the driver's license, motorcycle driver's license or identification card is issued.
- (l) If the driver's license, motorcycle driver's license or identification card is issued in accordance with 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.
- (m) If applicable, the language and markings required pursuant to subsection 5 of NRS 483.291.

2. A driver's license, motorcycle driver's license or identification card that does not comply with the requirements of 6 C.F.R. Part 37, Subparts A to E, inclusive, may contain the mailing address of the licensee or holder of the identification card.

3. A driver's license, motorcycle driver's license or identification card is not valid if it does not contain the signature of the licensee or holder of the identification card or if the Department invalidates any part of the driver's license, motorcycle driver's license or identification card.

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

Identification Cards Issued to individuals 65 and Older Receive an 8-year Expiration (AB68)

Intent: Currently, individuals 65 years of age and older are unable to obtain an identification card with an expiration date greater than 4 years. AB68 allows the DMV to change regulations to allow individuals 65 years of age and older to obtain an identification that will expire on the eighth anniversary of the birthdate, nearest the date of issuance or renewal.

NAC 483.043 Expiration. [Effective January 1, 2018.] (NRS 481.051, 483.220, 483.380, 483.870, 483.875)

1. Except as otherwise provided in subsection 3, NRS 483.283, 483.291 or 483.861 or NAC 483.832, and except for a limited-term driver's license or limited-term identification card, every driver's license, motorcycle driver's license or identification card expires on the eighth anniversary of the birthday of the licensee or holder of the identification card measured, in the case of an original issuance, a renewal of a driver's license, motorcycle driver's license or identification card or a renewal of an expired driver's license, motorcycle driver's license or identification card, from the birthday of the licensee or holder nearest the date of issuance or renewal.

2. Except as otherwise provided in NAC 483.084 and 483.4575, a licensee or holder of the identification card whose driver's license, motorcycle driver's license or identification card expires on the eighth anniversary of the birthday of the licensee or holder of the identification card must renew his or her driver's license, motorcycle driver's license or identification card in person at an office of the Department.

3. A driver's license, ~~or~~ motorcycle driver's license ~~or identification card~~ issued to a licensee ~~or holder of an identification card~~ who is 65 years of age or older on the date of issuance or renewal expires on the fourth anniversary of the birthday of the licensee ~~or holder of the identification card~~ measured, in the case of an original issuance, a renewal of a driver's license, ~~or~~ motorcycle driver's license ~~or identification card~~ or a renewal of an expired driver's license, ~~or~~ motorcycle driver's license ~~or identification card~~, from the birthday of the licensee or holder nearest the date of issuance or renewal.

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

Acceptable Documents for Proof of Name and age of Applicant

Intent: This is clean-up language to coincide with acceptable documents allowed for the issuance of a Real ID compliant card issued pursuant to CFR 37.17. Per United States Citizenship and Immigration Services, there are many types of the Alien Registration Receipt card that were issued. Some we can accept and others we cannot accept. Essentially, if the card is still valid it is acceptable and if the card was issued in 1977 which contains to expiration date it is acceptable. All other cards are not acceptable.

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

1. Except as otherwise provided in subsections 2 and 3, an applicant for a noncommercial 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, **Form I-551**, issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;
- (e) An Alien Registration Card, Form I-551, that contains no expiration date and is issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;**
- ~~(e)~~ **(f)** A Certificate of Naturalization issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;
- ~~(f)~~ **(g)** A Certificate of Citizenship issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;
- ~~(g)~~ **(h)** An unexpired employment authorization document issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;
- ~~(h) An unexpired Permanent Resident Card or Alien Registration Receipt Card, Form I-551, issued by the United States Citizenship and Immigration Services of the Department of Homeland Security;~~
- (i) 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
- (j) 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.

Documentation Required for Changing a Full Legal Name (SB215 & AB204)

***Intent:** AB204 added that a person may change a full legal name with the DMV by providing a death certificate. Additionally, SB215 added the ability to make changes to the middle name using a combination of the maiden name and middle name, we have removed the portion that would prohibit this.*

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

1. A person who wishes or is required pursuant to NRS 483.390 or 483.870 to change the full legal name indicated on his or her driver's license, motorcycle driver's

license or identification card must submit proof satisfactory to the Department that his or her full legal name was legally changed. The proof may include, without limitation, 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;
- (f) A death certificate;** or
- ~~(f)~~**(g)** 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's license, motorcycle driver's license or identification card in a manner that is identical to the manner in which the full legal name appears on the document submitted by the person as proof of the change of the person's full legal name.

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

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

Restrictions placed on Driver Licenses.

Intent: The addition below clarifies when the "K" restriction is to be placed on a commercial driver's license.

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.

2. 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's license of a person who is physically unable to operate a motor vehicle that

Restriction E - Automatic transmission for noncommercial or commercial driver's license.

(Restriction E - Auto Trans CMV Wgt Only)

is equipped with a manual 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, who completed the driving skills test for his or her commercial driver's license in a motor vehicle that is equipped with an automatic transmission or who completed the driving skills test for his or her Class A or Class B noncommercial 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's license of a person who requires a restriction that is not described in this section or NAC 483.350 or whose 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'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's license of a person who has demonstrated proficiency in operating a motorcycle equipped with a sidecar.

Restriction JH - Medical hardship.

(Restriction JH - Trnsprt Handicapped)

This restriction is placed on a restricted driver's license issued pursuant to NRS

Only)	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 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 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's license of a person who holds a Class C noncommercial 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 permittee.

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)

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.

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)

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

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

This restriction is placed on the 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.

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

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

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

This restriction is placed on a Class M 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.

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

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, **or who operates excepted intrastate commerce pursuant to NAC 483.7994, or who operates nonexcepted intrastate commerce pursuant to NAC 483.7997.**

Restriction L - No air brakes.
(Restriction L - No Air Brakes)

This restriction is placed on the driver's license of a person who does not pass a knowledge test and a driving skills test in a 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 a 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'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 passengers.
(Restriction R - No Plac HazMat or Psngrs)

This restriction is placed on the commercial 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'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'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 U - MC Not To Exceed 90cc)

This restriction is placed on the 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'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'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'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.