

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

LCB File No. R090-17

November 9, 2017

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

AUTHORITY: §1, NRS 481.051 and 481.052, as amended by section 3 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1276; §2, sections 2-4 of Assembly Bill No. 252, chapter 58, Statutes of Nevada 2017, at pages 221-23; §3, NRS 483.340 and 483.840; §4, NRS 481.051, 483.820, as amended by section 13 of Assembly Bill No. 68, chapter 270, Statutes of Nevada 2017, at page 1416, and 483.875; §5, NRS 483.290, as amended by section 10 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1279, NRS 483.860, as amended by section 17 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1284, and NRS 486.081, as amended by section 19 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1285; §§6 and 13, NRS 481.051 and sections 5 and 6 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at pages 1276-77; §§7 and 8, NRS 481.051; §9, NRS 483.908; §§10-12, NRS 483.383.

A REGULATION relating to the Department of Motor Vehicles; establishing provisions relating to the display of an alternate address on the driver's license, identification card, commercial driver's license or commercial learner's permit of a peace officer or retired peace officer; establishing provisions relating to the display of a mailing address on certain drivers' licenses, motorcycle drivers' licenses or identification cards; revising provisions relating to the expiration date of the identification card of a person who is 65 years of age or older; revising provisions relating to the documents an applicant for an instruction permit, driver's license or motorcycle driver's license is authorized to present to the Department as proof of his or her full legal name and age; revising certain criteria for the imposition of a certain type of restriction on a commercial driver's license; repealing obsolete provisions that govern the changing of a person's full legal name on a driver's license, motorcycle driver's license or identification card; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law: (1) authorizes a peace officer or retired peace officer who is applying for or renewing a driver's license, identification card, commercial driver's license or commercial

learner's permit to request from the Department of Motor Vehicles a driver's license, identification card, commercial driver's license or commercial learner's permit that displays an alternate address instead of his or her address of principal residence; and (2) requires the Department to adopt regulations setting forth criteria pursuant to which the Department will issue or refuse to issue a driver's license, identification card, commercial driver's license or commercial learner's permit which displays an alternate address. (Sections 2-4 of Assembly Bill No. 252, chapter 58, Statutes of Nevada 2017, at pages 221-23) **Section 2** of this regulation provides that the Department will issue a driver's license, identification card, commercial driver's license or commercial learner's permit that displays an alternate address to a peace officer or retired peace officer who: (1) satisfies the statutory requirements for the issuance of any such card; and (2) submits a request to the Department in person on a form prescribed by the Department. **Section 2** also requires that any alternate address must be a known physical address and must not be a post office box.

Existing federal law requires that any driver's license or identification card issued by a state meet certain standards to be used for federal identification or other official purposes and allows for a state to issue a driver's license or identification card that does not meet such standards in certain circumstances. (Real ID Act of 2005 § 202, Pub. Law No. 109-13, 119 Stat. 302, 312-15, 49 U.S.C. § 30301 note) Existing Nevada law requires the Department to adopt regulations prescribing the information that must be contained on a driver's license or identification card. (NRS 483.340, 483.840) Existing regulations require that a driver's license, motorcycle driver's license or identification card issued by the Department contain the address of principal residence of the licensee or holder of the identification card. (NAC 483.040) **Section 3** of this regulation provides that a driver's license, motorcycle driver's license or identification card issued by the Department that cannot be used for federal identification or other official purposes may contain the mailing address of the licensee or holder of the identification card instead of the address of principal residence of the licensee or holder of the identification card.

Existing law provides for the issuance of an identification card to a person who is 65 years of age or older which expires on or before the fourth or eighth anniversary of the person's birthday. (NRS 483.820, as amended by section 13 of Assembly Bill No. 68, chapter 270, Statutes of Nevada 2017, at page 1416) **Section 4** of this regulation makes conforming changes and removes provisions specifying that the identification card of such a person expires on the fourth anniversary of the person's birthday.

Existing law requires the adoption of regulations prescribing the documents an applicant for an instruction permit, driver's license, identification card or motorcycle driver's license is authorized to use to provide proof of his or her full legal name and age to the Department. (NRS 483.290, as amended by section 10 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1279, NRS 483.860, as amended by section 17 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1284, NRS 486.081, as amended by section 19 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1285) **Section 5** of this regulation revises provisions relating to the documents an applicant is authorized to present to the Department as proof of his or her full legal name and age.

Existing law requires the Department to adopt regulations necessary to enable it to carry out the provisions of law relating to commercial drivers' licenses. (NRS 483.908) Existing

regulations authorize the Department to impose a restriction on the commercial drivers' licenses of certain persons which authorizes only the intrastate operation of a commercial motor vehicle. (NAC 483.360) **Section 9** of this regulation revises the criteria for the imposition of such a restriction on a commercial driver's license.

Existing law: (1) requires a person to request a change of his or her full legal name on a driver's license, motorcycle driver's license or identification card after a legal change of the person's name in accordance with a court order, certificate of marriage or a decree of divorce or adoption; (2) authorizes a person whose last name has not been legally changed in accordance with an order, certificate or decree to request a change of his or her full legal name upon adoption, marriage, divorce or the death of a spouse; and (3) defines the term "full legal name." (Sections 5 and 6 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at pages 1276-77, NRS 481.015, as amended by section 1 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1276) **Section 13** of this regulation repeals provisions: (1) defining the term "full legal name"; and (2) that governed the changing of a person's full legal name on a driver's license, motorcycle driver's license or identification card before the enactment of Senate Bill No. 215 of the 2017 Legislative Session. **Sections 1 and 6** of this regulation make conforming changes.

Section 1. NAC 481.003 is hereby amended to read as follows:

481.003 As used in chapters 483 and 486 of NRS ~~†~~

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

~~2. "Full legal name" means a natural person's first name, middle name and family name or last name, without the use of initials or a nickname.~~

Sec. 2. Chapter 483 of NAC is hereby amended by adding thereto a new section to read as follows:

1. The Department will issue a driver's license, identification card, commercial driver's license or commercial learner's permit that displays an alternate address to a peace officer or retired peace officer who:

(a) Satisfies the requirements set forth in section 2, 3 or 4 of Assembly Bill No. 252, chapter 58, Statutes of Nevada 2017, at page 221, 222 or 223, as applicable; and

(b) Submits a request for the display of an alternate address on his or her driver's license, identification card, commercial driver's license or commercial learner's permit to the Department in person at an office of the Department, on a form prescribed by the Department.

2. In addition to the requirements set forth in sections 2, 3 and 4 of Assembly Bill No. 252, chapter 58, Statutes of Nevada 2017, at pages 221-223, any alternate address displayed on a driver's license, identification card, commercial driver's license or commercial learner's permit must be a verifiable physical address and must not be a post office box.

Sec. 3. NAC 483.040 is hereby amended to read as follows:

483.040 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 *subsection 2*, 6 C.F.R. § 37.17(f) ~~H~~ *and section 2 of this regulation*, the address of principal residence of the licensee or holder of the identification card.

(g) A physical description of the licensee or holder of the identification card, including the height, weight, hair color and eye color of the licensee or holder.

(h) The usual signature of the licensee or holder of the identification card.

(i) The date on which the driver's license, motorcycle driver's license or identification card is issued.

(j) The expiration date of the driver's license, motorcycle driver's license or identification card.

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

(l) If the driver's license, motorcycle driver's license or identification card is issued in accordance 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. *If a driver's license, motorcycle driver's license or identification card is issued pursuant to section 202(d)(11) of the Real ID Act of 2005, Public Law No. 109-13, Division B, Title II, 119 Stat. 302, 312-15, 49 U.S.C. § 30301 note, the driver's license, motorcycle driver's license or identification card may, at the request of the licensee or holder of the identification*

card, contain the mailing address of the licensee or holder of the identification card instead of the address of principal residence 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.

~~3.4~~ 4. 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.

FIRST
PARALLEL
SECTION

Sec. 4. NAC 483.043 is hereby amended to read as follows:

483.043 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:

(a) 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 of a driver's license, motorcycle driver's license or identification card, from the birthday of the licensee or holder nearest the date of issuance;

(b) Issued to a licensee or holder of an identification card whose date of birth fell in an odd-numbered year expires on the fourth anniversary of the birthday of the licensee or holder of the identification card measured, in the case of 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 renewal; and

(c) Issued to a licensee or holder of an identification card whose date of birth fell in an even-numbered year expires on the eighth anniversary of the birthday of the licensee or holder of the identification card measured, in the case of 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 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.

Sec. 5. NAC 483.050 is hereby amended to read as follows:

483.050 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, *as amended by section 10 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1279*, 483.860, *as amended by section 17 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1284*, or 486.081 ~~(h)~~, *as amended by section 19 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1285*:

- (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 *that is* issued *using Form I-551* by the United States Citizenship and Immigration Services of the Department of Homeland Security;
- (e) *An Alien Registration Receipt Card that contains no expiration date and is issued using Form I-551 by the United States Citizenship and Immigration Services of the Department of Homeland Security;*
- (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.

2. An applicant for a noncommercial driver's license or identification card may, pursuant to NRS 483.290 , *as amended by section 10 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1279*, or 483.860, *as amended by section 17 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1284*, furnish a photo identification card issued by the Department of Corrections as proof of his or her full legal name and age if the applicant also presents to the Department of Motor Vehicles the documentation that the Department of Corrections used to prove the applicant's name and age for the purpose of issuing the photo identification card.

3. An applicant for a noncommercial driver's license, motorcycle driver's license or identification card 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.

4. The forms of identification that are unacceptable to the Department as proof of the full legal name and age of an applicant for a noncommercial 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 Bureau of Consular Affairs of the United States Department of State; and

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

Sec. 6. NAC 483.070 is hereby amended to read as follows:

483.070 1. A person who wishes to change the gender indicated on his or her driver's license, motorcycle driver's license or identification card must submit proof satisfactory to the Department that the person 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'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~~ *section 5 or 6 of Senate Bill No. 215, chapter 241, Statutes of Nevada 2017, at page 1276 or 1277, as applicable*, 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.

FIRST
PARALLEL
SECTION

Sec. 7. NAC 483.084 is hereby amended to read as follows:

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

2. Except as otherwise provided in subsection 3 or 4, a holder of an identification card is eligible to apply, by mail, for the renewal of his or her identification card only if the holder of the identification card:

(a) Is 65 years of age or older; or

(b) Will be issued an identification card for a 4-year period.

3. Except as otherwise provided in subsection 5, the holder of an identification card is not eligible to apply for the renewal of the identification card by mail if:

(a) The holder previously renewed the identification card and the immediately preceding time that it was renewed the renewal was completed by mail;

(b) The holder is a seasonal resident;

(c) The holder wishes to change or correct any information on the identification card pursuant to NAC ~~[483.055 to]~~ *483.060, 483.065 and* 483.070 ~~[, inclusive,]~~ or *NAC* 483.0789;

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

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

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

(a) The applicant has not requested to change or correct any information on the identification card pursuant to NAC ~~483.055 to~~ **483.060, 483.065 and** 483.070 ~~[-inclusive,]~~ or *NAC* 483.0789; and

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

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

Sec. 8. NAC 483.085 is hereby amended to read as follows:

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

1. The applicant wishes to change or correct any information on the identification card pursuant to NAC ~~483.055 to~~ **483.060, 483.065 and** 483.070 ; ~~[-inclusive,]~~

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

3. The Department has not obtained the applicant's digital image and signature required for the production of a renewed identification card.

Sec. 9. NAC 483.360 is hereby amended to read as follows:

483.360 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 is equipped with a manual transmission.

Restriction E - Automatic transmission for noncommercial or commercial driver's license.
(Restriction E - Auto Trans CMV Wgt Only)

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 skills test for his or her commercial driver's license in a commercial 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.

This restriction is placed on the driver's

(Restriction JG - Motorcycle w-Sidecar)

license of a person who has demonstrated proficiency in operating a motorcycle equipped with a sidecar.

Restriction JH - Medical hardship.

This restriction is placed on a restricted

(Restriction JH - Trnsprt Handicapped Only)

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.

This restriction is placed on the driver's

(Restriction JI - Drive NCMV A Rec Veh)

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.

This restriction is placed on the driver's

(Restriction JJ - Drive NCMV B Rec Veh)

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 skills test in a tow car.

Restriction JN - Instruction permit or commercial learner's permit.
(Restriction JN - Instruction or Learner's Permit)

This restriction is placed on each instruction permit or commercial learner's 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 , *as amended by section 3 of Assembly Bill No. 261, Statutes of Nevada 2017, at page 964*, 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

especially 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 JX - Not authorized to use air brakes in a noncommercial motor vehicle.
(Restriction JX - No Air Brakes - NCDL)

This restriction is placed on the driver's license of a person who does not pass a knowledge test or a driving skills test in a noncommercial motor vehicle that is equipped with air brakes.

Restriction JY - Must carry a valid noncommercial or commercial driver's license

This restriction is placed on a commercial learner's permit to indicate that the permit is

issued by the State of Nevada.
(Restriction JY - Must Carry Valid NV
NCDL/CDL)

invalid unless accompanied by the
underlying noncommercial or commercial
driver's license issued by the State of
Nevada.

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, ~~for~~ who is
less than 21 years of age ~~+~~, *who engages
in excepted intrastate commerce as defined
in NAC 483.7994 or who engages in
nonexcepted intrastate commerce as
defined in NAC 483.7997.*

Restriction L - No air brakes, commercial motor
vehicle weight only.
(Restriction L - No Air Brakes, Commercial
Motor Vehicle Weight Only)

This restriction is placed on the commercial
driver's license or commercial learner's
permit of a person who does not pass a
knowledge test or a skills test in a
commercial motor vehicle that is equipped
with air brakes.

Restriction M - Authorization to transport

This restriction is placed on a Class A or

passengers in motor vehicles falling within Class B or Class C only.

(Restriction M - No Class A Psngr Veh)

Class B commercial driver's license or commercial learner's permit, or both, to allow operation of a passenger vehicle falling within Class B or Class C.

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 a commercial driver's license or commercial learner's permit, or both, to allow operation of a passenger 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 learner's 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 holder of the permit 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.

This restriction is placed on the driver's

(Restriction T - To/From School Only)

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.

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 U - MC Not To Exceed 90cc)

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 W - Farm Waiver)

Restriction X - Operation of tank vehicle only if empty.

(Restriction X - No Cargo in CMV Tank Veh)

This restriction is placed on a commercial learner's 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 , *as amended by section 6 of Senate Bill No. 259, chapter 564, Statutes of Nevada 2017, at page 4047*, 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 484A.280.

FIRST
PARALLEL
SECTION

Sec. 10. NAC 483.430 is hereby amended to read as follows:

483.430 1. Except as otherwise provided in subsection 2, a holder of a driver's license is eligible to apply for the renewal of the license by mail if the holder of the driver's license:

- (a) Is 65 years of age or older; or
- (b) Will be issued a driver's license for a 4-year period.

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

(a) Except as otherwise provided in subsection 2 of NAC 483.4575, the holder previously renewed the license and the immediately preceding time that it was renewed the renewal was completed by mail;

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

(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 yearly vision examination, medical examination, knowledge test 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 full legal name is listed in the records of the Department as a person who must renew his or her driver's license in person because the Department believes that the

information contained on the driver's license may be incorrect or that the license may have been issued as a result of fraud or mistake;

(i) The license is a limited-term driver's license; or

(j) The holder wishes to change or correct any information on his or her driver's license pursuant to NAC ~~[483.055 to]~~ **483.060, 483.065 and** 483.070 ~~[, inclusive,]~~ or **NAC** 483.0789.

3. A statement or report submitted pursuant to paragraph (e) of subsection 2 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.

4. As used in this section, "traffic violation" has the meaning ascribed to it in NRS 483.473.

Sec. 11. NAC 483.440 is hereby amended to read as follows:

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

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

(b) The applicant wishes to change or correct any information on the driver's license pursuant to NAC ~~[483.055 to]~~ **483.060, 483.065 and** 483.070 ~~[, inclusive,]~~ or **NAC** 483.0789;

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

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

Sec. 12. NAC 483.4575 is hereby amended to read as follows:

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

- (a) The person's license or driving privilege is suspended, revoked, cancelled or denied;
- (b) The person holds a commercial driver's license;
- (c) Except as otherwise provided in subsection 2, the person's license has been expired for over 1 year;
- (d) Except as otherwise provided in subsection 2, the person previously renewed the license and the immediately preceding time that it was renewed the renewal was completed by mail;
- (e) Except as otherwise provided in subsection 2, the person is required to take a driving test;
- (f) The person wishes to change or correct any information on the license pursuant to NAC ~~483.055 to~~ **483.060, 483.065 and** 483.070 ; ~~[-inclusive;]~~ or
- (g) The license is a limited-term driver's license.

2. The Department may renew, by mail, the driver's license of any applicant who is employed by the Federal Government, is on active military duty or is the dependent of such a

person and will place a notation in the applicant's record indicating that when the applicant returns to this State he or she must be tested if:

(a) The applicant has not requested to change or correct any information on the driver's license pursuant to NAC ~~483.055 to~~ **483.060, 483.065 and** 483.070 ; ~~[-inclusive;]~~ and

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

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

Sec. 13. NAC 483.012 and 483.055 are hereby repealed.

TEXT OF REPEALED SECTIONS

483.012 "Full legal name" defined. (NRS 481.051, 481.052) "Full legal name" has the meaning ascribed to it in NAC 481.003.

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; 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'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.