

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

**LCB FILE NO. R049-22I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 04/15/2022**

PROPOSED REGULATION OF THE  
NEVADA DEPARTMENT OF MOTOR VEHICLES

January 7, 2022

**Explanation:** Matter in *bold italics* is new material; matter in ~~red~~ is material proposing to be omitted.

**Purpose:** To adopt regulations under the Nevada Administrative Code, requiring the Department to adopt regulations necessary to implement the provisions specified. The adopted regulations will revise provisions governing the establishment of guidelines for entry level driver training instruction for commercial motor vehicles and align the state's provisions with federal regulatory language, and other matters properly relating thereto.

**Authority:** NRS 481.051 (Powers and duties of the Director: Generally; delegation).

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**Section 1. Chapter 483 of NAC is hereby amended by adding thereto the following new language, sections 2-4 inclusive.**

**Section 2. NAC 483.752 Licensure as instructor; Prerequisites; interview of applicant; transfer of license; instruction at multiple schools; termination of relationship with school. (NRS 481.051, 483.720, 483.7205, 483.721)**

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

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

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

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

(2) If the application is for licensure as an instructor for a school for training drivers to operate commercial motor vehicles, has accumulated, in the 7 years immediately preceding his or her application, not less than ~~5~~ **2** years' experience in the operation of commercial vehicles *of the classification and endorsement necessary for the type of vehicle in which he or she will be giving instruction*;

(c) The applicant's:

(1) Full legal name;

(2) Date of birth;

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

(4) Address of principal residence;

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

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

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

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

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

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

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

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

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

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

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

(1) Not have, in any jurisdiction:

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

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

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

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

(3) Submit evidence that the applicant has possessed, for at least ~~5~~ 2 years, a driver's license of the classification *and endorsement* necessary for the type of vehicle in which he or she will be giving instruction.

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

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

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

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

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

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

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

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

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

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

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

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

(Added to NAC by Dep't of Motor Veh. & Pub. Safety, eff. 12-27-93; A 9-6-96; A by Dep't of Motor Veh. by R157-01, 8-27-2002; R140-12, 12-20-2012, eff. 1-15-2013) — (Substituted in revision for NAC 483.616)

#### Explanation:

- Changes the length of time from 5 years to 2 years for experience required to conduct CDL instruction based on federal ELDT regulations contained in CFR 380.605 (Definition of CDL instructor); these require an instructor to hold a CDL of the same (or higher) class and with all endorsements necessary to operate the commercial motor vehicle (CMV) for which training is to be provided and has at least two years of experience driving a CMV requiring a CDL of the same or higher class and/or the same endorsement.