

ASSEMBLY BILL NO. 302—ASSEMBLYWOMAN BACKUS

MARCH 15, 2023

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing state-issued identification. (BDR 43-984)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

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

AN ACT relating to public safety; providing for the issuance of a limited-purpose identification card to be used to provide identification for the purpose of challenging the accuracy or sufficiency of information relating to certain records of criminal history; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law creates the Central Repository for Nevada Records of Criminal History to collect and maintain certain information relating to records of criminal history. (NRS 179A.075) Existing law requires the Director of the Department of Public Safety to adopt regulations governing challenges to the accuracy or sufficiency of information relating to records of criminal history by the person who is the subject of the allegedly inaccurate or insufficient record. (NRS 179A.150)

Existing law prohibits the Department of Motor Vehicles from issuing or renewing a driver’s license, identification card or commercial driver’s license to a sex offender or an offender convicted of a crime against a child until the Department has received certain information indicating that the offender is in compliance with certain provisions of existing law, including, without limitation, the requirement for an offender to register with certain law enforcement agencies. (NRS 179D.441, 483.283, 483.861, 483.929) Existing law requires the Central Repository to share information concerning sex offenders and offenders convicted of a crime against a child with the Department of Motor Vehicles for this purpose. (NRS 179D.570)

Sections 3 and 4 of this bill authorize certain persons to apply to the Department of Motor Vehicles for a limited-purpose identification card if: (1) the person has been deemed ineligible for the issuance or renewal of a driver’s license, identification card or commercial driver’s license pursuant to the provisions of law which prohibit the Department from issuing or renewing a driver’s license,



22 identification card or commercial driver's license to certain offenders until the
23 Department has received information indicating that the offender is in compliance
24 with the provisions of existing law requiring the registration of certain offenders;
25 and (2) the person believes the determination that he or she is ineligible for the
26 issuance or renewal of a driver's license, identification card or commercial driver's
27 license is in error or is based on inaccurate or insufficient information. **Section 3**
28 provides that a limited-purpose identification card does not authorize the operation
29 of any motor vehicle and must be used solely to provide identification for the
30 purpose of challenging the accuracy or sufficiency of information relating to
31 records of criminal history, including, without limitation, obtaining fingerprints for
32 that purpose. **Section 3** provides that a limited-purpose identification card expires
33 30 days after issuance and must be surrendered upon the issuance of a driver's
34 license, including a commercial driver's license or identification card. **Section 3**
35 establishes provisions governing the form of a limited-purpose identification card.

36 **Section 2** of this bill establishes the duties of the Director of the Department of
37 Motor Vehicles with respect to limited-purpose identification cards.

38 **Section 4** requires an application for a limited-purpose identification card to be
39 on a form provided by the Department and to include certain information. **Section 4**
40 requires a person who wishes to apply for a limited-purpose identification card to
41 surrender any driver's license or state-issued identification card he or she possesses.

42 **Section 5** of this bill requires an applicant for a limited-purpose identification
43 card to furnish certain proof of his or her full legal name and age, which is the same
44 as the proof required to be submitted for an identification card.

45 **Section 6** of this bill provides for certain criminal penalties related to limited-
46 purpose identification cards.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 483 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 6, inclusive, of this
3 act.

4 **Sec. 2. *The Director shall:***

- 5 ***1. Prepare suitable limited-purpose identification cards.***
6 ***2. Prepare and furnish application forms for those cards.***
7 ***3. Receive applications, grant or deny them and maintain***
8 ***files of applications.***
9 ***4. Issue limited-purpose identification cards, recall and***
10 ***cancel cards when necessary and maintain records adequate to***
11 ***preserve the integrity of the system for limited-purpose***
12 ***identification cards.***

13 **Sec. 3. *1. A person who applies for a limited-purpose***
14 ***identification card in accordance with sections 2 to 6, inclusive, of***
15 ***this act is entitled to receive a limited-purpose identification card if***
16 ***the person:***

- 17 ***(a) Is a resident of this State and is 10 years of age or older;***
18 ***(b) Does not hold a valid driver's license or identification card***
19 ***from any state or jurisdiction; and***



1 (c) *Has been deemed ineligible for the issuance or renewal of*
2 *a driver's license, identification card or commercial driver's*
3 *license pursuant to NRS 483.283, 483.861 or 483.929.*

4 2. *The form of the limited-purpose identification card must be*
5 *similar to that of an identification card issued pursuant to NRS*
6 *483.810 to 483.890, inclusive, but a limited-purpose identification*
7 *card must clearly indicate on the face of the limited-purpose*
8 *identification card that the limited-purpose identification card is*
9 *temporary.*

10 3. *A limited-purpose identification card does not authorize*
11 *the operation of any motor vehicle and must be used by a person*
12 *solely to provide identification for the purpose of challenging the*
13 *accuracy or sufficiency of information relating to records of*
14 *criminal history pursuant to NRS 179A.150, including, without*
15 *limitation, obtaining a set of his or her fingerprints for the*
16 *purpose of challenging the accuracy or sufficiency of information*
17 *relating to records of criminal history.*

18 4. *The Department shall adopt regulations prescribing the*
19 *information that must be contained on a limited-purpose*
20 *identification card.*

21 5. *The Department may prescribe by regulation a fee for the*
22 *issuance of a limited-purpose identification card which is not*
23 *more than the cost to the Department to issue the card.*

24 6. *A limited-purpose identification card expires 30 days after*
25 *it is issued and is not renewable.*

26 7. *A limited-purpose identification card must be surrendered*
27 *by a resident upon issuance of a driver's license, including,*
28 *without limitation, a commercial driver's license, or identification*
29 *card by this State or any other state or jurisdiction.*

30 **Sec. 4. 1. Every application for a limited-purpose**
31 **identification card must be made upon a form provided by the**
32 **Department and include, without limitation:**

33 (a) *The applicant's:*

34 (1) *Full legal name.*

35 (2) *Date of birth.*

36 (3) *Current address of principal residence and mailing*
37 *address, if different from his or her address of principal residence,*
38 *in this State, unless the applicant is on active duty in the military*
39 *service of the United States.*

40 (b) *A statement from the applicant stating that he or she:*

41 (1) *Does not hold a valid driver's license or identification*
42 *card from any state or jurisdiction; and*

43 (2) *Has been deemed ineligible for the issuance or renewal*
44 *of a driver's license, identification card or commercial driver's*
45 *license pursuant to NRS 483.283, 483.861 or 483.929 and believes*



1 *the determination that he or she is ineligible for the issuance or*
2 *renewal of a driver's license, identification card or commercial*
3 *driver's license is in error or is based on inaccurate or insufficient*
4 *information.*

5 *2. When the form is completed, the applicant must sign the*
6 *form and verify the contents before a person authorized to*
7 *administer oaths. Officers and employees of the Department may*
8 *administer those oaths without charge.*

9 *3. An applicant who has been issued a social security number*
10 *must provide to the Department for inspection:*

11 *(a) An original card issued to the applicant by the Social*
12 *Security Administration bearing the social security number of the*
13 *applicant; or*

14 *(b) Other proof acceptable to the Department bearing the*
15 *social security number of the applicant, including, without*
16 *limitation, records of employment or federal income tax returns.*

17 *4. A person who possesses a driver's license, including,*
18 *without limitation, a commercial driver's license, or identification*
19 *card issued by this State or another state or jurisdiction who*
20 *wishes to apply for a limited-purpose identification card pursuant*
21 *to this section shall surrender to the Department the driver's*
22 *license or identification card issued by this State or the other state*
23 *or jurisdiction at the time the person applies for a limited-purpose*
24 *identification card pursuant to sections 2 to 6, inclusive, of this*
25 *act.*

26 **Sec. 5.** *Every applicant for a limited-purpose identification*
27 *card must furnish proof of his or her full legal name and age by*
28 *presenting an original or certified copy of the documents required*
29 *by the Department to be furnished as proof of the full legal name*
30 *and age of an applicant for an identification card pursuant to*
31 *NRS 483.860.*

32 **Sec. 6.** *A person who:*

33 *1. Forges or alters a limited-purpose identification card or*
34 *knowingly possesses an altered or forged limited-purpose*
35 *identification card;*

36 *2. Refuses to surrender a limited-purpose identification card*
37 *for cancellation when so directed by the Department;*

38 *3. Lends his or her limited-purpose identification card to*
39 *another person for the other's use or uses a card issued to another*
40 *person; or*

41 *4. Willfully fails to surrender to the Department within 10*
42 *days after another's limited-purpose identification card comes into*
43 *his or her possession or to return it to the proper holder,*

44 *↪ is guilty of a misdemeanor.*



1 **Sec. 7.** 1. This section becomes effective upon passage and
2 approval.

3 2. Sections 1 to 6, inclusive, of this act become effective:

4 (a) Upon passage and approval for the purpose of adopting any
5 regulations and performing any other preparatory administrative
6 tasks that are necessary to carry out the provisions of this act; and

7 (b) On January 1, 2024, for all other purposes.

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